

**CITY COUNCIL REGULAR SESSION**

Resolution amending the Hearing Examiner Rules of Procedure and repealing Resolution No. 6408.

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**EXECUTIVE SUMMARY**

These are the Rules of Procedure utilized by Hearing Examiners in conducting hearings on behalf of the City Council. They were established by the City Council at the time the Hearing Examiner system was adopted and have been periodically updated by Council action. The last amendment to these rules occurred in 2000.

**RECOMMENDATION**

Move to adopt Resolution No. 9474.

If approved, effective date: 10/01/2018

**BACKGROUND/ANALYSIS**

Hearing Examiner Rules of Procedure were first approved by Council in 1981 when the Office of the Hearing Examiner was created. From time to time those rules have been updated and amended to address changes in the law, expansion of the role of the City's hearing examiners and to update and modernize language. The most recent update was in 2000.

These revised rules were developed by the Hearing Examiners' staff in consultation with the examiners and additional input from the City Attorney's office. The changes reflect the complexity of land use matters and are designed to address the increasing presence of represented parties who seek to engage in discovery practices much like court proceedings. They are written in a manner to be understandable to non-lawyers and to protect the rights of participants. They provide tools for the examiners to maintain decorum and keep proceedings on track. The rules also recognize the growing use of electronic service of documents to save parties time and costs associated with participating in hearings.

**POLICY & FISCAL IMPACTS**

Council approval was required to establish the Rules of Procedure at the time the Hearing Examiner system was adopted in Bellevue. As noted above, from time to time the rules have become outdated and require amendment for clarity of language, conformance with the revised Land Use Code and to recognize and provide express hearing procedures for hearings consistent with changes in state law such as the Growth Management Act and amendments to the City's codes.

## **OPTIONS**

1. Adopt the Resolution amending the Hearing Examiner Rules of Procedure and repealing Resolution No. 6408.
2. Do not adopt the Resolution and provide alternative direction to staff. This will have the effect of leaving the current Hearing Examiner Rules of Procedure in place.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Revised Hearing Examiner Rules of Procedure - redlined
  - B. Revised Hearing Examiner Rules of Procedure - clean
- Proposed Resolution No. 9474

## **AVAILABLE IN COUNCIL LIBRARY**

N/A