



TO: Elizabeth Pauli, City Manager
FROM: Jeff H. Capell, Hearing Examiner *JHC*
COPY: City Council and City Clerk
SUBJECT: Resolution Request No. 17-1003 – A resolution updating and amending the Hearing Examiner Rules of Procedure – October 17, 2017
DATE: September 29, 2017

SUMMARY:

A resolution updating the *Hearing Examiner's Rules of Procedure for Hearings* to reflect current conditions and requirements.

COUNCIL SPONSORS:

N/A

STRATEGIC POLICY PRIORITY:

The proposed action would be aligned with the following strategic policy priorities:

- Ensure all Tacoma residents are valued and have access to resources to meet their needs.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

BACKGROUND:

Together with *Tacoma Municipal Code* Chapter 1.23, the *Hearing Examiner's Rules of Procedure for Hearings* (the "Rules") govern most aspects of the work the Hearing Examiner performs for the City of Tacoma in conducting administrative hearings. The current *Rules* are found on the City website at <http://cms.cityoftacoma.org/hex/HEXHearingsRulesOfProcedure.pdf>. The *Rules* were last amended and adopted in 2000 by Resolution No. 34935. Various content in the *Rules* need updating to better conform with current administrative practice and to conform with changes in controlling law.

ISSUE:

Should the *Hearing Examiner's Rules of Procedure for Hearings* be updated to conform with current administrative practice and changes in controlling law as proposed by the office of the Hearing Examiner?

ALTERNATIVES:

The City Council can adopt the updated *Rules* as proposed by the office of the Hearing Examiner in order to better conform with current administrative practice and changes in controlling law, or the City Council could reject the proposed update, but doing so would leave the *Rules* in an outdated form and out of compliance with controlling law.

RECOMMENDATION:

The office of the Hearing Examiner recommends adopting the revised, updated *Hearing Examiner's Rules of Procedure for Hearings* proposed by this Council Action Memorandum and its accompanying draft Resolution.

FISCAL IMPACT:

N/A