



Legislation Text

File #: Res 31974, **Version:** 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION setting the time and place for a hearing on the appeal of Robert Wexler, Hearing Examiner Case Number CWF-0149, from the findings and recommendation report of the Hearing Examiner on the final assessment roll for Local Improvement District No. 6751, and directing that the City Clerk provide any required notice of the hearing in the manner required by law.

WHEREAS, the Director of Transportation prepared the proposed final assessment roll for Local Improvement District (LID) No. 6751 and filed it with the City Clerk in November 2019; and

WHEREAS, on November 18, 2019, the City Council (“Council”) passed Resolution 31915, which initiated the process to confirm Waterfront LID assessments; and

WHEREAS, Revised Code of Washington (RCW) 35.44.070 requires the Council to hold a hearing on the final assessment roll where property owners subject to assessment may object to their assessments as described in the roll; and

WHEREAS, RCW 35.44.070 permits the Council to hold the hearing itself, or to designate an officer to conduct the hearing; and

WHEREAS, via Resolution 31915, the Council designated February 4, 2020, as the date for the hearing and designated the Hearing Examiner for The City of Seattle to conduct the required hearing on the LID final assessment roll; and

WHEREAS, in July 2020 the Hearing Examiner concluded the hearing and began preparing the Hearing Examiner’s findings and recommendations report on the final assessment roll for LID No. 6751 (“Report”); and

WHEREAS, Seattle Municipal Code (SMC) 20.04.090.A.2 directs the Hearing Examiner to file the Report

with the City Clerk; and

WHEREAS, the Hearing Examiner filed the Report on September 8, 2020; and

WHEREAS, RCW 35.44.070 and SMC 20.04.090 require the Council to hear any appeals from the report of the Hearing Examiner on the final assessment roll for local improvement districts; and

WHEREAS, SMC 20.04.090 and City Council Rules for Quasi-Judicial Proceedings (“Quasi-Judicial Rules”) subsection V.A.2 require that an appellant must file a notice of appeal from said report with the City Clerk within 14 days of the Hearing Examiner’s filing of the recommendation with the City Clerk; and

WHEREAS, SMC 20.04.090 requires the Council to set a time and place for a hearing on the appeal before the City Council or a committee thereof and shall give notice of the time and place to the appellant following the filing of the notice of appeal; and

WHEREAS, Quasi-Judicial Rules subsection IV.A states that the Council may delegate the appeal review to a committee, and the committee would then make a recommendation to the full Council; and

WHEREAS, Quasi-Judicial Rules subsection VI.A requires the delegated committee to set the time and place for the hearing on the appeal within 15 days following the filing of the appeal with the City Clerk; and

WHEREAS, the City Clerk has received an appeal from the report and it is necessary to fix a date for a hearing on the appeal; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The hearing on an appeal by Robert Wexler, Hearing Examiner Case Number CWF-0149, from the findings and recommendation report of the Hearing Examiner on the final assessment roll for Local Improvement District No. 6751 will be held before the Council’s Public Assets and Native Communities Committee, commencing at 2:00 P.M. on Tuesday, January 5, 2021, in the Council Chambers of Seattle City Hall, 600 Fourth Avenue, 2nd Floor, Seattle, Washington. Due to the COVID-19 civil emergency declared by The City of Seattle and the State of Washington, persons who wish to participate in or attend the hearing may be required to do so remotely. The City will provide instructions in the meeting agenda on how to participate

remotely.

Section 2. The City Clerk is hereby directed to give notice by mail of the time, place, and purpose of the hearing, in the form and manner required by law.

Adopted by the City Council the _____ day of _____, 2020, and signed by me in open session in authentication of its adoption this _____ day of _____, 2020.

President _____ of the City Council

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)