

**CITY OF SEATTLE**

**RESOLUTION 31965**

A RESOLUTION delegating temporary authority to the City Clerk to set the time and place for a hearing on any appeals from the report, findings, recommendation, and decision 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 report, findings, recommendation, and decision on the final assessment roll for LID No. 6751 (“Recommendation”); and

WHEREAS, Seattle Municipal Code (SMC) subsection 20.04.090.A.2 directs the Hearing Examiner to file said Recommendation with the City Clerk; and

1 WHEREAS, the Hearing Examiner may file said Recommendation during the month of August  
2 2020; and

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

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

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

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

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

19 WHEREAS, in accordance with the General Rules and Procedures of the Seattle City Council,  
20 no City Council or committee meetings will occur between August 24 and September 4,  
21 2020; and

1 WHEREAS, the City Clerk may receive one or more appeals from the Hearing Examiner’s  
2 recommendation on a day in August such that the following 15 days will fall within the  
3 time that no City Council or committee meetings will occur; NOW, THEREFORE,

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

5 Section 1. The City Council (“Council”) intends to refer appeals from the Hearing  
6 Examiner’s report, findings, recommendation, and decision on the final assessment roll for Local  
7 Improvement District No. 6751 (“Hearing Examiner’s recommendation”) to the Public Assets  
8 and Native Communities Committee.

9 Section 2. During the time period of August 24 through September 4, 2020, when no  
10 Council or committee meetings will occur, Council hereby delegates temporary authority to the  
11 City Clerk to set the time and place for the hearing of appeals from the Hearing Examiner’s  
12 recommendation by the Public Assets and Native Communities Committee to comply with the  
13 15-day deadline established in City Council Rules for Quasi-Judicial Proceedings subsection  
14 VI.A.

15 Section 3. The City Clerk shall not set a time for a hearing sooner than December 1,  
16 2020, due to the noticing requirements for hearings of appeals from the Hearing Examiner’s  
17 recommendations and Council’s suspension of committee meetings other than Select Budget  
18 Committee meetings during annual budget deliberations.

19 Section 4. During the time period of August 24 through September 4, 2020, the City  
20 Clerk is hereby directed to give notice of the time, place, and purpose of the hearing, in the form  
21 and manner required by law to any appellants.

