

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATED TO THE SELECTION PROCESS FOR THE OLYMPIA HEARING EXAMINER, AND AMENDING SECTION 18.82.040 OF THE OLYMPIA MUNICIPAL CODE

WHEREAS, the position of Hearing Examiner is established in Olympia Municipal Code (OMC) Chapter 18.82; and

WHEREAS, OMC 18.82.040 states that the Hearing Examiner shall be selected by the Council and may be retained by a professional service contract for a term and on conditions determined appropriate by the City Council; and

WHEREAS, on February 17, 2022, following a selection process for the Hearing Examiner, the City Council's Land Use and Environment Committee (LUEC) forwarded a recommendation to the City Council that Attorney Mark Scheibmeir continue serving as the Olympia Hearing Examiner under a new contract for a two-year period, with an option to extend the contract for two years upon the mutual agreement of Mr. Scheibmeir and the City; and

WHEREAS, the LUEC also recommended that the City Council conduct a selection process for the Olympia Hearing Examiner at least once every four years; and

WHEREAS, the City Council wishes to amend OMC 18.82.040 to provide that a selection process for the Olympia Hearing Examiner be conducted by the Council at least once every four years;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 18.82.040. Olympia Municipal Code Section 18.82.040 is hereby amended to read as follows:

18.82.040 Hearing examiner selection

A. The Hearing Examiner shall be selected by the Council. At least once every four years, the City Council will conduct a selection process for the Olympia Hearing Examiner. The selection process will be conducted as deemed appropriate by the City Council

B. The Hearing Examiner may be retained on a professional service contract for a term and on conditions determined appropriate by the Council. ~~Such~~The Hearing Examiner contract may provide that the Examiner may retain the services of officials to hold hearings as are needed to render aid and advice regarding technical or specialized issues that may be presented to the Examiner. Said contract may also provide for Hearing Examiner(s) pro tem to serve in the absence of the Hearing Examiner on such terms and conditions deemed appropriate by the Council.

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after passage and publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: