



City Council

Approval of Hearings Examiner Appointment

Agenda Date: 3/26/2013
Agenda Item Number: 4.B
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Agenda Item:

Approval of Hearings Examiner Appointment

Issue:

Approve Hearing Examiner Selection Committee Recommendation and authorize the City Manager to execute an Agreement for Professional Services for Hearing Examiner with Mark Scheibmeir.

Committee Recommendation:

The Hearing Examiner Selection Committee recommends Mark Scheibmeir for the position of Olympia Hearings Examiner.

City Manager's Recommendation:

Move to authorize the City Manager to to execute an Agreement for Professional Services for Hearing Examiner with Mark Scheibmeir.

Staff Contact:

Steven Fiddle, Community Services Manager, 360.753.8591

Presenter(s):

None. Consent Calendar

Background and Analysis:

The Contract with Hearings Examiner Thomas Bjorgen terminated on November 30, 2012 and a new Examiner needs to be selected. The Council adopted selection criteria and process on January 8, 2013 that included:

Step 1. Issue RFQ. The City recieved ten responses.

Step 2. Initial screening, focusing on qualifications only, a screening committee consisting of the City Manager, Deputy City Attorney and Community Services Manager forwarded the four top respondents for interview.

Step 3. Interview panel, consisting of the Chairs to the General Government Committee and Land Use and Environment Committee, Gerry Alexander (retired Washington State Chief Justice) and the City Attorney conducted four interviews.

Step 4. The interview panel's unanomous recommendation is to appoint Mark Scheibmeir based upon the

approved selection criteria consisting of:

1. Knowledge and Experience of land use permitting and appeals at the local level.
2. Experience with writing legally defensible local land use decisions.
3. Approach to quality control, case management and decision delivery.
4. Making effective use of public resources.
5. Experience and manner of holding public meetings and quasi-judicial proceedings.
6. Readiness, availability and familiarity with the area.
7. Response of references.

Mr. Scheibmeir has a private law practice in Chehalis, Washington where he has served for the last 32 years. Among the range of his practice, he also provides hearing examiner services to other counties and municipalities (See Attachment # 1).

Options:

1. Move to authorize the City Manager to to execute an Agreement for Professional Services for Hearing Examiner with Mark Scheibmeir.
2. Pull the item from the Consent calendar to discuss the appointment or provide additional direction to staff.

Financial Impact:

The budget includes funding for Hearings Examiner services. The hourly rate of compensation proposed by Mr. Scheibmeir is \$ 175.00. Compensation is not proposed for travel.