

Office of Hearing Examiner

Ryan Vancil, Hearing Examiner

(206) 684-0521

<http://www.seattle.gov/examiner/>

Department Overview

The Office of Hearing Examiner is Seattle's quasi-judicial forum for reviewing factual and legal issues raised by the application of City Code requirements to specific people or property. As authorized by the Seattle Municipal Code, the office conducts hearings and decides appeals in cases where members of the public disagree with a decision made by a City agency. Many of the matters appealed to the Hearing Examiner relate to land use and environmental permit decisions and interpretations made by the Seattle Department of Construction and Inspections. The Hearing Examiner also hears appeals in many other subject areas, and makes recommendations to the City Council on rezone petitions, major institution master plans, and other Council land-use actions.

The Hearing Examiner is appointed by the City Council, and Deputy Hearing Examiners are appointed by the Hearing Examiner. Examiners handle all pre-hearing matters, regulate the conduct of hearings, and prepare decisions and recommendations based upon the hearing record and applicable law. The Seattle Municipal Code requires all examiners to be attorneys with training and experience in administrative hearings. The Hearing Examiner also manages an executive assistant to oversee the administrative areas of the office, a legal assistant to assist with hearings and decision preparation, and an administrative specialist to support all other office positions and provide information to the public.

Budget Snapshot

	2021 Actuals	2022 Adopted	2023 Adopted	2024 Endorsed
Department Support				
General Fund Support	981,017	1,078,071	1,163,296	1,189,054
Total Operations	981,017	1,078,071	1,163,296	1,189,054
Total Appropriations	981,017	1,078,071	1,163,296	1,189,054
Full-Time Equivalent Total*	5.00	5.00	5.00	5.00

* FTE totals are provided for informational purposes only. Changes in FTEs resulting from City Council or Human Resources Director actions outside of the budget process may not be detailed here

Budget Overview

The 2023 Adopted and 2024 Endorsed budgets maintain support to the Office of Hearing Examiner (HXM) and preserves the services provided by the Hearing Examiner to members of the public and the City Council. Technical adjustments have been made to bring the adopted budget into alignment with an Annual Wage Increase, and other citywide adjustments to internal service costs.

City Council Changes to the Proposed Budget

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The City Council made the following changes to the 2023 Proposed Budget:

- Eliminate funding for a new case management system

Incremental Budget Changes

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	Dollars	FTE
2022 Adopted Budget	1,078,071	5.00
Baseline		
Citywide Adjustments for Standard Cost Changes	57,732	-
Appropriations for 2022 Annual Wage Increase (AWI)	27,493	-
Technical Corrections	-	-
Proposed Operating		
Case Management Replacement	1,992,186	-
Proposed Technical		
Providing Hearing Examiner Services to Small Cities	-	-
Council		
Eliminate Funding for Hearing Examiner Case Management System	(1,992,186)	-
Total Incremental Changes	\$85,225	-
Total 2023 Adopted Budget	\$1,163,296	5.00

Description of Incremental Budget Changes

Baseline

Citywide Adjustments for Standard Cost Changes

Expenditures \$57,732

Citywide technical adjustments made in the baseline phase reflect changes to internal services costs, including rates from the Department of Finance & Administrative Services, Seattle Information Technology Department, Seattle Department of Human Resources, and for healthcare, retirement, and industrial insurance charges for the department.

Appropriations for 2022 Annual Wage Increase (AWI)

Expenditures \$27,493

This centrally administered change adjusts appropriations to reflect an annual wage increase in 2022, as outlined in the agreements between certain City unions, for personnel costs included in this department. These agreements were finalized after the 2022 budget had been adopted. This change includes ongoing cost increases to salary, FICA,

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Medicare, retirement, overtime and temporary labor. There is no increase assumed from 2022 to 2023.

Technical Corrections

Expenditures -

This item is a net zero amendment to correct budget coding.

Proposed Operating

Case Management Replacement

Expenditures \$1,992,186

The Council eliminated this proposal in the adopted budget. Refer to the Council Phase Changes section below. The proposed budget description follows:

This item adds one-time funding in 2023 and 2024 and ongoing annual maintenance funding of \$92,000 to implement a new case management system. The Hearing Examiner's current case management system is nearing the end of its useful life and unable to keep up with increasing performance requirements. The case management system both improves public access to services and substantially increases the capacity of the Department by allowing the public to file appeals, access case documents, and listen to hearing recordings online. The new case management system will improve existing functionality and allow faster reporting, standardized work processes, and significantly expand storage capacity of case documents. The efficiencies gained by a new system gives the Hearing Examiner flexibility to accommodate increased caseload volume with existing staff. The Hearing Examiner and Seattle IT have worked together to identify the replacement and are prepared to implement the new system.

Proposed Technical

Providing Hearing Examiner Services to Small Cities

Revenues \$16,000

This item increases the revenue budget to recognize new contracts for hearing examiner services provided to City of Pacific and City of Milton. The Department expects to generate \$16,000 of revenue annually between these two contracts, equivalent to about 100 hours.

Council

Eliminate Funding for Hearing Examiner Case Management System

Expenditures \$(1,992,186)

This Council item eliminated the funding added in the proposed budget for a new case management system in the Office of the Hearing Examiner. Council removed \$1.9 million in 2023 and \$900,000 in 2024 of General Fund and repurposed it for other Council priorities.

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Expenditure Overview

	2021 Actuals	2022 Adopted	2023 Adopted	2024 Endorsed
Appropriations				
HXM - BO-HX-V1X00 - Office of the Hearing Examiner				
00100 - General Fund	981,017	1,078,071	1,163,296	1,189,054
Total for BSL: BO-HX-V1X00	981,017	1,078,071	1,163,296	1,189,054
Department Total	981,017	1,078,071	1,163,296	1,189,054
Department Full-Time Equivalents Total*	5.00	5.00	5.00	5.00

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Budget Summary by Fund Office of Hearing Examiner

	2021 Actuals	2022 Adopted	2023 Adopted	2024 Endorsed
00100 - General Fund	981,017	1,078,071	1,163,296	1,189,054
Budget Totals for HXM	981,017	1,078,071	1,163,296	1,189,054

Revenue Overview

2023 Estimated Revenues

Account Code	Account Name	2021 Actuals	2022 Adopted	2023 Adopted	2024 Endorsed
341180	Legal Service Fees	-	-	16,000	16,000
341900	General Government-Other Rev	3,222	8,000	8,000	8,000
Total Revenues for: 00100 - General Fund		3,222	8,000	24,000	24,000
Total HXM Resources		3,222	8,000	24,000	24,000

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Appropriations by Budget Summary Level and Program

HXM - BO-HX-V1X00 - Office of the Hearing Examiner

The purpose of the Office of Hearing Examiner Budget Summary Level is to conduct fair and impartial hearings in all subject areas where the Seattle Municipal Code grants authority to do so (there are currently more than 75 subject areas) and to issue decisions and recommendations consistent with applicable law.

Program Expenditures	2021	2022	2023	2024
	Actuals	Adopted	Adopted	Endorsed
Office of the Hearing Examiner	981,017	1,078,071	1,163,296	1,189,054
Total	981,017	1,078,071	1,163,296	1,189,054
Full-time Equivalents Total*	5.00	5.00	5.00	5.00

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