

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE ) RESOLUTION NO 98-2627A  
SELECTION OF HEARINGS OFFICERS FOR )  
CONTESTED CASE HEARINGS FOR THE ) Introduced by Mike Burton,  
PERIOD COMMENCING APRIL, 1998 ) Executive Officer  
)

WHEREAS, Section 2.05.025(a) of the Metro Code requires that contested case hearings and amendments to the Regional Urban Growth Boundary (UGB) shall be held before a Hearings Officer; and

WHEREAS, Metro also utilizes the services of Hearings Officers in other cases when contested case hearings must be held pursuant to the Metro Code; and

WHEREAS, the Council may from time to time approve and provide to the Executive Officer a list of prospective Hearings Officers from which Hearings Officers may be appointed by the Executive Officer; and

WHEREAS, the Council adopted Resolution No. 97-2569, authorizing the issuance of a Request for Proposals for Hearings Officer services; and

WHEREAS, responses were reviewed by the Office of General Counsel in concert with the Planning and Growth Management Department and members of the Council.; and

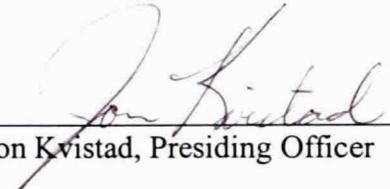
WHEREAS, the review committee recommends that eight qualified responses be accepted and that J. Richard Forester, Howard W. Carsman, Robert J. Harris, Jeffrey P. Chicoine, Barry Adamson, Mark J. Greenfield, Larry Epstein, and Pamela J. Beery be designated as approved Hearings Officers, and that the Executive Officer be authorized to enter into contracts to secure their services; now, therefore,

BE IT RESOLVED:

A. That pursuant to Metro Code Section 2.05.025(a) J. Richard Forester, Howard W. Carsman, Robert J. Harris, Jeffrey P. Chicoine, Barry Adamson, Mark J. Greenfield, Larry Epstein, and Pamela J. Beery are designated as approved Hearings Officers for the period commencing April, 1998.

B. That the Executive Officer is authorized to enter into contracts with J. Richard Forester, Howard W. Carsman, Robert J. Harris, Jeffrey P. Chicoine, Barry Adamson, Mark J. Greenfield, Larry Epstein, and Pamela J. Beery in a form substantially similar to the Request for Proposals document approved by Resolution No. 97-2569 and the responses received thereto.

ADOPTED by the Metro Council this 16<sup>th</sup> day of April 1998.

  
\_\_\_\_\_  
Jon Kvistad, Presiding Officer

APPROVED AS TO FORM:

  
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Daniel B. Cooper, General Counsel

**GROWTH MANAGEMENT COMMITTEE REPORT**  
**CONSIDERATION OF ORDINANCE 98-2627, FOR THE PURPOSE OF**  
**APPROVING THE SELECTION OF HEARINGS OFFICERS FOR CONTESTED**  
**CASE HEARINGS**

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Date: April 8, 1998

Presented by: Councilor Naito

**Committee Action:** At its April 7, 1998 meeting, the Growth Management Committee unanimously voted to recommend to Council adoption of Resolution 98-2627A. Voting in favor: Councilors Naito and McCaig.

**Committee Issues/Discussion:** The Committee voted to amend the resolution at the request of General Counsel Dan Cooper to add the following language to the title: "for the period commencing April 1998". The amendment clarified the title of the resolution so as to distinguish it from similar previously adopted resolutions.

## Staff Report

### **CONSIDERATION OF RESOLUTION NO. 98-2627 FOR THE PURPOSE OF APPROVING THE SELECTION OF HEARINGS OFFICERS FOR CONTESTED CASE HEARINGS**

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**Date: March 20, 1998**

**Presented by: Daniel B. Cooper**

#### **PROPOSED ACTION**

This resolution would complete the process initiated by Resolution No. 97-2569 whereby the Council authorized the release of a Request for Proposals to identify qualified Hearings Officers. This Resolution officially designates eight Hearings Officers to conduct contested case hearings on land use and/or non-land use decisions required by the Metro Code.

#### **BACKGROUND AND ANALYSIS**

In adopting Resolution No. 97-2569, the Council initiated a procedure for selecting an approved list of Hearings Officers as required by Metro Code Section 2.05.025(a). The previous list had been created in 1993 and was no longer sufficient.

Pursuant to Resolution No. 97-2569, a Request for Proposals document was released and applicants were solicited. Eight applicants submitted written proposals to provide Hearings Officer services to Metro. The proposal documents were reviewed by the Office of General Counsel in concert with the Planning and Growth Management Department and members of the Council.

The review committee recommends that eight qualified responses be accepted and that Barry Adamson, Pamela J. Beery, Howard W. Carsman, Jeffrey P. Chicoine, Larry Epstein, J. Richard Forester, Mark J. Greenfield and Robert J. Harris be designated as approved Hearings Officers, and that the Executive Officer be authorized to enter into contracts in a form substantially similar to the Request for Proposals document approved by Resolution No. 97-2569 and the responses received thereto in order to secure their services.

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