

# WORK SESSION AGENDA ITEM SUMMARY

City Council



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## STAFF

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## SUBJECT FOR DISCUSSION

### Quasi-Judicial Appeals Process

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## EXECUTIVE SUMMARY

The purpose of this item is to further discuss issues and considerations previously identified in the current Council appeals process related to quasi-judicial decisions made by administrative staff, hearing officers, and City boards and commissions and seek specific direction on developing code language for a future proposed amendment.

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## GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What specific elements should be incorporated into new code language?
2. Are there additional issues or solutions the Council would direct staff to investigate?

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## BACKGROUND / DISCUSSION

On November 14, 2023, City Council held a work session to discuss the current state of the appeals process for quasi-judicial decisions, and to review and discuss various elements of that process that might be updated to create a more fair, consistent, and simple appeals system. Several attachments are included with this summary memo that provide additional background and summarize prior discussions, including: the AIS from the November 2023 work session, a summary memo that captured Council feedback, June 2024 Brownstein letter, and a memo outlining estimated costs to the City of processing appeals.

The November 2023 work session resulted in direction to staff to present a range of alternatives and possible solutions to Council to simplify and streamline the process, provide a better experience for all parties and community, and investigate some specific elements of the current process that might impact our current state.

The discussion intended for this work session will be centered on obtaining specific feedback and guidance to staff such that draft code language can be developed to update the City's appeals processes. The attached presentation addresses a variety of topics introduced at the last work session and offers a summary of the current state and alternative solutions with staff recommendations.

Staff is seeking specific direction from the Council on these elements that could impact the process and any proposed code update. Generally, the elements to be discussed include:

- Decision-maker
- Standing to Appeal / Participation
- Permitted Grounds for Appeal
- Multiple Levels of Appeals
- Evidence and Arguments
- Process Improvements

The feedback gathered will inform any proposed code updates.

## **NEXT STEPS**

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Based upon feedback and direction that staff receives at the work session from Council, staff is prepared to begin drafting proposed code language to update or replace the current code related to quasi-judicial appeals. Additionally, staff can be directed to research additional alternative solutions to address specific issues that Councilmembers may want to discuss or explore further. Staff recommends that next steps include development and review of proposed code language for future Council consideration, likely in the last quarter of 2024 or early in the first quarter of 2025.

## **ATTACHMENTS**

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1. November 14, 2023, Work Session Summary Memo – Quasi Judicial Appeals
2. November 14, 2023 Work Session AIS and Staff Presentation – Quasi Judicial Appeals
3. Brownstein letter, June 18, 2024
4. City Staff Estimated Costs Memo
5. Presentation