



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: July 1, 2014

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

Pursuant to Arizona Revised Statutes § 48-3603 and § 48-3615.01, the Flood Control District Board of Directors is authorized to appoint Hearing Officers and establish a Board of Hearing Review. These positions are necessary to complete the District's Compliance Enforcement Program. This Resolution appoints three hearing officers who also currently serve as hearing officers for the Pima County Development Services Department and establishes a Board of Hearing Review which by statute must be composed of the five members of the Flood Control District Advisory Committee that represent each of Pima County's five political districts.

CONTRACT NUMBER (if applicable): _____ N/A

STAFF RECOMMENDATION(S):

Staff recommends approval of the Resolution.

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: 0.0 and/or REVENUE TO PIMA COUNTY:\$ 0.00

FUNDING SOURCE(S): N/A
(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

YES NO

Board of Supervisors District:

1 2 3 4 5 All

IMPACT:

IF APPROVED:

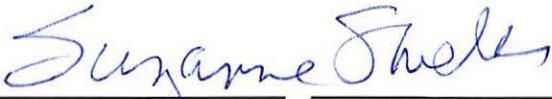
The District may begin to utilize the modified compliance enforcement procedures, which relies on the use of Hearing Officers to hear cases with alleged floodplain violations.

IF DENIED:

The District will not be able to use the new procedures until other Hearing Officers and members of the Board of Hearing Review are selected.

DEPARTMENT NAME: Regional Flood Control District

CONTACT PERSON: Eric Shepp TELEPHONE NO.: 4-4610

DIRECTOR'S SIGNATURE: 
Suzanne Shields, P.E.

RESOLUTION AND ORDER NO. 2014 -FC _____

A RESOLUTION OF THE PIMA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS APPOINTING THE PIMA COUNTY FLOOD CONTROL BOARD OF HEARING REVIEW AND DESIGNATING DISTRICT HEARING OFFICERS.

WHEREAS, the Board of Directors of the Pima County Flood Control District (“the Board”) is required to adopt and enforce floodplain regulations pursuant to Arizona Revised Statutes (A.R.S.) Sections 48-3603(D) and 48-3609, and

WHEREAS, the Board is authorized to hold hearings on the enforcement of floodplain regulations per A.R.S. Sections 48-3603(C)(24) and 48-3615.01, and

WHEREAS, the Board is further authorized to appoint Hearing Officers to facilitate the District’s floodplain violation hearing process in accordance with A.R.S. Sections 48-3603(C)(23) and 48-3615.01(D), and

WHEREAS, the Board is authorized to appoint a Board of Hearing Review for the purpose of reviewing floodplain regulatory decisions of the Chief Engineer pursuant to A.R.S. Section 48-3603(C)(25),

NOW, THEREFORE, UPON MOTION DULY MADE, SECONDED AND CARRIED, BE IT RESOLVED THAT:

1. Michael Marks, Jim Portner, and Thomas Sayler-Brown are hereby authorized to act as Hearing Officers for the District’s Floodplain Violation Hearing Process. District Staff are authorized to carry out the necessary steps to establish contracts with each appointed Hearing Officer for this purpose.
2. A Flood Control District Board of Hearing Review is hereby established and shall consist of the five members of the Pima County Flood Control District Advisory Committee that represent each District of the Pima County Flood Control District Board of Directors.
3. This resolution shall be effective upon execution by the Chair of the Pima County Flood Control District Board of Directors.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2014.

PIMA COUNTY FLOOD CONTROL DISTRICT
BOARD OF DIRECTORS:

Sharon Bronson, Chair

ATTEST:

Approved as to form:

Clerk of the Board



Deputy County Attorney