



## Legislation Text

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**File #:** 20-300, **Version:** 1

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**TO:** Mayor and Town Council

**FROM:** Andrew Miller, Town Attorney

**DATE:** June 25, 2020

**CONTACT:**

Paul Mood, 480-348-3573

**AGENDA TITLE:**

Motion to Reconsider Ordinance Number 2020-07 and the Adoption of Resolution Number 2020-25 and the Adoption of amended Ordinance Number 2020-07; Adopting Amendments to the Floodplain Section of the Town Code by Reference

**RECOMMENDATION:**

Reconsider Ordinance Number 2020-07 and the adoption of Resolution Number 2020-25 and the Adoption of amended Ordinance Number 2020-07; Adopting Amendments to the Floodplain Section of the Town Code by Reference

**BACKGROUND:**

On June 11, 2020, the Town Council adopted Ordinance Number 2020-07, amending Article 5-11, Floodplain Administration regulations. After further review by Town staff it was determined that Ordinance 2020-07 should be adopted by reference in order to avoid the exorbitant costs of publication of the full text of the ordinance. A revised version of Ordinance Number 2020-07 has now been prepared that will permit the Council to adopt the changes to the Floodplain Administration section of the Town Code, Article 5-11, by reference to a document that has been declared to be a public record by Resolution 2020-25. That document (attached hereto) is entitled "Floodplain Administration, June 2020," and is an attachment to Resolution No. 2020-25. This attachment is a cleaned-up version of the Floodplain Administration Code, Article 5-11, with all of the strikeouts and additions that the Council has previously reviewed and approved now placed into a clean "code version" format.

A.R.S. §9-801 et. seq. provides for the adoption by reference of public records but requires that three (3) copies of the public record be kept on file in the office of the Town Clerk and available for public use and inspection during normal business hours. Resolution No. 2020-25 declares the document "Floodplain Administration Code June 2020" to be a public record, and the Town Clerk will maintain 3 copies of this document in the Clerk's Office for inspection. By using this statutory process for adopting a code by reference, the full text of the Floodplain Administration code will not need to be published in its entirety, thus saving thousands of dollars in publication costs.

Because the Council has already considered the Floodplain Administration code changes at its May

28, 2020 Study Session and adopted these changes with the prior version of Ordinance 2020-07 on June 11, 2020, a recitation of the changes being made to the Floodplain Administration section of the Town Code is not needed with this reconsideration and adoption of the amended version of Ordinance No. 2020-07. It is respectfully recommended that the Town Council first adopt Resolution No. 2020-25 declaring the document entitled "Floodplain Administration, June 2020" to be a public record, and then adopt amended Ordinance No. 2020-07.

**NEXT STEPS**

Adopt: 1) Resolution No. 2020-25; and then 2) amended Ordinance No. 2020-07

**ATTACHMENTS:**

Amended Ordinance No. 2020-07

Resolution No. 2020-25

Document titled "Floodplain Administration, June 2020" (Article 5-11)