

## **MEMORANDUM**

TO: MAYOR SAMUELSON, CITY COUNCIL  
FROM: LARRY KWARSICK, PLANNING DIRECTOR  
DATE: JUNE 6, 2011

### **RE: HEARINGS EXAMINER ORDINANCE AND REQUEST FOR PROPOSALS (RFP)**

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As requested by the City Council a draft hearings examiner ordinance has been developed for your consideration that addresses all the necessary code amendments to implement a hearings examiner system. The ordinance has been reviewed by City Attorney Grant Weed and amended accordingly based on his recommendations.

As decided by the City Council the ordinance establishes that the Hearings Examiner makes the final local decision on quasi-judicial matters with the exception of contract rezones. All appeals of quasi-judicial local decisions will go to Superior Court.

The City Council needs to establish a date and time for the public hearing on the hearings examiner ordinance and if the first reading will be waived. The public hearing should not be scheduled for June 20<sup>th</sup> as the Planning Director is not available, which puts the hearing out to the first meeting in July, which will need to be scheduled since the regular meeting day falls on July 4<sup>th</sup>.

Also before the Council is a Request for Proposals (RFP) to solicit proposals for hearings examiner services. Once approved by the Council the RFP will be distributed accordingly.

### **Recommendation**

Staff recommends the Council take the following actions:

1. Approve the RFP for immediate distribution
2. Approve the date and time for the first public hearing
3. Decide on the number of ordinance readings

