

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE TO REPEAL AND REPLACE CHAPTER 2-1 RELATING TO BOARDS AND COMMISSIONS; AMENDING SECTIONS 2-7-71 AND 2-7-72 OF THE CITY CODE RELATING TO FINANCIAL DISCLOSURE BY BOARD MEMBERS; REPEALING SECTION 2-8-22 OF THE CITY CODE RELATING TO BOARD WORK PLANS, SECTION 2-8-23 OF THE CITY CODE RELATING TO THE POLICY PLANNING AND BUDGET COMMITTEE, AND SECTION 2-10-35 RELATING TO THE DOWNTOWN AUSTIN COMMUNITY COURT ADVISORY COMMITTEE; AND PROVIDING ADMINISTRATIVE TRANSITION PROVISIONS RELATING TO BOARDS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The council finds that

- (A) The City's volunteer boards and commissions improve the value of governance in the City by providing increased citizen input in the regulatory process
- (B) The council appointed a Boards and Commissions Process Review Task Force, which submitted a report suggesting a number of changes to the City's use of and procedures for boards and commissions
- (C) The current board and commission process is not uniform, which creates problems of consistency in how individual boards operate, including bylaw provisions, meeting frequency, naming, and quorum
- (D) A nomination and appointment procedure that allows a board member's service to run concurrently with the term of the council member making the nomination would further the public's interest in having newly elected council members impact the City's regulatory process quickly

**PART 2.** The City Code is amended to repeal and replace Chapter 2-1 to read

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## CHAPTER 2-1. CITY BOARDS.

### ARTICLE 1. GENERAL PROVISIONS.

#### Division 1. Administrative Provisions.

##### § 2-1-1 APPLICABILITY; CONFLICTS.

- (A) This article applies to all boards described in Article 2 (*Boards*) and the board members
- (B) The council may require a task force or a task force member to comply with this chapter. Otherwise, this chapter does not apply to a task force or task force member
- (C) Federal law, state law, the City Charter, and other City Code provisions supersede this chapter to the extent of conflict
- (D) A specific provision in Article 2 (*Boards*) controls over a general provision in Article 1 (*General Provisions*)

##### § 2-1-2 DEFINITIONS.

- (A) BOARD means a permanent advisory or decision-making body described in Article 2 (*Boards*) and includes a commission, committee, council, or agency
- (B) BOARD MEMBER includes an alternate member
- (C) TASK FORCE means a non-codified temporary advisory body established by resolution or ordinance for a specific purpose that expires upon the completion of its assigned task or according to a specified deadline

##### § 2-1-3 BOARDS ESTABLISHED.

- (A) Each board described in Article 2 (*Boards*) is established or continued in existence by the city council as an advisory or decision-making body to perform specified duties
- (B) A board established by the city council that is to be in existence for more than three years should be included in this chapter
- (C) The city clerk shall maintain a list of all boards, task forces, and other city-related bodies that are not included in this chapter and to which the council or mayor appoints one or more members

1       **§ 2-1-4       SIZE AND APPOINTMENT.**

- 2           (A) Except as otherwise provided in Article 2 (*Boards*), a board consists of seven  
3           members appointed by the city council
- 4           (B) For a board with seven or more members, each council member shall nominate  
5           one board member to serve on the board, and the mayor shall nominate the  
6           other board members
- 7           (C) For a board with fewer than seven members, the mayor shall nominate the  
8           board members
- 9           (D) All appointments of board members are subject to approval by a majority vote  
10          of council

11       **§ 2-1-5       COMPOSITION AND MEMBERSHIP QUALIFICATIONS.**

12           Except as otherwise required by federal or state law, the City Charter, or this  
13           chapter, the board composition and membership qualifications contained in this chapter  
14           are directory and not mandatory

15       **§ 2-1-6       QUORUM AND ACTION.**

- 16           (A) A majority of the total number of authorized board members constitutes a  
17           quorum for the conduct of business. For a seven member board, four board  
18           members constitute a quorum
- 19           (B) A board action must be adopted by an affirmative vote of the number of  
20           members necessary to provide a quorum. For a seven member board, a board  
21           action must be adopted by an affirmative vote of four board members

22       **§ 2-1-7       STAFF SUPPORT.**

- 23           (A) The city manager shall designate a City department to provide staff support for  
24           each board, including a staff member to serve as board liaison for the  
25           department and the board
- 26           (B) The city clerk shall assist each board and task force in complying with  
27           Government Code Chapter 551 (*Open Meetings Act*), including the posting of  
28           meeting notices

29       **§ 2-1-8       COUNCIL AUDIT AND FINANCE COMMITTEE.**

- 30           (A) The Council Audit and Finance Committee shall
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- (1) annually designate the boards that are required to conduct a review and prepare a review report and work plan in accordance with Section 2-1-46 (*Annual Review, Review Report, And Work Plan*),
- (2) review each designated board's review report and work plan,
- (3) make recommendations to the council on the continued need for and role of each board,
- (4) review and approve or disapprove a board's requested amendment to the City's standard board bylaws,
- (5) receive notice of a board's failure to convene for a period of six months and make a recommendation to council on the continued existence or dissolution of the board, and
- (6) make recommendations to council on other issues related to City-related boards

(B) The committee may review a board audited by the city auditor

(1) The committee's review shall include

(a) a written or oral presentation by the chair of the board related to

(i) the mission, goals, and objectives of the board,

(ii) the board's performance during the review period, and

(iii) the findings by the city auditor, and

(b) written or oral public comment on a board's operation and performance during the review period

(2) The committee shall make a recommendation to council on whether to continue, modify, or dissolve the board

## **Division 2. Member Requirements.**

### **§ 2-1-21 ELIGIBILITY REQUIREMENTS AND REMOVAL.**

(A) A board member is appointed by and serves at the pleasure of the city council

(B) A person must be a resident of the City to be eligible for appointment to a City board, unless an exception to the residency requirement is created by federal or state law, the City Charter, or a City ordinance

- 1 (C) A person who is registered or is required to register as a lobbyist under Chapter  
2 4-8 (*Regulation of Lobbyists*) or who is employed by a person registered or  
3 required to register under that chapter is not eligible to serve on a board until  
4 the expiration of three years after the date that the person ceases to be  
5 registered, required to be registered, or employed by a person registered or  
6 required to register
- 7 (D) A board member whose years of service exceed the limitation prescribed by  
8 Section 2-1-22 (*Membership Term And Limitation*) is not eligible for  
9 reappointment
- 10 (E) A person must file a written application with the city clerk to be eligible for  
11 appointment to a City board
- 12 (F) After a person is appointed to a board, the person is not eligible to begin service  
13 until the person has signed a written acknowledgment stating that the person
- 14 (1) has taken the oath of office,  
15 (2) has receive a copy of and agreed to comply with the City's ethics and  
16 personal responsibility guidelines, and  
17 (3) has agreed to complete the training required by Section 2-1-23 (*Training*)
- 18 (G) To maintain eligibility, a board member must
- 19 (1) complete the initial and annual refresher board courses required by  
20 Section 2-1-23 (*Training*),  
21 (2) comply with Section 2-7-72 (*Public Financial Statements*), if applicable,  
22 and  
23 (3) comply with the attendance requirements of Section 2-1-26 (*Attendance*  
24 *Requirements And Automatic Vacation*)
- 25 (H) A person may not serve on more than one City-established board  
26 simultaneously, except as a representative of another board or as required by  
27 federal or state law or City ordinance or resolution
- 28 (I) Except as provided in Subsection (H), a board member whose term has expired  
29 continues to serve in a hold-over capacity until the earlier of the date a  
30 successor is appointed to fill the position or the 60<sup>th</sup> day after the term  
31 expiration date

1 (J) A board member who becomes ineligible to serve under this chapter or federal  
2 or state regulation may not continue to serve even though a successor has not  
3 been appointed

4 (K) A board member may be removed at any time by an affirmative vote of the  
5 majority of the council

6 **§ 2-1-22 MEMBERSHIP TERM AND LIMITATION.**

7 (A) A board member is appointed for a term of three years beginning August 1<sup>st</sup>  
8 The term of office for a board member runs concurrently with the term of office  
9 for the city council member who appoints the member

10 (B) Except as provided in Subsection (C), a board member may serve not longer  
11 than nine consecutive years on the same board. Service before (effective date  
12 of ordinance) is excluded in determining the number of years served

13 (C) A board member who has served nine years on the same board is not eligible  
14 for reappointment to a board until the expiration of two years after the last date  
15 of the member's service on the board

16 **§ 2-1-23 TRAINING.**

17 (A) A board member must comply with the training requirements of this section to  
18 maintain eligibility to serve on the board

19 (B) Each board member must complete a board course developed by City staff not  
20 later than the 90<sup>th</sup> day after the date of the member's appointment. The training  
21 shall include:

- 22 (1) a review of a board member's personal and ethical responsibilities,  
23 (2) the role of council and staff and the council-manager form of government,  
24 (3) the role of an advisory boards in making recommendations and advising  
25 council,  
26 (4) board procedures, including attendance and quorum,  
27 (5) the City's business planning process,  
28 (6) Government Code Chapter 551 (*Open Meetings Act*) and Robert's Rules  
29 of Order, and  
30 (7) conflict resolution

- 1 (C) After the initial training, each board member must annually complete a  
2 refresher course developed by City staff

3 **§ 2-1-24 CONFLICT OF INTEREST AND RECUSAL.**

- 4 (A) At each meeting, a board member shall sign an attendance sheet and shall  
5 indicate

6 (1) that the board member has no conflict of interest related to any item on  
7 the agenda, or

8 (2) the number of an agenda item for which the board member has a conflict  
9 of interest

- 10 (B) A board member with a conflict of interest shall

11 (1) file a conflict of interest statement with the staff liaison before a meeting  
12 begins,

13 (2) recuse himself or herself from any discussion or deliberation on the  
14 agenda item creating the conflict of interest, and

15 (3) leave the meeting room during any discussion, deliberation, or action on  
16 the agenda item creating the conflict of interest

- 17 (C) After recusal, a board member with a conflict of interest may not address the  
18 board or an individual member of the board on any issue relating to the agenda  
19 item creating the conflict of interest

- 20 (D) A board member may not address the board or an individual member of the  
21 board as an advocate for any person

22 **§ 2-1-25 PUBLIC FINANCIAL STATEMENTS.**

- 23 (A) A board member who does not file a public financial statement required by  
24 Section 2-7-72 (*Public Financial Statements*) is ineligible to serve and  
25 automatically vacates the member's position

- 26 (B) The city clerk shall notify the nominating council member if a board member's  
27 failure to file public financial statements creates an automatic vacancy that  
28 requires a new appointment
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1       **§ 2-1-26      ATTENDANCE REQUIREMENTS AND AUTOMATIC VACATION.**

- 2           (A) Except as provided in Subsection (B), a board member automatically vacates  
3           the member's position if the member is absent for three consecutive regular  
4           meetings or one-third of all regular meetings in a 12-month period
- 5           (B) Subsection (A) does not apply to an absence due to the board member's illness  
6           or injury if the member notifies the chair of the reason for the absence not later  
7           than the date of the next regular meeting of the board
- 8           (C) The City department assigned to provide staff support to a board shall keep  
9           attendance records and notify the city clerk if a board member fails to comply  
10          with attendance requirements
- 11          (D) The city clerk shall notify the nominating council member if a board member's  
12          attendance record creates an automatic vacancy that requires a new  
13          appointment
- 14          (E) An automatic vacation of a board position under this section is effective on the  
15          earlier of the date a successor is appointed to fill the position or the 30<sup>th</sup> day  
16          after the notification under Subsection (D)

17                               **Division 3. Board Requirements.**

18       **§ 2-1-41      BOARD AUTHORITY AND ACTION.**

- 19           (A) Each board serves only in an advisory capacity to the city council, unless  
20           granted specific authority in Article 2 (*Boards*), another provision of the City  
21           Code, the City Charter, an ordinance, or state or federal law
- 22           (B) An individual board member may not act in an official capacity except through  
23           the action of a majority of the board
- 24           (C) A board must take action or make a recommendation to the city council not  
25           later than the 90<sup>th</sup> day after the city manager has referred an item to the board  
26           for review. If a board does not act timely as required under this subsection, the  
27           city manager may forward an item to the city council without a board  
28           recommendation
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30       **§ 2-1-42      OFFICERS AND COMMITTEES.**

- 31           (A) Each board shall annually select from its membership a chair and any additional  
32           officers that the board finds appropriate



- 1 (B) A person may not serve as the chair of a board for more than two consecutive  
2 years
- 3 (C) A board may create a committee from its membership to aid the board in  
4 carrying out its purpose. A board may not designate or appoint a non-member  
5 to serve on a committee
- 6 (D) A meeting of a committee shall be posted under the Local Government Code  
7 Chapter 551 (*Open Meeting Act*)

8 **§ 2-1-43 MEETING REQUIREMENTS.**

- 9 (A) Unless otherwise provided in this chapter, each board shall meet not less often  
10 than quarterly
- 11 (B) Each board shall comply with Government Code Chapter 551 (*Open Meetings*  
12 *Act*)
- 13 (C) A board may not conduct a closed meeting without the approval of the city  
14 attorney
- 15 (D) Each board meeting agenda shall provide for citizen communication
- 16 (E) A board liaison shall transmit
- 17 (1) a meeting agenda to the city clerk as required for posting under  
18 Government Code Chapter 551 (*Open Meetings Act*), and
- 19 (2) an electronic agenda to the Public Information Office for posting on the  
20 City's website
- 21 (F) The city clerk shall post each board meeting agenda and keep a record of  
22 postings for all board meetings
- 23 (G) Each board shall keep minutes of its meetings, which shall
- 24 (1) list the members in attendance,
- 25 (2) state the subject of each deliberation,
- 26 (3) indicate each vote, order, decision, or other action taken, and
- 27 (4) be filed with the liaison department
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1       **§ 2-1-44     MEETING PROCEDURES.**

- 2           (A) Board meetings are governed by Robert's Rules of Order and the board's  
3           bylaws
- 4           (B) Each board shall adopt the City's standard board bylaws. Not more than once a  
5           year, a board may adopt a revision to the standard bylaws or a rule that conflicts  
6           with Robert's Rules of Order. A bylaw or rule adoption or amendment is not  
7           effective unless approved by the Council Audit and Finance Committee
- 8           (C) A board meeting may not extend beyond 10:00 p.m., unless the board votes to  
9           continue

10       **§ 2-1-45     FAILURE TO MEET.**

- 11          (A) The City department assigned to provide staff support to a board shall notify the  
12          city clerk if the board fails to post notice of and conduct a meeting for a period  
13          of six months
- 14          (B) The city clerk shall send written notice to the Council Audit and Finance  
15          Committee of a board's failure to convene for a period of six months. The  
16          Council Audit and Finance Committee shall make a recommendation to council  
17          on whether to continue the board within 60 days of receiving notice under this  
18          subsection

19       **§ 2-1-46     ANNUAL REVIEW, REVIEW REPORT, AND WORK PLAN.**

- 20          (A) The Council Audit and Finance Committee shall designate boards that are  
21          required to conduct an annual review and prepare a review report and work  
22          plan. The committee should designate the boards not later than December 31<sup>st</sup>  
23          of each year
- 24          (B) A designated board shall conduct an annual review and prepare a review report  
25          and work plan during the first quarter of the year following the designation
- 26          (C) A board should conduct an annual review during a regular board meeting by
- 27               (1) assessing the board's actions during the previous year to determine  
28               whether the board complied with its mission, and
- 29               (2) soliciting and recording comments from the public and from staff
- 30          (D) A board's annual review report should include
- 31               (1) a summary of its activities for the previous year, including

- 1 (a) the board's achievements during the preceding year,  
2 (b) posted agenda for each board meeting,  
3 (c) approved minutes for each meeting, and  
4 (d) each resolution or written recommendation directed to the city  
5 council, and  
6 (2) recommendations on whether  
7 (a) the board should continue operation or be dissolved,  
8 (b) the board's functions should be modified, including the transfer of a  
9 function to another board, and  
10 (c) the board's bylaws should be amended  
11 (E) A board's annual work plan should include  
12 (1) a mission statement,  
13 (2) goals and objectives for the next plan year focused on long-range,  
14 strategic issues,  
15 (3) proposed activities for the next year to achieve the boards goals and  
16 objectives, and  
17 (4) administrative and staff support requirements  
18 (F) A board shall submit a review report and work plan to the Council Audit and  
19 Finance Committee, the city clerk, and the City department assigned to support  
20 the board

21 **§ 2-1-47 DISSOLUTION.**

- 22 (A) The council may vote to dissolve a board at any time  
23 (B) A board that has been abolished by the council may continue in existence for a  
24 period not to exceed 30 days after the effective date of the council action, for  
25 the limited purpose of making recommendations to council on the conclusion of  
26 matters pending before the board  
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**ARTICLE 2. BOARDS.**

**§ 2-1-101 AFRICAN AMERICAN RESOURCE ADVISORY COMMISSION.**

(A) The African American Resource Advisory Commission should have a balanced membership reflecting in-depth knowledge of the challenges and concerns of the African American community. The city council should appoint persons who are representative of or sensitive to the needs of the African American community in the city, and may appoint persons from the community-at-large and persons who are members of

- (1) the Austin Area Urban League,
- (2) the Capital City African American Chamber of Commerce,
- (3) the National Association for the Advancement of Colored People,
- (4) the Pro Arts Collective,
- (5) the Austin Revitalization Authority, and
- (6) the Alliance for African American Health in Central Texas

(B) The city manager or designee shall serve as a non-voting, ex officio member of the commission

(C) The commission shall advise the city council on issues relating to the quality of life for the City's African American community and shall recommend programs designed to alleviate any inequities that may confront African Americans in social, economic, and vocational pursuits, including

- (1) health care,
- (2) housing, including affordable housing, home ownership, and homelessness,
- (3) entertainment opportunities for professionals and students,
- (4) employment, and
- (5) cultural venues, including museums, theaters, art galleries, and music venues

1       **§ 2-1-102   ANIMAL ADVISORY COMMISSION.**

2           (A) The Animal Advisory Commission is established as prescribed by Texas  
3           Health and Safety Code Chapter 823 (*Animal Shelters*)

4           (B) The council shall appoint as commissioners

5               (1) one licensed veterinarian,

6               (2) one county or city official,

7               (3) one person whose duties include the daily operation of an animal shelter,  
8               and

9               (4) one animal welfare organization representative

10          (C) The mayor shall nominate as a commissioner one person recommended by the  
11          Travis County Commissioners Court

12          (D) A commissioner need not be a city resident

13          (E) The commission shall meet not less often than three times a year

14          (F) The commission shall

15               (1) advise the city council and the Travis County Commissioners Court on  
16               compliance with Texas Health and Safety Code Chapter 823 (*Animal*  
17               *Shelters*), and

18               (2) consider other issues that are referred to it by the city council

19       **§ 2-1-103   ARTS COMMISSION.**

20           (A) The Arts Commission membership should represent the broad arts constituency  
21           rather than individual disciplines. The commission should have a balanced  
22           membership reflecting in-depth knowledge of the various disciplines, large and  
23           small institutions, educational institutions, individual artists, and principles of  
24           arts administration, experimental and traditional forms, urban design, and  
25           gender. The commission should reflect Austin's ethnic diversity

26           (B) The commission shall

27               (1) serve as an advisory body to the city council in all arts-related matters,  
28               including long range planning, allocations process, and coordination with  
29               the comprehensive plan,

1 (2) promote close cooperation between the City and all private citizens,  
2 institutions, and agencies interested in or conducting activities relating to  
3 the arts in the city, so that all art resources within the city may be  
4 coordinated to maximize promotion and support of the arts in the city,

5 (3) facilitate communication between arts organizations, and

6 (4) foster and assist the development of the arts in the city

7 (C) The commission shall require peer panelists to comply with the conflict of  
8 interest provisions of Chapter 2-7 (*Ethics and Financial Disclosure*)

9 **§ 2-1-104 ASIAN AMERICAN RESOURCE CENTER ADVISORY BOARD.**

10 (A) The Asian American Resource Center Advisory Board membership should  
11 include persons who are representative of or sensitive to the needs of the Asian  
12 community in the city

13 (B) The city manager or designee shall serve as a non-voting ex officio member of  
14 the board

15 (C) The board shall advise the city council on the establishment and operation of an  
16 Asian American Resource Center. The board may study, plan, advise, report,  
17 and recommend an action, program, plan, or legislation that the board  
18 determines is necessary to develop the Asian American Resource Center,  
19 including the organization and structure of the center's management, a project  
20 budget and schedule, site selection, funding sources, and selection of a  
21 consultant, contractor, and executive director

22 (D) The board shall cooperate with any civic or volunteer group organized to foster,  
23 promote, and sponsor the Asian American Resource Center

24 (E) The board shall develop a comprehensive Asian American Resource Center  
25 Facility Program and Master Plan for council consideration and adoption. The  
26 Facility Program and Master Plan approval shall include a project budget and  
27 schedule, an operational plan, a financial plan, project objectives, a definition of  
28 the project's scope, and space, site, and utility requirements

29 **§ 2-1-105 AUSTIN AIRPORT ADVISORY COMMISSION.**

30 (A) The Austin Airport Advisory Commission membership should include

31 (1) a pilot,

- (2) a person who, as of the date of the person's appointment, has continuously resided within Austin-Bergstrom International Airport controlled compatible land use area for at least six months,
- (3) a civil engineer or architect licensed in Texas,
- (4) attorney in good standing with the State Bar of Texas with not less than five years experience,
- (5) a real estate appraiser, and
- (6) person from the business, banking, or financial community

(B) The commission shall

- (1) review and make recommendations to the council on aviation projects that the Department of Aviation proposes for the capital improvements program,
- (2) review and make recommendations to the council on proposed aviation grants, including airport trust funds administered by the Federal Aviation Administration,
- (3) review and make recommendations to the council on aviation contracts that are presented by the Department of Aviation to the council for action,
- (4) review and make recommendations to the council on the annual operating budget proposed by the Department of Aviation, and
- (5) review and make policy recommendations to the council on the quality of services at Austin-Bergstrom International Airport to citizens of Austin and customers of the airport and long term planning of Austin-Bergstrom International Airport

**§ 2-1-106 AUSTIN AREA COMPREHENSIVE HIV PLANNING COUNCIL.**

- (A) The Austin Area Comprehensive HIV Planning Council is created to perform the duties prescribed for an HIV health services planning council under United States Code Title 42, Sections 300ff-11 et seq (*The Ryan White HIV/AIDS Treatment Modernization Act*)
- (B) The planning council consists of 32 members
- (C) In accordance with federal law
  - (1) the mayor shall appoint the members, and

(2) the mayor may appoint an alternate to serve in the absence of a regular member whose absence is caused by the member's illness

(D) The membership of the planning council shall include representatives of the organizations or entities required by the Ryan White HIV/AIDS Treatment Modernization Act. On the effective date of this section, representation must include the following

- (1) health care providers, including federally qualified health centers,
- (2) community-based organizations serving affected populations and AIDS service organizations,
- (3) social service providers, including providers of housing and homeless services,
- (4) mental health and substance abuse providers,
- (5) local public health agencies,
- (6) hospital planning agencies or health care planning agencies,
- (7) affected communities, including people with HIV disease or AIDS, members of a federally-recognized Indian tribe as represented in the population, individuals co-infected with hepatitis B or C, and historically under-served groups and sub-populations,
- (8) non-elected community leaders,
- (9) state government, including the state Medicaid agency and the agency administering the program under part B of the Ryan White HIV/AIDS Treatment Modernization Act,
- (10) grantees under Part C, Subpart II (*Early Intervention Services - Categorical Grants*) of the Ryan White HIV/AIDS Treatment Modernization Act,
- (11) grantees under Section 2671 (*Grants for Coordinated Services and Access to Research for Women, Infants, Children and Youth*) of the Ryan White HIV/AIDS Treatment Modernization Act or representatives of organizations with a history of serving children, youth and families living with HIV and operating in the area, and
- (12) grantees under other federal HIV programs, including providers of HIV prevention services



- 1 (E) Members of the planning council shall serve two-year terms. A member's term  
2 expires on the second anniversary of the member's appointment.
- 3 (F) A planning council member may not serve more than three consecutive terms  
4 unless the member is the only eligible representative of an entity that is the  
5 sole provider in a category designated in Subsection (D).
- 6 (G) The planning council shall solicit nominations for consideration for  
7 appointment to the planning council through an open process. Nominees shall  
8 be selected based on criteria publicized by the planning council.
- 9 (H) The city manager shall assist the planning council in soliciting nominees for  
10 appointment to the planning council.
- 11 (I) The planning council shall establish a nominations committee to consider the  
12 nominees. The committee shall deliver copies of each application it receives  
13 to the planning council. The committee shall recommend at least two  
14 applicants to the planning council for each position, if there are two or more  
15 qualified applicants.
- 16 (J) The planning council shall recommend to the mayor at least two candidates for  
17 each position, if there are two or more qualified applicants.
- 18 (K) The planning council shall elect a chairperson who may not be an employee of  
19 the City.
- 20 (L) The planning council shall adopt rules of procedure or bylaws for the conduct  
21 of business that comply with the Ryan White HIV/AIDS Treatment  
22 Modernization Act.
- 23 (M) A majority of the planning council members, excluding vacancies, constitutes  
24 a quorum.
- 25 (N) The planning council may not be directly or indirectly involved in the  
26 administration of grant funds under the Ryan White HIV/AIDS Treatment  
27 Modernization Act. The planning council may not designate or participate in  
28 the selection of recipients of grant funds.
- 29 (O) The planning council shall perform the duties prescribed in Section 2602(B) of  
30 the Ryan White HIV/AIDS Treatment Modernization Act and shall comply  
31 with the requirements imposed by the Ryan White HIV/AIDS Treatment  
32 Modernization Act or other applicable law.
- 33 (P) The planning council shall advise the city council on issues related to HIV and  
34 AIDS and perform other duties assigned by the city council.

1    **§ 2-1-107   AUSTIN COMMUNITY TECHNOLOGY AND**  
2    **TELECOMMUNICATIONS COMMISSION**

3           (A) The Austin Community Technology and Telecommunications Commission  
4           membership should be broadly representative of community interests. A  
5           commissioner should have resided continuously within the City for not less than  
6           180 days.

7           (B) In this section

8               (1) Community technology includes information, communications  
9               technology training, and access that promotes civic and cultural  
10              participation, employment, and life-long learning.

11              (2) Telecommunications services include all transmission of voice, data, or  
12              video by means of permanent facilities installed in the City's rights-of-  
13              way or by means of radio transmission.

14           (C) The commission shall advise the city council regarding issues that include

15               (1) community technology,

16               (2) telecommunications services,

17               (3) new sources of funding for access television projects,

18               (4) new sources of funding for community technology projects,

19               (5) allocation of annual financial support, and

20               (6) the evaluation of the performance of franchise holders, access television  
21              contractors, and other community technology contractors, including  
22              development of criteria to be used for evaluations.

23           (D) The commission shall conduct public hearings regarding issues that include

24               (1) the performance of franchise holders, access television contractors, and  
25              other community technology contractors, and

26               (2) the identification of community cable, telecommunications, and  
27              technology needs.

28           (E) The commission shall promote access to telecommunications services and  
29           community technologies by methods including

1 (1) public awareness, use, and viewership of access television programming  
2 and other community media,

3 (2) identifying community technology needs and problems in the City and  
4 defining innovative programming approaches to those needs and  
5 problems, and

6 (3) public awareness of telecommunications policy and community  
7 technology issues

8 (F) The commission shall serve as a coordinating forum for issues relating to the  
9 provision of every different type of telecommunications services and  
10 community technologies, by receiving reports and recommendations from other  
11 City boards and commissions and from City departments, and forwarding these  
12 to the city council

13 (G) The commission does not possess any sovereign authority regarding any cable  
14 television or cable related telecommunications issue, and the commission serves  
15 in an advisory capacity only

16 **§ 2-1-108 AUSTIN MUSIC COMMISSION:**

17 (A) The Austin Music Commission membership should reflect the various areas of  
18 interest and expertise of the Austin music community and industry and the  
19 diversity of the Austin music community and industry. Commissioners may be  
20 selected from representatives of membership-based music organizations, music-  
21 related professional services, club owners or operators, the media, and artists in  
22 the field of music

23 (B) The commission advises the city council on music economic development  
24 issues, and coordinates and promotes the use of an Austin Music Channel on  
25 the local cable television system

26 (C) The commission duties are advisory and include

27 (1) studying the development of the music industry, and assisting in the  
28 implementation of programs to meet the needs created by the  
29 development of the industry,

30 (2) holding public hearings on matters that affect the music community and  
31 industry in Austin, and making recommendations on the matters to the  
32 city council,

33 (3) reviewing other matters that may affect the music industry in Austin and  
34 that may enable Austin's musicians to achieve national status while

1 remaining in Austin, and making appropriate recommendations to city  
2 council, and

3 (4) advising the city council on the implementation and development of an  
4 Austin Music Channel on the local cable television system by

5 (a) recommending policies regarding the technical quality of  
6 programming and programming time allocations, and

7 (b) recommending ways to raise funds, in compliance other applicable  
8 law, to be applied toward costs associated with the channel

9 (D) The city manager shall administer, supervise, and enforce of all contracts  
10 relating to the Music Channel The city manager shall inform the commission of  
11 any developments relating to the commission's advisory duties

12 (E) To the extent that duties set forth in this article conflict with duties of the Austin  
13 INet Authority, this article shall take precedence

14 **§ 2-1-109 AUSTIN-TRAVIS COUNTY EMS ADVISORY BOARD.**

15 (A) The Austin-Travis County EMS Advisory Board is composed of nine board  
16 members

17 (1) One board member shall be the director of trauma surgery for the hospital  
18 that is designated by the Texas State Department of Health Services as the  
19 lead trauma hospital in Austin

20 (2) The city council shall appoint as board members

21 (a) a physician representative from the Travis County Medical Society  
22 Emergency Department/Emergency Medical Services Committee,

23 (b) a City representative,

24 (c) a neighborhood organization representative, and

25 (d) a corporate response group representative

26 (3) The Travis County commissioners court shall appoint as board members

27 (a) an emergency services district commissioner,

28 (b) a local physician who is knowledgeable about emergency medical  
29 and trauma services,

- 1 (c) a Travis County representative, and
- 2 (d) a consumer who is informed about issues relating to Emergency
- 3 Medical Services
- 4 (4) A board member need not be a resident of the City of Austin
- 5 (5) The terms for board members are
- 6 (a) two years for a member described in Subparagraph (2)(a), (2)(b),
- 7 (2)(d), (3)(a), or (3)(c), and
- 8 (b) three years for a member described in Paragraph (A)(1) or
- 9 Subparagraph (2)(c), (3)(b), or (3)(d)
- 10 (6) A board member's term begins on November 1<sup>st</sup>
- 11 (B) The board shall consider and make recommendations to the city council about
- 12 the delivery of emergency medical services
- 13 (C) The board shall review the performance of the EMS system from the
- 14 perspective of each organization participating in the system and shall make
- 15 recommendations to the city council regarding
- 16 (1) use of the assets and resources of the various organizations participating
- 17 in the EMS system, and
- 18 (2) the placement of EMS stations to help promote high quality and efficient
- 19 service throughout Austin and Travis County
- 20 (D) The board may not exercise administrative control over the City of Austin
- 21 Emergency Services Department or an employee of that department

22 **§ 2-1-110 BOARD OF ADJUSTMENT.**

- 23 (A) The Board of Adjustment is established as provided in Local Government
- 24 Code Chapter 211 (*Municipal Zoning Authority*)
- 25 (B) The board shall be composed of seven members
- 26 (C) Each board member shall be appointed to serve a two-year term
- 27 (D) The council may appoint alternate board members to serve in the absence of
- 28 regular members. An alternate member shall be appointed to serve a two-year
- 29 term

1 (E) A regular or alternate board member may be removed by council for cause on  
2 a written charge after a public hearing

3 (F) The board shall

4 (1) hear and decide a request for a variance from the requirements of  
5 Chapter 25-2 (*Zoning*), except as otherwise provided by the Code,

6 (2) hear and decide an appeal of an administrative action under Title 25  
7 (*Land Development*), and

8 (3) perform other duties prescribed by ordinance or state law

9 (G) The board shall hold meetings at the call of the chairperson and at other times  
10 as requested by the board

11 (H) The chairperson, or the acting chairperson in the absence the chairperson, may  
12 administer oaths and compel the attendance of witnesses

13 (I) Each case before the board must be heard by at least 75 percent of the board  
14 members

15 (J) The concurring vote of 75 percent of the board members is necessary to

16 (1) reverse an order, requirement, decision, or determination of an  
17 administrative official,

18 (2) decide in favor of an applicant on a matter on which the board is  
19 required to pass under Chapter 25-2 (*Zoning*), or

20 (3) authorize a variation from the terms of Chapter 25-2 (*Zoning*)

21 (K) The board shall prepare minutes of its proceedings. The minutes shall include  
22 the vote of each member on each item before the board and shall state if a  
23 member is absent or fails to vote on an item

24 **§ 2-1-111 through §2-1-120 (RESERVED).**

25 **§ 2-1-121 BUILDING AND FIRE CODE BOARD OF APPEALS.**

26 (A) The Building and Fire Code Board of Appeals members should be qualified by  
27 experience and training to consider matters relating to building construction  
28 and fire prevention, and who are not City employees

1 (B) The building official and the fire marshal shall serve as an ex officio non-voting  
2 members of the board. The building official shall also serve as the board  
3 secretary

4 (C) The board shall

5 (1) review any appeal filed in accordance with Title 25 (*Land*  
6 *Development*), and

7 (2) hear and decide appeals of orders, decisions, or determinations made by  
8 the building official relating to the application and interpretations of the  
9 Building Code and Fire Code

10 (D) The board may not waive a Code requirement

11 (E) The board shall render all decisions and findings in writing, file them with the  
12 building official, and send copies to the appellant

13 (F) A person who is aggrieved by a decision of the board may appeal the decision  
14 to the city council under this subsection

15 (1) The appeal shall be made by filing a written notice of appeal with the  
16 city clerk. The notice of appeal shall contain

17 (a) the name of the person filing the appeal,

18 (b) a background of the case, and a summary of the decision from  
19 which the appeal is taken,

20 (c) a statement containing facts which show, beyond a reasonable  
21 doubt, that the decision appealed from was incorrect because of its  
22 inconsistency or conflict with city ordinance or state law, or that a  
23 finding of fact by the board was clearly contrary to the evidence  
24 before the board, and

25 (d) the relief requested from the city council

26 (2) Notice of appeal from a decision of the board shall be filed within 14  
27 days after the date on which the decision appealed from was made

28 (3) If the last day for filing the notice of appeal is a Saturday, Sunday, or  
29 City holiday, then the notice of appeal may be filed on the next day  
30 which is not a Saturday, Sunday, or City holiday

(4) A person filing a notice of appeal under this section shall, on the same day of the filing, mail or deliver a copy of the notice of appeal to the board

(5) The city council may, in the disposition of any appeal, to waive any requirement of any ordinance in any case in which the council considers the application of the requirement to be unjust and unnecessary to achieve the purposes of the ordinance. The city council may take any other action it deems advisable in deciding any appeal under this section

#### § 2-1-122 BUILDING AND STANDARDS COMMISSION.

(A) The Building and Standards Commission is established to hear cases concerning alleged violations of the City's housing and dangerous buildings regulations

(B) Each member is appointed for a term of two years or until a successor is appointed and qualified. A vacancy is filled for the unexpired term

(C) The fire marshal and the health authority representative are ex officio non-voting members of the commission. The building official shall also serve as the commission's executive secretary. An ex officio member may designate a representative to attend hearing

(D) The city council may remove a commission member or alternate member for cause on a written charge. Before a decision regarding removal is made, the city council must hold a public hearing on the matter if requested by the commission member who is subject to the removal action

(E) The Building and Standards Commission shall have the powers and duties and comply with the procedures established by Texas Local Government Code Chapter 54, Subchapter C, (*Quasi-Judicial Enforcement Of Health And Safety Ordinances*), Chapter 25-12, Article 9 (*Uniform Housing Code*), and Chapter 25-12, Article 10 (*Dangerous Buildings Code*)

#### § 2-1-123 CHILD CARE COUNCIL.

(A) The Child Care Council is composed of 24 community leaders as members

(1) The city council shall appoint 22 members. Each city council member may nominate three Child Care Council members

(2) The Austin Independent School District shall appoint one member

(3) The Travis County Commissioners Court shall appoint one member



1 (B) Each member shall serve a two-year term. The terms of one-half of the  
2 members expire on March 1 of even-numbered years, and terms of one-half of  
3 the members expire on March 1 of odd-numbered years.

4 (C) The members serve as the Early Learning Opportunities Advisory Council  
5 under Title VIII (*The Early Learning Opportunities Act*) 20 U.S.C.A. Sections  
6 9401, et seq., and shall perform the functions of a local council under the act.

7 (D) The Child Care Council shall

- 8 (1) make recommendations to the city council for the creation, development,  
9 and implementation of programs for quality child care,
- 10 (2) develop, for recommendation to city council, programs and activities that  
11 maintain the City's focus on the continued development of a system of  
12 quality child care available and accessible to all families who need these  
13 activities,
- 14 (3) explore, for recommendation to city council, cooperative arrangements  
15 with area governments in the metropolitan region to support a system of  
16 quality child care,
- 17 (4) encourage volunteerism and philanthropic efforts in order to get broad  
18 based community involvement and support for the work of the board,
- 19 (5) develop, for recommendation to city council, strategies encouraging  
20 individuals and agencies to continually upgrade the quality of their  
21 services and provide innovative approaches to quality child care in areas  
22 including training, involving the elderly, and programs for young  
23 adolescents,

24 (E) The Child Care Council shall create a committee to serve as the City of Austin  
25 Child Care Management Services Advisory Council. The Child Care Council  
26 shall select the committee members in accordance with the guidelines  
27 promulgated by the Texas Health and Human Services Commission.

28 (F) The Child Care Council may create advisory committees. Each advisory  
29 committee should include representatives of parents, child care providers, early  
30 childhood educators, employers, community representatives, public school  
31 officials, teachers, and county and regional governmental entities.

32 **§ 2-1-124 COMMISSION FOR WOMEN.**

33 (A) The Commission for Women represents the female constituency of the City and  
34 should have a balanced membership reflecting in-depth knowledge of women's

1 concerns, including displaced homemakers, networking, health care, domestic  
2 violence/rape (battering), problems relating to the elderly, child care,  
3 discrimination, legal rights, pay equity, and comparable worth The  
4 commission should include members who are representative of or sensitive to  
5 the needs of the City's diverse population

6 (B) The commission shall serve as an advisory body to the city council and the city  
7 manager concerning the needs and problems of women in the Austin area and  
8 shall recommend programs designed to alleviate any inequities that may  
9 confront women in social, economic, and vocational pursuits The commission  
10 shall develop goals and coordinate research for planning, programming, and  
11 action relating to opportunities, needs, problems, and contributions of women in  
12 the city

13 (C) The commission shall

- 14 (1) act as the central clearinghouse and coordinating agency for activities and  
15 information relating to the status of women in the Austin community,
- 16 (2) accumulate information concerning the needs of women in the Austin  
17 community, including discrimination, services, and legal rights, and shall  
18 advocate to city council regarding these needs,
- 19 (3) educate the community on the status of women by publicizing in all  
20 appropriate ways information on their rights and obligations,
- 21 (4) review the whole range of services available to women to enable them to  
22 make their full contribution through their homes, their jobs, and their  
23 participation in community life, and take responsibility for strengthening  
24 existing services, and assisting in pursuing needed services, whether it be  
25 by commercial, cooperative, or voluntary agencies, or as a public service,
- 26 (5) stimulate an awareness among both men and women in the public and  
27 private sector of women's full potential and of the importance of their  
28 contribution to the development of the community, and
- 29 (6) establish, maintain, and update annually a human resource file of women's  
30 organizations and individual women

31 (D) The commission shall establish, recognize, support, and publicize a community-  
32 wide, geographically dispersed network system for meetings of women, open to  
33 all women without cost for attendance or participation These network  
34 meetings will provide commissioners with a means of direct contact with  
35 women in the community so they may be better informed on issues of concern

1 to women in the Austin area Each network group may send a representative to  
2 the commission meetings to update commissioners on these concerns  
3 Commissioners are also encouraged to attend network meetings

4 **§ 2-1-125 COMMISSION ON IMMIGRANT AFFAIRS.**

5 (A) The Commission on Immigrant Affairs membership should represent the  
6 diverse ethnic and professional segments of the immigrant community and the  
7 broader Austin community

8 (1) One-third of the commissioners should have direct or personal experience  
9 in emigration to the United States

10 (2) The commissioners need not be City residents

11 (B) The commission shall

12 (1) advise the city council on issues of common concern to immigrants,  
13 particularly in the areas of health and human services, education, and the  
14 demographic makeup of the Austin immigrant community,

15 (2) monitor requirements of federal, state, and local immigration, welfare and  
16 other laws that affect immigrants, and recommend to the city council  
17 actions to maximize the benefits to local immigrants under existing laws  
18 and to minimize the adverse impacts to local immigrants under the laws,

19 (3) promote recognition of the contributions of the foreign-born to the  
20 economic and cultural vitality of Austin, and

21 (4) promote the availability of, and promote accessibility to, local  
22 educational, economic, legal, and social resources for immigrants

23 **§ 2-1-126 COMMITTEE FOR PERSONS WITH DISABILITIES.**

24 (A) The Committee for Persons with Disabilities membership should include  
25 representatives of agencies and organizations functioning within the  
26 committee's area who are interested in providing services to disabled persons  
27 and who are interested in the abilities and specific needs of persons with  
28 disabilities

29 (B) The committee is established to encourage, assist, and enable persons with  
30 disabilities to participate in the social and economic life of the City, achieve  
31 maximum personal independence, become gainfully employed, and use and  
32 enjoy fully all public and private facilities available within the community

1 (C) The committee shall

- 2 (1) serve as an advisory body to the city council and city manager regarding  
3 problems affecting the persons with disabilities in the Austin area,
- 4 (2) serve in an advisory and consultive capacity to the Human Resources  
5 Department and the city council to ensure effective compliance and  
6 enforcement of Chapter 5-6 (*Discrimination Against A Person With A*  
7 *Disability*),
- 8 (3) recommend to the mayor, council members, and the city manager  
9 measures aimed at improving the ability of various city departments and  
10 contractors at providing service and employment opportunities for  
11 disabled persons,
- 12 (4) annually evaluate the City's efforts to implement Chapter 5-6  
13 (*Discrimination Against A Person With A Disability*),
- 14 (5) sponsor educational programs to promote equal treatment, opportunity,  
15 and understanding and sponsor meetings, institutes, forums, and courses  
16 of instruction to lead to clearer understanding and solution of the issues  
17 and concerns of disabled persons,
- 18 (6) assist the Human Resources Department in training city employees and  
19 contractors regarding the needs and concerns of persons with disabilities,
- 20 (7) provide services and information to the mayor, city council, city manager  
21 and heads of all city departments and agencies to achieve the purposes of  
22 Chapter 5-6 (*Discrimination Against A Person With A Disability*),
- 23 (8) perform additional duties and functions as required by the city council

24 **§ 2-1-127 COMMUNITY DEVELOPMENT COMMISSION.**

- 25 (A) The Community Development Commission is composed of commissioners  
26 from the seven geographic areas described in Subsection (B)
- 27 (B) The city manager shall designate from time to time seven geographic areas of  
28 Austin having either a Health and Human Services Department neighborhood  
29 center or a Parks and Recreation Department recreation center
- 30 (C) The council shall assign one geographic area to each council member, and the  
31 council member shall nominate a resident of the assigned geographic area as a  
32 commissioner

- 1 (D) The commission shall advise the council in the development and  
2 implementation of programs designed to serve the poor and the community at  
3 large with an emphasis on federally funded programs

4 **§ 2-1-128 CONSTRUCTION ADVISORY COMMITTEE.**

- 5 (A) The Construction Advisory Committee may include members who are  
6 representatives of labor and the construction industry
- 7 (B) The director of the Public Works Department shall serve as committee secretary  
8 and as an ex officio committee member
- 9 (C) The committee shall
- 10 (1) monitor the enforcement of prevailing wage scales and job classifications  
11 on municipal construction contracts,
- 12 (2) advise the city council and city manager regarding categories and specific  
13 projects of maintenance and construction work that should be  
14 accomplished by contract through competitive bidding processes instead  
15 of by use of City personnel and equipment,
- 16 (3) review the implementation of state laws, Charter provisions, ordinances,  
17 and council policies relating to the award of construction contracts and the  
18 purchase or rental of construction equipment materials and services,  
19 including advertising policies, specifications, and lease purchase  
20 agreements, and
- 21 (4) advise the city council and city manager on other construction matters  
22 affecting the quality, cost, and improvement of City construction  
23 programs

24 **§ 2-1-129 DESIGN COMMISSION.**

- 25 (A) The Design Commission membership should include a diverse group of persons  
26 having expertise in urban design, architecture, landscape architecture, historic  
27 preservation, civic art, real property development, construction, and economic  
28 development
- 29 (B) The commission shall provide advisory recommendations to the city council as  
30 requested by the city council to assist in developing public policy and to  
31 promote excellence in the design and development of the urban environment
- 32 (C) The commission shall

- (1) offer policy recommendations regarding specific issues of urban design,
  - (2) participate in developing design guidelines,
  - (3) unless otherwise directed by the city council, for projects that require the approval of the Planning Commission or the Zoning and Platting Commission
    - (a) review a project only after a formal request by the project sponsor or applicant, and
    - (b) complete the review before the respective Planning or Zoning and Platting Commission takes final action,
  - (4) provide citizen education and outreach regarding quality urban design,
  - (5) provide a venue for citizen input on the design and development of the urban environment,
  - (6) maintain liaison relationships with city staff and other boards and commissions, and
  - (7) perform other activities as directed by the city council
- (D) The commission may appoint at one or more of its members to serve as liaison to a project-specific community advisory group addressing urban design and planning issues at the formal request of the project sponsor

**§ 2-1-130 DOWNTOWN AUSTIN COMMUNITY COURT ADVISORY COMMITTEE.**

- (A) The Downtown Austin Community Court Advisory Committee membership should include persons who are representative of the downtown business and public service community
- (B) The committee shall advise the Downtown Austin Community Court on policy and operational issues
- (C) The Downtown Community Court is created and governed by Chapter 2-10, Article 4 (*Downtown Austin Community Court*)

**§ 2-1-131 through §2-1-140 (RESERVED).**

1       **§ 2-1-141    DOWNTOWN COMMISSION.**

2           (A) The Downtown Commission is composed of 14 members appointed by the city  
3           council. Each council member may nominate two commission members.

4           (B) Each of the following groups, organizations, and institutions may be  
5           represented by a commissioner:

- 6               (1) downtown residents,  
7               (2) providers of human services to downtown clients,  
8               (3) Austin Area Research Organization,  
9               (4) Capital City Chamber of Commerce,  
10              (5) Downtown Austin Alliance,  
11              (6) East Eleventh Street Village Association,  
12              (7) East Sixth Street merchants and residents,  
13              (8) Greater Austin Chamber of Commerce,  
14              (9) Hispanic Chamber of Commerce,  
15              (10) Ole' Mexico,  
16              (11) Regional/Urban Design Assistance Team,  
17              (12) Women's Chamber of Commerce, and  
18              (13) Urban Land Institute.

19          (C) A representative from each of the following boards and commissions shall serve  
20          as a nonvoting liaison to the commission:

- 21              (1) Arts Commission,  
22              (2) Austin Music Commission,  
23              (3) Design Commission,  
24              (4) Historic Landmark Commission,  
25              (5) Parks and Recreation Board,  
26              (6) Planning Commission, and

1 (7) Urban Transportation Commission

2 (D) The commission should

- 3 (1) participate in the development of a long range comprehensive plan for the  
4 downtown area,
- 5 (2) be a clearinghouse through which public and private studies and projects  
6 are heard in order to achieve the greatest benefit from those studies and  
7 projects and to avoid potential duplication of effort'
- 8 (3) establish formal lines of communication between its individual members,  
9 respective boards and commissions, and other entities represented on the  
10 Downtown Commission,
- 11 (4) hold public forums to solicit broad public participation in the development  
12 of the downtown comprehensive plan, and
- 13 (5) request that studies on the downtown area performed by any city, county,  
14 state, or other public office and the private sector be brought to the  
15 Downtown Commission for informational and coordination purposes

16 (E) The commission shall

- 17 (1) facilitate coordination among City boards and commissions regarding  
18 projects and planning proposals for the downtown area,
- 19 (2) act as the advisory board to the city council and city staff, to help define  
20 appropriate development for downtown,
- 21 (3) provide review and comments to the council and to city departments,  
22 boards and commissions concerning the consistency or appropriateness of  
23 proposed projects and planning initiatives, ordinances, and other relevant  
24 matters affecting downtown Austin as they relate to the Regional/Urban  
25 Design Assistance Team Implementation report, "A Call to Action," and  
26 the vision for downtown Austin contained in the report,
- 27 (4) coordinate with the city council, city departments, boards, and  
28 commissions in addressing the planning needs for the areas of downtown  
29 not addressed by the Regional/Urban Design Assistance Team  
30 Implementation report, and
- 31 (5) review city activities in connection with downtown plans, projects and  
32 proposals periodically as it deems necessary, and shall forward its



1 recommendations for coordination to the city council and other  
2 appropriate city boards and commissions

3 **§ 2-1-142 ELECTRIC BOARD.**

- 4 (A) The Electric Board membership may include an active licensed master  
5 electrician or contractor, an active licensed journeyman electrician, and an  
6 electrical engineer. A board member may not be a City employee. The building  
7 official shall serve as the ex officio non-voting secretary to the board.
- 8 (B) The board shall hear and decide appeals of orders, decisions, or determinations  
9 made by the building official relating to the application and interpretation of the  
10 Electrical Code. The board may not waive the requirements of the Electrical  
11 Code.
- 12 (C) The board shall render a decision in writing to the appellant not later than the  
13 10<sup>th</sup> business day after the date the decision is rendered. The building official  
14 shall retain copies of all decisions. Failure to provide a written notice of  
15 decision to an appellant within the time period established in this section does  
16 not effect the validity of the decision.
- 17 (D) A person who is aggrieved by a decision of the board may appeal the decision  
18 to the city council. Unless modified by the Electrical Code, the appeal  
19 procedures established in Chapter 25-1 (*General Requirements and*  
20 *Procedures*) apply to an appeal filed under this section.
- 21 (E) A person may initiate an appeal by filing a written notice of appeal with the city  
22 clerk and the building official not later than the 14<sup>th</sup> day after the date of the  
23 board decision. The notice of appeal shall contain
- 24 (1) the name of the person filing the appeal,  
25 (2) a history of the case and a summary of the decision being appealed,  
26 (3) a statement containing facts that demonstrate that the decision that forms  
27 the basis of the appeal was incorrect because it is inconsistent with a City  
28 ordinance or state law or because a finding of fact by the board is clearly  
29 contrary to the evidence before the board, and  
30 (4) the relief requested from the city council.

31 **§ 2-1-143 ELECTRIC UTILITY COMMISSION.**

- 32 (A) The Electric Utility commission is composed of persons from within the service  
33 area of the City's electric utility. The commission may include as members

1 (1) a registered professional engineer with experience in the area of power  
2 production,

3 (2) an attorney in good standing with the State Bar of Texas, and

4 (3) a person who receives electric service from the City's electric utility  
5 outside of City's corporate limits and who lives outside the City's  
6 corporate limits

7 (B) The commission shall review and analyze all policies and procedures of the  
8 electric utility, including the electric rate structure, fuel costs and charges,  
9 customer services, capital investments, new generation facilities, selection of  
10 types of fuel, purchase of fuel, transportation of fuel, billing procedures, and the  
11 transfer of electric utility revenues from the utility fund to the general fund

12 (C) The commission shall advise the city council, the city manager, the electric  
13 utility, city departments, and city boards, commissions, and committees on  
14 policy matters relating to the electric utility. All advisory information given  
15 shall simultaneously be forwarded to the city manager.

16 (D) The commission may review, study, and make recommendations to the  
17 Planning Commission on proposed electric utility projects for inclusion in the  
18 Capital Improvements Program

19 (E) The commission shall request that the city council hire an outside consultant  
20 every five years to make a comprehensive review of the policies and procedures  
21 of the electric utility. The commission may initiate an external or internal  
22 review of the policies and procedures of the electric utility. If the commission  
23 initiates a review, it shall report its findings to the city council and the city  
24 manager.

25 (F) The commission shall interpret the role of the electric utility to the public and  
26 the role of the public to the electric utility. The commission may hold a public  
27 hearing and briefing session every six months to explain new policies and to  
28 take citizens comments, suggestions, and complaints

29 (G) The commission may make recommendations to the city council before final  
30 council action on a policy or procedure of the electric utility

31 (H) The commission shall request from the city manager any information which it  
32 deems to pertain to the electric utility

33 (I) The commission shall, as a body, review customer complaint procedures and  
34 specific customer grievances and complaints, and make recommendations to the  
35 city council and city manager based on its findings. This duty does not

1 supersede, replace, or substitute for the appeal procedures provided to  
2 customers in the City Utility Service Regulations

3 (J) The commission shall seek to promote close cooperation between the city  
4 council, other city boards, committees, and commissions, city departments and  
5 individuals, institutions and agencies concerned with the policies, procedures,  
6 and operations of the electric utility to the end that all similar activities within  
7 the City may be coordinated to secure the greatest public welfare

8 (K) The city manager shall provide the commission with a copy of a report,  
9 recommendation, or information given to the city council by the city manager  
10 relating to the commission's duties Unless otherwise authorized by the city  
11 council, this subsection does not apply to

12 (1) information exempt from public disclosure under Texas Government  
13 Code Chapter 552 (*Public Information Act*), and

14 (2) information legally subject to discussion in a city council closed or  
15 executive session under Government Code Chapter 551 (*Open Meetings*  
16 *Act*)

17 (L) A review, analysis, or recommendation concerning policies or procedures  
18 referred to in this section shall not be construed to cover policies or procedures  
19 relating to City personnel policies adopted by the city council

20 **§ 2-1-144 ENVIRONMENTAL BOARD.**

21 (A) In this section, "department" means the Watershed Protection and Development  
22 Review Department

23 (B) The Environmental Board membership may include

24 (1) persons who have demonstrated concern for and the desire to improve the  
25 status of the natural resources and living environment of the City,

26 (2) a person who has professional expertise in geology, hydrology, civil  
27 engineering, land planning, or ecology, and

28 (3) a Barton Springs-Edwards Aquifer Conservation District board or staff  
29 person who has professional expertise in geology, hydrology, or ecology

30 (C) A member described in Subsection (B)(3) need not be a City resident

31 (D) Not more than three members should be employed in land development or  
32 related activities

- 1 (E) The department director an ex officio member of the board for the purpose of  
2 deliberation on a matter relating to the department
- 3 (F) The board is empowered to review and analyze the policies relating to the  
4 environmental quality of the city, to act as an advisory board to the city council,  
5 the city manager, and the department in their efforts to oversee the protection  
6 and integrity of the natural environment, promote growth management and land  
7 use planning, minimize degradation of water resources, protect downstream  
8 areas, and promote recreation opportunities and environmental awareness
- 9 (G) The board shall assist the city council, the city manager, and the department in  
10 studying, promoting and enforcing environmental protection policies to assure  
11 the health, safety, welfare and quality of life of all citizens within the City's  
12 incorporated boundaries as well as those within its extraterritorial jurisdiction  
13 where the boundaries apply
- 14 (H) The board shall advise the city council, the city manager, and the department  
15 concerning policies, projects, and programs that affect the quality of life or have  
16 the potential to affect the environment, including those that relate to or affect
- 17 (1) water quality
- 18 (a) watershed protection,
- 19 (b) urban runoff,
- 20 (c) innovative wastewater treatment,
- 21 (d) regional wastewater treatment,
- 22 (e) improvement and protection of the Colorado River and the Edwards  
23 Aquifer, and
- 24 (f) wastewater irrigation,
- 25 (2) growth management and land use planning
- 26 (a) municipal utility district review,
- 27 (b) capital improvement project review, and
- 28 (c) the comprehensive plan,
- 29 (3) construction controls for erosion and sedimentation,
- 30 (4) City environmental policies regarding monitoring and enforcement,

1 (5) solid waste disposal plan alternatives,

2 (6) watershed protection

3 (a) flood control,

4 (b) erosion control,

5 (c) water quality, and

6 (d) utility management,

7 (7) roadway planning,

8 (8) beautification,

9 (9) recreation resources,

10 (10) public education on environmental matters,

11 (11) hazardous waste materials management,

12 (12) revegetation and landscaping,

13 (13) air quality, and

14 (14) noise abatement.

15 (I) The board shall

16 (1) review all variances to requirements for water quality related to  
17 environmentally sensitive areas,

18 (2) review the monitoring of storm water runoff in developed and  
19 undeveloped areas,

20 (3) review the efficiency of existing and proposed structural and nonstructural  
21 controls,

22 (4) periodically review the effectiveness of Chapter 25-4 (*Subdivision*),

23 (5) review waste treatment permits within the city's extraterritorial  
24 jurisdiction,

25 (6) review programs and policies for flood control, erosion control, and water  
26 quality,

- (7) review capital improvement projects,
- (8) review municipal utility district proposals and amendments,
- (9) review roadway plan amendments, and
- (10) recommend urban runoff standards

(J) The board may recommend and initiate, with the advice and consent of the city council, specific project studies concerning any of the matters described in Subsections (H) and (I), or any other related environmental issue

(K) The board shall make reports and recommendations for standards and criteria concerning any of the matters described in Subsections (H) and (I), or any other related environmental issue

(L) The board shall promote close cooperation between the City and all private citizens, institutions, and agencies interested in or conducting natural resource and environmental activities, so that all similar activities within the city may be coordinated to secure the greatest public welfare

(M) A project for which Environmental Board review is required

(1) must be submitted to the appropriate staff before the meeting at which it will be considered, and

(2) may not be considered by the Planning Commission, the Zoning and Platting Commission, or the city council until the board has had an opportunity to review the project at a regularly scheduled meeting and to report its findings

#### **§ 2-1-145 ETHICS REVIEW COMMISSION.**

The Ethics Review Commission is created and governed by Chapter 2-7, Article 2 (*Ethics Review Commission*)

#### **§ 2-1-146 FEDERALLY QUALIFIED HEALTH CENTER BOARD.**

(A) The Federally Qualified Health Center Board provides direction to the Federally Qualified Health Center, established by the City and Travis County as part of the City of Austin Health and Human Services Department/Travis County Health Department to improve the health status of the community, with a focus on low income citizens, through the coordinated delivery of services that prevent and treat disease

1 (B) The board is composed of 15 members Eight board members shall be  
2 "customer members" who use the Federally Qualified Health Center, and  
3 seven board members shall be at-large members

4 (1) The city council shall appoint four customer members and six at-large  
5 members

6 (2) The Travis County Commissioners Court shall appoint four customer  
7 members and one at-large member

8 (C) Board members are appointed to two-year staggered terms The term of two  
9 city-appointed customer members, two county-appointed customer members,  
10 three City-appointed at-large members and one county-appointed at-large  
11 member expire on December 1 of odd-numbered years The term of the  
12 remaining members shall expire on December 1 of even-numbered years

13 (D) The board shall make policy recommendations on the following matters  
14 related to the Federally Qualified Health Center services

15 (1) scope of services,

16 (2) distribution of resources and adoption of the budget,

17 (3) development of community-specific health-care initiatives,

18 (4) assessment and improvement of patient satisfaction,

19 (5) assessment of community need,

20 (6) determination of the appropriateness of hours of service and other  
21 facility-specific operational issues,

22 (7) coordination of in-patient specialty needs and all available providers,  
23 and

24 (8) initiation of new programs and policies

25 (E) The board shall oversee the planning of services and the development of goals  
26 and objectives to assure that

27 (1) the design and the selection of service sites is based on factors that effect  
28 prevention and early diagnosis,

29 (2) services are targeted at the highest risk population,

30 (3) community need is anticipated,

- (4) community members, especially service users, have input into service design,
- (5) coordination occurs with other agencies serving the user population,
- (6) services are responsive to the users,
- (7) quality services are delivered with care and understanding in the most efficient manner, and
- (8) services delivered are sensitive to the economic, cultural, and demographic diversity of the community

**§ 2-1-147 HISTORIC LANDMARK COMMISSION.**

(A) The Historic Landmark Commission members should have knowledge of and experience in the architectural, archaeological, cultural, social, economic, ethnic, or political history of the City, and a demonstrated interest or competence in or knowledge of historic preservation

(1) Council may consider appointing as members

(a) a Heritage Society of Austin board member,

(b) an architect registered in the State of Texas,

(c) a person who meets the Secretary of the Interior's professional standards for expertise in "history" or "architectural history" as described in Code of Federal Regulations Title 36, Chapter I, Part 61 (*Procedures For State, Tribal, And Local Government Historic Preservation Programs*),

(d) an attorney licensed by the State of Texas,

(e) a real estate professional,

(f) a structural engineer,

(g) the owner of a residential historic landmark, and

(h) the owner of a commercial historic landmark

(2) Representatives of a single business or professional interest should not constitute a majority of the membership of the commission

(B) The commission



- (1) shall prepare and periodically revise an inventory of the structures and areas that may be eligible for designation as historic landmarks,
- (2) shall prepare, review, and propose amendments to the Historic Landmark Preservation Plan,
- (3) shall review requests to establish or remove a historic designation and make recommendations on the requests to the land use commission, as determined in accordance with Section 25-1-46 (*Land Use Commission*),
- (4) shall provide information and counseling to owners of structures that are designated as historic structures,
- (5) may initiate zoning or rezoning of property to establish or remove a historic designation,
- (6) may recommend amendments to this code relating to historic preservation,
- (7) may recommend that the City acquire property if the commission finds that acquisition by the City is the only means by which to preserve the property,
- (8) may advise the council on matters relating to historic preservation,
- (9) for an object that is not permanently affixed to land, may recommend that council confer special historic recognition, and
- (10) shall perform other duties as prescribed by this code or other ordinance

(C) The city manager shall appoint a City employee as the City's historic preservation officer, and the employee shall act in that capacity with the representatives of the federal and state governments concerning matters of historic preservation.

## **§ 2-1-148 HUMAN RIGHTS COMMISSION.**

- (A) The Human Rights Commission is established as a local commission on human relations in accordance with Texas Labor Code Chapter 21 (*Employment Discrimination*) to promote the purposes of that chapter and secure for all individuals in the City freedom from discrimination because of race, color, disability, religion, sex, national origin, or age

1 (B) The commission should be composed of members who as nearly as possible are  
2 representative of the several social, economic, religious, cultural, ethnic, and  
3 racial groups which comprise the population of the City

4 (C) The commission shall

- 5 (1) advise and consult with the city council on all matters involving racial,  
6 religious, or ethnic discrimination, and devise practices to promote equal  
7 opportunity,
- 8 (2) serve in an advisory and consultive capacity to all city departments,  
9 advisory boards, and regulatory agencies to assure effective compliance  
10 with non-discrimination policies and orders, and recommend to the city  
11 manager measures to improve the ability of various departments and  
12 agencies to insure equal protection of any and all persons and groups  
13 against discrimination,
- 14 (3) recommend to the city council legislation to aid in programs designed to  
15 eliminate prejudice and discrimination and encourage community support  
16 for the legislation
- 17 (4) aid in the formulation of local community groups in neighborhoods as  
18 needed to carry out specific programs,
- 19 (5) initiate and facilitate discussions and negotiations between individuals and  
20 groups to lessen tensions and improve understanding in the community,
- 21 (6) assist in the enforcement of all laws prohibiting discrimination against  
22 persons where jurisdiction is not specifically vested in another agency,
- 23 (7) receive and investigate complaints and, as provided by state law, and if  
24 necessary, subpoena witnesses and documents needed for investigation of  
25 those complaints, and initiate investigations of tensions, acts of prejudice,  
26 and practices of discrimination,
- 27 (8) conduct public hearings on complaints and investigate and report to the  
28 council in writing facts, findings, and recommendations after using  
29 persuasion, mediation, and conciliation before any public hearing, and  
30 after make certain that any person named in any report of investigation  
31 was given the opportunity to be heard before the board with the right to  
32 examine and cross-examine witnesses,
- 33 (9) institute and conduct educational programs to promote equal treatment,  
34 opportunity and understanding, and sponsor meetings, institutes, forums,

1 and courses of instruction to lead to a clearer understanding and solution  
2 of human relations problems,

- 3 (10) assist in training city employees to use methods of dealing with intergroup  
4 relations that result in respect for equal rights and equal treatment, and  
5 cooperate with the local Police Department in developing and including  
6 human rights courses in the curriculum of police training,
- 7 (11) conduct research, obtain factual data and hold public hearings to ascertain  
8 the status and treatment of racial, religious, and ethnic groups in the city  
9 and the best means of progressively improving human relations,
- 10 (12) provide services and information to the city manager and heads of all city  
11 departments and agencies to achieve the purposes of this chapter, and
- 12 (13) cooperate with all city, state, county, federal, and other governmental  
13 agencies, as well as racial, religious, ethnic, nationality, educational,  
14 community, civic, fraternal, benevolent and other groups, associations,  
15 societies, and individuals with constructive talents and resources helpful  
16 in achieving mutual appreciation of the privileges and the responsibilities  
17 of citizenship in a land of freedom enriched by free commerce and full  
18 utilization of all human resources from all racial, religious, ethnic and  
19 national groups

20 **§ 2-1-149 IMPACT FEE ADVISORY COMMITTEE.**

- 21 (A) The Impact Fee Advisory Committee shall perform the duties prescribed by  
22 Local Government Code Section 395.058 (*Advisory Committee*)
- 23 (B) As required by state law, not less than 40 percent of the committee membership  
24 shall be representatives of the real estate, development, or building industries  
25 who are not employed by the City or another political subdivision

26 **§ 2-1-150 LIBRARY COMMISSION.**

27 The Library Commission shall make recommendations to the city council, the city  
28 manager, and the librarian on matters relating to the establishment, maintenance, and  
29 operation of the public libraries

30 **§ 2-1-151 through §2-1-160 (RESERVED).**

31 **§ 2-1-161 MECHANICAL, PLUMBING, AND SOLAR BOARD.**

- 32 (A) The Mechanical, Plumbing, and Solar Board should include members who are  
33 qualified by experience and training to consider matters pertaining to the  
34

1 installation and design of mechanical, plumbing and solar systems A City  
2 employee may not be a member

3 (1) The city council may appoint as members

4 (a) a licensed air conditioning contractor,

5 (b) a licensed master plumber,

6 (c) a representative of the natural gas utility,

7 (d) a professional engineer, and

8 (e) a citizen of the City

9 (2) The building official shall be an ex officio non-voting board secretary

10 (B) The board shall hear and decide appeals of orders, decisions, or determinations  
11 made by the building official relating to the application and interpretation of  
12 Chapter 25-12, Article 5 (*Mechanical Code*), Chapter 25-12, Article 6  
13 (*Plumbing Code*), and Chapter 25-12, Article 8 (*Solar Code*)

14 (C) The board may not waive a requirement of the Mechanical Code, Plumbing  
15 Code, or Solar Code

16 (D) The board shall render all decisions and findings in writing to the appellant  
17 Copies of all written decisions and findings shall be retained by the building  
18 official

19 (E) An interested party aggrieved by the decision of the board may appeal the  
20 decision to the city council in accordance with the appeal procedures set forth  
21 in Chapter 25-1 (*General Requirements And Procedures*)

22 (F) In addition to the information required to file an appeal under Chapter 25-1  
23 (*General Requirements And Procedures*), a notice of appeal filed under this  
24 subsection must include a statement containing facts which show that the  
25 decision that forms the basis of the appeal was incorrect because its was  
26 inconsistent with a City ordinance or state law or because a finding of fact by  
27 the board was clearly contrary to the evidence before the board

28 **§ 2-1-162 MEXICAN AMERICAN CULTURAL CENTER ADVISORY BOARD.**

29 (A) The Mexican American Cultural Center Advisory Board membership may  
30 include representatives from

31 (1) the Latino arts community,

- (2) Mexic-Arte Museum,
- (3) the business community, and
- (4) the community at-large

(B) The director of the Mexican American Cultural Center and one City employee designated by the city manager shall serve as non-voting ex officio members of the board

(C) The board shall advise the city council on the establishment and operation of the Mexican American Cultural Center

(D) The board shall cooperate with any civic and volunteer group organized to foster, promote, and sponsor the Mexican American Cultural Center

**§ 2-1-163 MINORITY-OWNED AND WOMEN-OWNED BUSINESS ENTERPRISE AND SMALL BUSINESS ENTERPRISE PROCUREMENT PROGRAM ADVISORY COMMITTEE.**

(A) The Minority-Owned And Women-Owned Business Enterprise And Small Business Enterprise Procurement Program Advisory Committee membership should have the widest representation of businesses in Austin, and may include

- (1) an owner of a certified WBE/MBE business,
- (2) representatives of the minority and women's chambers of commerce,
- (3) a non-certified contractor,
- (4) representatives of trade associations, and
- (5) representatives from professional organizations

(B) The committee shall

- (1) review the city manager's report, as described in Sections 2-9A-18 (*Program Review*), 2-9B-18 (*Program Review*), 2-9C-18 (*Program Review*), and 2-9D-18 (*Program Review*), and
- (2) recommend changes to the City Code provisions, adopted rules and regulations, and program operations

1       **§ 2-1-164    PARKS AND RECREATION BOARD.**

2       (A) The Parks and Recreation Board membership should include citizens of the city  
3       who are interested in public parks and public recreation and persons who are  
4       knowledgeable in navigation matters. The director of the Parks and Recreation  
5       Department, the city manager or designee, the director of the Financial and  
6       Administrative Services Department, and the city attorney are ex officio  
7       members of the board.

8       (B) The board shall advise the city council and the city manager regarding

- 9           (1) the acquisition, development, improvement, equipment, and maintenance  
10          of city parks and public playgrounds,  
11           (2) the future development of the city parks, playgrounds, and recreational  
12          facilities, and the purchase of additional land for those purposes, and  
13           (3) improvements in the maintenance, operation, and general welfare of the  
14          city's parks, playgrounds, and recreational facilities and their use by the  
15          public.

16       (C) The board shall outline a general plan of development for new parks and  
17       playgrounds, including landscaping, roads, trails, buildings, and equipment.  
18       The board shall submit the plan to the Planning Commission and the city  
19       manager for detail development, and the city manager shall then submit the plan  
20       to the city council for approval.

21       (D) The board shall promote close cooperation between the City and all private  
22       citizens, institutions, and agencies interested in or conducting recreational  
23       activities, so that all recreational resources within the City may be coordinated  
24       to secure the greatest public welfare.

25       (E) The board shall perform other duties as prescribed by the City Code or as  
26       directed by the city council.

27       **§ 2-1-165    PLANNING COMMISSION.**

28       (A) The Planning Commission is composed of nine members.

29       (B) The commission is established and governed by City Charter Article X  
30       *(Planning)*. The Charter provisions supersede this chapter to the extent of  
31       conflict.  
32

1       **§ 2-1-166    RENAISSANCE MARKET COMMISSION.**

- 2           (A) The Renaissance Market Commission administers licensing for vendors at the  
3           People's Renaissance Market
- 4           (B) A commissioner may not apply for or hold a license to vend in the People's  
5           Renaissance Market Area, and may not vend or be involved in the People's  
6           Renaissance Market Area except as a commissioner or market customer
- 7           (C) One commissioner need not be a City resident
- 8           (D) The commission may, in accordance with Chapter 14-2, Article 2 (*People's*  
9           *Renaissance Market*), approve, deny, revoke, or suspend a license to sell  
10          merchandise in the People's Renaissance Market, and may establish procedures  
11          related to licensure

12       **§ 2-1-167    RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION.**

- 13          (A) The Residential Design and Compatibility Commission membership should  
14          represent a broad range of community viewpoints, should be composed of a  
15          diverse group of persons having knowledge of massing, scale, and compatibility  
16          issues in residential neighborhoods, and may include residential design  
17          professionals
- 18          (B) The commission shall make determinations on requested modifications of  
19          certain residential design standards for specific developments, as prescribed by  
20          Chapter 25-2, Subchapter F (*Residential Design and Compatibility Standards*)

21       **§ 2-1-168    RESOURCE MANAGEMENT COMMISSION.**

- 22          (A) A Resource Management Commission member need not be a City resident if  
23          the member resides within the City's electrical distribution service area
- 24          (B) The commission shall maintain an overview of all programs, studies and  
25          proposals concerning the efficient use of energy, alternate energy technologies,  
26          renewable energy resources, including solar and wind, and the conservation of  
27          energy, excluding the use of conventional coal, nuclear, natural gas, or  
28          petroleum technologies
- 29          (C) The commission shall serve as a liaison with other city boards and  
30          commissions, including the Electric Utility Commission
- 31          (D) The commission shall receive citizen input on alternate energy technologies,  
32          renewable energy sources, and on energy conservation

1 (E) The commission shall review and analyze

- 2 (1) energy conservation technologies and renewable energy sources as to  
3 their short-term and long-term feasibility in the city,
- 4 (2) energy conservation policies, alternate energy technologies, and  
5 renewable energy projects in other cities and states,
- 6 (3) water conservation policies, alternate technologies, and water  
7 conservation projects in other cities and states, and
- 8 (4) the City Code to identify potential amendments that encourage the use of  
9 alternate energy technologies and renewable energy sources, and the  
10 conservation of energy

11 (F) The commission shall advise the city council

- 12 (1) in developing and reviewing city plans and programs in the area of  
13 alternate energy technologies, renewable energy sources, and energy  
14 conservation,
- 15 (2) as to available funding from private and public sources which are  
16 available to the city for alternate energy technologies and renewable  
17 energy, and for the conservation of energy,
- 18 (3) on energy conservation, on alternate energy technologies, and on  
19 renewable energy sources and report to city council on the status of its  
20 activities at least annually,
- 21 (4) in developing and reviewing city plans and programs that encourage water  
22 conservation as it relates to water consumption from the tap to customer  
23 and within structures or building, and
- 24 (5) regarding appropriate City Code amendments that encourage the use of  
25 alternate energy technologies and renewable energy sources, and the  
26 conservation of energy

27 (G) The commission shall encourage

- 28 (1) the conservation of energy, the use of alternate energy technologies and  
29 renewable energy sources in City-owned facilities, and
- 30 (2) the private and public sectors to develop and to use alternate energy  
31 technologies and renewable energy sources, and to conserve energy



- 1 (H) The commission shall prepare an "Energy Conservation and Alternate Energy  
2 Technologies and Renewable Energy Resources Development Plan" aimed at  
3 energy independence through maximum reliance on alternate energy  
4 technologies, renewable energy resources and the conservation of energy

5 **§ 2-1-169 ROBERT MUELLER MUNICIPAL AIRPORT PLAN**  
6 **IMPLEMENTATION ADVISORY COMMISSION.**

- 7 (A) The Robert Mueller Municipal Airport Plan Implementation Advisory  
8 Commission membership may include

- 9 (1) a real estate developer or professional,  
10 (2) a commercial finance professional,  
11 (3) a business representative,  
12 (4) an urban design professional, and  
13 (5) neighborhood representatives, including a resident of a neighborhood  
14 adjacent to the Robert Mueller site

- 15 (B) The commission shall meet as frequently as it determines is necessary

- 16 (C) The commission shall

- 17 (1) advise the city council on implementation of the Robert Mueller  
18 Municipal Airport Master Plan, the 1996 Robert Mueller Municipal  
19 Airport Process and Goals Task Force Report, and other redevelopment  
20 issues at Robert Mueller Municipal Airport, including proposed  
21 amendments to the Master Plan, land disposition strategy, traffic, urban  
22 design and zoning issues, demolition of existing facilities, and  
23 (2) at the request of the city council, make recommendations on amendments  
24 to the Master Plan and other matters related to Robert Mueller Airport  
25 redevelopment

- 26 (D) The commission is abolished on July 1, 2015

27 **§ 2-1-170 SIGN CONTROL BOARD.**

- 28 (A) The Sign Control Board members are appointed by the mayor with the approval  
29 of the city council

- 30 (B) The Sign Control Board shall include persons with the following qualifications

- (1) two real estate appraisers registered with the Society of Real Estate Appraisers or the American Institute of Real Estate Appraisers,
- (2) a person engaged in the sign business in the city,
- (3) an employee of the Texas Department of Transportation who is familiar with real estate valuations in eminent domain proceedings, and
- (4) an architect or landscape architect licensed by the state

(C) A board member is appointed for a term of two years

(D) The Sign Control Board may exercise the powers granted under Section 25-10-62 (*Determination of Compensation*)

**§ 2-1-171 through §2-1-180 (RESERVED).**

**§ 2-1-181 SIGN REVIEW BOARD.**

(A) The Sign Review Board is composed of nine persons appointed by the council

- (1) The members and alternates of the Board of Adjustment shall serve as seven members of the Sign Review Board, concurrently with their service on the Board of Adjustment
- (2) The city council shall appoint two additional members who should have special knowledge or expertise relevant to signs and visibility. One of the two additional members should have expertise in signs and be affiliated with the sign industry, and the other additional member should have knowledge in aesthetics but not be affiliated with the sign industry
- (3) A board member is appointed for a term of two years

(B) The board shall

- (1) advise the council concerning Chapter 25-10 (*Sign Regulations*), and
- (2) exercise the powers granted under Section 25-10-236 (*Revocation And Suspension*) and Section 25-10-41 (*Sign Review Board Powers*)

**§ 2-1-182 SOLID WASTE ADVISORY COMMISSION.**

(A) The Solid Waste Advisory Commission should be composed of citizens of the city who have demonstrated their concern for and desire to improve the quality of solid waste management in the city, and may include

- 1 (1) a person who has knowledge of or an interest or professional expertise in  
2 recycling, waste disposal, hazardous waste, or air quality, and
- 3 (2) a person who resides east of Interstate 35
- 4 (B) The director of the Solid Waste Services Department is an ex officio member of  
5 the board
- 6 (C) The commission shall provide quarterly reports to the city council
- 7 (D) The commission is empowered to review and analyze the policies and resources  
8 relating to solid waste management in the city, and to advise the city council on  
9 solid waste management policies and resources. The commission shall provide  
10 assistance to the city council to ensure its citizens that the City provides an  
11 economical and environmentally safe system of waste reduction, recovery and  
12 disposal
- 13 (E) The commission shall act as an advisory body to the city council and shall  
14 review programs and make recommendations regarding
- 15 (1) the City's waste stream,
- 16 (2) minimization of environmental impacts due to waste disposal, and
- 17 (3) implementation of programs that achieve the city's goals and objectives  
18 relating to solid waste management, including recycling, composting,  
19 alternative methods of waste disposal and garbage collection
- 20 (F) The commission shall hold public hearings, initiate studies, review and make  
21 reports and recommendations to the city council, or other appropriate boards  
22 and commissions, concerning
- 23 (1) solid waste capital improvement project proposals,
- 24 (2) solid waste bond programs,
- 25 (3) hazardous waste materials management,
- 26 (4) waste-stream planning and reduction of the waste-stream,
- 27 (5) citizens' evaluation on solid waste matters,
- 28 (6) incentives for participation in waste recovery programs,
- 29 (7) air quality as it relates to or is affected by waste disposal,

- 1 (8) alternative methods of waste disposal,
- 2 (9) City's annual budget proposal for solid waste services, transportation and
- 3 public services department,
- 4 (10) cost effectiveness and financial impact of solid waste programs,
- 5 (11) proposed and existing solid waste facilities within the city and outside the
- 6 city if they have the potential to affect the city,
- 7 (12) solid waste collection and disposal, and solid waste programs which have
- 8 the potential to affect the city and make recommendations to the city
- 9 council,
- 10 (13) effectiveness of solid waste programs on an annual basis,
- 11 (14) inventory of the City's solid waste systems,
- 12 (15) use or disposition of equipment purchased for the resource recovery plant,
- 13 (16) contractual obligations relating to the resource recovery plant, and
- 14 (17) creation of a diversified short and long term solid waste management
- 15 strategy pending federal legislation
- 16 (G) The commission may also exercise the following oversight functions
- 17 (1) work with staff to develop programs to implement the commission's
- 18 duties and responsibilities,
- 19 (2) evaluate the economic feasibility and impacts of its goals and objectives
- 20 programs,
- 21 (3) coordinate with the staff for utilization of staff time and resources for
- 22 liaison activities with the commission,
- 23 (4) make policy and budget recommendations to the city council relating to
- 24 solid waste program implementation,
- 25 (5) review waste disposal program implementation strategies as they are
- 26 developed,
- 27 (6) review staff progress toward successful implementation of solid waste
- 28 management on a periodic basis,

(7) review staff reports and studies relating to commission programs, including economic and rate impacts and environmental effects,

(8) review the results from the monitoring of solid waste programs and facilities, and

(9) review activities of waste-to-energy advisory task force

(H) The commission shall maintain and promote close cooperation and open communication between the city council, other City boards, commissions, and committees, City departments and individuals, institutions, and agencies concerned with the policies and procedures and operation of the Solid Waste Services Department and the maintenance and construction of the solid waste disposal facilities so that all similar activities in the City may be coordinated to secure the greatest public welfare

### **§ 2-1-183 URBAN FORESTRY BOARD.**

(A) The Urban Forestry Board membership should include persons with expertise in arboriculture, urban forestry, or landscape architecture and persons who represent diverse regions or interests of the community.

(B) The urban forester, city arborist, the director of Parks and Recreation Department, and the director of the Watershed Protection and Development Review Department shall serve as ex officio members of the board

(C) The board shall act in an advisory capacity to the city council, the city manager and the director of the Parks and Recreation Department in all matters pertaining to the City's urban forest

(D) The board may study, investigate, plan, advise, report, and recommend any action, program, plan, or legislation which the board determines necessary or advisable for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs and other landscaping in public parks, along streets, and in other public areas

(E) The board shall develop and establish a comprehensive urban forest plan for the planting, maintenance, and replacement of trees in parks, along streets, and in other public areas. When a portion of the plan has been developed and established, it shall be submitted to the city council for adoption before implementation

(F) The board shall perform other functions within the scope of its work if requested to do so by the city council, the city manager, or the director of the Parks and Recreation Department

1       **§ 2-1-184    URBAN RENEWAL AGENCY.**

- 2           (A) The Urban Renewal Agency is created to operate under Texas Local  
3           Government Code Chapter 374 (*Urban Renewal in Municipalities*)
- 4           (B) The agency board members are nominated by the mayor and approved by the  
5           city council
- 6           (C) An agency board member may not hold another public office with the City

7       **§ 2-1-185    URBAN TRANSPORTATION COMMISSION.**

- 8           (A) The Urban Transportation Commission shall serve as an advisory body to the  
9           city council, the city manager, and all other transportation-related departments  
10           concerning transportation-related matters including
- 11               (1) transportation energy conservation matters grant applications,
- 12               (2) streets and highways,
- 13               (3) bus and rail service,
- 14               (4) pedestrian and bikeway programs and projects,
- 15               (5) safety related programs and projects,
- 16               (6) provision for the needs of the mobility impaired, transportation franchise  
17               requests, renewals, rate adjustments, and hours of operation
- 18           (B) The commission shall review and make recommendations to the city council on  
19           all requests for taxicab permits, including annual permits and franchise permits
- 20           (C) The commission shall annually review and report to the city council on the  
21           City's transportation system, including policies and programs
- 22           (D) The commission shall review, study, and make recommendations to the  
23           Planning Commission on
- 24               (1) transportation-related projects proposed for inclusion in the Capital  
25               Improvements Program, and
- 26               (2) plans and programs submitted by the Austin Transportation Study  
27               Program
- 28           (E) The commission shall receive and study citizen comments and suggestions in  
29           all areas of transportation

1 (F) In its deliberations, the commission shall

2 (1) recognize the relationship between transportation and economics, energy,  
3 safety, land use, neighborhood integrity, and environmental quality, and

4 (2) consider transportation access to health care, employment, education,  
5 housing, and recreational facilities

6 (G) The commission shall seek to promote close cooperation between the city  
7 council, other city boards and commissions, city departments, and individuals,  
8 institutions, and agencies concerned with transportation-related activities so that  
9 all similar activities in the City may be coordinated to secure the greatest public  
10 welfare

11 **§ 2-1-186 WATER AND WASTEWATER COMMISSION.**

12 (A) The Water and Wastewater Commission members should have resided within  
13 the city for at least six months before their appointment, but a member may  
14 reside outside the city if the member's residence is inside the utility's service  
15 area. Not more than two members should be involved in development or  
16 development-related activities

17 (B) The commission shall

18 (1) review, analyze, and advise the city council on the policies and resources  
19 relating to the city water and wastewater utility and water quality, and

20 (2) assist the city council in ensuring that the City's residents are provided  
21 with an adequate, economical, and potable supply of water and a stable,  
22 economical, and environmentally safe system of wastewater disposal

23 (C) The commission shall act as an advisory body to the city council and shall  
24 review programs and make recommendations regarding

25 (1) the protection and integrity of the water resources for the City,

26 (2) minimization of water quality impacts to downstream areas,

27 (3) implementation of programs that achieve goals and objectives relating to  
28 water supply management, water demand management, and land water  
29 quality control,

30 (4) the fiscal solvency of said programs, and

31 (5) the fiscal health of the utility

1 (D) The commission shall develop an annual program setting out the commission's  
2 goals and objectives, and the activities needed to achieve these goals and  
3 objectives in the following areas, for the year covered by the program

- 4 (1) water supply distribution,  
5 (2) water demand and conservation management,  
6 (3) wastewater treatment and collection,  
7 (4) water quality,  
8 (5) service area master planning and capital improvement project  
9 development,  
10 (6) utility operating budget,  
11 (7) rates and fees, and  
12 (8) citizen education

13 (E) The commission may review and make reports and recommendations to the city  
14 council, or other appropriate boards and commissions, concerning the following  
15 matters

- 16 (1) water and wastewater capital improvement program proposals,  
17 (2) water and wastewater bond programs,  
18 (3) monitoring of capital recovery fee revenues on a quarterly basis, and  
19 review of capital recovery fee dollar amount on an annual basis from the  
20 effective date of capital recovery fee ordinance,  
21 (4) review of the City's annual budget proposal for the water and wastewater  
22 utility,  
23 (5) quarterly review of water and wastewater ending balances,  
24 (6) cost effectiveness and financial impact on water supply and water  
25 conservation programs,  
26 (7) water and wastewater tap and connection fees,  
27 (8) quarterly review of the utility's total bonded indebtedness, including  
28 (a) contracts bonds approval, issuance, and expenditure proposed and  
29 approved by council action, and issued,



- 1 (b) revenue bonds approval, issuance and expenditure proposed and  
2 approved by council action, and issued, and
- 3 (c) municipal utility district bonds,
- 4 (9) water and wastewater service extension requests and policy,
- 5 (10) water treatment water supply, capacity, and demand projections,
- 6 (11) water and wastewater treatment capacity, loadings, and effluent quality  
7 and quantity by the City on a monthly basis,
- 8 (12) proposed and existing wastewater package treatment plants within the  
9 City's extraterritorial jurisdiction,
- 10 (13) desired service areas that the City should serve and the timing of the  
11 service,
- 12 (14) creation of area package treatment plant and alternative wastewater  
13 system conservation proposals,
- 14 (15) creation or modification of municipal utility districts, water control and  
15 improvement districts, and all other entities authorized by the Texas  
16 Water Code,
- 17 (16) water and wastewater treatment processes,
- 18 (17) review and recommendation to the city council regarding all water and  
19 wastewater rates and fees,
- 20 (18) annual review of the effectiveness of erosion and sedimentation controls  
21 and drainage criteria in protecting water quality, and
- 22 (19) monthly review of water and wastewater discharge by the City
- 23 (F) The commission may obtain information from the Water Utility and  
24 communicate to the city council as follows
- 25 (1) coordination with staff to develop programs to implement commission  
26 duties and responsibilities,
- 27 (2) evaluation of the economic feasibility and impacts of commission goals  
28 and objectives programs,
- 29 (3) coordination with the staff time and resource requirements for liaison  
30 activities with the commission,

- 1 (4) policy and budgetary recommendations to the city council relating to  
2 program implementation,
- 3 (5) periodic review of staff progress toward successful completion of utility  
4 programs,
- 5 (6) review of staff reports and studies relating to commission programs,  
6 including economic and rate impacts and environmental effects,
- 7 (7) review of development of program implementation strategies, and
- 8 (8) review of monitoring and enforcement of programs.

9 (G) The commission shall promote close cooperation and open communication  
10 between the city council, other City boards, commissions and committees, City  
11 departments and individuals, and institutions and agencies concerned with the  
12 policies and procedures and operation, maintenance and construction of the  
13 Water and Wastewater Utility so that all similar activities in the City may be  
14 coordinated to secure the greatest public welfare

15 **§ 2-1-187 ZONING AND PLATTING COMMISSION.**

- 16 (A) The Zoning and Platting Commission shall perform duties relating to land use  
17 and development as prescribed by Title 25 (*Land Development*) and other  
18 duties as assigned by the city council
- 19 (B) The commission is abolished on June 18, 2010 unless it is continued in  
20 existence by ordinance. On abolition, its duties are transferred to the Planning  
21 Commission.

22 **PART 3.** Section 2-7-71 (*Definitions*) of the City Code is amended to read

23 **§ 2-7-71 DEFINITION.**

24 In this article "city official" means the mayor, members of the city council and  
25 their aides, Municipal Court Judges (including Substitute Judges), city manager,  
26 Assistant city managers, city clerk, Deputy city clerks, city attorney, Deputy city  
27 attorneys, Treasurer, Comptroller, City Auditor, Purchasing Officer, the initial and  
28 subsequent commissioners of the Conventions and Visitors Commission, all department  
29 heads, deputy department heads, and where no deputy department head serves, the first  
30 principal assistant of such department, and spouses of each, and spouses of and the  
31 members of the [all] City boards and [;] commissions described in Section 2-7-72(C)  
32 (Reports) ~~[; committees, or task forces or other bodies, unless specifically exempted~~  
33 ~~from financial disclosure by the city council or hereinafter excluded.]~~ City appointees to

1 other governmental bodies may be required to file financial information statements  
2 without being deemed City officials under Section 2-7-2 (*Definitions*)

3 **PART 4.** Section 2-7-72 (*Reports*) of the City Code is amended to read as follows

4 **§ 2-7-72 REPORTS.**

5 (A) By the last Friday of April of each year, City officials shall file with the city  
6 clerk a public statement of financial information which shall cover the previous  
7 year which is defined as January 1 through December 31 The mayor and  
8 members of the city council [~~and the following boards and commissions~~] and  
9 spouses shall also file with the city clerk an updated statement of financial  
10 information by the last Friday of July for the previous period of January through  
11 June. [-

12 ~~(1) Board of Adjustment,~~

13 ~~(2) Ethics Review Commission,~~

14 ~~(3) Planning Commission and the Zoning and Platting Commission, and~~

15 ~~(4) Water and Wastewater Commission.]~~

16 Such updated statement shall only include any change in a "substantial interest"  
17 or "substantial interest in real property" as defined in Section 2-7-2  
18 (*Definitions*) since the last filed statement

19 (B) [~~Any person appointed to one of the boards, commissions or committees~~  
20 ~~covered by Section 2-7-71 (*Definition*), upon acceptance of such appointment,~~  
21 ~~shall be required to file a letter of intention to file a financial information~~  
22 ~~statement.] Any non-elective City officials covered by Section 2-7-71~~  
23 ~~(*Definition*) who are appointed or hired shall file an initial statement of~~  
24 ~~financial information for the previous calendar year within 30 days of being~~  
25 ~~hired or appointed. Thereafter, such person shall, within the time limits~~  
26 ~~provided by this article, file a statement of financial information for the full~~  
27 ~~appropriate reporting period[, regardless of whether such appointee~~  
28 ~~subsequently resigns from the board, commission or committee to which he~~  
29 ~~accepted appointment. In addition, any person who was a City official at any~~  
30 ~~time during a reporting period shall be required to file a statement of financial~~  
31 ~~information for the full appropriate reporting period, within the time limits~~  
32 ~~provided by this article.] However, any salaried City official who resigns or is~~  
33 ~~terminated for any reason shall file with the city clerk a public statement of~~  
34 ~~financial information which shall cover the current year to the date of~~  
35 ~~resignation or termination on or before his last day as a salaried employee. In~~

1 such event, a salaried employee shall not be required to file a public statement  
2 of financial information for the year in which the resignation or termination  
3 occurred. He shall, at that time, also file a statement of financial information  
4 for the previous year if one has not been submitted prior to the employee's  
5 termination date. ~~[Board and commission members who resign may, at their~~  
6 ~~option, file any statement not yet filed for the previous year and a statement for~~  
7 ~~the current year to the date of resignation, at the time of their resignation in lieu~~  
8 ~~of filing at the regular times set out above.]~~

9 (C) The members of the following boards and commissions shall report the  
10 information required by Subsection (E) ~~[subsections (G)(1) through (G)(13)]~~

11 ~~[(1) Airport Zoning Board (City appointees);]~~

12 (1) ~~[(2)]~~ Arts Commission,

13 ~~[(3) Austin/Travis County Appraisal District Board of Directors (City~~  
14 ~~appointees);]~~

15 (2) ~~[(4)]~~ Board of Adjustment,

16 ~~[(5) Building and Fire Code Board of Appeals,~~

17 ~~(6) Building Standards Commission,~~

18 ~~(7) Cable commission,~~

19 ~~(8) CAPCO (City appointees),~~

20 ~~(9) Capital Metropolitan Transit Authority Board (City appointees);~~

21 ~~(10) Civil Service Commission,~~

22 ~~(11) Electric Board,~~

23 ~~(12) Ethics Review Commission;]~~

24 (3) Environmental Board,

25 (4) ~~[(13)]~~ Historic Landmark Commission,

26 (5) ~~[(14)]~~ Housing Authority of the City of Austin,

27 ~~[(15) Mechanical, Plumbing and Solar Board,~~

28 ~~(16) Mental Health and Mental Retardation Center Board of Trustees;~~

1       ~~(17) Music Commission;~~

2       (6) [(48)] Parks and Recreation Board,

3       (7) [(49)] Planning Commission,

4       ~~[(20) Renaissance Market Commission,~~

5       ~~(21) Solicitation Board;~~

6       (8) Solid Waste Advisory Commission,

7       (9) [(22)] Water and Wastewater Commission,

8       (10) [(23)] Urban Renewal Agency [Board of Directors]; and

9       (11) [(24)] Zoning and Platting Commission.

10      ~~[(D) The members of the following boards and commissions shall report only the~~  
11      ~~information required by subsections (G)(8), (G)(9), and (G)(13) of this section.~~

12      ~~(1) Community Development Commission,~~

13      ~~(2) Construction Advisory Committee,~~

14      ~~(3) Conventions and Visitors Commission,~~

15      ~~(4) Downtown Commission,~~

16      ~~(5) Economic Development Commission,~~

17      ~~(6) Electric Utility Commission,~~

18      ~~(7) Employees' Retirement System,~~

19      ~~(8) Environmental Board,~~

20      ~~(9) Firemen's Relief and Retirement Fund Board of Trustees,~~

21      ~~(10) Brackenridge Hospital Oversight Council,~~

22      ~~(11) Minority Owned and Women Owned Business Procurement Program~~  
23      ~~Advisory Committee,~~

24      ~~(12) Police Retirement Board,~~

25      ~~(13) Resource Management Commission,~~

1 ~~(14) Urban Transportation Commission, and~~

2 ~~(15) All boards and commissions not otherwise listed herein or specifically~~  
3 ~~exempted from disclosure by the city council.]~~

4 (D) ~~[(E)]~~ In addition to other required information, the mayor and members of the  
5 city council shall report the amount or category of information as designated in  
6 Section 2-7-73 (*Categories*), for any item reported under Subsection (E)(1), (3),  
7 (4), (6), (7), (10), (11), or (12) ~~[subsection (G)(1), (3), (4), (6), (7), (10), (11) and~~  
8 ~~(12) of this section]~~

9 ~~[(F) The members of the following boards and commissions are not required to file a~~  
10 ~~public statement of financial information]~~

11 ~~(1) Child Care Commission,~~

12 ~~(2) Commission for Women,~~

13 ~~(3) Elizabeth Ney Museum Board,~~

14 ~~(4) Austin Travis County EMS Advisory Board,~~

15 ~~(5) Human Rights Commission,~~

16 ~~(6) Joint Commission on Metropolitan Government,~~

17 ~~(7) Library Commission,~~

18 ~~(8) Mayor's Committee for People With Disabilities,~~

19 ~~(9) Medical Assistance Program Advisory Board,~~

20 ~~(10) Urban Forestry Board, and~~

21 ~~(11) Animal Advisory Commission.]~~

22 (E) ~~[(G)]~~ A City official shall include the following information by separate listing  
23 in the required statement of financial information, such information to include  
24 the source of income or assets and liabilities of their spouses but shall not  
25 require a separate report by such official's spouse

26 (1) All sources of occupational income which exceed 10 percent of the  
27 official's gross income or \$5,000 in salary, bonuses, commissions or  
28 professional fees, or \$20,000 in payment for goods, products or  
29 nonprofessional services, excluding the amount but including the name

1 and address of the employer or source of income, and the nature of the  
2 occupation or business of each source

- 3 (2) If the official is a self-employed solo practitioner, or if the official owns  
4 or controls at least a five percent interest in a partnership, professional  
5 corporation or other entity through which the official does business, the  
6 official shall report the names and addresses of the clients or customers  
7 from whom the official, partner-ship, professional corporation, or other  
8 entity received at least 10 percent of its gross income or \$5,000 in salary,  
9 bonuses, commissions or professional fees, or \$20,000 in payment for  
10 goods, products or nonprofessional services of gross income during the  
11 reporting period
- 12 (3) An itemized list of all sources of income from interest, dividends,  
13 royalties, rents, trust disbursements, or other non-occupational sources,  
14 excluding the amount, but identifying the source, for each such source  
15 exceeding either 10 percent of the official's gross income or \$5,000
- 16 (4) The identification of any person, business entity, or other organization  
17 from whom the City official reporting has received a gift or favor of any  
18 money or other thing of value in excess of \$100, or a series of gifts from  
19 the same source during the reporting period, the total value of which  
20 exceeds \$100, excluding the value of the gift, but including the  
21 identification of the source. Excluded from this requirement are  
22 campaign contributions which are reported as required by state statute and  
23 gifts received from the following relatives
- 24 (a) spouse,  
25 (b) children,  
26 (c) parents,  
27 (d) grandchildren,  
28 (e) grandparents,  
29 (f) brothers,  
30 (g) sisters,  
31 (h) uncles,  
32 (i) aunts,

- (j) nephews,  
(k) nieces,  
(l) first cousins,  
(m) children-in-law,  
(n) parents in-law,  
(o) grandchildren-in-law,  
(p) grandparents-in-law,  
(q) brothers-in-law,  
(r) sisters-in-law,  
(s) uncles-in-law,  
(t) aunts-in-law,  
(u) nephews-in-law,  
(v) nieces-in-law, and  
(w) first cousins-in-law

- (5) The name of any corporation, partnership, limited partnership, or other entity in which the official held, owned, acquired, or sold stock or other equity ownership having a value exceeding \$5,000 or equivalent to five percent or more of the stock or equity in the entity
- (6) A description, excluding the face amount, of all bonds, notes and other commercial paper which the official held, owned, acquired, or sold at any time during the reporting period if the combined face value of the bond, notes and commercial paper exceeds \$5,000
- (7) Any other income or revenue of the official in excess of \$5,000, including a description of sources, but excluding amounts
- (8) An itemized list of all real property in which the official holds any legal or beneficial interest, including real property for which the official has entered into a contract for sale, and including a description sufficient to locate the property, stating the state address, if any, and the present use of the property



(9) An itemized list of all real property held, owned, acquired, sold or under contract for sale by a corporation, partnership, limited partnership, professional corporation, or other entity in which the official owns or controls at least a five percent interest, including a description sufficient to locate the property, stating the street address, if any, and the present use of the property

(10) All loans and extensions of credit exceeding \$5,000 on which the official is lender or creditor, excluding the amount of the loan or extension of credit but including the name of the debtor and the rate of interest, if any

(11) All loans or transactions exceeding \$5,000 on which the official is a guarantor or co-signor, excluding the amount of the loan or guarantee, but including the names of the borrower and lender

(12) All loans to, debts of, and other financial liabilities of the official which are in excess of \$5,000 and all loans to, debts of and other financial liabilities of any corporation, partnership, limited partnership, professional corporation or other entity in which the official owns or controls at least five percent interest, which liabilities exceed \$5,000. For all debts, loans and liabilities presently outstanding or which existed at any time during the reporting period, the official shall state when the liability was incurred, the rate of interest being charged, if any, and the name of the lender, creditor or obligee, but not the amount of the liability

(13) All boards of directors of which the official is a member and the offices or executive positions which the official holds in corporations, partnerships, limited partnerships, professional corporations or other entities, including non-business entities, stating for each the name of the entity and the position held. There shall be excluded from this item positions on corporations or other entities owned by the City or created by the city council

(F) ~~(H)~~ If, during a reporting period, the mayor or member of the city council has accepted the offer of any trip or excursion from a person or entity other than the City, then he shall report the following to the city clerk before embarking on such a trip or excursion

(1) the name of the sponsor,

(2) the place or places to be visited,

(3) the purpose of such a trip or excursion, and

1 (4) the date and duration of any such trip or excursion

2 Within 15 days of return from such a trip or excursion, the mayor or  
3 Councilmember shall report to the city clerk the approximate value of such a  
4 trip or excursion

5 (G) [(H)] If any City official or City employee has accepted any item by way of gift  
6 or loan on behalf of the City, such gift or loan must be promptly reported to the  
7 city manager or his designee who shall have the gift or loan inventoried as City  
8 property in the case of a gift, or as a loan to the City in the case of a loan

9 **PART 5.** This part applies to a board that is subject to Chapter 2-1 (City Boards), as  
10 adopted by this ordinance

11 (A) Unless otherwise provided in Chapter 2-1 (City Boards), the council shall  
12 assign each board member a position that corresponds to a council position or  
13 the mayor's position. If a board currently has more than the number of  
14 positions authorized by Chapter 2-1 (City Boards), the council shall designate  
15 the additional positions as "excess positions"

16 (1) All vacant excess positions are eliminated as of the effective date of this  
17 ordinance

18 (2) All other excess positions are eliminated on the earlier of expiration of the  
19 member's current term or July 31, 2009

20 (3) During a time period when a board has excess positions, the quorum shall  
21 be a majority of the regular positions and the excess positions. For  
22 example, the quorum for an eight or nine position board is five, and the  
23 quorum for a 10 or 11 position board is six

24 (B) The term for a regular board member's position expires on July 31<sup>st</sup> of the year  
25 of the general election for the corresponding council position or the mayor's  
26 position, as applicable

27 **PART 6.** This part applies to a board member serving on the effective date of this  
28 ordinance

29 (A) A serving or carry-over board member shall complete the training described in  
30 Section 2-1-23 (Training) not later than the 120<sup>th</sup> day after the effective date of  
31 this ordinance

32 (B) A board member who fails to complete the required training automatically  
33 vacates his or her position and is not eligible for reappointment until the  
34 member completes the required training

(C) The city clerk shall notify the nominating council member if a board member's training record creates an automatic vacancy that requires a new appointment

**PART 7.** The boards, commissions, and other advisory bodies that existed before the repeal and replacement of Chapter 2-1 by this ordinance are continued in existence

**PART 8.** The council previously granted a lifetime appointment to Beverly Larkam as an emeritus member of the Commission For Women. The emeritus member may continue to serve as an eighth board member and may vote on any matter considered by the commission

**PART 9.** Sections 2-8-22, 2-8-23, and 2-10-35 of the City Code are repealed

**PART 10.** This ordinance takes effect on \_\_\_\_\_, 2007

**PASSED AND APPROVED**

\_\_\_\_\_, 2007

Will Wynn  
Mayor

**APPROVED:**

David Allan Smith  
City Attorney

**ATTEST:**

Shirley A. Gentry  
City Clerk