

# Late Backup

## Austin City Council Agenda Process March 5, 2009



## Purpose of the Presentation

1. Provide findings of Administrative Review
2. Review City Manager's Office administrative changes to date
3. Discuss additional possible management and Council options for consideration
4. Review strategy and next steps



## Current Agenda Process

- Council meetings are approved by City Council in November of each year
- Current agenda cycle involves a schedule of approximately four weeks
- Week four involves extensive review by the City Manager's Office of all items for agenda
- After preliminary agenda is distributed, Council Offices submit questions regarding items.



## Current Agenda Process (Cont.)

- On Friday, one week prior of meeting, the agenda is posted and published on the Web.
- Agenda Coordinator tracks the status of each City Council question and submits responses to all Council offices on or before the Wednesday prior to Council meeting
- On Monday, the week of a scheduled meeting, development of Changes and Corrections and distribution of late back-up occurs.



## **Current Agenda Process Zoning Back-Up**

- Back-up includes staff report, zoning review sheet, area maps, and the zoning ordinance
- In most cases, back-up provided subsequent to posting are supplemental documents (limited staff control)
- In majority of zoning cases, neighborhoods and applicants meet and negotiate terms/conditions.
  - Documents from those negotiations are typically distributed to Council as "late back-up"



## **Current Agenda Process Zoning Back-Up**

- Key examples of late back-up:
  - Restrictive Covenants
  - Zoning Ordinances
  - Applicant/Neighborhood Correspondence
  - Valid Petition
  - Postponement Requests
  - Board/Commission Updates
  - Results of field visits requested by Council





## **State Law Requirements Related to Zoning Cases**

- Statute requires council to accept a valid petition filed on the date of a council meeting.
- Statute requires Planning Commission consideration before council action.

## **Charter Requirements Related to Agenda Procedure**

- Council must adopt rules and order of business by ordinance (Code Chapter 2-5).
- Council must meet weekly in regular session at city hall or as ordered by council.
- Council approved ordinances must be in a particular format, approved by the city attorney, and filed with the city clerk.
- An ordinance becomes effective 10 days after it is adopted, unless council declares an emergency.
- The title or caption of an ordinance establishing a penalty must be published in a newspaper of general circulation.

## Examples of Nonessential Council Agenda Procedures

- Council action to set a future public hearing
- Scheduling business that must be considered at time certain
- The specific time for consideration of an agenda item, for example: citizen communication; proclamations; or public hearings



## Why are we here?

- The City Manager commissioned a City project team in October, 2008 to:
  - Explore what supporting documentation is required to be attached at posting; specifically Interlocal Agreements
  - Review the current zoning process and provide reasons why late back-up occurs;
  - Assess key components of the agenda process, including:
    - Agenda Process Deadlines
    - Agenda Review
    - Council Question & Answer
    - Agenda posting
    - Changes & Corrections



## Guiding Principles for Review

- To recommend proposed changes and clarification to the current process that will allow staff to:
  - Bring accountability to the process
  - Ensure transparency
  - Eliminate Communication deficiencies
  - Understand the importance of getting an item on the Council Agenda in a timely manner



## Project Group Process

- A total of 10 Project Group meetings were held throughout the months of October – March
- Convened meetings with key stakeholders
  - City Manager's Office
  - City Attorney's Office
  - Departmental SPOCs
  - Neighborhood Planning and Zoning
  - City Clerk's Office
  - City Council Aides





## **Project Group Process (Cont.)**

- Group reconvened on March 2, 2009, to review comments and feedback from benchmark cities and internal stakeholders.
- Met with Council staff on March 4, 2009, to provide findings.
- Staff here today to provide City Council with internal and external feedback, as well as, future options for consideration



## **What Did We Hear?**

1. Benchmark ways to streamline agenda process
2. Consider removal of fee waivers \$500 or below
3. Consider shortening lengthy zoning posting language
4. Condense speed limit signs to go before Council on a quarterly or bi-annual basis



## What Did We Hear? (Cont.)

5. Citizens are confused on whether they should be “for” or “against” an item
  - Consider more Pre-Council meetings
  - More information to Council offices about future agenda items before final posting



## PARTICIPATING BENCHMARK CITIES

### Texas Benchmark Cities

- Arlington
- Fort Worth
- Dallas
- San Antonio
- El Paso

### National Benchmark Cities

- Charlotte, NC
- Kansas City, MO
- Columbus, OH
- San Francisco, CA
- Oklahoma City, OK






## BENCHMARK CITIES (FY2007-08)

### City Council Review

	2000 Census Population	# of Cmtes	# of Meetings Annually	# of Agenda Items	Average # Per Meeting
<b>Austin</b>	<b>656,562</b>	<b>6</b>	<b>30</b>	<b>2,609</b>	<b>87.0</b>
<b>Dallas</b>	<b>1,188,580</b>	<b>9</b>	<b>45</b>	<b>1,821</b>	<b>40.5</b>
<b>El Paso</b>	<b>563,662</b>	<b>8</b>	<b>48</b>	<b>1,932</b>	<b>40.3</b>
<b>Fort Worth</b>	<b>534,694</b>	<b>5</b>	<b>48</b>	<b>2,052</b>	<b>42.8</b>
<b>San Antonio</b>	<b>1,371,000</b>	<b>7</b>	<b>71</b>	<b>1,424</b>	<b>20.1</b>
<b>Arlington</b>	<b>332,969</b>	<b>5</b>	<b>37</b>	<b>1,921</b>	<b>51.9</b>
<b>Charlotte, NC</b>	<b>540,391</b>	<b>9</b>	<b>39</b>	<b>1,207</b>	<b>30.9</b>
<b>Kansas City, MO</b>	<b>441,545</b>	<b>7</b>	<b>48</b>	<b>1,480</b>	<b>30.8</b>
<b>Columbus, OH</b>	<b>711,470</b>	<b>12</b>	<b>36</b>	<b>1,704</b>	<b>47.3</b>
<b>San Francisco, CA</b>	<b>776,733</b>	<b>8</b>	<b>43</b>	<b>1,836</b>	<b>42.7</b>
<b>Oklahoma City, OK</b>	<b>521,400</b>	<b>7</b>	<b>44</b>	<b>3,785</b>	<b>86.0</b>
<b>AVERAGE</b>	<b>694,455</b>	<b>8</b>	<b>44</b>	<b>1,979</b>	<b>47</b>



## Benchmarking

### Key Findings

- Most cities conducted Pre-Council Work Sessions
- Standing Committees
- One Motion One Vote
- Contentious or major Zoning cases handled in Pre-Council work-sessions
- Citizens willing to speak on more than one item on consent agenda – address all at initial item



## Benchmarking (Cont.)

### Key Findings

- Some cities have an a.m. and p.m. session (i.e. Administrative and Zoning)
- Posting language is limited to case number and address of zoning area



## Actions Taken To Date Departmentally

- Replaced weekly Department Director agenda review with a condensed group meeting
- Formalization of Standard Operating Procedures
  - Established uniformity across the departments
- Late RCA approval – implemented "Purple Slip", which documents late submittals of agenda items



## **Actions Taken To Date Departmentally (Cont.)**

### **•Council Request Tracking System**

- Currently in final Test Phase
- System will be used to track progress of Council sponsored Agenda items directing the City Manager to take action; and
- Track staff actions related to agenda items.
  - System to provide standard status report on both closed or currently active items.

### **•Modified late backup distribution**

- Departmental – Items will not be posted without supporting documentation



## **Actions Taken To Date Departmentally (Cont.)**

### **•Austin GO Project (Web Redesign)**

- RCA Scheduled for March 26<sup>th</sup> Agenda
- Organizing Citizen Advisory Committee

### **•Agenda Management System**

- Evaluation of All Technical Solutions
- Gathering Requirements from Users





## Possible Procedures for Council Review

- Reduce number of time certain items
- Simplify posting language
- Establish deadlines for items under negotiation
- Establish procedures regarding postponement announcement



## Possible Procedures for Council Review (Cont.)

- Consider starting Zoning items where public hearing have been closed at an earlier time
- Consider holding "non controversial" public hearings earlier in the day
- Consider eliminating Council action to set upcoming public hearings



## Possible Procedures for Council Review (Cont.)

- Consider all items on the agenda to see if there are any items that could be eliminated
- Consider current rules concerning complicated amendments and requiring all amendments to be in writing before a vote can be taken.

Questions?