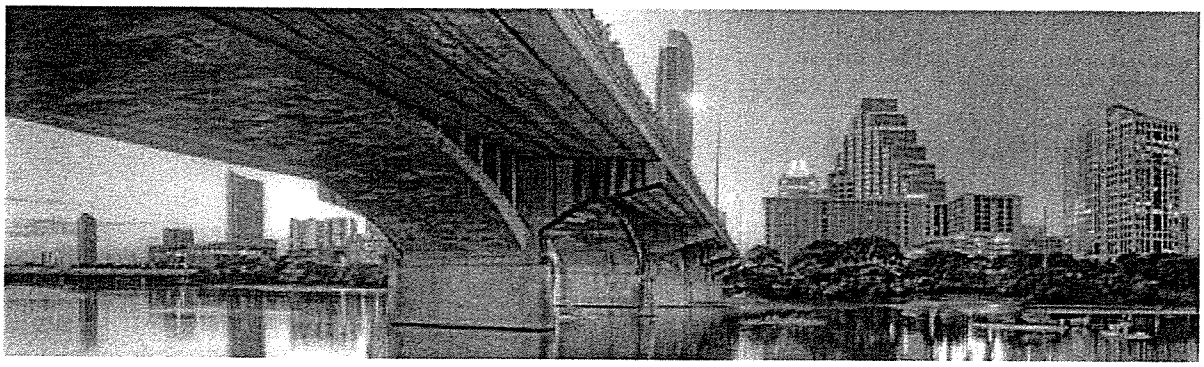


CITY OF AUSTIN

BOARD AND COMMISSION TRANSITION TASKFORCE

TASKFORCE REPORT

RESOLUTION NO. 20131121-056

May 1, 2014

April 30, 2014

Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Councilmember Chris Riley
Councilmember Mike Martinez
Councilmember Kathie Tovo
Councilmember Laura Morrison
Councilmember Bill Spelman

The following recommendations are the result of the work of the Boards and Commissions Transition Task Force established by Resolution No. 20131121-056. Our membership consisted of 15 Boards and Commissions members who were selected by the City Clerk's office. Our combined 130 years and average of 8 years of experience informed the discussions and decisions made at each of the 21 meetings conducted. To gain a better understanding of each Board and/or Commission, community input was requested through a survey of Chairs and Vice-Chairs. In addition, Task Force Members talked with select Chairs to obtain additional insight and information and received valuable input from citizens during our meetings. This input helped guide the discussions which lead to development of the recommendations submitted for Council consideration.

The task force prepared a transition plan that will enable the current boards and commissions to continue their critical work as the new city council is oriented with governing our city and makes their appointments. For boards that serve a very unique purpose, we are simply recommending increasing membership from 7 to 11, with the Mayor and each councilmember making a nomination. We completely reorganized the boards and commissions that have to do with planning and development, greatly increasing their efficiency and breaking down existing silos. We have proposed for certain commissions to sunset, while through the merger of existing Commissions or Boards, or by having membership drawn from other Commissions, others would be created.

The more controversial recommendations will no doubt be the board mergers we are proposing. Our goal was never to save money on staff time. To quote Councilmember Martinez, we were trying to "innovate the way our citizens participate in the city government." Yet, evolving the prevalent understanding of how the commission structure is intended to function to the greater benefit of the community as a whole has been challenging. Navigating the philosophical and structural transition from the "individual we" to a collective one is always difficult. Despite this, moving away from our respective comfort zones has enabled us to identify synergies that remedy existing deficiencies/inefficiencies and make recommendations that we believe will remove silos, improve communication, and simplify and promote community participation in our city government. We believe that the proposed merged commissions will be more effective at giving the community a stronger voice in their city government. In this case, the whole is bigger than the sum of its parts.

We hope you will carefully review our recommendations, gather community input and have a healthy, open discussion prior to voting on our recommendations. We are available to comment on our decision making process and rationale for our recommendations.

~~Respectfully,~~

Victor Martinez, Chair

Angela-Jo Touza-Medina, Vice Chair

TASKFORCE MEMBERS

Victor Martinez (Chair) - Austin Area Comprehensive HIV Planning Council

Angela-Jo Touza-Medina (Vice-Chair) - Commission On Immigrant Affairs

Dave Anderson - Planning Commission

Bernie Bernfeld - Electric Utility Commission

Lori Cervenak-Renteria - Downtown Austin Community Court Advisory Commission

Scott Daigle - Arts Commission

Babette Ellis - Animal Advisory Commission

Dale Gray - Water and Wastewater Commission

Jeff Jack - Board of Adjustment/Sign Review Board

Norman Kieke - Austin Mayor's Committee For People With Disabilities

Peggy Maceo - Urban Forestry Board

Mary Gay Maxwell - Environmental Board

Gabriel Rojas - Zoning and Platting Commission

Dave Sullivan - Bond Oversight Committee, Zero Waste Advisory Commission

Olga Wise - Library Commission

TABLE OF CONTENTS

The report is divided into the following sections each consisting of individual reports adopted by the Taskforce.

Section 1: Transition Work Group

The Transition Plan provides recommendations for a transitional period to allow the new Council to nominate members and allows the new members an opportunity to complete training and be brought up to speed on issues facing their commission. It also provides recommendations on potential updates to Chapter 2-1 that apply to all boards and commissions.

Section 2: Boards and Commissions Work Group: Non-Planning and Zoning Related

The report provided by the Board and Commission Work Group provides recommendations for changes to membership and purpose to boards and commissions that are not typically involved with planning and zoning issues. In addition, the Task Force has included recommendations for a few potentially new or joint commissions.

Section 3: Planning and Development Review Department Working Group Report

The report provided by the Planning and Development Review Department Working Group provides recommendations for streamlining and business process improvements for the boards and commissions that are involved with planning and zoning issues.

Section 4: Diversity and Recruitment Work Group

The report provides recommendations on ways to increase diversity throughout the boards and commissions by expanding recruiting efforts through the use of technology and other tools.

Section 1: Transition Work Group

Boards and Commissions Transition Taskforce

Transition Plan Workgroup Report

SUMMARY

The Transition Plan workgroup was assigned the task of developing a transition plan for Boards and Commissions following the election of the new City Council in November of 2014. Currently, Boards and Commissions are made up of appointees by the City Council, and since the current Council has seven members, most of the Boards and Commissions also have seven members. With the new system, the number of members will change to align with the new Council membership of eleven members.

That being the case, a transition period will assist the new Council in having a working system of Boards and Commissions until the members are appointed or re-appointed by the new Council comprising eleven members. The following recommendations provide a mechanism for consistent operation of Boards and Commissions until the new system is implemented.

ORGANIZATION

The Transition Plan workgroup included the following members of the Boards and Commissions Taskforce:

Dale Gray, Water and Wastewater Commission
Mary Gay Maxwell, Environmental Board

MEETINGS

The workgroup met or conferred by phone several times between March 6, 2014 and April 16, 2014. Updates were provided to the Taskforce a number of times during scheduled meetings of the Taskforce.

RECOMMENDATIONS

THE TRANSITION PLAN WOULD BE AS FOLLOWS:

~~1. Board Transition Period defined as: January 6 - June 30, 2015.~~

2. All Boards, Commissions, Joint Committees and Taskforces continue to operate in current form, including membership, for Transition Period.

3. Mayor shall nominate members to be approved by Council to fill any vacancies that might occur during Transition Period.

4. Majority of appointed Board members constitutes a Quorum.

5. Board action must be adopted by affirmative vote of majority of appointed members.

6. As of January 5, 2015, all Board members serving shall continue to serve through June 30, 2015.

7. As of June 30, 2015, all Board members' terms shall expire.

8. City Clerk can grant an administrative waiver for training requirements, except for requirements by law, for any new Board member appointed during Transition Period.

9. Board chair and any additional officers serving as of January 5, 2015, shall continue to serve through June 30, 2015.

10. Committees and taskforces in existence as of January 5, 2015, shall continue operation through designated date of expiration.

In order for Boards and Commissions to continue to conduct business and to serve City Council during a transition period, the following procedures are recommended:

RECOMMENDED IMPLEMENTATION PROCEDURES:

1. APPLICATION PROCESS - For new terms to begin July 1, 2015, application period will begin January 6, 2015.

2. DURING TRANSITION PERIOD, new Council will begin to appoint new members to begin serving July 1, 2015.

3. DURING TRANSITION PERIOD, training of new members will begin.

ADDITIONAL RECOMMENDATIONS:

In order to maintain the ability of Boards and Commissions to conduct business, it is recommended that the City Council and the City Clerk:

1. NOTIFY current Board and Commission members of the Transition Plan.

2. OBTAIN commitment of current members to serve through June 30, 2015.

3. FILL VACANCIES by City Council that might occur during the Transition Period.

4. ENSURE that each Board or Commission will have a quorum to operate and to conduct business.

Section 2: Boards and Commissions Work Group: Non-Planning and Zoning Related

Board and Commission Work Group Report and Recommendations

1. PURPOSE & BACKGROUND
   The Boards and Commissions Workgroup, (BCW), was formed initially to assess responses from various Boards and Commissions, (B&C), to a questionnaire developed by the B&C Transition Taskforce, (BCTT), regarding the transition from a 7-member to an 11-member City Council. Once responses were received, the BCW charge expanded to include making recommendations on the future, (continue, discontinue, merge, etc.), of any B&C not under consideration by the Planning & Development Review Workgroup. Comments and input were received during BCTT meetings, (including Citizens Communication), as well as from B&C representatives and staff liaisons.

2. ORGANIZATION
   The BCW included the following members of the BCTT:

   Angela-Jo Touza-Medina, Commission on Immigrant Affairs

   Olga Wise, Library Commission

   Norman Kieke, Austin Mayor's Committee for People with Disabilities

3. MEETINGS
   The BCW met or conferred via email on these dates:

   March 3, 6, 10, 13, 24, 27

   April 1, 3, 10, 15, 17, 22, 24, 25

   Updates have been regularly provided to the BCTT at scheduled meetings.

4. RECOMMENDATIONS and LISTING of IMPACTED APPOINTEES

Note:

- *~~This document does not cover Boards or Commissions being considered by the Planning and Development Review group.~~*
- *Boards and Commissions not addressed by Transition Taskforce Work Groups will transition to 11-members with membership appointed by the City Council.*
- *City staff will determine departmental oversight, and responsibilities in the case of mergers or new Commissions or Committees.*
- *Commissions which are newly formed or merged should use Work Groups or permanent Committees to accomplish activities or address issues.*

- *The merger of some existing Commissions and the creation of new Commissions or Committees represents efforts to (1) reduce the overall number of Commissions, Boards, Committees, etc.), (2) facilitate communication between groups and eliminate issue silos which currently exist in the Boards and Commissions structure, and (3) create Commissions or Committees to address issues not represented in the recommended re-structuring of all groups*
- *For Commissions which are new, represent a merger of two existing Commissions or Boards, or have membership drawn from other Commissions, it is recommended that a "lead" staffing City Department be identified, with representation provided by additional appropriate City Departments.*
- *It is recommended that a consistent naming convention be used in referring to all possible groups as "Commissions".*
- *Boards or Commissions represented in joint Commissions or Committees will select their own representative from their membership. Members who are not representatives of a Board or Commission shall be (1) nominated by the Mayor and approved by a majority of the Council or (2) appointed by Council-approved stake holder groups.*
- *It is recommended that the City Council hold a public hearing on (1) the transition of Boards and Commissions to the 11-member City Council and (2) the Boards and Commissions Transition Task Force reports and recommendations.*

A. GROUPS TO BE CONSIDERED FOR REMOVAL

- Comprehensive Plan Citizens Advisory Task Force – Work is complete. The group is still on the Boards & Commissions web site to allow citizens to view documents.
- Lake Austin Task Force – Final Report was in 2013.

B. GROUPS TO BE CONSIDERED FOR CONSOLIDATION

B1. Emergency Response Services Commission

- Downtown Austin Community Court Advisory Committee – Advises the Downtown Austin Community Court on policy and operational issues.
- Public Safety Commission – Advisory body on all budgetary and policy matters concerning public safety including matters related to the Austin Police Department, the Austin fire Department and the Austin/Travis county EMS Department. Currently under the APD, AFD and EMS Departments.

JUSTIFICATION: The combined groups address issues pertaining to emergency services and public safety.

MEMBERSHIP: 11 members appointed by the City Council.

B2. Environmental Commission

- Environmental Board – Advisory capacity on all projects and programs which affect the quality of life for the citizens of Austin. Connected to the Watershed Protection Department.
- Urban Forestry Board – The care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs and other landscaping in public areas. Currently under the Parks and Recreation Department.

Planning & Development Review Department
Working Group Subcommittee Report

April 30, 2014

EXECUTIVE SUMMARY

The Planning and Development Review (PDR) Working Group was formed as a Working Group under the full Boards and Commissions (B&C) Task Force to understand and evaluate B&C roles and membership requirements for those Boards and Commissions associated primarily or tangentially with the Planning and Development Review Department, and provide our recommendations to the full B&C Task Force.

The PDR Working Group evaluated the following Boards and Commissions:

- Board of Adjustment
- Bond Oversight Committee (Capital Planning Office)
- Building and Fire Code Board of Appeals
- Building and Standards Commission
- Land Development Code Advisory Committee
- Construction Advisory Commission
- Design Commission
- Downtown Commission (Economic Development Department)
- Electric Board
- Mechanical, Plumbing, and Solar Advisory Board
- Historic Landmark Commission
- Planning Commission
- Residential Design and Compatibility Commission
- Sign Review Board
- Waterfront Planning Advisory Board
- Zoning and Platting Commission

The PDR Working Group consisted of Dave Sullivan (scientist), Jeff Jack (architect), Gabe Rojas (planner), and Dave Anderson (engineering), and met as a group nine (9) times in March and April 2014, in addition to the regular meetings of the full Boards and Commissions Task Force.

The PDR Working Group also presented at the City Council Work Session on April 8, 2014, where they responded to questions and received comments that were integrated into the recommendations

The PDR Working Group's recommendations are summarized in the Table ES-1.

Table ES-1. Summary of Recommendations

Board/ Commission	Recommended Action	Recommended # Members
Board of Adjustment	Maintain duties of the Board of Adjustment, without the two additional Sign Review Board members as currently organized	11
Bond Oversight Committee	Reassign duties to a newly-created Economic and Capital Budget Joint Subcommittee of the Planning Commission and Zoning and Platting Commission	
Building & Fire Code Board of Appeals	Join the duties of the Building and Fire Code Board of Appeals with the duties of the Electric Board and the Mechanical, Plumbing, and Solar Board into a new Life Safety Board of Appeals	11
Building & Standards Commission	Maintain duties of Buildings and Standards Commission as currently envisioned.	22
Land Development Code Advisory Committee	Maintain duties of Land Development Code Advisory Committee as currently envisioned	11
Construction Advisory Commission	Reassign duties to a new Municipal Contracts and Construction Commission.	
Design Commission	Maintain duties of Design Commission; reassign the duties of the Residential Design and Compatibility Commission to the Design Commission.	11
Downtown Commission	Reassign duties to a newly-created Small Area Planning Joint Subcommittee of the Planning Commission and Zoning and Platting Commission.	
Electric Board	Reassign duties to a new Life Safety Board of Appeals	
Mechanical, Plumbing, & Solar Advisory Board	Reassign duties to a new Life Safety Board of Appeals	
Historic Landmark Commission	Maintain duties of the Historic Landmark Commission	11
Planning Commission	Reassign duties to focus on planning oriented activities City-wide, including the Comprehensive Plan, Area Plans (i.e., TOD plans, corridor plans, etc.), evaluating the CIP and other economic and budget initiatives, reviewing and initiating code amendments & ordinances. Utilize newly-created Joint Subcommittees with Zoning and Platting Commission.	13
Residential Design and Compatibility Commission	Reassign duties to the Design Commission	
Sign Review Board	Reassign duties to the Board of Adjustment, without the two additional Sign Review Board members as currently organized	
Waterfront Planning Advisory Board	Reassign duties to a newly-created Small Area Planning Joint Subcommittee of the Planning Commission and Zoning and Platting Commission	
Zoning and Platting Commission	Reassign duties to focus on transactional activities City-wide, including re-zoning, platting and plat amendments, site plans, conditional overlays. Utilize newly-created Joint Subcommittees with Zoning and Platting Commission.	11

1. PURPOSE & BACKGROUND

The Planning and Development Review (PDR) Working Group was formed as a Working Group under the full Boards and Commissions (B&C) Task Force to understand and evaluate B&C roles and membership requirements for those Boards and Commissions associated primarily or tangentially with the Planning and Development Review Department, and provide our recommendations to the full B&C Task Force. Most of the boards and commissions reviewed operated primarily in cooperation with PDR. For boards and commissions whose primary association is with another city department, that department is referenced.

The PDR Working Group evaluated the following Boards and Commissions:

- Board of Adjustment
- Bond Oversight Committee (Capital Planning Office)
- Building and Fire Code Board of Appeals
- Building and Standards Commission
- Land Development Code Advisory Committee
- Construction Advisory Commission
- Design Commission
- Downtown Commission (Economic Development Department)
- Electric Board
- Mechanical, Plumbing, and Solar Advisory Board
- Historic Landmark Commission
- Planning Commission
- Residential Design and Compatibility Commission
- Sign Review Board
- Waterfront Planning Advisory Board
- Zoning and Platting Commission

The PDR Working Group analyzed how the number of appointees to each B&C impacts the ability of that entity to operate effectively and evaluated the positive/negative impacts that may be realized by integrating, separating, or re-defining the roles and responsibilities of each B&C.

2. ORGANIZATION

The PDR Working Group consisted of the following four members:

1. Dave Sullivan (Scientist) – Former Chairperson of the Planning Commission, current Chairperson of the CodeNEXT Land Development Code Advisory Group, current Chairperson of the Bond Oversight Committee, and current Zero Waste Advisory Commission member
2. Jeff Jack (Architect) – Current Chairman of the Board of Adjustment and Ex-Officio member of the Planning Commission
3. Gabriel Rojas (Planner) – Current member of the Zoning and Platting Commission

4. Dave Anderson (Engineer) – Current Chairman of the Planning Commission and former Chairman of the Environmental Board

3. MEETINGS

The PDR Working Group has met continually since early March:

1. March 10
2. March 17
3. March 22
4. March 24
5. March 28
6. March 31
7. April 7 (Working Group representative at a meeting with City Clerk)
8. April 8 (Working Group representative at presentation at Council Work Session)
9. April 16

The Working Group has also provided ongoing updates to the full Boards and Commissions Task Force at regular meetings as appropriate.

4. CITY COUNCIL INQUIRIES

At the April 8 City Council Work Session, Council Members asked specific questions about the PDR Working Group's progress. This section presents their questions, and our responses.

4.1 Could ZAP be rolled into Planning?

We don't believe that there is enough capacity in one board to do both traditional zoning & platting and look long-term at planning. One of us (Sullivan) served on a 9 member Planning Commission from 1994 – 1999 that met weekly, but other members feel weekly meetings are a deterrent to attracting members.

The City Clerk's Office shared the City Council resolution that split the Building Standards Commission into two "panels" within one commission, as shown in the excerpt from Council Resolution 20131003-100 below. Council member Riley encourages the Task Force to consider such a split for a unified PC-ZAP.

> The City Council initiates a Code amendment to increase the size of the BSC to 14 commission members for the purpose of creating two panels that will allow the BSC to meet, as panels, more than once a month, and directs the City Manager to process the Code amendment. The amendment should allow the Mayor to appoint two members and each council member to appoint two members.

The PDR Working Group evaluated this option and while it has merit in the fact that it provides one body performing both zoning & platting and planning roles

(which ensures the two concepts remain connected within one Commission), it may not provide enough emphasis on the planning aspects of the role of the Planning Commission – something all within the PDR Working Group agreed must be improved. Furthermore, the make-up of the Planning Commission is dictated by Article X of the City Charter and is constrained to the number of members of the City Council plus two, which is currently nine and will become 13. Thus, there is no even way to divide the PC, unless, say, the chairperson served on both panels.

4.2 Provide a list of the number appointees that would be impacted by the proposed mergers?

The following table summarizes the impacts to the number of appointees due to the changes proposed by the PDR Working Group.

Existing		Proposed	
Board/Commission	# Appointees	Board/Commission	# Appointees
Board of Adjustment	7	Board of Adjustment	11
Bond Oversight Commission	7		
Building & Fire Code Board of Appeals	7	Life Safety Board of Appeals	11
Building & Standards Commission	14	Building & Standards Commission	22
Land Development Code Advisory Cmte	11	Land Development Code Advisory Cmte	11
Construction Advisory Commission	7		
Design Commission	7	Design Commission	11
Downtown Commission	7		
Electric Board	7		
Mechanical, Plumbing, & Solar Advisory Board	7		
Historic Landmark Commission	7	Historic Landmark Commission	11
Planning Commission	9	Planning Commission	13
Residential Design & Compatibility Commission	7		
Sign Review Board	2		
Waterfront Planning Advisory Board	7		
Zoning & Platting Commission	7	Zoning & Platting Commission	11
TOTALS	120		101

* Please see Section 5 for specific recommendations related to this table.

The PDR Working Group is also evaluating the addition of additional outside citizens with specific expertise to joint permanent subcommittees.

4.3 The use of the word "innovative" rather than "eliminate".

Final recommendation will be sensitive in word choice.

4.4 Are we just shifting the bulk of the work from Planning to ZAP?
No. Currently the Planning Commission (PC) has more work than the Zoning and Platting (ZAP) Commission. This is based on the relative length of regular meetings. According to the Channel 6 Website, between October 2010 and August 2011, ZAP meetings lasted 1:22 on average, while PC meetings averaged 2:46.

Additionally, PC holds monthly subcommittee meetings for four standing subcommittees, and has individual appointees to several other Boards and Commissions.

Further, Working Group representatives estimate that about 1/3 of PC work is zoning related where for ZAP is the percentage exceeds 50% (see Section 4.5 below).

The intent of the Working Group's recommendations is to move toward a more even allocation of work.

4.5 What portion of Planning is currently devoted to zoning cases?
PDR Working Group representatives estimate that about 1/3 of PC work is zoning-related, while for ZAP the percentage exceeds 50%.

4.6 Is there a better way to balance the workload?
The Working Group recommends a combination of the use of joint subcommittees and improved information technology may make work easier.

4.7 Provide a method for joint subcommittee members to have on-going interaction with zoning cases as a way to keep them informed and provide a broad understanding of zoning issues.
The PDR Working Group believes that the Small Area Plan and the Comprehensive Plan joint subcommittees will allow both Commissions to keep abreast of zoning and comprehensive planning issues.

4.8 Is there anything in the Charter about the Planning Commission's role in zoning cases?
The Charter is explicit in Section X that the "Planning Commission" is responsible for making zoning recommendations to the City Council. The City Legal Department has interpreted this to mean that a Land Use Commission, either called the "Zoning and Platting Commission" or the "Planning Commission" may make such recommendations.

4.9 Are there PUD requirements for the Planning Commission?
Yes, the Small Area Plan joint subcommittee would pass on recommendations to the Planning Commission, as may be required by the current PUD Ordinances. There has been some suggestion, however, that the use of PUD zoning may be affected by the CodeNEXT project.

4.10 How to best keep the joint committees active since past efforts have not been successful?
By maintaining a regular schedule as the Planning Commission subcommittees have for several years will help sustain effective joint subcommittee work.

4.11 Review the model used with the Building and Standards Commission – 2 panels rather than splitting duties. Would this work with Planning and ZAP?
Please see Response in Section 4.1.

4.12 Gauge commitment to board meetings and committee meetings to ensure we have enough commissioners for the proposed joint committees.
This is what one of the advantages of the splitting the roles of the PC and ZAP are – each Commission can spread out subcommittee involvement to those willing and able to serve. Further, each Commission can also develop rules to provide alternates in either an ad hoc or rotation schedule to further ensure that commitments are met.

However, new Single Member Districts and the higher likelihood that Board and Commission members may come from more suburban areas may create travel issues for folks in those outlying areas. These may be mitigated in the future by Project Connect mass transit improvements.

Alternatively, it may be possible for the Legislature to liberalize Open Meetings rules to allow online participation in subcommittee meetings.

4.13 Life Safety Board – reach out to the B/C being considered for this body and review the expertise required and if that expertise can be covered in one Board?
The PDR Working Group has sent an email to the Chairperson of each Commission and is awaiting response.

5. RECOMMENDATIONS

The following subsections are organized by the Boards and Commissions that the PDR Working Group evaluated as part of our charge. Each subsection concludes with the Working Group's recommendations.

5.1 Board of Adjustment

The purpose of the Board of Adjustment is defined in City of Austin Land Development code Section 25-2 and Section 241.034 of the Local Government Code to 1) hear and decide a request for a variance from the requirements of Chapter 25-2 (Zoning), except as otherwise provided by the Code; 2) hear and decide an appeal of an administrative action under Chapter 25-2 (Zoning); 3) hear and decide on a request for a variance from the requirements of airport zoning regulations under Section 241.034, Local Government Code; and 4) perform other duties prescribed by ordinance or state law.

The Board of Adjustment met in conjunction with the Sign Review Board eleven (11) times in 2013, and the Board of Adjustment By-Laws provide the rules under which the Sign Review Board operates.

RECOMMENDATION:

1. Integrate the duties of the Sign Review Board into the duties of the Board of Adjustment, without the two additional Sign Review Board members as currently organized; and
2. Increase the Board's membership to 11, with one person appointed by the Mayor and the remaining ten appointed by Council Members.

5.2 Bond Oversight Commission

The Bond Oversight Commission ensures efficiency, equity, timeliness, and accountability in the implementation of the 2006 and 2010 bond programs, as well as all future bond programs. The committee reviews the annual appropriation and spending plan of bond funds. See Resolution No. 20110127-034, Resolution No. 20070215-028 and Resolution No. 20061214-041 for additional information.

While the Bond Oversight Committee usually meets monthly immediately following a bond issuance, it currently meets quarterly.

The Planning Commission is charged by City Charter to review annually the Capital Improvement Program (CIP) budget. This is accomplished through the use of a standing CIP Subcommittee.

Since it's inception, this subcommittee has not met every month. The recent addition of Capital Planning Office's Long Range CIP Strategic Plan has provided the CIP Subcommittee with additional workload, but it still has capacity to take on additional work.

RECOMMENDATION:

1. Reassign the duties of the Bond Oversight Committee into a newly-created Economic and Capital Budget Joint Subcommittee of the Planning Commission and Zoning and Platting Commission; and
2. Specify a membership of the Joint Subcommittee of at least seven (7) members from the PC & ZAP.
3. Allow up to four additional members appointed by the City Manager (or Capital Planning Office) and approved by the City Council with specific experience related to the GO bonds. For example, these could be veterans of the most recent bond election advisory committee, citizens with specific public finance experience, or representatives of key stakeholder groups.
4. Although the PC would receive and make a final decision on the CIP each year (as required by Charter), a separate report on the GO Bond program would go directly to the City Manager and City Council.

5.3 Building and Fire Code Board of Appeals

The Building and Fire Code Board of Appeals reviews any appeal filed in accordance with Title 25 (Land Development). It hears and decides appeals of orders, decisions, or determinations made by the building official relating to the application and interpretations of the Building Code and Fire Code. Section 2-1-121 of the City Code.

RECOMMENDATION:

1. Join the duties of the Building and Fire Code Board of Appeals with the duties of the Electric Board and the Mechanical, Plumbing, and Solar Board into a new Life Safety Board of Appeals;
2. Increase the new Board's membership to 11, with one person appointed by the Mayor and the remaining ten appointed by Council Members; and
3. Require the necessary expertise currently distributed amongst the three (3) Boards.

5.4 Building and Standards Commission

The Building and Standards Commission was established to hear cases concerning alleged violations of the City's housing and dangerous buildings regulations. It shall have the powers and duties and comply with the procedures established by Texas Local Government, Chapter 54, Subchapter C (Quasi-Judicial Enforcement of Health and Safety Ordinances), Texas Local Government Code Chapter 214 (Municipal Regulation of Housing and Other Structures), Subchapter A (Dangerous Structures), and City Code Chapter 25-12, Article 9 (International Property Maintenance Code). See Section 2-1-122 of the Austin City Code.

In 2014, the City Council initiated a Code amendment (and Code was accordingly processed) to increase the size of the BSC to 14 Commission members for the purpose of creating two panels that will allow the BSC to meet, as panels, more than once a month, with the Mayor appointing two members and each Council Member appointing two (2) members.

RECOMMENDATION:

1. Maintain duties of Buildings and Standards Commission as currently envisioned; and
2. Increase the Board's membership to 22 members, with the Mayor appointing two (2) members and each Council Member appoint two (2) members, for the purpose of creating two panels that will allow the BSC to meet, as panels, more than once a month.

5.5 Land Development Code Advisory Committee

The Land Development Code Advisory Committee Act as an advisory group to assist in public outreach and provide feedback on the development and implementation of a revised land development code for the City of Austin. See Resolution No. 20121206-074 for additional information.

The Land Development Code Advisory Committee shall be terminated automatically by the end of September 2015 or upon adoption of the new Land Development Code, whichever is earlier.

RECOMMENDATION:

1. Maintain duties and membership of Land Development Code Advisory Committee as currently envisioned.

5.6 Construction Advisory Commission

The Construction Advisory Commission monitors enforcement of prevailing wage scales and job classifications on municipal construction contracts. They advise Council and City Manager regarding categories and specific projects of maintenance and construction work that should be accomplished by contract through competitive bidding processes instead of by use of City personnel and equipment. They review implementation of state laws, Charter, ordinances and council policies relating to the award of construction contracts and purchase or rental of construction equipment materials and services, including advertising policies, specifications and lease purchase agreements. They advise Council and City Manager on other construction matters affecting the quality, cost and improvement of City construction programs. See Section 2-1-128 of the City Code for additional duties.

The MBE/WBE/Small Business Enterprise Procurement Program Advisory Committee is responsible for reviewing the City Manager's report, as described in Sections 2-9A-18, 2-9B-18, 2-9C-18 and 2-9D-18 (Program Review); and recommending changes to the City Code provisions, adopting rules and regulations, and programming operations. Section 2-1-163 of the City Code.

As there are several overlapping roles in the two Commissions, the PDR Working Group evaluated whether or not to combine the two.

RECOMMENDATION:

1. Reassign the duties of the Construction Advisory Commission to a new Municipal Contracts and Construction Commission.

5.7 Design Commission

The Design Commission provides advisory recommendations to the city council (as requested by the Council) to assist in developing public policy and to promote excellence in the design and development of the urban environment. See Section 2-1-129 of the City Code for additional duties.

The Residential Design and Compatibility Commission (RDCC) makes determinations on requested modifications of certain residential design standards for specific developments, as prescribed in Chapter 25-2,

Subchapter F (Residential Design and Compatibility Standards). See Section 2-1-167 of the City Code for additional duties.

While one Commission addresses urban design issues, the other addresses residential design issues; but, they are similar issues and could be considered part of the work of one Commission.

Additionally, the workload of the RDCC has been decreasing in the recent past, which may make it easier for another Commission to absorb their work.

RECOMMENDATION:

1. Reassign the duties of the Residential Design and Compatibility Commission to the Design Commission;
2. Increase the Design Commission membership to 11, with one person appointed by the Mayor and the remaining ten appointed by Council Members; and
3. Ensure that both urban, commercial and residential design expertise is included in a new 11-member Commission.

5.8 Downtown Commission

The Downtown Commission advises the City Council and City staff regarding policies and projects impacting downtown Austin; the Commission serves as stewards for the Downtown Austin Plan; maintain liaison relationships with city staff and other Boards and Commissions; and perform other activities as directed by the City Council. See Section 2-1-141 of the City Code for additional duties.

The PDR Working Group is recommending a Small Area Planning Joint Subcommittee to address issues surrounding planning and zoning in areas such as Downtown, along Corridors and Centers, in and around Neighborhoods, on the Waterfront, in Planned Unit Developments, in Transit Oriented Developments, etc.

RECOMMENDATION:

1. Reassign the duties of the Downtown Commission to a newly-created Small Area Planning Joint Subcommittee of the Planning Commission and Zoning and Platting Commission; and
2. Specify a membership of the Joint Subcommittee of at least seven (7) members.

5.9 Electric Board

The Electric Board hears and decides appeals of orders, decisions, or determinations made by the building official relating to the application and interpretation of the Electrical Code. The board may not waive the requirements of the Electrical Code. See Section 2-1-142 of the City Code for additional duties.

RECOMMENDATION:

1. Reassign the duties of the Electric Board of Appeals with the duties of the Building & Fire Code of Appeals and the Mechanical, Plumbing, and Solar Board into a new Life Safety Board of Appeals;
2. Increase the new Board's membership to 11, with one person appointed by the Mayor and the remaining ten appointed by Council Members; and
3. Require the necessary expertise currently distributed amongst the three (3) Boards.

5.10 Mechanical, Plumbing, and Solar Board

The Mechanical, Plumbing, and Solar Board hears and decides appeals of orders, decisions, or determinations made by the Building Official relating to the application and interpretation of the Mechanical Code, Plumbing Code and Solar Code. Section 2-1-161 of the City Code.

RECOMMENDATION:

1. Reassign the duties of the Mechanical, Plumbing, and Solar Board with the duties of the Building & Fire Code of Appeals and the Electric Board into a new Life Safety Board of Appeals;
2. Increase the new Board's membership to 11, with one person appointed by the Mayor and the remaining ten appointed by Council Members; and
3. Require the necessary expertise currently distributed amongst the three (3) Boards.

5.11 Historic Landmark Commission

The Historic Landmark Commission prepares and periodically revises an inventory of the structures and areas that may be eligible for designation as historic landmarks. The Commission prepares, reviews and proposes amendments to the Historic Landmark Preservation Plan. It reviews requests to establish or remove a historic designation, makes recommendations on the requests to the Land Use Commission, as determined in accordance with Section 25-1-46 (Land Use Commission). Section 2-1-147 of the City Code.

The duties of the Historic Landmark Commission are to:

- Promote historic preservation activities in Austin;
- Review applications for heritage grant monies;
- Review applications for historic zoning cases;
- Review certificates of appropriateness and tax exemption applications for city landmarks; and
- Review sign and building permits in historic districts.

RECOMMENDATION:

1. Maintain the duties of the Historic Landmark Commission; and
2. Increase the Board's membership to 11, with one person appointed by the Mayor and the remaining ten appointed by Council Members.

5.12 Planning Commission

The Planning Commission makes and amends master plans, recommends approval or disapproval of proposed zoning changes and controls land subdivision within neighborhood planning areas and submits, annually, a list of recommended capital improvements. See Article X of the City Charter and Section 2-1-166 of the City Code for additional duties.

The PDR Working group evaluated how the Planning Commission and Zoning and Platting Commission could work together to ensure that the decisions made in implementing zoning and platting are in line with the overall City planning initiatives.

City Staff (Jerry Rusthoven) provided a history of how and why the two commissions were formed originally – and that the initial intent was to have two commissions organized as the PDR Working Group has proposed. Historically, all Boards and Commissions had the two additional members required of the Planning Commission via City Charter – and those were intended to represent an environmental/neighborhood interest and a development interest. At some point in the past, these additional members were removed from all Commissions but the Planning Commission.

The PDR Working Group felt that it is important for there to be citizen oversight of the Planning and Development Review Department, as there is currently not an existing citizen advisory board that has these duties (i.e., the Environmental Board reviews the metrics and budget for the Watershed Protection Department annually).

The PDR Working Group felt that economic impacts (both positive and negative) have not been addressed adequately in making planning decisions in the past, and that there should be a place for this kind of analysis in the future. This becomes increasingly more possible through the roles and responsibilities of a planning-oriented Planning Commission.

The Waterfront Planning Advisory Board (WPAB) has both planning and transactional responsibilities. The PDR Working Group evaluated whether this remain a stand-alone board or if it was possible to reassign some of the roles into different Boards or Commissions.

The Downtown Commission reports to the Economic Development Department, but certainly has issues that inform, and are informed by, planning and transactional decisions made at the Planning Commission and/or Zoning and Platting Commission. The PDR Working Group evaluated whether reassigning some of the Downtown Commissions duties to other Boards and Commissions made sense.

The Planning Commission, by City Charter, must annually review the City of Austin Capital Improvement Program (CIP) program – which includes in its entirety the expenditure of GO Bonds approved by voters. The PDR Working Group evaluated whether it makes sense that this entity rolls up under the Planning Commission duties.

Members of the PDR Working Group presented their work at the 2014 Planning Commission Retreat on March 17, 2014. Several Planning Commissioners noted the importance for their to be an official coordinating process or structure in place to ensure that decisions made by the Zoning and Platting Commission were in line with the activities of the Planning Commission.

There was concern that the Zoning and Platting Commission – who may end up having a heft workload – would not have the benefit of the 2 additional members required by City Charter, while the Planning Commission – with potentially a smaller workload – would still have that benefit. The PDR Working Group evaluated a recommendation to address this inconsistency via a City Charter amendment.

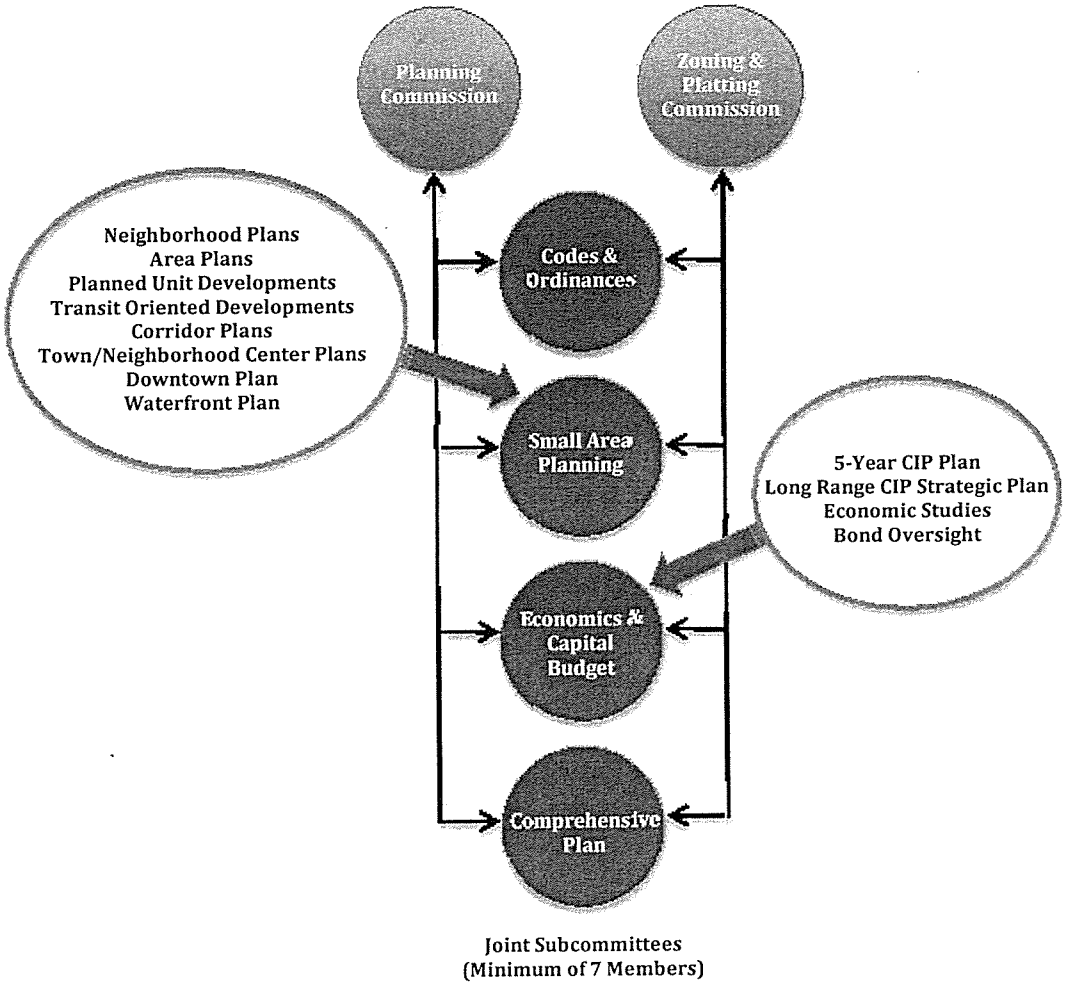
City Staff (Greg Guernsey) recommended we investigate a periodic meeting of the Executive Committees of the two commissions with some frequency to ensure that decisions were being made that were complementary. He also advised that we should be including the Historic Landmark Commission in our discussions – as it is associated with the Planning and Development Review Department.

At the Planning Commission retreat, the idea of standing joint subcommittees was offered as another mechanism to tie the two commissions together.

An idea was also put forward to reduce the number of appointees for both commissions, either by grouping districts together, or by instituting a process similar to the selection of re-districting members to the Independent Re-districting Committee, for appointments.

It was offered that this process should address a review of the inclusion of Ex-Officio members to boards and commissions.

Figure 5-1. Recommended Planning Commission, Zoning and Platting Commission and Joint Subcommittee Structure



RECOMMENDATION:

1. Figure 5-1 presents a pictorial representation of the PDR Working Group recommendation of realigning the Planning Commission duties;
2. Reassign the duties of the Planning Commission to focus on planning oriented activities City-wide, including the Comprehensive Plan, Area Plans (i.e., TOD plans, corridor plans, etc.), evaluating the CIP and other economic and budget initiatives, reviewing and initiating code amendments & ordinances, etc.
3. Reassign the duties of the Downtown Commission to a newly-created Small Area Planning Joint Subcommittee of the Planning Commission and Zoning and Platting Commission;
4. Reassign the duties of the Waterfront Planning Advisory Board to a newly-created Small Area Planning Joint Subcommittee of the Planning Commission and Zoning and Platting Commission;
5. Reassign the duties of the Bond Oversight Commission to a newly-created Economics and Capital Budget Joint Subcommittee of the Planning

As the Chair of the Austin Public Safety Commission (PSC), I strongly recommend against the proposal in the City of Austin Board and Commission Transition Taskforce report to consolidate the PSC and the Downtown Austin Community Court Advisory Committee (CCAC). The PSC is the advisory body on all budgetary and policy matters concerning public safety, including police/crime, fire, and EMS issues. This broad mandate results in very full agendas and we typically have matters scheduled out months ahead of time. If we move to an 11-member Commission, then it would be expected that the number of issues raised by the commissioners will increase by half again. Moreover, a district-based model of representation will likely result in local crime issues becoming increasingly important. There is no feasible way the PSC can manage the addition of CCAC responsibilities on top of its current and anticipated workload.

The justification for consolidation given in the Taskforce report is: "The combined groups address issues pertaining to emergency services and public safety." This logic is flawed. The CCAC is not concerned with either emergency services or with public safety. Its membership is focused on downtown representatives. And there is a fundamental difference between policing and the judicial system that requires separation. Combining a court advisory committee with a policing commission would place the City of Austin in a problematic and perhaps legally untenable situation, one that may undermine the CCAC's perception of independence.

Finally, the PSC was not consulted on the viability of this proposal, despite written communication and a lengthy telephone conversation between the transition Taskforce and the PSC.

Wednesday, June 11, 2014 12:49 PM

Dear B&C Members,

I hope you are having a great afternoon.

This email is to help provide clarification on what is currently happening with the transitions of Boards & Commissions and to update you on next steps. As you know, there have been transitions occurring with the Boards & Commissions Coordinator position. I would like to offer apologies for any inconvenience you may have experienced without having the most up to date information. During the board and commission transition, and going forward altogether, I would like there to be more of an open dialogue. I would like to first address the most common questions the Clerk's Office is receiving:

1. What is the Transition Taskforce?

a. The Transition Taskforce was introduced as a resolution by Council on November 21, 2013. Please see the resolution here: http://www.austintexas.gov/edims/document.cfm?id=201464 .

b. The taskforce met between February-April and briefed Council on April 8th and May 13th. Council received a hand delivered copy of the report on May 5th and Council staff received an electronic copy the same day. B&C Chairs were emailed a copy of the report on May 6th. The report is available at http://www.austintexas.gov/edims/document.cfm?id=209716.

2. Why didn't the taskforce members contact staff liaisons?

a. Taskforce members were tasked with contacting the chairs and vice chairs of the boards/commissions only. These officers

were contacted via their BC email address for feedback. Unfortunately, less than 1/3 provided responses.

3. Will the Transition Taskforce Group present to our Board or Commission?

a. After the report was complete and presented to Council, the taskforce was dissolved. Members of the taskforce are not available to brief your individual bodies. Also, Clerk staff may not present the report of a taskforce on which they did not serve. However, the Clerk's Office would be available to provide a staff briefing after the August 7 Council meeting on the Transition Plan included in the Report.

4. **What is currently happening with this report? Has this been adopted by Council?**

a. On May 15th, Council passed a resolution regarding the Transition Taskforce Report. A copy of the resolution can be found at http://www.ci.austin.tx.us/edims/document.cfm?id=210348

b. The resolution directed the following:

i. Direct the City Clerk to bring an ordinance implementing the recommendations of Section1 of the Transition Taskforce Report. For details of Section 1, please see pages 6-7 of the report.

ii. Direct the City Manager to post a public hearing at the August 7th Council meeting regarding Sections 2-4 of the Transition Taskforce Report.

iii. The resolution also directed the Clerk's office to solicit feedback from all BC members prior to the public hearing.

5. How will feedback be solicited?

a. Feedback will be solicited both from each Board and Commission as well as from each individual member.

b. A survey will be distributed to all staff liaisons to complete if a Board or Commission chooses to provide feedback as a group. This will require the Board or Commission to **place an item on an agenda before the survey deadline (August 1)** for which the staff liaison would respond to the survey based on the feedback provided at the meeting. At 2pm, you will receive this survey, from SurveyMonkey, in an email.

c. In addition, a survey will be sent to all members using their BC email address. Members will have the opportunity to complete this survey individually. The individual survey will be somewhat anonymous. While the member will have to list what board or commission in which they are serving, they will not have to list their name. To prevent losing your work, I recommend you prepare your comments for each section outside of this survey, and paste them into the response fields. Click "Next" to proceed.

d. The results of the survey will be compiled by the Clerk's Office into a report listing all comments as submitted for each Board or Commission and will be distributed to Council prior to the August 7 Council Meeting.

6. My Board has already submitted recommendations regarding the Transition Taskforce Report. Will this be included in the feedback provided to Council?

a. If your board adopts a recommendation regarding the Transition Taskforce Report, it will be provided to Council following the same protocol as all approved board recommendations. However, these recommendations will not be included in the survey feedback presented by the

Clerk's office to Council.

7. What can I do to help?

a. We would like to encourage you to add this as an item to your June or July meeting agendas. If your respective board is not meeting during these months, a special called meeting can be scheduled without counting against your once per quarter restrictions.

b. You are encouraged to also complete the online survey found in your BC email as well.

If you have a city email address, this is where your survey (and this email) have been sent. Those who do not have completed their email training, have been blind copied using their personal emails. Many thanks for your time and cooperation.
Best,

Deena Estrada-Salinas | Boards & Commissions Coordinator
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