

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 2-1 OF THE CITY CODE RELATING TO CITY BOARDS.

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

PART 1. City Code Section 2-1-6 is amended to read:

§ 2-1-6 QUORUM AND ACTION.

- (A) A majority of the total number of authorized board members constitutes a quorum for the conduct of business. For an 11 [~~a seven~~] member board, six [~~four~~] board members constitute a quorum.
- (B) A board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum. For an 11 [~~a seven~~] member board, a board action must be adopted by an affirmative vote of six [~~four~~] board members.
- (C) All members necessary to provide a quorum must be physically present at a meeting to conduct business.
- (D) An ex officio member of a board that is subject to the requirements of this chapter may participate at board meetings, but may not vote or bring a motion and does not count towards calculation of a quorum or any other minimum vote count required by city code or state law.

PART 2. City Code Section 2-1-22 is amended to read:

§ 2-1-22 MEMBERSHIP TERM AND LIMITATION.

- (A) A board member is appointed for a term of up to four [~~three~~] years beginning March [~~August~~] 1st. The tenure of a board member runs concurrently with the tenure of the city council member who appoints the member.
- (B) Except as provided in Subsection (C), a board member may serve no [~~not~~] longer than eight [~~nine~~] consecutive years on the same board. Service before July 31, 2015 [~~2008~~] is excluded in determining the number of years served.
- (C) A board member who has served eight [~~nine~~] years on the same board is not eligible for reappointment to that board until the expiration of two years after the last date of the member's service on that board.

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PART 3. Subsection (B) of City Code Section 2-1-42 (*Membership Term and Limitation*) is amended to read:

(B) A person may not serve as an officer in a designated position of a board for more than four [~~three~~] consecutive one-year terms. Service before July 31, 2015 [~~2008~~] is excluded in determining the number of years served. A person who has served as an officer in a designated position of a board for four [~~three~~] consecutive terms is not eligible for re- election to that designated office until the expiration of two years after the last date of the person’s service in that office, unless, by a two-thirds vote, the board votes to reelect the person to that designated office for an additional term. For an 11 [~~a seven~~] member board, eight [~~five~~] members constitute a two-thirds vote.

PART 4. City Code Section 2-1-44 (*Meeting Procedures*) is amended by adding a new Subsection (E) to read:

(E) A member of the public may not address a board at a meeting on an item posted as a briefing.

PART 5. Subsection (A) of City Code Section 4-2-46 (*Annual Internal Review and Review Report*) is amended to read:

(A) Each calendar year, a board chair must conduct an internal review of the board and prepare an internal review report using the template provided by the city clerk. The internal review report must be filed with the city clerk and the city department assigned to support the board by July [~~March~~] 31 of each year.

PART 6. Subsection (C)(3) of City Code Section 2-1-49 (*Communications Using Electronic Devices*) is amended to read:

(3) A board member who does not comply with the training requirement prescribed in Subsection (B)(8) of Section 2-1-23(*Training*), or does not accept the terms of the user agreement, may not have access to a City e-mail account. A board member who does not have access to a City e-mail account may not use electronic devices for communications related to board business.

(a) Except as provided by (b), a board member who uses electronic devices for communications related to board business in violation of this subsection automatically vacates the member’s position. A board member who vacates a position under this subsection does not hold over under [~~-, subject to the hold over provision in~~] Section 2-1-27 (*Vacancy and Hold Over Capacity*).

1 (b) This subsection does not prohibit a City employee who is assigned
2 to support a board as a job duty from contacting a board member by
3 telephone or e-mail or prohibit the board member from responding
4 to a communication initiated by the liaison.

5 **PART 7.** Subsection (B) of City Code Section 2-1-102 (*Animal Advisory Commission*) is
6 amended to read:

7 (B) The council shall appoint among the [as] commissioners at least:

8 (1) one licensed veterinarian [~~, nominated by the mayor~~];

9 (2) one city official [~~, nominated by the Place 2 council member~~];

10 (3) one person whose duties include the daily operation of an animal
11 shelter [~~, nominated by the Place 3 council member~~];

12 (4) one animal welfare organization representative [~~, nominated by the
13 Place 6 council member~~]; and

14 (5) one person recommended by the Travis County Commissioners Court,
15 [~~, nominated by the Place 4 council member~~];

16 ~~(6) one person nominated by the Place 1 council member; and~~

17 ~~— (7) one person nominated by the Place 5 council member.]~~

18 **PART 8.** Subsection (B) of City Code Section 2-1-111 (*Board of Adjustment*) is
19 amended to read:

20 (B) The board shall be composed of 11 [~~seven~~] members.

21 **PART 9.** A new Section 2-1-112 is added to the City Code to read:

22 **§ 2-1-112 BOND OVERSIGHT COMMISSION.**

23 (A) The council creates the Bond Oversight Commission to advise the council on the
24 implementation of projects approved by the voters in bond elections.

25 (B) The commission shall consist of 11 members appointed by the council as
26 follows:

27 (1) four members of the Planning Commission;

28 (2) three members of the Zoning and Platting Commission; and

1 (3) four additional members nominated by the Council Audit and Finance
2 Committee.

3 (C) At least one member of the commission must be a professional engineer.

4 (D) The commission shall meet at least once every six months.

5 (E) The commission shall monitor the city manager's plans relating to the issuance
6 of bonds and the implementation of projects approved by the voters, including
7 the annual appropriation of bond funds and changes in the amount of bonds
8 issued or cash commitments made.

9 (F) The city manager shall assign staff as necessary to assist the Bond Oversight
10 Commission in the performance of its duties.

11 **PART 10.** Subsection (A) of City Code Section 2-1-127 (*Community Development*
12 *Commission*) is amended to read:

13 (A) The Community Development Commission is composed of 19 [~~15~~] members
14 appointed by the council, as follows:

- 15 (1) seven members nominated by residents from each of the geographic areas
16 designated in Subsection (B);
17 (2) a member nominated by each member of the city council; and
18 (3) one additional member.

19 **PART 11.** Subsection (B) of City Code Section 2-1-131 (*Commission on Seniors*) is
20 amended to read:

21 (B) The council shall appoint 15 [~~11~~] commission members:

22 (1) the mayor may nominate two commission members and each council
23 member may nominate one commission member;

24 (2) the [~~The~~] Travis County Commissioners Court shall appoint one
25 commission member;

26 (3) the [~~The~~] Area Agency on Aging of the Capital Area shall appoint one
27 commission member;

28 (4) the [~~The~~] Capital Metropolitan Transportation Authority shall appoint
29 one commission member.

30 **PART 12.** City Code Section 2-1-141 (*Downtown Commission*) is renumbered as
31 Section 2-1-140, and Subsection(D) of that section is amended to read:

1 (D) The Downtown Commission is composed of 19 [~~15~~] members appointed by the
2 city council. If no more than the number of members necessary to provide a
3 quorum of the Downtown Commission is present at a meeting, a board action is
4 adopted by an affirmative vote of two-thirds of the quorum. If more than a
5 quorum is present at a meeting, a board action must be adopted by an affirmative
6 vote of the number of members necessary to provide a quorum.

7 **PART 13.** A new section 2-1-141 is added to the City Code to read:

8 **§ 2-1-141 ECONOMIC PROSPERITY COMMISSION.**

9 The council creates the Economic Prosperity Commission to advise the council
10 on matters related to construction and job creation.

11 **PART 14.** Subsection (A) of City Code Section 2-1-170 (*Sustainable Food Policy*
12 *Board*) is amended to read:

13 (A) The Sustainable Food Policy Board is composed of 17 [~~13~~] members. The
14 Board may include representatives from the retail food industry, consumer
15 interest groups, the health care and wellness community, the emergency food
16 program community, the local agriculture industry, soil and compost producers,
17 the food or nutrition education field, the non-profit food organization
18 community, the for-profit food industry, and the food manufacturing industry.
19 Board members need not be city residents.

20 (1) The City Council shall appoint 11[~~7~~] members.

21 (2) The Travis County Commissioners Court shall appoint six [~~6~~] members.

22 **PART 15.** City Code Section 2-1-181(*Sign Review Board*) is repealed, and the section
23 number is reserved for expansion. All references to the Sign Review Board in the City
24 Code are changed to the Board of Adjustment.

25 **PART 16.** Resolution No. 20110127-034, creating the Bond Oversight Committee,
26 expires on the effective date of Part 9 of this ordinance.

27 **PART 17.** Parts 4 and 6 of this ordinance take effect on _____, 2014. The
28 other parts of this ordinance take effect on July 1, 2015.

PASSED AND APPROVED

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_____, 2014

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Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk

DRAFT