

RESOLUTION NO. 20160616-025

WHEREAS, prior to fiscal year 2001, the code compliance function of the City of Austin was housed under the Building Inspection Division of the Development Review and Inspections Department and since that time the code compliance function of the City of Austin has evolved to its current structure; and

WHEREAS, in 2001, the Austin City Council approved budget amendments that consolidated several key code enforcement functions, including handling of complaints related to high weeds, junk, litter, illegal dumping on vacant and occupied public and private properties, under one department, the Solid Waste Services Department (SWS) with the goal to provide citizens a more direct means of resolving code compliance issues, to increase efficiency through improved service delivery, and to increase accountability; and

WHEREAS, in fiscal year 2001, the Neighborhood Planning and Zoning Department (NPZD) was created by merging functions of the Development Review and Inspection Department; Planning, Environmental and Conservation Services Department; and Office of Neighborhood Services. The newly created NPZD became responsible for the delivery of five major professional functions including code compliance and enforcement by implementing the NPZD Code Compliance Program, which placed emphasis on resolving housing and zoning complaints; and

WHEREAS, in fiscal year 2005, in an effort to improve the responsiveness and quality of code enforcement services, the City Council approved a budget that consolidated all code enforcement activities into one department, the Code Enforcement Division of the SWS Department, including trash and weed control, housing enforcement, and zoning enforcement; and

WHEREAS, in fiscal year 2010, changes came again to the code compliance function of the City of Austin when the SWS Code Enforcement Division became a stand-alone department called the Code Compliance Department with a focus on enforcement of regulations for zoning, dangerous buildings and housing, and property maintenance; and

WHEREAS, in March 2010, the Office of the City Auditor completed a performance audit and determined that the Code Compliance Department needed to improve its case management process, strengthen program operations and data reliability, and issued seven recommendations; and

WHEREAS, in July 2011, the Office of the City Auditor conducted a follow-up audit of the Code Compliance Department to determine the status of the seven recommendations issued in the 2010 Audit and found that although the department made significant progress towards the implementation of the recommendations, four of the seven recommendations needed further action; and

WHEREAS, in March 2015 to improve the City's planning and review processes the City Manager made significant comprehensive changes to the Planning and Development Review Department by separating the departmental functions into two separate departments: the Planning and Zoning Department (PAZ) and the Development Services Department (DSD); and

WHEREAS, the new PAZ is responsible for long range planning; neighborhood involvement and plan implementation; current planning including historic preservation, annexation, and zoning; urban design services; and updating the Land Development Code while the new DSD is responsible for comprehensive development review including residential and commercial building plan reviews for compliance with the Land Development Code; issuing of permits; and

inspections including construction related inspections for residential and commercial buildings; and

WHEREAS, in April 2016, the Office of the City Auditor completed an audit of the Austin Code Department (formerly the Code Compliance Department) and (1) found that code violation investigation, documentation, and resolution practices vary across cases due to a lack of management oversight, (2) found inconsistencies may result from gaps in procedural guidance provided to field staff, and (3) identified an increased risk of inconsistencies in code interpretation and enforcement due to staff and management lacking minimum qualifications in the Austin Code Department; and

WHEREAS, in the April 2016 audit, the City Auditor reported that these issues and findings were similar to those in its 2010 audit of the Code Compliance Department; and

WHEREAS, the code compliance function of the City of San Antonio has a similar organizational history as that of the Austin Code Department; and

WHEREAS, prior to fiscal year 2012, San Antonio's Development Services and Code Enforcement Services departments were two stand-alone departments, with the Development Services Department enforcing building-related codes and the Code Enforcement Department enforcing codes complementary to those enforced or managed by the Development Services Department; and

WHEREAS, in 2011, a City of San Antonio Department Consolidations Task Force (Task Force), led by their Budget Office Innovation & Reform Team, performed an assessment of the City of San Antonio's organizational structure and identified potential economic and efficiency benefits that could result from the consolidation of departments; and

WHEREAS, the San Antonio Task Force identified many overlapping duties and similarities in services provided by their Code Enforcement Services and Development Services departments (including inspections, involvement in the determination of dangerous structures, and enforcement of the City Code) and recommended the consolidation and reorganization of the Code Enforcement Services and Development Services departments; and

WHEREAS, to improve service levels and coordination between City services the City of San Antonio City Council, through their fiscal year 2012 Budget, approved the reorganization and consolidation of their Code Enforcement Services Department into a division of their existing Development Services Department; and

WHEREAS, the benefits of this consolidation, reported in the fiscal year 2012 Adopted Budget of the City of San Antonio, included establishing a single point of contact for most types of violations, standardization of training and certification; providing greater coordination between the Code Compliance and Development Services Investigations team during investigations; creating efficiencies; and producing net total savings achieved through cost savings, including reduction of administrative costs, and efficiencies; and

WHEREAS, since the consolidation of the Code Enforcement Services and the Development Services departments the City of San Antonio has benefited from efficiencies created, the ability to train staff members from the code enforcement and building inspections teams together, and consistent interpretation of land use, building, and property maintenance regulations because there is only one department director responsible for interpreting the code; and

WHEREAS, the consolidation of the Code Enforcement Services and the Development Services departments has been one of the most successful City reorganizations in San Antonio; and

WHEREAS, the City of Austin could potentially benefit from a Department Consolidation Team, which consists of City Staff, to explore the methods used by the City of San Antonio to improve the responsiveness and quality of code compliance and enforcement in the City of Austin; and

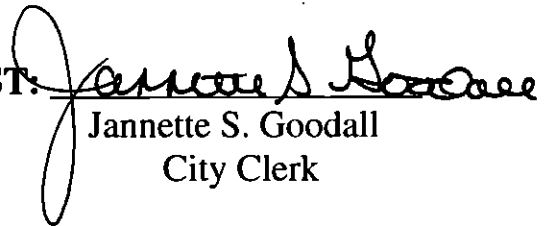
WHEREAS, the budget discussions for fiscal year 2016-2017 are on-going and the 2016-2017 budget adoption process presents an opportunity to consider efficiencies that could result from consolidating or shifting some of the code compliance and enforcement functions; **NOW, THEREFORE,**

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

In preparation for the 2016-2017 budget adoption process, the City Council directs the City Manager to examine whether efficiencies, improved customer service, or monetary savings could result from consolidating or shifting some of the City's code compliance and enforcement functions; and to provide a report to the Council no later than August 4, 2016, so the information from the report can be part of the fiscal year 2016-2017 Budget discussions. Council requests a list of services provided by each department be included in the report. During this process, the City Auditor should be available for consultation as needed.

ADOPTED: June 16, 2016

ATTEST:


Jannette S. Goodall
City Clerk