



MEMORANDUM

**TO:** Parks and Recreation Board Members

**FROM:** Manuel A. Mollinedo, Director, Parks and Recreation Department

**DATE:** March 17, 1992

**SUBJECT:** Concession Policy Timetable

Now that we have received the final suggestions for the proposed concession RFPs, it is time to finish the revision process on the Town Lake Concession Policy in order to submit it to the City Council for approval. I am requesting that the Concession Committee set a timeline to revise the policy and bring it back to the full Board for final review in preparation for submission to the City Council for approval as official City policy.

If you need any additional information, please call Rick Fuszek in Management Services, at 499-6723.

Manuel A. Mollinedo, Director  
Parks and Recreation Department

MAM:RF



## MEMORANDUM

**TO:** Parks and Recreation Board Members

**FROM:** Manuel A. Mollinedo, Director, Parks and Recreation Department

**DATE:** March 17, 1992

**SUBJECT:** Environmental and Parks Board Recommendations on Carousel and Rowboat RFPs

Attached is a list of those things identified by the Concession Committee of the Parks and Recreation Board on March 2, 1992 and the Environmental Board on March 4, 1992, which are recommended to be included in the RFPs for the carousel and rowboat.

Also attached is the draft report to the City Council transmitting your concession recommendations which has been revised to address your concerns about:

- the Zilker boundary fence;
- the need for noise and illumination limits on the carousel. The Environmental Board recommended that the carousel limit lighting to safety lighting and that the music be limited to 75 dba output within 100 feet of the carousel.

The report also includes the following additional Environmental Board recommendations:

- to use the existing canoe rental concession facility as a guide in setting a limit on the size and operation of the row boat facilities;
- that the boat rental facility should mitigate the non point source run-off from increased traffic by the use of Best Management Practice (BMP) water quality controls, and should explore a cooperative agreement with the City of Austin to retrofit the existing parking lot to capture offsite non-point source run-off as much as possible.
- that no refinishing be allowed onsite.

As a matter of additional information, we have learned that the standard power source for modern carousels is electricity, not diesel or gasoline.

A handwritten signature in black ink, appearing to read "Manuel A. Mollinedo". The signature is fluid and cursive, with a large initial "M" and a stylized "A".

Manuel A. Mollinedo, Director  
Parks and Recreation Department

**REQUESTS FOR PROPOSALS**  
**PARKS AND RECREATION BOARD**  
**CONCESSION COMMITTEE**  
**& ENVIRONMENTAL BOARD**  
**SUGGESTED PROVISIONS**

**PARKS BOARD CONCESSIONS SUB-COMMITTEE SUGGESTIONS**

**Wooden rowboat rentals**

- A major purpose for recommending this concession is to demonstrate and preserve traditional construction/assembly techniques.
- Current informal parking should have defined boundaries and be developed to comply with current environmental protection requirements.
- Require posting of safety and navigation rules, such as encourage rowing west of MoPac to avoid sculls.
- Describe how the major physical requirements for, (1) boat assembly, (2) customer booth, (3) boat storage, (4) Dock, will be addressed.
- Number of boats- no less than 8, no more than 25 boats.
- Size of boats-to hold no more than four people.
- Set number of times City reserves the right to suspend rental operations for special events or other reasons.

**Carousel**

- Need decibel limit on sound and possibly candle power limit on illumination-let them propose subject to City approval.
- Must be compatible with major special events such as Yulefest (e.g. switch to Christmas music).
- Prefer electric power source, not diesel or gasoline.
- Set minimum/maximum on number of riders and/or platform size.
- Carousel figures should be made of wood and follow traditional design.

**ENVIRONMENTAL BOARD SUGGESTIONS**

**Rowboat**

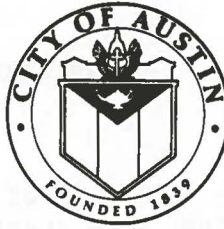
- The existing canoe rental concession facility should be used as a guide in setting a limit on the size and operation of the row boat facilities;



- The boat rental facility should mitigate the non-point source run-off from increased traffic by the use of Best Management Practice (BMP) water quality controls, and should explore a cooperative agreement with the City of Austin to retrofit the existing parking lot to capture offsite non-point source run-off as much as possible.
- No refinishing will be allowed onsite.

#### Carousel

- No lights on the carousel except for safety lights.
- Limit noise to 75 dba output within 100 feet of the attraction.



## MEMORANDUM

**TO:** Mayor and Council Members

**FROM:** Environmental Board  
Parks and Recreation Board

**DATE:** March , 1992

**SUBJECT:** Town Lake Concessions

As directed by the Town Lake Park Ordinance, we are pleased to transmit our joint recommendations regarding possible new concessions on Town lake, along with the 1991 Annual Report on Town Lake Concessions prepared by the Parks and Recreation Department (attached). As described in the staff's report, the Parks Board held three public hearings on May 28, July 23, and September 24, 1991 to receive public input on ten possible new concession sites in Town Lake Park. The concessions considered were an organic demonstration garden, a carousel, a wooden rowboat rental, and seven general boat rental and/or food and drink service operations. The first two hearings in May and July focused specifically on the rowboat and carousel concessions and the September hearing covered the remaining eight sites. Public attendance for the hearings on the carousel and rowboat concessions was primarily limited to members of the Stratford Drive Neighborhood Association which opposed the rowboat rental in their vicinity. One person voiced misgivings over the carousel, while several individuals spoke in support of the idea. The third hearing in September, however, drew twenty-eight individuals along with a camera crew from KVUE, Channel 24. Virtually all speakers spoke in opposition to one or more of the proposed concessions and the Parks Board responded by voting unanimously against recommending any of the eight sites under consideration.

On February 12, 1992 the Environmental Board received the 1991 annual Report on Town Lake Concessions for review. On March 4, 1992, the Environmental Board voted to adopt the staff report subject to the conditions incorporated in this report.

We feel that the carousel and rowboat concessions are compatible with existing usage of Town Lake and Zilker Park and recommend that Requests for Proposals be issued for these two types of activities at the locations designated on the attached map. Considering the rowboat rental in terms of potential congestion, there are currently only two other active boat rental concessions on Town Lake with approximately 90 boats available for rent. As determined in the staff concession report this is far less than half the carrying capacity of the lake for non-motorized boating.

**Town Lake Concessions - Report to Council**  
**Page two**

The proposed location on the west end of the lake is also underserved in terms of recreational boating with current usage tending to concentrate more in the center of the lake.

Based upon the anticipated increase in visitors, we recommend that the boundary fence along the western edge of Zilker Park be repaired and maintained as requested by the Stratford Drive Neighborhood Association. We also recommend that the existing canoe rental concession facility be used as a guide in setting a limit on the size and operation of the row boat facilities; that the boat rental facility should mitigate the non point source run-off from increased traffic by the use of Best Management Practice (BMP) water quality controls, and should explore a cooperative agreement with the City of Austin to retrofit the existing parking lot to capture offsite non-point source run-off as much as possible; and that no refinishing of the boats be allowed onsite.

The carousel concession is proposed for that portion of Zilker Park near the playscape and would provide an additional activity for children which is compatible with the nearby Zilker Train and food and drink stand in what has traditionally been an intensive-use area. Beyond its clear recreational appeal, the utilization of carved figures which illustrate the natural and human history of Texas would have unique educational value and be singularly appropriate for the State's Capital City. We recommend that the new concession be structured such that there is minimal impact to the environment or to other activities. The noise from the carousel should be limited to 75 dba within 100 feet and the only lights allowed on the carousel should be safety lights. The carousel figures should be made of wood and should be of traditional design.

Based upon the public opposition to the eight other potential concession sites and the desire of both Boards to limit commercial activity in the vicinity of the Town Lake Hike and Bike Trail, we recommend that no other new concessions be permitted at this time except the wooden rowboat and carousel.

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Jack Goodman, Chair  
Environmental Board

---

Beverly Griffith, Chair  
Parks and Recreation Board





## MEMORANDUM

TO: Parks and Recreation Board

FROM: Manuel A. Mollinedo, Director  
Parks and Recreation Department

DATE: March 17, 1992

SUBJECT: Proposed Town Lake CIP Restoration Projects

At the March 9, 1992 meeting, the Parks Board discussed potential CIP projects to benefit Town Lake. The Parks and Recreation Department's highest priority is renovation of existing amenities which have experienced heavy use and deterioration. The projects listed below are proposed restoration projects for Town Lake and Zilker Parks, which will not be funded with currently available CIP funds.

Projects which benefit Zilker Park, Auditorium Shores and Fiesta Gardens are given first priority, but among themselves are not in priority order. All other projects are given second priority listing.

### FIRST PRIORITY PROJECTS

1. MoPac-South End...including erosion control and parking lot reconstruction \$ 175,000
2. Dry Creek Mouth...including parking lot reconstruction, erosion control, fencing, and meadow restoration \$ 85,000
3. Zilker Overflow Parking Field...including stabilization of former dump area and bank stabilization along Town Lake \$ 300,000
4. Garden Center Improvements...including the following:  
Utility upgrades to improve  
water and wastewater systems,  
fire protection, water conser-  
vation and electrical system \$420,000

Proposed Town Lake CIP Restoration Projects  
March 17, 1992  
Page 2

	Fencing and other security measures to prevent current vandalism, theft and unauthorized entry	\$277,500	
	Rebuilding Taniguchi pond	\$ 50,000	
	Total		\$ 747,500
5.	<u>Barton Creek</u> ...including bank stabilization from pool to Town Lake		\$1,500,000
6.	<u>Zilker Park</u> ...including field irrigation, Pecan Grove picnic area restoration and pool area restoration		\$ 400,000
7.	<u>Zilker Hillside Theatre</u> ...replace existing theatre to meet City Code, add restrooms		\$ 350,000
8.	<u>Auditorium Shores</u> ...including rebuilding gazebo pond, replanting pond area and terrace bed, expanding irrigation system, expanding walkway system and turf rebuilding		\$ 215,000
9.	<u>Fiesta Gardens</u> ...including new playscape		\$ 75,000
10.	<u>Fiesta Gardens</u> ...replace bridge over lagoon		\$ 220,000
11.	<u>Trail Along Barton Creek</u> ...including raising trail above floodplain to prevent flooding and erosion in the duck-feeding area		\$ 200,000
12.	<u>Zilker Park</u> ...including continuing development of new playscape		\$ 250,000
13.	<u>Barton Springs Road</u> ...including a new pedestrian bridge		\$ 400,000
14.	<u>Sunken Gardens</u> ...including restoration		\$ 500,000
15.	<u>First Priority Areas</u> ...including installation of Prairie Buffalo grass		\$ 250,000
16.	<u>PARD Main Office Area</u> ...including a new playscape		\$ 75,000
	Subtotal	\$5,742,500	
SECOND PRIORITY PROJECTS			
1.	<u>Redbud Isle</u> ...including erosion control, landscape restoration, fishing point reconstruction, benches, tables and grills		\$ 80,000



Proposed Town Lake CIP Restoration Projects  
March 17, 1992  
Page 3

2. Deep Eddy...including new playscape, rebuilding retaining wall/ramp \$ 75,000
3. MoPac-North End...including erosion control, terracing, fitness station \$ 100,000
4. Johnson Creek Mouth...including bank stabilization, landscape restoration \$ 50,000
5. Austin High Frontage...including reconstruction of two existing fishing/viewing points \$ 50,000
6. PARD Main Office Area...including stairs for trail access, erosion control, fishing/viewing point restoration \$ 100,000
7. Garden Center...including improvements to grounds and buildings to provide safety and accessibility for present demand levels \$ 802,500
8. Town Lake Trail...including reconstruction of trail throughout entire length \$ 390,000
9. Lamar Bridge-North Side...including bank stabilization and paving \$ 25,000
10. West First Sidewalk...including a sidewalk at street level along West First Street between Shoal Creek and Drake Bridge \$ 75,000
11. Shoal Creek Point Restoration...including bank stabilization, paving and benches \$ 50,000
12. Congress and West First Corner...including steps from Congress Ave, erosion control, steps from West First, planting \$ 125,000
13. Congress Bridge-South Side...including bank stabilization and trail reconstruction \$ 40,000
14. Waller Point Restoration...including gazebo rebuilding, signage, benches, lighting \$ 50,000
15. Street and Bridge Yard Frontage...including wall repair, reclamation of viewing platform, planting and irrigation for maintenance yard screening \$ 75,000
16. Rainey Park...including irrigation, drinking fountains, benches, picnic tables, access control, turf development \$ 125,000
17. I-35-North Side...including parking lot reconstruction \$ 100,000

Proposed Town Lake CIP Restoration Projects

March 17, 1992

Page 4

18. Longhorn Point...including rebuilding point, replacing benches and walls, replanting, replacing bridge railing \$ 100,000
19. Furniture...including picnic tables, benches, drinking fountains, signage throughout the park \$ 50,000
- Subtotal \$2,462,500
- 

TOTAL

\$8,205,000

I recommend these necessary renovation projects to retain the basic level of service on Town Lake.

Please contact me if you require additional information.



Manuel A. Mollinedo, Director  
Parks and Recreation Department

# Speed Message

To ~~City of Austin~~ Austin Park Board  
Parks & Recreation  
Judy Hamilton (sec)

From Noel Lawson  
4812 Nuckols Cr. Rd.  
Austin, TX 78744

Subject \_\_\_\_\_

Date March 11 1992

Request to bring up a proposal before the Park Board  
Subject: Year Round Heated Pool for New Southeast Park  
Funding: Revenue Bonds instead of Comprehensive Bonds  
Charge admission



MAR 16 1992

PARKS AND RECREATION  
CITY OF AUSTIN

Wilson Jones

Signed Noel Lawson  
14



TO: Parks and Recreation Board

FROM: Manuel A. Mollinedo, Director  
Parks and Recreation Department

DATE: March 17, 1992

SUBJECT: Approval for Contract to Perform Phase III  
Renovation of the Lundberg Bakery

339K

The historic Lundberg Bakery, located at 1006 Congress Avenue is an outlet for the crafts made by Austin's senior citizens. The proposed contract for Phase III will complete the restoration of the Lundberg Bakery. Phase III of the project is to renovate the second floor and rear section of the building for retail and office space. Currently, only the first floor has been restored. Phase III construction will more than double the available retail space. A gift of \$90,000 was provided by the Old Bakery Guild to complete the required funding.

Phase III of the preservation project includes structural stabilization of the walls, and repair of windows and floor. Also, a new stairway, required by building safety code, will make the second floors more accessible for visitors. Heating, ventilation and air-conditioning will be added to the second floor, and partitions will create retail and office space. Phase III will bring the building into compliance with the requirements of the Texas Historical Commission and the Americans with Disabilities Act (ADA).

The Parks and Recreation Department has submitted to the Meadows Foundation an application for a \$73,000 grant for supplemental historic improvements suggested by the Texas Historical Commission, including restoration of the original oven and the 1876 balcony. If awarded, Council will be asked to accept the grant and approve an amendment to the Capital Budget.

I recommend approval of the awardance of the contract for the Phase III Renovation of the Lundberg Bakery.

Please let me know if you have any questions regarding this project.

Manuel A. Mollinedo, Director  
Parks and Recreation Department





## MEMORANDUM

TO: Parks and Recreation Board

FROM: Manuel A. Mollinedo, Director  
Parks and Recreation Department

DATE:

SUBJECT: Modification and repairs to existing 10-slip marina, at 2501  
Manana Street  
File # SP-91-0289D (revised)

A request has been received from Rusty Signor, on behalf of the Riverside Homeowners Association, to modify and repair an existing 10-slip marina, at 2501 Manana Street.

During the spring of 1991 when Lake Austin was lowered, a concrete retaining wall failed. The superstructure of the marina was constructed on this retaining wall and its failure resulted in the collapse of the roof and supporting posts.

It is proposed to remove the roof and supports of the existing structure, construct a new sheet steel piling retaining wall in front of the failed concrete wall, drive new tubular steel piles to replace the existing decayed creosote piles and construct a new deck and roof.

This project meets the requirements of Article VI, Division 4, Part E (Requirements for the Construction Of Boat Docks) of the Land Development Code (including all amendments).

### Recommendation

I recommend approval of the request to carry out repairs and modifications to the existing 10-slip marina at 2501 Manana Street, in accordance with Site Plan # SP-91-0289D (revised).

If I can provide you with any additional information, please let me know.

Manuel A. Mollinedo, Director  
Parks and Recreation Department

MM:PM



Jody

TO: PARKS AND RECREATION BOARD MEMBERS, DIRECTOR AND STAFF

FROM: JAMES CRUMP, BOARD MEMBER

DATE: MARCH 10, 1992

SUBJECT: APOLOGY, GOALS AND AGENDA ISSUES

First, I would like to apologize to Board Members, Staff, and especially Neil Iscoe for my abrupt departure from our March 9<sup>th</sup> meeting. I let myself become sensitive to perceived slights which were not directed at me, but, I feel, were a symptom of a deeper problem (more later). I know that I can be long winded, that I have a habit of thinking out loud, but it is my hope that ideas would be germinated leading to consensus solutions. I would point to the Dove Springs/Dick Nicoles solution as a case in point. I would encourage all board members to say more, it would be a great way to hear less from me. As far as a lack of focus on issues and sticking to agenda items, I am personally refocusing on these goals:

- ◆ Provide access to parks and recreational facilities for every child and teenager, i.e. Austin's youth at risk, using our parks resources as intervention tools to help provide opportunities for a better pre-adulthood for all of Austin's youth.
- ◆ Enhance the quality of life for every Austinite by maintaining, managing, acquiring and protecting all of the unique natural resources with which Austin is blessed.

I will endeavor to achieve these goals by working to remove obstacles to park use, campaigning for the passage of a 1992 bond package which includes Recreation Centers and Sports Facilities for East and South Austin, infrastructure improvements to Town Lake and Zilker Parks, and the acquisition of wilderness areas and green belts in the Barton and Bull Creek Watersheds. To be creative in finding new solutions to the Austin body politic, using unique approaches to recreation, and to think about the whole of Austin as a park, where trails and facilities are logically connected and the broadest range of activities are provided for.

One of the biggest problems facing the Parks Board is the need to take control of our agenda. The agenda of the board is the most powerful tool for focusing our actions on a directed course leading to the goals set out by the board. We have been functioning in a reactive mode. Our agenda is being presented in a mode where we have to find the solutions at the last minute, during board meetings, leading to long deliberations, late night meetings and decisions lacking in depth. To address this problem I would like to propose the following ideas for the management of our meeting agendas:

- ◆ Take all items for business from the Director, Council and Staff in a separate section titled Items From The Director. Each item should have materials mailed to all board members prior to the meeting and contain a Staff recommendation.
- ◆ All items placed on the agenda because of ordinances should be stated as an Ordinance Item and supporting information should be provided on the ordinance, previous

precedents, and Staff recommendations.

- ◆ All other items must be placed on the agenda by a Board Member, or Board Subcommittee.
- ◆ All public hearings except those specifically called for under ordinance, should only be called after majority vote of the board and posted with language reflecting the boards intent.
- ◆ During a meeting with public hearing only Items From The Director and actions relating to the public hearing should be covered.
- ◆ Public presentations and public hearings on a specific item should be separated by a reasonable period of time to allow adequate study of the proposal before having to take action.
- ◆ Special Interest Groups should seek out a Board Member, or the Director in order to have an item placed on the board's agenda. This would promote interaction between board members and groups prior to the meeting, possibly allowing solutions to be presented during initial deliberations avoiding prolonged solution searching (and long winded digressions from myself).
- ◆ Items From Board Members which request a Director/Staff response should be included in the minutes, and if not resolved at that meeting a scheduled formal response should be place in a subsequent Items From The Director.
- ◆ If a Board Member is not speaking directly towards an agenda item during board action, they first should be ask to speak to the issue, and second be given the benefit of the doubt and the opportunity to show how their digression relates to the issue at hand.

It is my hope that by streamlining and taking control of our agenda that we can accomplish more of our goals and have fewer meetings which last late into the night. We need to remain focused on our mission which is to advise Council, and not be victims of a runaway agenda or defective decision process.

Thank You For Your Consideration,



James Crump  
Member, Austin Parks and Recreation Board





IN REPLY REFER TO:

# United States Department of the Interior

## NATIONAL PARK SERVICE

P.O. BOX 37127  
WASHINGTON, D.C. 20013-7127

TAKE  
PRIDE IN  
AMERICA

L34(784)

MAR 2 1992

xc CDA  
Mike H  
Jody  
Strout  
original to M.M.

Mr. Manuel A. Mollinedo  
Director, Parks and Recreation Department  
City of Austin - Municipal Building  
Eighth at Colorado  
P.O. Box 1088  
Austin, Texas 78767

Dear Mr. Mollinedo:

Thank you for your letter of January 24 concerning the National Park Service "75th Anniversary Symposium Working Group Recommendations" for the future of the National Park Service.



I appreciate your concern about the future of the Land and Water Conservation Fund grants (L&WCF) program which we administer. I am well acquainted with the program's benefits and accomplishments from my years as Director of the Indiana Department of Natural Resources. Since joining the Department of the Interior in 1989, I have supported the program recognizing, as do you, the many ways grants to communities and States for close-to-home recreation facilities complement the work of Federal agencies in providing park and recreation opportunities.

I am pleased to inform you that the National Park Service expects that the L&WCF will be fully covered in the Steering Committee's final report which should be available this month. Further good news is that the President's 1993 budget proposal, submitted on January 29, includes an increase in the appropriations for L&WCF grants to \$56.5 million next year, almost three times the amount made available by the Congress in Fiscal Year 1992.

We appreciate your interest in ensuring adequate recreation opportunities for all Americans in this and future generations.

Sincerely,

  
James M. Ridenour  
Director

  
  
MAR 09 1992

PARKS AND RECREATION  
CITY OF AUSTIN



MEMORANDUM

TO: Laura Wiley, Yolanda Callis, and Jody Hamilton

FROM: Bob Russell, Acting Secretary, BCCP Executive Committee

DATE: March 9, 1992

SUBJECT: Letter from Austan Librach to Boards and Commissions

Enclosed is a copy of a letter from Austan S. Librach, Director of Environmental and Conservation Services Department, addressed to the Boards and Commissions named at the top of the letter. We are asking for your assistance in seeing that the letter goes to all Board or Commission members as soon as possible.

If I can be of any further help to you, please call me at 499-3551.  
Thanks very much.

Bob Russell, Acting Secretary  
Balcones Canyonlands Conservation Plan Executive Committee



## MEMORANDUM

TO: Planning Commission  
Environmental Board  
Water and Wastewater Commission  
Parks and Recreation Board

FROM: Austan S. Librach, Director,  
Environmental and Conservation Services Department

DATE: March 6, 1992

SUBJECT: City Council Work Session on Balcones Conservation Plan

The City Council will hold a work session on the Balcones Canyonlands Conservation Plan on Wednesday, March 25, 1992, at the First Floor Conference Room of the Town Lake Center (721 Barton Springs Road) at 1:30 p.m. An overview of the Plan will be presented by the plan consultants and staff will provide an introduction to some of the issues needing resolution.

I invite you to attend this work session. This essentially marks the beginning of formal review of the Plan by the City of Austin. It is likely that the City Council will seek your opinions and input in the near future on this issue.

Copies of the Final Draft Plan are available from the Environmental and Conservation Services Department at the 17th floor of Two Commodore Plaza. If you have any initial questions about the Plan or upcoming review schedules, please contact Dr. Chuck Sexton (499-2694).

Austan S. Librach, Director  
Environmental and Conservation Services Dept.

ASL:CS:pnc



MARCH 10, 1992

TO: ALL STAFF LIAISONS, BOARDS AND COMMISSIONS  
FROM: JUDY SELNESS, BOARD AND COMMISSION COORDINATOR  
SUBJECT: ORIENTATION HANDBOOK

PLEASE DISTRIBUTE COPIES OF THE ENCLOSED ORIENTATION HANDBOOK TO  
YOUR RESPECTIVE BOARD AND COMMISSION MEMBERS.

THANK YOU.

JUDY SELNESS  
BOARD & COMMISSION COORDINATOR

R E S O L U T I O N

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

That the City Council adopts an Orientation Handbook for Board, Commission, Committee and Task Force Members, said handbook being attached hereto as "Exhibit A".

ADOPTED: May 23, 1991

ATTEST: James E. Aldridge  
James E. Aldridge  
City Clerk

23MAY91  
CEG:rjn

Orientation Handbook  
for Board, Commission, Committee  
and Task Force Members  
of the City of Austin

I. Introduction

A. Form of Government

Austin uses the council-manager form of government, the most popular form of government in Texas home rule cities. Article I Section 2 of the Austin City Charter states that pursuant to the provisions of, and subject only to the limitations imposed by the state constitution, the state laws, and this Charter, all powers of the city shall be vested in and exercised by an elective council. The council shall enact legislation, adopt budgets, determine policies, and appoint the city manager who shall execute the laws and administer the government of the city.

B. Role of Council

The City Council is responsible for all aspects of a city's government and is the legislative and policy making body for the city. A close working relationship between the council and the city's administrative staff is essential for the council to carry out its role effectively.

In Austin, the council adopts and amends ordinances, approves licenses and permits, plans for capital improvements, approves all land transactions, hears zoning cases, sets fees and charges, may act as the rate-setting body for utilities (other than telephone), sells bonds, sets the tax rate, approves the annual budget, accepts federal and state aid, appoints boards and commissions, and acts as representative of the city. The mayor and council have the power to appoint and remove the City Clerk, City Auditor, Municipal Court Judges, Municipal Court Clerk and the City Manager. The mayor and council appoint most boards and commissions, and the city manager appoints administrative personnel.

C. Role of City Manager

The City Manager is the Chief Executive Officer of the city with many duties, powers, and responsibilities. In general, the job of the City Manager is to see that all laws and ordinances and all policy directives of the city council are carried out. The manager exercises control over the city's administration and appoints department heads and other top level employees of the city. The manager makes budget and other recommendations to the city council and advises the council of the city's current conditions and future needs. The city's annual financial report and other reports required by the council are prepared by the city manager.

D. Role of Boards and Commissions

Boards and Commissions are an established feature of municipal government in Texas. They offer citizens an extraordinary opportunity to participate in a city's governmental affairs, and their activities shape or influence policy in many areas. For the purposes of this handbook, the terms board, commission, committee and task force may be used interchangeably.

Several city boards and commissions are required and established by state law. Others result from provisions in city charters or ordinances. These boards often exercise legal authority in some aspect of city government. Boards which exercise some final legal authority are known as "sovereign." These boards and commissions address such subjects as planning, zoning, civil service, building and plumbing.

Other boards and commissions exercise only advisory authority, yet their influence and value to the city can be significant. Advisory committees make recommendations on such topics as airports, libraries, parks, arts, and the city utilities.



## II. Boards & Commissions duties & responsibilities

### A. General statement

The Mayor and City Council make appointments to numerous permanent city boards and commissions. In addition, task forces or committees are created for a specific purpose and a specific life span. Boards and commissions involve interested citizens in city government and allow the city council to obtain vital advice from specific constituencies. While the mayor and council are not obligated nor bound by advisory recommendations made by boards and commissions, such recommendations are often influential on council deliberations and decisions. The City Council has the authority to remove any member of a board or commission unless restrained by state statute or the City Charter.

The establishment by ordinance or resolution of a board or commission is generally at the discretion of the city council. However, some boards and commissions have been established as the result of federal law, state law, city charter and mutual agreement with other governmental entities. The duties, responsibilities and functions of a board or Commission are set forth in the ordinance creating the board or commission. Only by formal vote of the city council may the duties, responsibilities or function of a board or commission be changed. Boards and commissions have no independent status; therefore, they are limited by their creating authority and have no authority to contract, raise funds, or take other actions which would require independent status.

### B. Residence Requirement

Section 2-4-1 of the Austin City Code requires members of boards and commissions to be residents of the City except as otherwise provided by City ordinance or state or federal law. The following boards and commissions contain modified residency requirements:

Economic Development Commission  
Electric Utility Commission  
Electrical Board  
Emergency Medical Services Quality Assurance Team  
Hospital Board  
Mechanical, Plumbing & Solar Board  
Medical Assistance Program Advisory Board  
Resource Management Commission  
Water and Wastewater Commission

### C. Attendance

Uniform attendance at meetings by all members of boards, commissions, committees and task forces is required. Any member who misses three (3) consecutive regular meetings or misses one-third (1/3) of all regular meetings in a twelve (12) month time period, except for health reasons in both instances, shall be ineligible to continue serving and his or her vacancy shall be filled by the City Council. Attendance records shall be kept by the staff liaison of each board, commission, committee or task force with a report to the City Council whenever the need for a new appointment occurs. Attendance will be taken at each called meeting, whether or not a quorum of the commission is present.



Realizing that the time of the commissioners is valuable, if a quorum has not been achieved within 30 minutes after the starting time of the meeting, the meeting should be rescheduled.

#### D. Limitation on Terms

No member, whether elected or appointed, of a city council appointed board, commission or committee may serve more than six consecutive years except where this limitation would conflict with federal or state statute. Boards which have already established a lower limit will continue with that provision. Upon completion of six consecutive years on a board or commission, a member may be appointed to another board or commission, or after a two year waiting period, be reappointed to the original board or commission. This provision does not apply to a member who is specifically designated by office or position or elected by the city employees. The city council may make exceptions to this limitation on affirmative vote of five (5) members of the city council.

#### E. Other Limitations

A person who serves on one board or commission may not be appointed to serve on another board unless otherwise provided by ordinance. Certain boards and commissions have designated seats for representatives of other boards.

No person who is registered or required to register as a lobbyist by section 9-6-4 of the Austin City Code or is an employee of a person required to register may be appointed to or serve on a city established board, commission or committee within three years of such lobbying activity. This limitation does not apply to employees of a person that does not lobby on behalf of others for compensation or where in conflict with state statute or the City Charter.

Each person serving on a board or commission which requires financial disclosure under Section 2-4-7 of the City Code is required to file an annual financial disclosure statement or face automatic removal.

#### F. Annual Reports

For the purposes of this section, "Commission" means every board, commission or committee of the City of Austin whose entire membership is appointed by (1) the City Council, (2) the Mayor, (3) the Mayor with the approval by the City Council or (4) the City Manager with approval by the City Council.

Before December 1 of each year, the Chairperson of each Commission shall file with the City Clerk an annual report covering the previous period of October 1 to September 30. This report must have been approved by a majority of the Commission members. The City Clerk annually advises, by letter, the chairperson of each Commission of this requirement in sufficient time for the report to be prepared and submitted by December 1. Each Commission's report is forwarded to the City Manager and the Policy Planning and Budget Committee of the City Council by the City Clerk who retains a copy for public inspection.

This report shall include, but not be limited to, the following information:

1. A work plan and schedule for undertaking and completing tasks or projects which the City Council has assigned to the commission.



2. A list of specific projects, studies or initiatives which the commission proposes to undertake during the coming calendar year which will require staff assistance or budgeted resources to undertake and complete along with a justification for each.
3. A summary of the actions the body has taken to reduce the cost of city staff support during the previous year.
4. A brief summary of the work of the commission during the past year.
5. Other information to be included: The official name of the commission; the commission's objectives and functions; the ordinance, resolution, or other authority for the commission; the names, occupations, addresses, and ethnicity of current members of the commission; a reference to all reports and recommendations of the commission presented to the City Council; the number of meetings held by the commission; the number of public hearings conducted by the commission; the amount of money, if any, expended in support of the commission; and a list of city personnel who assist the commission and an estimate of the time spent by each city employee on commission business.

#### G. Sunset Review by Council

The performance of each board or commission, except those established by State statute or City Charter, shall be evaluated by the City Council a minimum of once every three years. The City Council shall conduct such performance evaluations to determine which commissions, if any, should be considered for modification or termination.

The City Council shall consider the following criteria in determining whether a public need exists for the continuation or modification of a commission:

1. Identification of the objectives intended for the commission, the problems or needs which the commission was intended to address, and the extent to which the objectives have been achieved.
2. The extent to which the commission is needed and is used.
3. The efficiency with which the commission operates.
4. The promptness and effectiveness with which the commission disposes of its business.
5. The extent to which jurisdiction of the commission overlaps or duplicates the jurisdiction of other commissions and the extent to which the commission's functions can be consolidated with those of other commissions.
6. The cost of operating the commission.
7. An assessment of less restrictive or other alternative methods of performing any function of the commission which could adequately protect the public.
8. The impact in terms of Federal intervention or loss of Federal funds if the commission is abolished.

#### H. Ethics

It is the policy of the city that the proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.



Standards of Conduct: (Section 2-3-62)

- (a) No city official or city employee shall transact any business in his official capacity with any business entity in which he has any interest, direct or indirect.
- (b) No city official or employee shall appear before the body of which the official or employee is a member while acting as an advocate for himself or any other person, group or entity.
- (c) No city official shall represent any private person, group or entity in any action or proceeding in the municipal courts of the city which was instituted by or arising from a decision of a board, commission, committee, task force or other body on which the official serves.
- (d) No city official or employee shall accept or solicit any gift or favor, that might reasonably tend to influence that individual in the discharge of official duties or that the official or employee knows or should know has been offered with the intent to influence or reward official conduct.
- (e) (1) No city official or employee shall solicit or accept other employment to be performed or compensation to be received while still a city official or employee, if the employment of compensation could reasonably be expected to impair independence in judgment or performance of city duties.  
(2) If a city official or employee accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official or employee might reasonably be expected to act, investigate, advise, or make a recommendation, the official or employee shall disclose that fact to the board or commission on which he serves or to his supervisor and shall take no further action on matters regarding the potential future employer.
- (f) No city official or employee shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.
- (g) No city official or employee shall accept remuneration, directly or indirectly, for campaign work relating to an item placed on the ballot if that individual served on the body which exercised discretionary authority in the development of the ballot item and participated in the discussion or voted on the item.

Conflict of Interest: (Sections 2-3-63 and 2-3-64)

A city official or employee may not participate in a vote or decision on a matter affecting a person, entity, or property in which the official or employee has a substantial interest; in addition, a city official or employee who serves as a corporate officer or member of the board of directors of a non-profit entity may not participate in a vote or decision regarding funding by or through the city for the entity. Where the interest of a city official or employee in the subject matter of a vote or decision is remote or incidental, the city official or employee may participate in the vote or decision and need not disclose the interest.

A city official shall disclose the existence of any substantial interest he may have in a person, entity or property which would be affected by a vote or decision of the body of which the city official is a member or that he serves as



a corporate officer or member of the board of directors of a non-profit entity for which a vote or decision regarding funding by or through the city is being considered.

To comply with this section, a council member or unsalaried city official, prior to the vote or decision, shall either file an affidavit as required by Chapter 171 of the Texas Local Government Code, or if not so required, shall publicly disclose in the official records of the body the nature and extent of such interest.

#### Violations:

There shall be created an ethics review commission. It shall have the duty and power, unless otherwise provided, to rule upon the appropriate disposition of allegations of violations of this chapter (Chapter 2-3 of Austin City Code).

The Ethics Commission hears complaints and imposes sanctions for violations of the city's ethics ordinance. Some violations can be prosecuted in Municipal Court and are subject to a fine not to exceed \$200.

#### I. Financial Disclosure

Members of all boards and commissions are required to file a financial disclosure statement unless otherwise specifically exempted. Failure to file a financial disclosure statement requires automatic removal. The members of the following boards and commissions are not currently required to file a public statement of financial information:

Austin Community Education Consortium  
Child Care Council  
Commission for Women  
Design Commission  
Elisabet Ney Museum Board of Directors  
EMS Quality Assurance Team  
Human Rights Commission  
Library Commission  
Mayor's Committee for People with Disabilities  
Medical Assistance Program Advisory Board  
Mental Health/Mental Retardation Public Responsibility Committee  
Private Industry Council  
Urban Forestry Board

#### J. Communicating with City Council

Boards and Commissions have a dedicated time on the weekly agenda of the City Council to make reports. In addition, they are encouraged to share their recommendations through forwarding to the Council copies of the resolutions they enact.

Board and Commission members should keep in mind that, with a few exceptions, they are advisory bodies to the City Council. They may make recommendations on policy issues to be decided by the council, but they are not policy making bodies. When communicating with other organizations and entities, especially

higher governmental authorities, they should be very cautious about making statements that might be interpreted as setting policy for the City of Austin. A board or commission member should not represent himself as speaking for the entire board or commission unless he has a resolution duly adopted by the majority of the board.

### III. Conduct of Board and Commission Meetings

#### A. Open Meetings Act

All boards and commissions established by the city in the conduct of their business shall adhere to Art. 6252-17, V.A.T.C.S., commonly referred to as the Open Meetings Act. As the resolutions of support or opposition adopted by boards and commissions are frequently referred to in the city council's deliberations, it is prudent to request that they be passed with proper notice to concerned parties. Following are some key points from that act:

- (1) Notice - Boards and commissions must post a written notice of the time, location, and agenda of each commission meeting on the bulletin board near the city clerk's office in city hall at least three (3) days (72 hours) before a meeting is held.
- (2) Agenda and subjects considered - Only subjects listed in the meeting notice should be considered. Factual information on other subjects may be provided in response to inquiries made by a commission member or a member of the general public. Deliberation on those subjects is limited to placing a subject on a future agenda for which notice will be properly posted. A final action taken on any item not listed in the meeting agenda is voidable.

The Attorney General has ruled that general phrases such as "regular business" or "other business" may not comply with the Open Meetings Act. Consequently, substantive items of business on the agenda should be clarified in terms of the action to be taken, rather than identified vaguely by topic.

- (3) Executive sessions and Emergency Meetings - Boards and Commissions should not conduct executive sessions or hold emergency meetings unless prior approval is received from the City Attorney.
- (4) Revisions and cancellations - An agenda for a posted meeting may be revised prior to the deadline for filing notice — 72 hours. The revised agenda is submitted following the same procedure as for the original meeting. If it should be necessary to cancel a meeting, it is desirable to have the notice removed if time permits and post a notice of meeting cancellation.
- (5) Penalties - a commission member is guilty of a misdemeanor and subject to a fine or imprisonment for
  - willfully calling or aiding in calling a closed meeting
  - willfully closing or aiding in closing a regular meeting
  - willfully participating in an unlawfully closed meeting
  - conspiring to circumvent the open meetings act by meeting in numbers less than a quorum.

The chairperson and/or parliamentarian shall be responsible for ensuring that the provisions of the open meetings act are followed. If a voidable action of a board or commission is reviewed and set aside, a correction in the meeting minutes should be made, and any party notified of the previous decision should be notified of the correction. Minutes of meetings should include all votes taken and vote totals.



## B. Procedures

Unless otherwise provided for, most boards and commissions adopt Robert's Rules of Order, Revised to govern the proceedings of their meetings. Some boards and commissions have adopted bylaws.

## IV. Staff Support for Boards & Commissions

### A. Containing costs

The cost of City staff support to boards and commissions had steadily increased to the point where reductions were deemed necessary. The City Council passed a resolution which requested that all boards and commissions reduce their requirements for support from the city and staff. Annual reports from boards and commission will be required to include a summary of the actions the body has taken to reduce the cost of city staff support during the previous year. The efforts to be made include:

- (1) Selection of a member of the board or commission to serve as a recording secretary to maintain the minutes of the board or commission, except for the Planning Commission and other sovereign boards which require timely reporting of minutes for consideration of appeals.
- (2) Providing copies of reports and voluminous materials only to members who specifically request the information.
- (3) Staff presence at meetings needs to be reduced to no more than one person except in special circumstances.
- (4) Requests for opinions of the City Attorney or other specialists should be requested only by vote of the board or commission. Such requests should be made with ample opportunity for staff to respond in writing.
- (5) Mailing costs should be reduced. Additional back-up materials should not be mailed after the meeting agenda is mailed. Back up may be included with the agenda when it is mailed. Mailing surveys or announcements of board or commission activities at City expense is not appropriate unless required by ordinance.
- (6) City staff should not be asked to deliver agenda and back-up materials or be expected to contact members to encourage attendance at meetings.
- (7) Requests by boards and commissions for materials, opinions, maps, charts, signs and staff studies should be limited to the body's official duties in advising the City Council. Such requests should be made only after a majority vote.
- (8) The purchase of food or beverages and the rental of meeting space are not appropriate.
- (9) Travel expenses are to be allowed only for essential training seminars. When travel is appropriate, a notice in advance should be provided to the



City Manager and the City Council.

- (10) Advertising should not be purchased at City expense except to satisfy statutory or ordinance requirements.
- (11) City funds should be used for Council appointed boards and commissions only. Expenditures on organizations or bodies not appointed by the City Council should be curtailed.
- (12) Due to budget constraints, the use of Channel 6 facilities to record or broadcast meetings will be limited.
- (13) Photographic expenditures should be limited to performance of duties mandated in each group's enabling ordinance or resolution.
- (14) City resources should not be used for the promotion of festivals, events, celebrations, awards ceremonies and seminars.
- (15) The number of meetings held by a board or commission is not necessarily indicative of performance. Consolidation of agenda items and other efforts should be made to reduce the number of meetings held.

#### B. City Supplies

All boards and commissions shall be provided supplies necessary for the conduct of board and commission business. However, it is inappropriate to ask the taxpayers of the city to pay for items for individual use. Such items that will not be provided include business cards or stationery items which would be specific to a board or commission.

#### C. Requests of Staff

It is recognized that for a board or commission to function effectively, there must be a good working relationship with the departmental staff who assist the board. Board members should feel free to meet with staff members to ascertain any information that will assist them in performing their duties as advisors. It is also important, however, for board and commission members to understand that the city staff operates under the direction of the City Manager and is also engaged in service delivery on a day to day basis.

Appendix A - City of Austin Boards and Commissions  
May 16, 1991

Action for Metropolitan Government Committee  
Airport Advisory Board  
Airport Zoning Board  
Arts Commission  
Austin Community Education Consortium  
Board of Adjustment  
Building and Fire Code Board of Appeals  
Building Standards Board  
Cable Commission  
Capital Metropolitan Transit Authority Board  
Child Care Council  
City of Austin Commission for Women  
Civil Service Commission, Firemen's and Policemen's  
Community Development Commission  
Construction Advisory Committee  
Design Commission  
Downtown Commission  
Economic Development Commission  
Electric Utility Commission  
Electrical Board  
Elisabet Ney Museum Board  
Employee's Retirement System of the City of Austin  
EMS Quality Assurance Team  
Environmental Board  
Ethics Review Commission  
Historic Landmark Commission  
Hospital Board  
Housing Authority of the City of Austin  
Human Rights Commission  
Impact Fee Advisory Board  
Library Commission  
Mayor's Committee for People with Disabilities  
Mechanical, Plumbing and Solar Board  
Medical Assistance Program Advisory Board  
Mental Health - Mental Retardation Center Board of Trustees  
Mexican-American Cultural Center Task Force  
MHMR - Public Responsibility Committee  
Minority and Women-Owned Business Procurement Advisory Committee  
Music Commission  
Parks and Recreation Board  
Planning Commission  
Police Retirement Board  
Private Industry Council  
Renaissance Market Commission  
Resource Management Commission  
Solicitation Board  
Solid Waste Advisory Commission  
Travis Central Appraisal District Board of Directors  
Urban Forestry Board  
Urban Renewal Board  
Urban Transportation Commission

Water and Wastewater Commission