

Development Services Department **Analysis of Partnering City Departments**

Austin, Texas

By

Zucker Systems

Paul Zucker, President

Brad Remp, Executive Vice President, CBO

Mary Blais, Planning Director

Brent Muchow, Senior Associate, Engineer



3038 Udall St.

San Diego, CA 92106

(619) 804-1769

www.zuckersystems.com

paul@zuckersystems.com

February, 2016

Table of Contents

I. EXECUTIVE SUMMARY	1
A. BACKGROUND	1
B. RECOMMENDATIONS	1
II. INTRODUCTION AND SUMMARY	7
A. BACKGROUND AND PURPOSE	7
B. OVERALL OBSERVATIONS	8
1. CITY ATTORNEY	9
2. CODENEXT, REGULATIONS AND STANDARDS	9
3. DEVELOPMENT SERVICES DEPARTMENT	10
4. OFFICE SPACE	13
5. TECHNOLOGY	14
III. AUSTIN CODE.....	15
A. OVERVIEW	15
B. ORGANIZATION	15
C. PROCESS ISSUES	16
IV. AUSTIN ENERGY (AE).....	25
A. OVERVIEW	25
B. ORGANIZATION	26
C. EXISTING RELATIONSHIPS	27
V. AUSTIN FIRE PREVENTION ENGINEERING SERVICES (AFD).....	35
A. OVERVIEW	35
B. ORGANIZATION	35
C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW AND INSPECTION BETWEEN DSD AND AUSTIN FIRE	42
VI. AUSTIN TRANSPORTATION DEPARTMENT (ATD).....	45
A. OVERVIEW AND BACKGROUND.....	45
B. ORGANIZATION	46

C.	EXISTING DEVELOPMENT REVIEW/INSPECTION SETTING AND ISSUES	47
D.	RECOMMENDATIONS FOR ATD TO STREAMLINE DEVELOPMENT REVIEW/INSPECTION	48
VII.	AUSTIN WATER UTILITY (AWU).....	51
A.	OVERVIEW AND BACKGROUND.....	51
B.	ORGANIZATION	54
C.	EXISTING REVIEW/INSPECTION SETTING AND ISSUES.....	55
D.	MEMORANDA OF UNDERSTANDING (MOU)	61
E.	TIMELINES	62
F.	RECOMMENDATIONS FOR AWU/DSD.....	64
VIII.	COMMUNICATION AND TECHNOLOGY MANAGEMENT (CTM) 67	
A.	OVERVIEW	67
B.	CENTRALIZED CONTROL VS DEPARTMENT RESOURCES	70
C.	PROJECT STATUS REPORTING.....	71
D.	STAFF AND FUNDING.....	71
IX.	COMMUNITY TREE DIVISION	73
A.	OVERVIEW	73
B.	ORGANIZATION	73
C.	ALTERNATIVES FOR STREAMLINING PLAN REVIEW WITHIN THE DEVELOPMENT SERVICES DEPARTMENT (DSD) OR EXTERNAL DEPARTMENTS.....	77
X.	CURRENT PLANNING DIVISION OF THE PLANNING AND ZONING DEPARTMENT (PAZ).....	79
A.	OVERVIEW	79
B.	ORGANIZATION	79
C.	EXISTING ISSUES WITH EXTERNAL DEPARTMENTS.....	81
D.	ALTERNATIVES FOR STREAMLINING PLAN REVIEW INTERFACE WITH EXTERNAL DEPARTMENTS	82
E.	OVERVIEW OBSERVATIONS.....	83
XI.	ECONOMIC DEVELOPMENT DEPARTMENT	85
A.	OVERVIEW	85

B. MUSIC ENTERTAINMENT DIVISION (MED).....	86
XII. HEALTH AND HUMAN SERVICES DEPARTMENT (HHS), TRAVIS COUNTY	95
A. OVERVIEW	95
B. ORGANIZATION	95
C. EXISTING HEALTH DEPARTMENT PLAN REVIEW & INSPECTION SETTING	97
D. ALTERNATIVES FOR STREAMLINING PLAN REVIEW AND INSPECTION BETWEEN DSD AND AUSTIN – TRAVIS COUNTY HEALTH AND HUMAN SERVICE DEPARTMENT	97
XIII. LAW DEPARTMENT.....	101
A. OVERVIEW AND BACKGROUND.....	101
B. ORGANIZATION	101
C. DEVELOPMENT REVIEW/INSPECTION SETTING AND ISSUES	103
D. RECOMMENDATIONS TO STREAMLINE DEVELOPMENT REVIEW, CODE ENFORCEMENT AND COMMUNICATION BETWEEN LAW AND DSD.....	107
XIV. NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT (NHCD)	109
A. OVERVIEW	109
B. ORGANIZATION	109
C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW INTERACTION WITH DSD.....	114
XV. OFFICE OF REAL ESTATE SERVICES.....	119
A. OVERVIEW	119
B. ORGANIZATION	119
C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW INTERFACE WITH DSD ..	123
XVI. PARKS AND RECREATION DEPARTMENT.....	127
A. OVERVIEW	127
B. ORGANIZATION	127
C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW AND INSPECTION INTERFACE WITH DSD/PAZ.....	129
XVII. PLANNING AND ZONING DEPARTMENT.....	133

XVIII. PUBLIC WORKS DEPARTMENT (PWD)	135
A. OVERVIEW AND BACKGROUND.....	135
B. ORGANIZATION	135
C. ALTERNATIVES TO STREAMLINE DEVELOPMENT REVIEW/INSPECTION	139
D. RECOMMENDATIONS FOR PUBLIC WORKS	140
XIX. URBAN DESIGN	141
A. OVERVIEW.....	141
B. ORGANIZATION	141
XX. WATERSHED PROTECTION DEPARTMENT (WPD)	147
A. OVERVIEW AND BACKGROUND.....	147
B. ORGANIZATION	148
C. RECOMMENDATIONS FOR WPD TO STREAMLINE DEVELOPMENT REVIEW /INSPECTION	149
XXI. TRAVIS COUNTY TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT	151
A. OVERVIEW.....	151
B. ORGANIZATION	151

List of Tables

Table 1 Table of Recommendations	1
Table 2 Selected Existing MOUs.....	8
Table 3 Existing Austin Energy Review & Inspection Setting	27
Table 4 Existing Fire Prevention Plan Review & Inspection Setting.....	37
Table 5 Existing TPRI DSD Review & Inspection Setting	75
Table 6 Existing Current Planning Plan Review & Inspection Setting	81
Table 7 Existing MED Plan Review & Inspection Setting.....	88
Table 8 Existing Health Department Plan Review & Inspection Setting	97
Table 9 Existing NHCD Plan Review & Inspection Setting	110
Table 10 Existing ORED Plan Review & Inspection Setting.....	120
Table 11 Plan Review/Inspection Setting with DSD&PAZ	128
Table 12 Existing Urban Design Review & Inspection Setting	142
Table 13 Existing Subdivision Plan Review & Inspection Setting	152

List of Figures

Figure 1 Austin Code Organization Chart	16
Figure 2 Inspection Enforcement Process.....	21
Figure 3 Austin Energy Organization	27
Figure 4 Fire Marshal’s Engineering Services Office Organizational Structure.....	36
Figure 5 Transportation Department Organization.....	47
Figure 6 Austin Water Utility Organization	55
Figure 6A AWU Flow Chart.....	58
Figure 7 CTM Responsibilities	68
Figure 8 Existing Tree Permitting Review/Inspection Organizational Structure	74
Figure 9 Existing Current Planning Organizational Structure.....	80
Figure 10 Existing MEP, GBRE & Redevelopment Organization within the EDD Organization.....	87
Figure 11 Health and Human Services Department Organization	96
Figure 12 Law Department Organization	103
Figure 13 Existing Real Estate and Development (RED) Organizational Structure .	110
Figure 14 Existing Office of Real Estate Department (ORED) Organizational Structure	120
Figure 15 Planning and Development Division of Parks, Organization.....	127
Figure 16 Public Works Department Organization	136
Figure 17 Existing Urban Design Function Organizational Structure.....	141
Figure 18 Watershed Protection Organization.....	148
Figure 19 Existing Travis County Organizational Structure	151

List of Appendices

Appendix A Persons Interviewed	157
Appendix B MOUs	163
III. Austin Code Department.....	165
IV. Austin Energy	169
V. Austin Fire Department.....	173
VI. Austin Transportation	177
VII Austin Water Utility	181
VIII. Communication and Technology Management Department	185
XII. Health and Human Services Department – Travis County	193
XIII. Law Department.....	197
XV. Office of Real Estate	201
XVI. Parks and Recreation Department.....	205
XVII. Planning and Zoning Department.....	209
XVIII. Public Works Department	213
XIX Urban Design	217
XX. Watershed Protection Department, #1	219

XX. Watershed Protection Department, #2 223
XXI. Travis County..... 233

I. EXECUTIVE SUMMARY

A. BACKGROUND

In April of 2015 the city received the Planning and Development Review Department, Workflow Organizational Assessment completed by Zucker Systems. One of the recommendations of that report called for additional analysis of Partnering City Departments which resulted in this report.

B. RECOMMENDATIONS

This report includes 104 recommendations for improving the work of the Development Services Department and Partnering Departments.

**Table 1
Table of Recommendations**

#	Recommendation	Responsibility	Page
1.	Agree on an implementation plan	Planning Director and City Manager	5
2.	All departments to aggressively participate in CodeNext	City Manager and all department managers	10
3.	DSD to review and simplify its plan check and inspection processes	DSD	12
4.	Adopt a flat fee for plat inspections	DSD	12
5.	Recognize Development Services Department as coordinator of all private development in Austin	City Manager	13
6.	DSD to aggressively pursue options to acquire final plan review and inspection authority for all infrastructure	City Manager	13
7.	DSD to maintain frequent, positive, and open communications with all operations departments	DSD and operating departments	13
8.	Adopt draft MOUs outlined in this report	DSD and operating departments	13
9.	Annual conference of all Austin development related departments	DSD and operating departments	13
10.	In any new DSD office collocate all DSD, PAZ and other departments currently collocated plus others outlined in this report	City Manager, DSD and operating departments	14
11.	Assign staff to DAC on rotating basis	Austin Code	15

#	Recommendation	Responsibility	Page
12.	Consult with Austin Code prior to adoption of any code changes and document in an MOU.	All departments	17
13.	DSD and Austin Code to have access in AMANDA re code enforcement complaints	DSD, Austin Code, and CTM	18
14.	Use AMANDA to confirm if a building permit is in response to a code enforcement violation	DSD, Austin Code, and CTM	19
15.	Both DSD and Austin Code to have access to complaint information in AMANDA	DSD and Austin Code	19
16.	DSD to confirm that responses to code violation will address the actual violation	DSD	19
17.	Penalties for work without a permit or inspection should be increased using a phased approach	Austin Code	19
18.	Evaluate staffing when number of expired permits is reduced	DSD	20
19.	Create self-certification program	DSD	21
20.	Identify and prosecute contractors that flagrantly violate the law	DSD and City Attorney	21
21.	Permit holders to void permits if they forgo a project	Austin Cond and City Attorney	22
22.	Assign responsibility to notify permit holders prior to expiration of building permits to Austin Code in an MOU.	Austin Code	22
23.	Review later if program should be in Austin Code	Austin Code and DSD	23
24.	Austin Code to pay for expired permit program	Austin Code	23
25.	Resolve communication problems between DSD and AE Electrical Inspections sections	DSD and Austin Energy management	30
26.	Develop MOU to establish how DSD and Austin Energy disagreements should be resolve in the future	DSD and Austin Energy management	30
27.	DSD Electrical Inspectors to inspect solar installations	DSD and Austin Energy	31
28.	Solar installations inspections to be recorded in AMANDA	DSD	31
29.	Consider assigning inspection of commercial transformers exceeding 400 amps to DSD	DSD and Austin Energy	31
30.	Conduct staffing analysis for energy distribution design group and reduce length of time for permits	Austin Energy	32
31.	Process ESPA documents to AE in one day	DSD	32
32.	Reconsider decision to have ESPAs scanned in one location	DSD	32

#	Recommendation	Responsibility	Page
33.	Update existing MOU between DSD and Austin Energy	DSD and Austin Energy	33
34.	MOU to include specific performance standards and compliance methods	DSD and Austin Energy	34
35.	Prepare checklist to determine type of site plan revisions to be rerouted to Fire	Fire Prevention Engineering Services	38
36.	Revise AMANDA to allow Fire to track receipt and approval of revised site plans	Fire Prevention Engineering Services and CTM	38
37.	Complete site plan revision reviews within 3 business days	Fire Prevention Engineering Services	38
38.	Use AMANDA to track inspection requests and record results	Fire Prevention Engineering Services and CTM	39
39.	Develop new MOU re relation of DSD and Fire	Fire Prevention Engineering Services and DSD	40
40.	Establish a fee to evaluate alternative methods and materials	DSD	40
41.	Set timeline for alternate methods review	DSD and relevant departments	41
42.	Update fee schedule	Fire Prevention Engineering Services	41
43.	Next day inspections on new construction	Fire Prevention Engineering Services	41
44.	Fee schedule to support next day inspections	Fire Prevention Engineering Services	41
45.	Route plans from DSD to Fire in one day	DSD and Fire Prevention Engineering Services	42
46.	Clarify relation between ATD and Transportation Engineering section in DSD	DSD and Transportation Department	48
47.	DSD to assume full responsibility for tasks in 2004 MOU	DSD and ATD	49
48.	AD to continue to review traffic signal plans	ATD	49
49.	Replace 2004 MOU	ATD and DSD	49
50.	Monitor performance objectives of 2015 MOU	AWU and DSD	56
51.	Accelerate implementation of AMANDA for DSD field staff	CTM and DSD	64
52.	Inspection of ROW to be included in AMANDA	AWU and CTM	64
53.	On-site sewage facility to be included in AMANDA	AWU and CTM	64
54.	Tap construction process to be in AMANDA	AWU and CTM	65
55.	Revise MOU # 6	AWU and DSD	65
56.	Final as built for intersections to be supplied in electronic	AWU and DSD	65

#	Recommendation	Responsibility	Page
	format		
57.	Allow valve turning documentation by developers engineer	AWU	65
58.	Require all as built drawings in electronic format	AWU	65
59.	Allow developers selected access to AMANDA	AWU and CTM	65
60.	Initiate code modifications re timelines	AWU and DSD	65
61.	Incorporate recommendations in the report into Information Technology Strategy	CTM	67
62.	Develop MOU to define projects that DSD can undertake independent of CTM	CTM and DSD	71
63.	Establish MOU to define CTM commitments to this reports implementation	CTM and DSD	71
64.	Track receipt and completion of all technology enhancement requests	CTM	71
65.	Additional resources for CTM to implement this report	CTM and City Council	72
66.	Update MOU between DSD and PDRD	DSD and PDRD	78
67.	Current Planning in PAZ to be included as a party in MOU's between DSD and external departments	DSD and external departments	83
68.	Current Planning to take a more aggressive (project manager) approach in relation to operating department review of Current Planning Issues.	PAZ, Current Planning	83
69.	Complete consolidating local regulations for Special Events, set target date in MOU	Austin Center for Events	91
70.	Consolidate Live Music applications and permits into a single Special Events Permit, set target date in MOU	Austin Center for Events	91
71.	Configure AMANDA to receive, pay for, review and issue Live Music Permits, set target date in MOU	Austin Center for Events and Communication and Technology Management	91
72.	Include MED and ACE in any new DSD building	DSD and City Manager	93
73.	Further analysis is needed re best organization of music permits	DAC and Economic Development	94
74.	Perform Health reviews concurrently with Commercial building plan reviews.	DSD and Travis County	98
75.	DSD and Travis Health to pursue greater use of AMANDA	DSD and Travis County	99
76.	Food and public pools review to remain with Travis County	DSD and Travis County	99
77.	Integrate Food Enterprise inspection with DSD Building Division process	DSD and Travis County	100
78.	Adopt MOU between DSD and LAW	LAW and DSD	108
79.	Law to have greater use of AMANDA	LAW and CTM	108
80.	Explore opportunities for electronic documents	LAW and DSD	108
81.	Develop training program	LAW and DSD	108

#	Recommendation	Responsibility	Page
82.	Use Administrative Law Court for environmental compliance	LAW and DSD	108
83.	Update LAW website	LAW	108
84.	Issue Executive Bulletin requiring all departments to commit to SMART Housing policies	City Manager	113
85.	Add NHCD as standard reviewer for Affordability projects in AMANDA	DSD and CTM	113
86.	Delegate Site Plan Completeness Check for ORED projects to DSD	DSD and ORED	122
87.	Integrate Chapter 14-11 processes into the AMANDA system	DSD, ORED, and CTM	123
88.	ORED to continue collocation with DSD, now and in any future building	DSD and ORED	124
89.	Include formal notification requirements at start of construction to PARD through AMANDA platform	DSD, PARD, CTM	129
90.	Consider collocating Parks review in any new DSD facility	DSD and PARD	131
91.	PARD to continue plan reviews with inspection by DSD	DSD and PARD	131
92.	Use MOU to clarify rolls in DSD and PAZ	DSD and PAZ	133
93.	Public Works to work on changes to rules process	DSD and Public Works	140
94.	Do not add Public Works to DSD plan review	DSD and Public Works	140
95.	Co-locate PW engineering staff with DSD as needed	DSD and Public Works	140
96.	Adopt revised MOU #3 re DSD and WPD relations	DSD and Public Works	140
97.	Evaluate career ladder for inspectors	DSD, Public Works, and HR	140
98.	Clarify relations of Urban Design to DSD in a MOU	DSD and Urban Design	144
99.	Clarify relation between the Environmental Review function in DSD and Environmental Review Officer in Watershed Protection Department	DSD and Watershed Protection Department	149
100.	Update March 2011 MOU re departmental authority	DSD and WPD	149
101.	Revise and adopt July 2013 MOU	DSD and WPD	149
102.	Solve County AMANDA access issues	CTM and Travis County	154
103.	Negotiate a 4 th amended Inter-Local Agreement	Mayor, City Manager, Travis County	155
104.	Complete Alternative Urban Street Standards	Travis County and Transportation Department	155

Before the City begins implementing this study, we suggest that it takes the following action.

1. Recommendation: The City Manager and the Director of the Development Services Department should review the study and agree on an implementation plan, which should include:

- Approval of all of the MOUs, and
- Costs estimates and method of funding.

The Development Services Department and the related departments already have many important tasks they are undertaking and may find the 104 recommendations overwhelming. However, as improvements take place and staff becomes empowered to change, the City may be surprised at how fast implementation can occur.

II. INTRODUCTION AND SUMMARY

A. BACKGROUND AND PURPOSE

In April of 2015 the city received the Planning and Development Review Department, Workflow Organizational Assessment completed by Zucker Systems. One of the recommendations of that report called for additional analysis of Partnering City Departments, which resulted in this report. The contract for this work was signed on August 26, 2015.

The contract was designed to process, develop, draft and recommend specific Memos of Understanding (MOU) aimed at improving the plan review and inspection process. There are at least 12 other city departments involved in some aspect of the plan review and inspection process. In 2004, there was an attempt to consolidate these departments into a One Stop Shop arrangement. MOUs were negotiated with some of the departments and some staff were and still are collocated with DSD staff. However, this re-organization was only partially implemented and has remained uncoordinated.

The contract called for a review of the following 16 departments:

- Austin Code;
- Austin Energy (AE);
- Austin Fire Department (AFD);
- Austin Transportation Department (ATD);
- Austin Water (AWU);
- Communications and Technology Management (CTM);
- Economic Development Department (EDD);
- Health and Human Services Department (HHS);
- Law Department (LAW);
- Neighborhood Housing and Community Development (NHCD);
- Office of Real Estate Services (ORES);
- Parks and Recreation Department (PARC);
- Planning and Zoning Department (PAZ);
- Public Works Department (PWD);
- Watershed Protection Department (WPD); and
- Travis County Transportation and Natural Resources Department.

Each of these 16 will be discussed briefly in a separate chapter of this report including draft MOUs as may be appropriate. Some of the existing MOUs are shown in Table 2.

**Table 2
Selected Existing MOUs**

MOU Title/Description Signing departments	Date Signed	Active (Y/N)	Recommended Action/Revisions	Notes
1.DSD-AWU(Gonzales/Mezaros)	08/07/15	Y	Up to date-no change reqd.	
2.PDR-WPD (Li/Guernsey)	07/01/13	N-draft	Change PDR to DSD&revise	A
3.MOU 2011 PDR.PW.WPD	04/01/11	Y	Change PDR to DSD & update	A
4.WPD-AE(Garza/Pantalion)	10/04			
5.WPD-AE(Garza/Pantalion)	01/20/05			1
6.WPD/AWU(Lippe/Pantalion)	11/05/04		Chg draft./revise	A
7.WPD/NPZD(Pantalion/Glasco)	01/04/05			
8.WPD/ParkRec(Pantalion/Struss	08/27/04			
9.WPD/HHS(Pantalion/Lurie	09/27/04			2
10.WPD/HHS(Pantalion/Lurie)	09/27/04			3
11.WPD/CTM(Pantalion/Collins)	09/29/04		AMANDA	
12.WPD/DPW(Pantalion/Creighton)	12/02/04		Update/revise See WPD -	4
13.WPD/DPW(Pantalion/Creighton)	12/02/04		Update/revise See PW	5
14.WPD/AFD(Pantalion/Warren)	11/01/04		Fire	
15.WPD/WPD(Williamson/Oswald)	02/01/05		Supercede by #2above??	6
16.WPD/WPD(Williamson/Oswald)	11/01/04		Update/revise Supcd by #2??	7

Notes:

- 1 – Green Building
- 2 – Food Permits
- 3 – Swimming Pools
- 4 – Transportation
- 5 – Construction Inspection/Real Estate (ORES)/Engineering Services/Financial Services
- 6 – Waivers/RSMP
- 7 – Floodplain Review
- A- Draft MOU included in appendix of this report

B. OVERALL OBSERVATIONS

Responses from the city departments we worked with on this study were all very positive and constructive to this process. Overall staff had a positive and willing approach to improving the partnerships with each other.

Our recommendations are based on “best practices” we have observed in reviewing successful development services operations elsewhere in the country and surveys conducted by Zucker Systems.

The attached recommendations and MOUs can be an important next step in implementing the previous Zucker report and should be adopted as soon as possible.

We continue to believe that it would benefit customers to reduce the number of functions involved in the plan check and inspection processes. However, as part of this study we gained a new insight into the complexity of city regulations and office space that constrains how many changes are feasible at the present time. Nevertheless, the implementation of these recommendations and MOUs are an important next step.

DSD along with Directors of all the partner departments should develop MOU(s) that clearly defines delegated authorities that support a best-managed approach to improving the development review process. Next to advancing the universal use of the AMANDA system to communicate and document and manage deadlines, the MOU and team approach to development review and approval are two major elements of having a successful coordinated development program in Austin.

Establishing accountability will be a key component to the successful implementation of our recommendations. The establishment and sustained commitment to performance standards will be the means by which accountability will be achieved. The success of the program will be dependent upon each participating group's ability to meet performance standards.

Five key important features or issues became obvious in our analysis including:

1. CITY ATTORNEY

The City Attorney's Office is a key function supporting DSD as well as related departments. We have outlined a number of areas where changes are needed including:

- Establish multi-departmental training program for land use, criminal prosecution and other legal issues;
- Examining the possible use of the Administrative Law Court System for environmental compliance;
- Shortening some review timelines; and
- Adopting a MOU to clarify a variety of issues including the appropriate roles for DSD staff and the Law Department.

As with Technology, additional resources may be necessary.

2. CODENEXT, REGULATIONS AND STANDARDS

Although the complexity of city regulations and standards was obvious in our prior study, this more detailed review of the external departments has accentuated the point. In our MOUs we have listed specific regulations and standards that need to be updated as soon as possible. Some of these could provide useful information for the CodeNext

project. These regulations and standards are included in a variety of suggested MOUs including:

- Austin Energy; Austin Transportation Department;
- Austin Water;
- Public Works Department; and
- Watershed Protection Department.

Additionally, a major need is the completion of the CodeNext project that should address many of the difficult city standard issues and approaches. Efforts should be made to complete this work as soon as possible. We understand that the current schedule calls for a draft code by August, September, October 2016 and adoption starting in January 2017.

Although many of the departments are participating in CodeNext, some of the participation appears to be peripheral at best. We were surprised that in our interviews and research for this report, none of the departments we interviewed talked about CodeNext. CodeNext needs to grapple with a variety of key issues such as environmental standards, transportation standards, and others. Once clarified and documented, these could lead to further organizational changes and further integration of plan check and inspection services.

2. *Recommendation: All Austin departments related to private development standards, plan check or inspection should aggressively participate in the CodeNext project.*

3. DEVELOPMENT SERVICES DEPARTMENT

The Development Services Department (DSD) is central to Austin’s development review process. Most all new land development proposed in Austin must process through DSD from initial entitlement to detailed engineering plan approvals, and final construction inspection. Concurrent review and approval of much of Austin’s environmental regulations conformance is also conducted by DSD. This “Gateway” for development in the City is critically important to both the quality and effective timely processing of new developments both large and small. DSD is staffed by specialists who focus on the myriad of city code regulations applicable to new development and they have the expertise and capacity to process new development projects to assure conformance to Austin’s code, design standards, and environmental regulations.

DSD while serving as a primary focus for building permits, site and subdivision plans approval and inspections relies on the standards and expertise of other city departments to prepare city codes and standards. It is critically important that these standards and rules be up to date.

We also believe that DSD should closely review its own procedures for development review, plan check, and inspection with the objective of simplifying and eliminating burdensome and bureaucratic processes as much as possible.

For example during the course of this study we found that DSD was following an extraordinarily detailed process and review to set, verify, and assess inspection fees for infrastructure improvements created by new development. We previously recommended that the department become self-sustaining through the fees collected for plan check, inspection and other services. The city currently uses a four-stage process to collect inspection fees that we believe can be simplified to a single assessment at the time a plat map is approved.

The Problem--Inspection fees are checked four times:

1. **At final plat stage.** An Engineer's Estimate is used to calculate and assess inspection fees. 25% of the fee is due before plat approval, and the engineering, AWU, and environmental reviewers check the engineer's estimate. (This step is necessary so that fiscal surety can be collected. Fiscal surety is due within 90 days of plat approval.)
2. **At construction plan stage.** 75% of the fee is due before plans can be approved. Again, the Engineer's Estimate is used (or we can use the construction contract amount, but typically this isn't available at this stage).
3. **After plan approval and prior to preconstruction conference.** This is the stage where there is experience of significant delays to the customer.
4. **After construction completion.** A Project Summary with final costs and quantities is prepared by the Engineer and submitted to the city to "true up" any remaining inspection fees.

Proposed Solution — Assuming that the city is moving to fee supported enterprise system for development processing/review the city could consider increasing the fee to 4 or 5% of the estimated construction cost and assess that fee at the plat stage and require the full amount to be paid at that time. The above recommended % amount is close to what many best practice cities charge today. DSD and partnering departments can spend a little extra time to verify the calculation of the estimated construction. This can result in time shaved off the overall schedule. We have found that typically there is little objection to a higher fee for better and more expedient engineering service. Eliminating the steps 2-4 should free up the plan checkers for more productive work. Costs vs revenues should be monitored and adjust annually as is typical with many agencies. Assuming DSD also now follows our past recommendation that LU notify SSI of permits issued so SSI can anticipate a request for a preconstruction meeting from the contractor, this then makes it more likely that a preconstruction meeting be set within 7 (seven) working days after request from contractor.

- 3. Recommendation: DSD should review its own plan check and inspection rules and procedures with the objective of simplifying and eliminating overly complicated and burdensome processes**
- 4. Recommendation: DSD should adopt a flat fee to cover inspections to be assessed one time at the plat approval stage along with formal policy to set a date/time for pre-construction conferences within 7 working days of the contractors request for inspection services**

Because all standards are not up to date, standards are changing and will continue to change with the CodeNext project, there is no space in One Texas Center to collocate all possible review departments, and some required expertise does not exist within DSD. Interactions with the Public Works, Transportation, Water, City Attorney and Watershed Protection Departments among other departments is routinely required. While it is recommended that DSD has a primary lead responsibility to assure timely reviews and consistent application of Austin's standards and rules it is also a paramount requirement that all the city departments must work in a partnership with DSD to achieve that goal.

The city's codes and standards are complex. The responsible and safe operation and management of the vast public infrastructure by each of the individual departments is critical to Austin's success for all the obvious reasons. Effective teamwork between the city departments and DSD requires good guidelines, procedures, and a lot of common sense. A balance of staffing along with well-defined guidelines or memoranda of understanding (MOU) for interdepartmental communications and responsibilities is another very important element to cause effective and timely reviews of proposed new development in Austin.

Against the backdrop described above, it is essential that someone in the city be recognized as having overall focus on the development process. That someone is logically the Department of Development Services. Some would argue that they can't provide that focus without full authority. However, we suggest that the word "authority" is an old-fashioned management term. Contemporary theory suggest that organizations can become aggressive and responsible by careful negotiations and team work and can be successfully managed without full authority. Examples of how this should work include:

- If any department's standards are not up to date, DSD should take the initiative to assist the relevant department as necessary to get the standards up to date.
- DSD needs to take the initiative along with CTM to see that all relevant departments are using AMANDA as intended and participating in Internet plan submission and electronic plan check.
- Although other departments may participate in the site plan and subdivision process, DSD, through a project manager system, (see prior Zucker Systems

report) should actively manage all projects, sets performance standards for all reviews, and finally challenge individual department recommendations where they conflict with other department requirements or create unreasonable requirements for the customers.

- This is an evolutionary process that started with the One Stop Shop, was refined in the prior PDRD Zucker Systems report, will take another step with recommendations in this current study, and can take another major step with the approaches that should be part of the CodeNext process.

5. Recommendation: The Development Services Department should be designated and recognized as the coordinator of all private development reviews and inspections processes in Austin.

6. Recommendation: DSD should aggressively continue to pursue options to acquire final plan review and inspection responsibility in cooperation with operating departments for all infrastructure created as the result of new land development.

7. Recommendation: DSD should maintain frequent, positive, and open communications with all operations departments to assure timely updates and implementation of new standards and rules.

8. Recommendation: DSD and various departments should adopt and implement draft MOUs as outlined in this report.

9. Recommendation: DSD should consider leading a periodic (annual or bi-annual) conference for all the city's key management partners engaged in development approval, review and inspection to help prioritize issues , report progress of improvements to the program, training, MOU updates and to improve overall teamwork.

4. OFFICE SPACE

In our prior report we outlined some of the office issues related to One Texas Center and some of these are currently being corrected. However, as additional collocation of functions could be useful, there is simply not enough space in One Texas Center for adding many additional functions. The long term need is for a different facility and we understand some work and analysis of this may be underway. In our report and MOUs we have indicated some of the functions in addition to DSD and PAZ that should be located in such a center.

- 10. Recommendation:** Should a new facility be provided for the Department of Development services, all of the current DSD functions, currently collocated functions of other departments, the Planning and Zoning Department and other functions as outlined in this report, should be collocated.

5. TECHNOLOGY

The city has been making substantial progress in improving technology to support the plan check and inspection process. However, we believe it would be prudent and cost effective to accelerate these efforts. In our draft MOU for the Communication and Technology Management Department (CTM) we have listed numerous items that need improvement, some of which are underway. All city functions involved with development review need to use the AMANDA system.

It is likely that these changes may require additional resources for CTM, DSD, or both, is so, we believe it would be cost effective for the city to authorize this additional expenditure.

Finally, the city has made a commitment for Internet plan submission and electronic plan check with the following schedule: Every effort should be made to maintain this schedule including additional resources if necessary. Properly implemented, Austin can be viewed as a national leader for Internet submission and electronic plan check.

- Council Approval - Aug. 2014
- Project Initiation - Sept. 2014
- Pilot General Permit (Telecom) - May 2015
- AMANDA Integration - Sept 2015
- Commercial Bank/Professional - Dec 2015
- Residential Volume Builders - Feb 2015
- Commercial & Residential – Feb-Apr 2016
- Land User Review – May-Sept 2016
- Completion - Sept 2016

III. AUSTIN CODE

A. OVERVIEW

The Austin Code Department is responsible for making sure City Codes and Ordinances are met. They employ a strategy of educating, collaborating and partnering with neighborhoods, local businesses, non-profits and other City of Austin Departments. The Austin Code Department consists of over 100 employees and over 90% of its funding comes through fees paid as part of the Clean Community Fee Program. Austin Code was originally a Division of Solid Waste Services but has since been reorganized as a separate department. The offices of Austin Code are located approximately 4 miles (20-30 minute drive) from the One Stop Shop at One Town Center. Unlike many other Departments that have at least some staff collocated within the One Stop Shop, Austin Code does not have any staff that rotates assignments through the One Stop Shop. Given that much of what Austin Code is ultimately responsible to enforce comes from Ordinances written by staff at One Town Center it seems reasonable to have at least one staff from Austin Code assigned to the One Stop Shop DAC on a rotating basis to help assist the public to understand how code enforcement staff will interpret the code in the field.

11. *Recommendation:* Austin Code should assign staff to the DAC on a rotating basis to provide customer information and to more closely interface with development staff at that location.

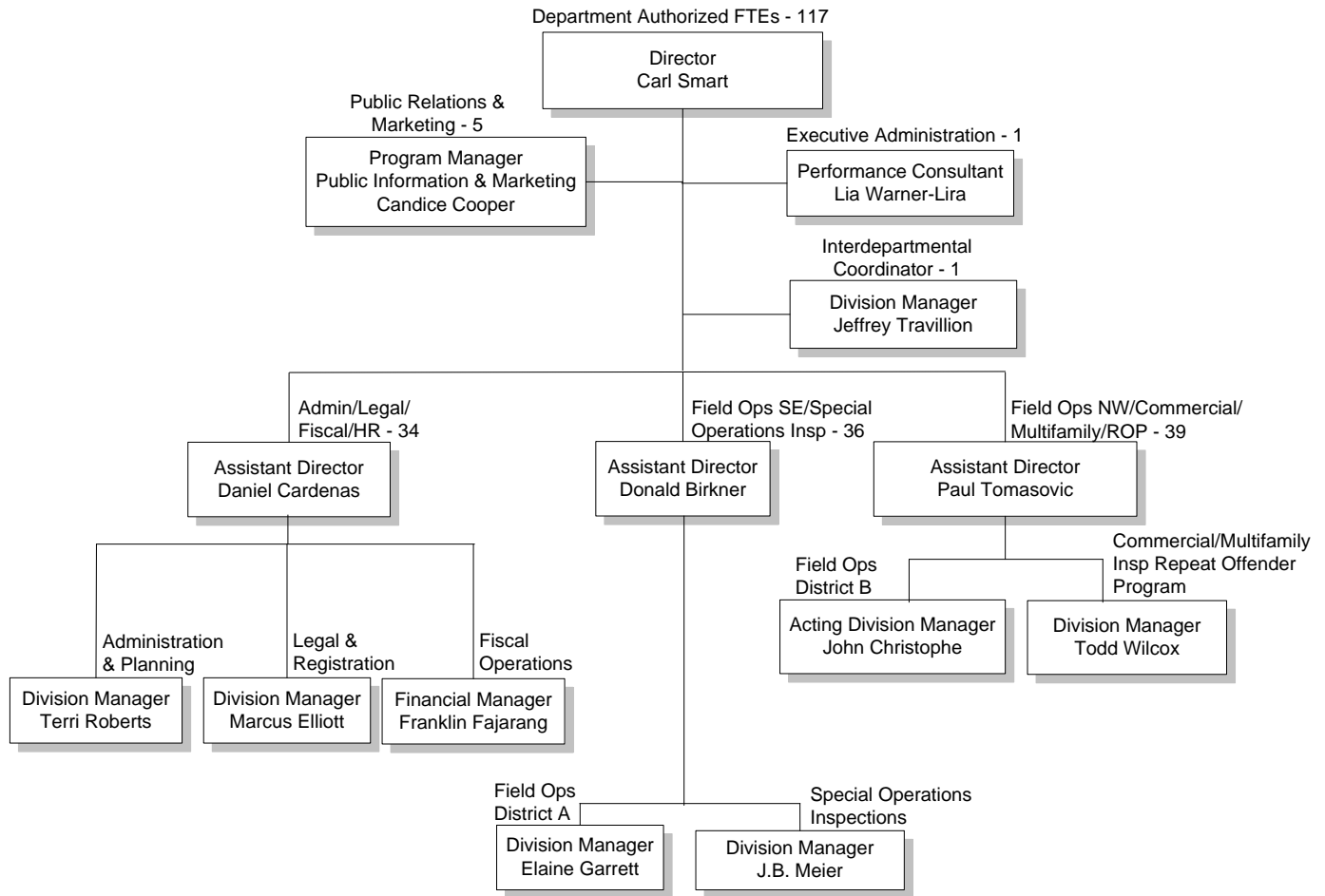
Austin Code focuses attention on six (6) core areas: dangerous buildings and housing, zoning violations, nuisance abatement, multi-family property inspections, commercial property inspections, and licensing and registration. The Department has established performance standards that include responding to complaints with two (2) working days by FY 2017-18 and achieving non-judicial compliance or case transfer to appropriate judicial process on all cases with 107 days of receipt.

Interface with Austin Code and DSD is primarily in the area of following up on complaints about work that has been performed without proper inspections or without obtaining a permit. Most complaints to Austin Code regarding work being performed without appropriate permits and inspections come from residents or competing contractors.

B. ORGANIZATION

It should be noted that the organization charts in this report may not be totally up to date.

**Figure 1
Austin Code Organization Chart**



C. PROCESS ISSUES

Code Development

Typical of most governmental agencies that we study is an arrangement that code requirements are developed by one group but enforced by another. In Austin numerous departments contribute to what is collectively referred to as the Austin Code. Over time this Code has been revised numerous times to meet a variety of special circumstances. It has become quite complex and frequently difficult to enforce to everyone's satisfaction. The CodeNext program has been initiated to try and address the multitude of problems that have arisen in the current Austin Code.

One of the key components that we have found in well-functioning code enforcement programs is a high level of scrutiny that proposed code changes go through prior to adoption. Often well-intentioned code changes fail during implementation because insufficient attention was given to the critical aspect of enforcement. A program that includes a comprehensive review by the staff that will be charged with the enforcement of new code requirements will help ensure that the language is sufficiently defined to allow practical enforcement. Austin Code prides itself on its ability to gain compliance through effective education. Staff must be able to clearly understand the basis for a code requirement before they can communicate that to the community. An ordinance that contains vague language that individuals can interpret in vastly different ways will not provide code enforcement staff with the guidance they need to effectively enforce the code. Under the current code development process Austin Code is not routinely contacted to solicit their opinion regarding the enforceability of proposed codes. They report that frequently their awareness of a code change only comes after the code has already been adopted. We recommend that Austin Code be consulted when new code language is being proposed on a subject they will be expected to understand and enforce. This arrangement will not only afford Code Austin staff the opportunity to confirm the proposed language will accomplish the desired outcome in the field but also allow for a determination of whether the new requirement(s) can be adequately enforced with existing resources. This approach should be documented in the form of appropriate Memorandums of Understanding (MOUs) between Austin Code and any Department that initiates code changes that will depend on Austin Code for enforcement.

12. Recommendation: Austin Code staff should be consulted for comments prior to adoption of any code changes that will depend on Austin Code for enforcement and document this in an MOU.

Code Violation Resolution

Frequently the process of resolving code violations identified in the field by Austin Codes staff will require participation by Development Services Department staff. Comments provided during staff interviews suggested that neither group has a strong understanding of the processes utilized by the other Department. These processes should be documented and shared with the other department and the status of efforts to resolve these code violations should be tracked in the AMANDA system. An example of how these processes can be improved for the customer is by establishing agreement on which group (Residential Plan Review or Development Assistance Center) that a customer should be initially directed to in order to begin the process of resolving their code violations. We also believe that having a representative from Austin Code available in the Development Assistance Center on a rotating basis will help both the customer and DSD staff streamline the resolution process.

13. Recommendation: The process of resolving building permit related code violations identified in the field by Austin Code should be documented and shared with DSD, Austin Code, and LAW staff.

Expired Permits and Work Without Permit

There are over 3,000 issued permits that expire each year. For example there were 5526 in FY 15, 4051 in FY 14, and 3484 in FY 13. These are not being properly inspected because the permit holder does not call for inspections. A permit expires if an inspection is not approved after 180 days. This problem is being kicked down the road to Austin Code to eventually investigate and refer back to DSD or PAZ to resolve through reissuance of permits and calling for inspections. This process of fully investigating and implementing all of the plan review and inspection steps necessary to bring the structure into compliance can be very time consuming and costly for both the City and individual property owners. The entire community would benefit from having a system in place that streamlines the permit process and ensures safe structures by having all required inspections performed. When construction is allowed to proceed without proper permits and inspections the entire community is impacted. Improper construction not only impacts the immediate users of the structure but also potentially impacts neighboring properties and the future owners of the unsafe property. Communities with poor building code enforcement practices can be impacted by higher base insurance rates and individual properties that suffer loss may find that their loss is not covered if the property records do not clearly show that all construction has been performed under permit and with appropriate inspections.

For an enforcement program focused on illegal construction to be effective, it is important that the deficiencies observed in the field by inspection staff be clearly communicated to the office staff assigned to issue the appropriate permit(s) necessary to resolve the code enforcement complaint. Under the current scenario these two groups would be the Building Division Plan Review staff and the Austin Code Inspectors/Investigators. Based on our interviews, it is apparent that there needs to be closer coordination between Austin Code and DSD staff to confirm that the issues observed in the field by Austin Code during complaint investigations are being incorporated into the permits that are subsequently being issued by DSD. We understand that the DSD Assistant Director meets weekly with Austin Code but this may not be sufficient. In addition to encouraging frequent communication, these two groups should have access to a shared database (AMANDA) that contains detailed information about the scope of the violations Austin Code observed in the field. Providing this detailed information may require that the size of the field used to describe the scope of required work may need to be expanded. This step will likely require the assistance of technical staff from Communications and Technical Management (CTM). Once access to the information is provided to DSD Plan Review staff then they should be required to consult this information whenever a project is submitted that has an outstanding code enforcement violation. Accessing this

information will help ensure that any permits submitted to address outstanding code violations will actually address all of the required corrections. Failure to perform this step will likely lead to the need to repeat the lengthy and costly process again.

14. Recommendation: The AMANDA system should be enhanced to include a field that allows Austin Code staff to include an adequately detailed description of the scope of work that must be accomplished.

15. Recommendation: Both DSD Building Plan Review staff and Austin Code staff should have access to information collected in AMANDA regarding code enforcement complaints that require a building permit to resolve.

16. Recommendation: Building Plan Review staff should be directed to determine if a submitted project is in response to a code enforcement violation and confirm through AMANDA that the scope of the permit addresses the actual violation(s).

The volume of unpermitted or not properly inspected construction work indicates that there are not sufficient disincentives to discourage contractors and owner-builders to stop the practice of getting permits and not calling for inspections or simply not getting permits at all. Establishing appropriate penalties for noncompliance will not only encourage future compliance but will also generate additional revenue to fund the positions necessary to staff an aggressive enforcement program. The goal of such a program should be to substantially reduce the number of permits that expire due to the permit holder's failure to request inspections as well as a reduction in the number of complaints received by Austin Code regarding work performed without permit. Performance Standards should be established to measure the success of achieving compliance with permitting requirements. A goal of the program should also be to eventually lower the penalties for noncompliance to a level that generates only what is necessary to fund an efficient program.

There is currently a fine of two times the building permit fee for un-permitted work but evidently this has not been a sufficient deterrent. It may be necessary to increase the fee to three times and increase the awareness of this with the public.

17. Recommendation: Penalties for work without permit or inspection should be increased to provide a true disincentive to those individuals building without appropriate inspections or permits. The public should be frequently made aware of these penalties.

Expired Permits Workload Impact

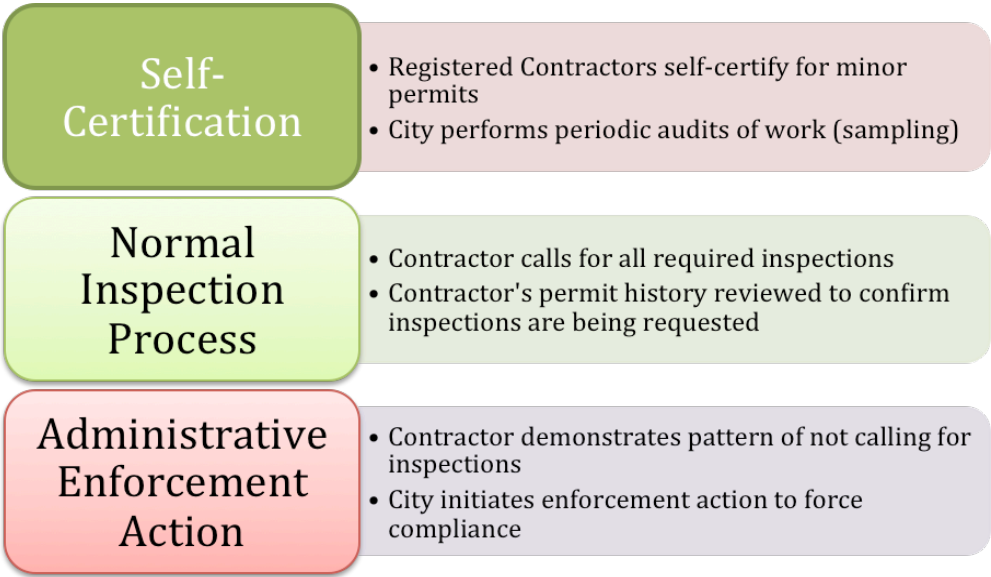
One of the problems that this situation has created may not be obvious on initial review but could have a significant impact on the operations of the Development Services Department Building Inspection and Plan Review Sections. First we consider the Building Inspections Section workload. The number of building and related inspections currently being requested on a daily basis is not a true reflection of the number of inspections that permit holders should be requesting based on the requirements of their permit. This is evidenced by the large volume of permits that are being expired due to the permit holder's failure to call for inspection. This large number of permits that are issued but not inspected has been incorporated into the institutional mindset when determining the appropriate staffing for inspections. It is quite likely that the current permit fee schedule is insufficient to support the level of inspection services that would be necessary if a larger percentage of permit holders were to actually call for the required inspections that they have already paid for. Management should closely monitor the relationship between a decrease in the quantity of expired permits and the volume of inspection requests. Assuming overall permit activity remains constant and the number of expired permits is reduced then the number of inspection requests should increase. This increased volume of inspection requests will likely exceed the resources available to perform these inspections and should result in a review and adjustment in the permit fees as necessary to support the required additional staffing.

18. *Recommendation:* As the number of permits that expire due to lack of inspection is reduced management should evaluate and adjust the permit fees as necessary to support the additional inspection staffing that will be needed.

An alternative approach to increasing inspection staffing and raising permit fees to cover these additional inspections would be to establish a self-certification program for some minor permits. Contractors would pre-qualify to participate in such a program and agree to have their work inspected on a sampling basis. Qualified contractors would be allowed to self-certify their work and thereby eliminate the requirement for City inspection for certain minor permits. If subsequent random inspections reveal deficiencies then the Contractor would be disqualified from future participation in the program. Establishing such a program would require administrative oversight and the part-time availability of qualified inspectors to audit the performance of those Contractors participating in the program. The cost to support such a program could be recovered by establishing an appropriate registration fee for Contractors to participate in the program.

Figure 2 below helps illustrate how the enforcement of the need to obtain permits and inspections would progress from rewarding Contractors with Self-Certification for designated minor projects to formal enforcement action to those who consistently fail to obtain permits and inspections.

Figure 2
Inspection Enforcement Process



19. Recommendation: The City should consider creating a self-certification program for Contractors performing work under designated minor permits.

Another approach to reduce these types of violations is to initiate a focused program that targets those contractors that have flagrantly chosen to violate the code by not calling for inspections and performing work without obtaining the required permits. In other states this approach can lead to jurisdictions collecting and forwarding this information to a State Contractors Licensing Board for disciplinary action. Texas does not have such a peer review Board in place so enforcement action would necessarily fall on the Department working with the City Attorney or District Attorney. City Council, through their actions to adopt various building related codes also enact penalties for failure to comply with the adopted codes. These codes include administrative sections of that establish the requirement for obtaining permits and receiving approved inspections for construction work. By enforcing these provisions, the City would send a strong message to the community that they are looking out for the resident’s interests by holding contractors responsible for complying with the law. Establishing and publicizing such a program should also serve to send a strong message to the industry to encourage them to comply.

20. Recommendation: DSD staff should work with the City Attorney or District Attorney to identify and prosecute Contractors that frequently violate the law by not securing appropriate permits or calling for inspections.

During an interview with staff from the Law Department they expressed reservations about proceeding with enforcement actions against an individual based on the presumption that the permittee has performed construction work that would require an

approved inspection but failed to obtain the inspections. This presumption being based solely on the fact that the permit expired due to lack of requested inspection(s). An example of when this presumption would be inappropriate was provided by stating that the permittee may have decided to forgo the project after the permit was obtained but prior to any construction being performed. We acknowledge that, though rare, such a situation could occur. To address this concern we propose the City adopt an Ordinance that would require permit holders that decide to forgo their projects before construction is commenced to formally void the permit with the City rather than let the permit expire. Under this scenario a permittee would be obligated to either call for inspections or void their permit. Failing to do either option would be a violation of the code that could be enforced by the City as a means of emphasizing the need to obtain approved inspections. This approach should result in a dramatic reduction in the number of permits that are currently being expired.

21. *Recommendation:* Austin Code should work with the City Attorney to draft an Ordinance that would require permit holders to void permits if they choose to forgo projects before construction starts.

Some jurisdictions have been successful in initiating a program to send reminder notices to permit holders when their permit is approaching expiration due to the length of time between inspections (180 days). This is normally done by querying the permit system to generate auto-filled form letters and a mailing list that to be used to mail or email each permit holder to alert them to the potential expiration of their permit. Initiating this type of program may also help the jurisdiction's efforts to gain compliance through court action against those individuals and firms that consistently violate the Codes. In many progressive communities the list of addresses that are approaching expiration is sorted by geographic inspection district and assigned to inspectors to perform follow-ups in the field to determine if the work has been completed without final inspection. This is a legitimate activity for Austin Code to be performing. A component of this initial program should also consider the permanent assignment of staff from Austin Code to DSD to perform these duties as an on-going assignment.

22. *Recommendation:* The responsibility to establish a program to notify and contact permit holders prior to expiration of their building permits should be assigned to Austin Code and defined in an MOU.

Given the volume of routine construction work already assigned to the existing building inspection staff in DSD it is clear that assigning additional tasks to implement a comprehensive program to address expired permits and work without permit would be difficult to prioritize. Resolving these types of issues is clearly more of a priority to the Austin Code group at this time. Therefore we believe that an interim approach would be to assign a group of individuals with appropriate building code knowledge from the Austin Codes Department to establish a designated section within DSD to initiate a program to address the issues of expired permits and work without permit. A

group of qualified individuals from Austin Code could dedicate sufficient resources to creating and implementing such a program while continuing to be funded from the Clean Communities Program. As the program generates results a review of appropriate funding sources could be reevaluated to determine if the program can exist independent of funding from the Clean Community program. The commitment to establish the program to follow-up on potentially expiring permits should be recorded in a Memorandum of Understanding (MOU) between the Departments.

23. *Recommendation:* If the long-term responsibility to staff the expired permit program is retained by Austin Code then an MOU should be established.

24. *Recommendation:* If eventually the responsibility for expired permits should be transferred and staffed in DSD. Austin Code should then pay DSD for this function.

IV. AUSTIN ENERGY (AE)

A. OVERVIEW

Austin Energy is a very large organization charged with the responsibility of providing safe electrical power to over 448,000 customers within its service area. For the purposes of this report, our focus is on those areas of their operations that interface with the Development Services Department (DSD) to advance the development process. In very broad terms this ranges from providing service connections to residential customers in areas with existing distribution equipment to designing and constructing major expansions to the distribution system to accommodate development in areas currently outside their existing service grid. As with any organization charged with a great variety of responsibilities, they have compartmentalized the service areas to best accommodate the specific need based on the volume of activity and the level of expertise required of staff.

The most frequent service request is the processing of an Electrical Service Planning Application (ESPA) of which most are routinely handled by one of the three Austin Energy employees assigned to the Development Assistance Center (DAC) of the One Stop Shop located at One Town Center. The assigned staff at this location will investigate the availability of service at the requested site and generally approve the application with minor conditions for those residential or commercial services that do not exceed 320 amps. Normally these applications are approved on the same day as received. These employees are also part of a multidiscipline team that performs reviews to determine if a site plan exemption is appropriate for a project based on specific criteria. With only minor exceptions, Austin Energy staff review these types of requests within one-day of receipt and respond with comments within 3 days.

A team of specialists located at either the North or South Austin Energy District Offices process ESPAs that exceed 200 amps or include a commercial project. These teams meet weekly to review and comment on these more complex service requests and therefore the time to receive approval is extended. Fairly recently Austin Energy adopted a new policy of charging applicants at the full cost recovery (FCR) rate to design and expand services as needed to reach the applicant's site. For many projects, this new policy has introduced a significant cost increase to the cost of the overall project.

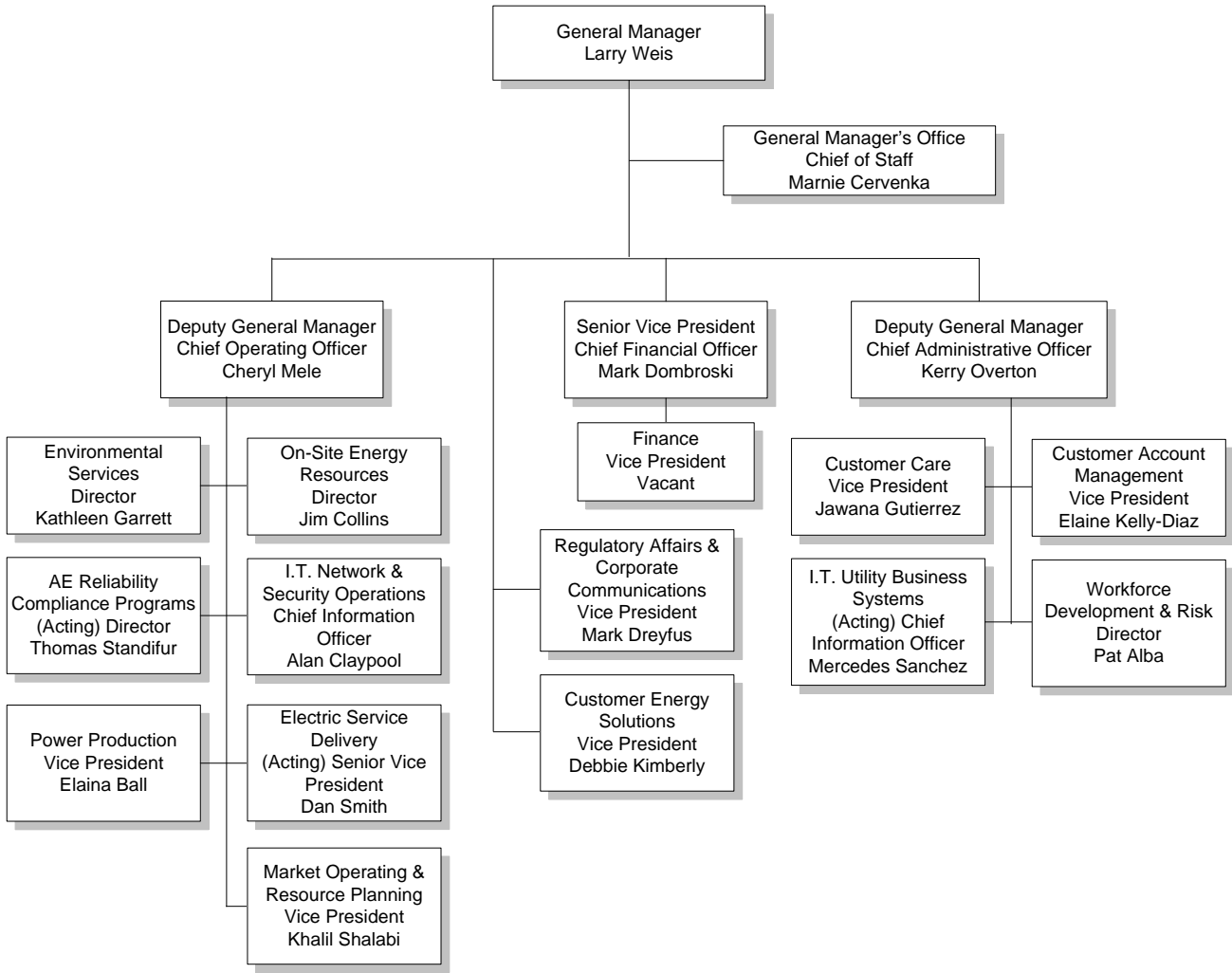
Austin Energy also employs field inspectors to verify proper installation of the electrical systems on the line side of the system up to and including the meter location. Electrical Inspectors employed by the Development Services Department are responsible for conducting inspections of the wiring installations on the load side (beyond the meter location). In recent years there has been a strained relationship between these two groups of Inspectors due primarily to disagreements over each group's scope of responsibilities. Austin Energy also employs staff to perform inspections of solar installations subsequent to approval by DSD inspector approval.

The primary goal of this report was to examine the process used to coordinate the review and approval of development applications when such review was outside the authority of the Development Services Department. In the specific case of providing electrical power, Austin Energy was tasked with the responsibility to confirm that power could be provided safely to the requested site in the quantity requested. This generally included the review of plans and establishment of specific conditions that must be met prior to receiving final approval to energize the equipment. We had initially believed that the focus of customer complaints was based on a belief that the time to review and approve the applications was excessive. While we believe these times exceed our general recommendations, the real issue seems to be the excessive amount of time that Austin Energy staff consumes in preparation of the design drawings that are a prerequisite to installing the necessary distribution equipment to serve the requested site. While it is fair to criticize the turnaround times to review building plans that pass through the Development Services Department, a broader approach to the question of why does it take so long to complete a project in the City of Austin must also include a component that highlights the time necessary for the utility providers to fulfill their responsibilities to extend service to the individual site.

B. ORGANIZATION

Figure 3 shows the organizational structure for Austin Energy.

**Figure 3
Austin Energy Organization**



C. EXISTING RELATIONSHIPS

Existing Plan Review & Inspection Setting within DSD/External Departments

Table 3 summarizes the data gathered from City Staff regarding the interface between the Austin Energy functions and the larger DSD Department.

**Table 3
Existing Austin Energy Review & Inspection Setting**

Plan Review Setting		Comments
Standards Used	AE Design Criteria	AE Design Manual has sections referring to

/Updates/Timing	Manual; COA Environmental Criteria Manual; Federal Energy Regulatory Commission (FERC); North American Electric Reliability Corporation (NERC); ISO 9000 standards; Occupational Safety and Health Administration (OSHA); Solar Incentive Program Guidelines	NEC that should be reviewed in conjunction with DSD Inspection staff; Solar Incentive Program Guidelines should be reviewed to determine if duplication of inspection exists.
Permits Reviewed	All residential and commercial building projects.	Electrical Service Planning Applications (ESPA) less than 200 amps reviewed by staff in DAC; Larger projects and all commercial projects are reviewed by a team of specialists in either the North or South District Offices. ESPAs can be reviewed prior to or concurrently with review of building permit.
DSD Plan Reviews	Site Plans, Subdivisions Plat Review Process in Land-Use Review, Electrical Service Planning Applications.	ESPAs reviewed by AE staff located in Development Assistance Center (DAC)
Types of DSD Development Projects Reviewed	Conceptual Site Plans, Site Plans, Subdivision (preliminary, final Plats)	In addition to review of permit related issues, staff from AE provides general consulting on utility related subjects and specific guidance on the City's Green Building Program.
External Plan Reviews Timely	N/A	
Scope of Plan Review	Compliance with AE Design Criteria Manual; Ascertain availability of service to site. Confirmation of easements, resolve utility location conflicts, Solar installation criteria; Confirm no conflicts with trees.	
Plan Review Delegated to DSD or External Depts.	None	
Plan Reviews Assumed for DSD	None	Consider assigning solar plan review to DSD.
Plan Review Overlap/Duplication with DSD	AE Design Criteria Manual references sections in National Electrical Code (NEC) that is traditionally plan checked and inspected by DSD	Conflicts have arisen during field inspections when AE staff has required the location of the service entrance to be moved to a location significantly different than shown on the plans approved by Building Division plan review staff. AE field inspectors do not utilize an approved set of plans in the field. Both AE and

	staff.	DSD inspection staff should be utilizing a single set of approved plans to confirm the service entrance location where inspection jurisdiction transfers.
Collocated Plan Review Staff in DSD	AE has three employees currently located in DAC	These employees process small ESPAs, approve site plan exemptions and answer general utility questions.
Should Any FTE's From Austin Energy be Transferred to DSD	None	Specialists in District Office(s) include District Electric Designers, AE Forestry, AE Major Projects, AE Planning/Systems Engineering, Transmission, Network and Chilled Water. Unlikely a single individual or small group of employees could possess adequate expertise in these varied fields to warrant transfer to DSD.
FTE's Performing AE Permit and DSD Plan Review	3	
Existing MOU's for Plan Review with Austin Energy	Yes	2004 MOU between Austin Energy and Watershed Protection & Development Review Department outlines a partnership agreement to have AE staff located at WPDR site to facilitate the electric utility review of subdivision and site plan applications. In 2005 this agreement was modified to include an AE position to assist the public in understanding the City's Green Building program. The MOUs should be updated to reflect appropriate department names and include specific performance expectations.
Inspection Setting		Comments
Inspections performed/Duplications	Solar Installations; Locations of Service Entrances	Both AE and DSD staff inspect solar Installations. DSD staff could assume the responsibility to also look for items specified by AE inspection checklist. AE expects DSD Inspectors to inspect using AE Design Criteria Manual, which exceeds NEC requirements. AE and DSD staffs need to refine areas of responsibility and modify AE Design Criteria Manual to reflect agreement.
Inspections Delegated to DSD	Solar installations	AE pays DSD for inspection of solar installation to conform with incentive programs.
Existing MOU's for Delegated Inspections	None.	Areas of inspection responsibility and inspection criteria should be clearly established between DSD and AE inspection groups.

Existing Plan Review and Inspection Interface Issues with DSD and Austin Energy

Under most circumstances the customer will receive written confirmation from Austin Energy in the form of an approved Electrical Service Application (ESPA) prior to submittal of an application for a building permit. On far fewer occasions the ESPA and initial building permit application review will occur concurrently. Generally

applications for electrical service for projects of 200 amps or less are processed very quickly by staff from Austin Energy that are collocated in the Development Assistance Center at One Town Center. For larger projects the ESPAs are reviewed by a group of specialists at one of the two Austin Energy District Offices on a weekly basis. In either case, the turnaround times for reviewing these applications is not considered excessive and therefore not considered a significant problem that warrants dramatic assignment changes.

Interviews with staff from both the Development Services Department and Austin Energy revealed that there are ongoing areas of conflict, particularly between the two groups responsible for inspecting electrical installations. There has been a breakdown in communication between the groups and the public has suffered as a result. Incidents have occurred that have resulted in significant cost increases for customers when project requirements are changed after a significant amount of construction has been completed. As an example, the location of the service entrance for the electrical power was required to be moved to the opposite side of a large industrial building after it had already been installed. Austin Energy staff explains that they always provide their power drop location at the closest point of proposed buildings. For this project that specific location was apparently not adequately conveyed to the designer and not detected in the field early in the project construction. Had the communication lines been more open between the two inspection groups we believe a problem like this could have been resolved much earlier in the review and approval process and the additional cost and time delays could have been avoided. We believe there is a need for management to intercede and demand that the communication breakdown between the supervisors of the two groups be resolved immediately and that issues such as inspection jurisdiction and determining appropriate standards for inspection be addressed and documented. We are somewhat confident that recent changes in management will facilitate resolution of this issue.

25. Recommendation: Management should intercede to address current communication problems that exist between the DSD and AE Electrical Inspection sections.

While we are confident that management can intercede to initiate the type of change necessary to improve communication between the two inspection groups, a more long-term perspective demands that a mechanism be in place to formalize how these types of potential conflicts be resolved efficiently in the future. We understand that these types of disagreements have also occurred between the respective groups performing plan reviews. Some form of a mediation or facilitator assisted problem solving approach should be incorporated into a Memorandum of Understanding between the groups.

26. Recommendation: A MOU between Austin Energy and DSD should identify how inspection and plan review interpretation disagreements will be resolved in the future.

One area that does appear to warrant consideration for reassignment of duties is the inspection of solar installations. Currently both inspectors from the Development Services Department and Austin Energy conduct inspections of these installations. While there may be minor differences in the scope of inspections performed by the two groups, much of the inspection work performed is duplicative. The reason for assigning two separate groups to perform these inspections seems to be rooted in the fact that fees were paid to DSD for a building related permit to confirm the installation is safe, while at the same time the customer is seeking to qualify for a benefit offered by Austin Energy for utilizing a renewable energy source. We believe a duplication of services could be eliminated by expanding the inspection checklist used by DSD Inspectors to include those items currently reviewed by Austin Energy Solar Inspectors and having the inspection results communicated to Austin Energy through the joint use of the AMANDA permit system. Austin Energy has recommended that DSD assign an inspector with specific expertise in solar installations to perform these inspections. Austin Energy is also in support of having the cost of performing these additional inspection responsibilities reimbursed to DSD by Austin energy.

27. Recommendation: DSD Electrical Inspectors should expand the scope of their inspections for solar installations to include verification that the installation qualifies for Power Savers Program benefits offered by Austin Energy.

28. Recommendation: Inspection reporting of solar installations should be recorded in the AMANDA permit system to be accessible to Austin Energy.

In addition to having DSD immediately assume responsibility for conducting all of the needed inspections for solar installations, Austin Energy has suggested that future consideration be given to having DSD Electrical Inspections assume responsibility for field inspection of commercial transformers exceeding 400 amps. Austin Energy would reimburse the cost associated with performing these additional inspections.

29. Recommendation: DSD and Austin Energy should investigate potential for transferring the responsibility for inspecting commercial transformers greater than 400 amps from Austin Energy to DSD Electrical Inspections.

As stated previously, the focus of this study is on improving the timeliness of review and inspection of development applications processed through the Development Services Department. It was anticipated that this approach would address the common complaint expressed by customers that it simply takes too long to get a project completed within the City of Austin. On further investigation it has been discovered that a significant portion of perceived delay originates outside the formal development review process coordinated through the Development Services Department. Austin

Energy staff confirms that significant delays are being experienced on many projects because of insufficient staff available to design the electrical distribution component of the project. The critical path to actual completion of a construction project is heavily impacted by Austin Energy's ability to design and construct the equipment necessary to serve the site. One of the potential solutions we have been asked to review as a component of this study is the likelihood that transferring staff from one department or agency to the Development Services Department would result in a more streamlined and predictable development review process. In considering this option for the electrical distribution group it has been determined that such a relocation of resources would not likely result in significant improvement in the overall development process. A more direct approach of evaluating the current staffing level within the Austin Energy design group and augmenting as necessary to reduce long turnaround times would be appropriate.

30. Recommendation: Austin Energy should conduct a comprehensive staffing level review of the energy distribution design group and augment staffing to reduce the overall length of time between initial permit application and release of utilities for occupancy.

Under a previous agreement between Austin Energy and DSD Permit Center, staff in the Permit Center agreed to process and scan copies of the ESPAs and forward the information to Austin Energy in a timely manner. For this service Austin Energy reimburses the DSD on a per-document basis. Austin Energy is dependent on receiving this information in order to create a load card used for utility billing. Feedback received during employee interviews suggests that the terms of the agreement are not consistently being met. Both the quality and timeliness of the information transfer has failed to meet the intent of the agreement. A performance standard should be established to ensure that the ESPA documentation is properly completed and scanned for Austin Energy use within one day of initial processing. It has been reported that a potential cause for the delay in scanning these documents is directly attributable to a process change in the Permit Center that now requires staff to use a centralized scanner rather than the desktop scanners that were previously located on each permit processors desk. The Permit Center should reconsider the decision to abandon desktop scanners for the permit processing staff.

31. Recommendation: The DSD Permit Center should create a performance standard to process all ESPA documents for Austin Energy use within one day of initial processing.

32. Recommendation: The DSD Permit Center should reconsider their decision to have all ESPAs scanned at a centralized scanner location.

Alternatives for Streamlining Plan Review within DSD and Austin Energy

As stated above, Austin Energy has already assigned staff to the Development Assistance Center (DAC) of the Development Services Department's One Stop Shop at One Town Center. The Austin Energy staff performs assignments designed to both expedite the plan review and permit process central to DSD but also provide consulting services to customers regarding programs exclusively provided by Austin Energy. The unique combination of overall workload and the ability to retain staff with the type of technical expertise appropriate to review and approve specific types of projects (200 amp or less service requests) has proven to be a significant benefit to customers and the overall development review process. It is also worth noting that this arrangement has existed over a significant period of time which suggests that many of the types of problems that can arise from having staff report to multiple management positions have been, at least informally, resolved. The Austin Energy staff receives technical guidance from specialists within Austin Energy and coordinates daily work assignments through DAC management. There currently exists a Memorandum of Understanding (MOU) dating back to the time when the first Austin Energy positions were assigned to what is now the Development Services Department. Many name changes have occurred since that original agreement was established and numerous operational adjustments have now become commonplace in the relationship. It is appropriate that the MOU be updated to reflect not only current work group labels but also reflect the knowledge gained through experience in managing such a matrix organization. We will be providing a draft Memorandum of Understanding as a portion of the scope of work for this project.

33. Recommendation: Update the MOU between DSD and Austin Energy to reflect appropriate work group labels and matrix reporting criteria for Austin Energy staff assigned to the DAC.

Interviews with staff from Austin Energy indicated that, while the turnaround times for reviewing minor Electrical Service Planning Applications continues to be generally within one day, the overall workload of the individual(s) performing this function is "overwhelming". We appreciate that staff cannot continue to work under these conditions for an extended length of time without serious consequences. Frequently these consequences include such an emphasis on the volume of work produced that there arises a significant reduction in quality. An effective way of addressing this challenge is to establish performance standards to measure both the volume and quality of the work being performed. There does not appear to be any written performance standards currently available to the customer or staff regarding the completion of these reviews. These turnaround time performance standards should be prepared in conjunction with the documenting of quality standards that must be maintained. It is recognized that most projects receive their approved ESPA prior to submitting detailed plans for a building permit, on some occasions, these applications are reviewed concurrently. When concurrent review is undertaken it is important that the turnaround time for Austin Energy review be compatible with those turnaround time performance

standards adopted by DSD. A MOU between DSD and Austin Energy should include commitments to meet specific turnaround times and include a description of the steps that will be taken to rectify any lapses in meeting the agreed upon performance standards. A more detailed description of the components to be included in a MOU is included elsewhere in this report.

34. *Recommendation:* The MOU between Austin Energy and DSD should include specific performance standards and methods to be utilized to assure compliance.

V. AUSTIN FIRE PREVENTION ENGINEERING SERVICES (AFD)

A. OVERVIEW

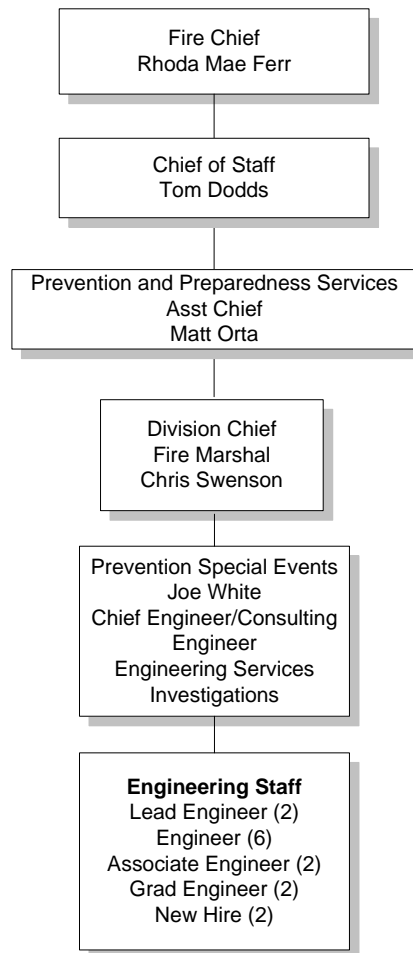
The Office of the Fire Marshal contains the staff that is charged with the responsibility of confirming that proposed development projects comply with the appropriate sections of the adopted Austin Fire Code. The adopted code is based on the 2012 edition of the International Fire Code with local amendments. Many of the fire safety related requirements are also found in the Austin Building Code. In very general terms the Fire Marshal's Office is responsible for confirming that new construction projects include appropriate fire protection systems that are designed to protect both the occupants of buildings and the first-responders. This is addressed by ensuring that fire protection systems, such as fire sprinklers and alarm systems, are designed and installed to mitigate the specific hazards that exist within a building or at a designated event. This is accomplished by conducting thorough plan reviews by Engineering staff and subsequent field inspections performed by qualified Fire Inspectors from the Technical Inspection Group. In most cases the submittal and approval of permits for fire suppression and alarm systems is deferred to after the building permit has been issued. This sequence is normally dictated by the fact that it would be very difficult for owners to require their fire protection system designers to complete their design work before the actual building plans had been approved. The Austin Fire Department Engineering Services Section has established plan review turnaround times of 15 business days for new projects and 5 business days for remodel projects.

To be effective, it is extremely important that staff from the Fire Marshal's Office and the Building and Safety Division work in close cooperation. In recognition of this need, City management has arranged to have the plan review staff of both groups collocated on the second floor of the One Town Center building. There are a total of eight (8) Fire positions assigned to perform these reviews. We have found in numerous studies that this type of physical arrangement of offices creates much greater opportunities for enhanced communication than having plan review staffs geographically separated. This is of particular importance because of the high potential for conflict that can arise when two groups believe they are both responsible for reviewing and inspecting the same proposed work.

B. ORGANIZATION

Figure 4 below shows the existing organizational structure of Fire Marshal's Engineering Services Office.

Figure 4
Fire Marshal's Engineering Services Office Organizational Structure



Existing Fire Plan Review & Inspection Setting

Table 4 summarizes how Fire Prevention Engineering Services interfaces with the DSD. This staff is collocated with Development Services Commercial and Residential Plan Review staff on the second floor of the One Stop Shop at One Town Center.

**Table 4
Existing Fire Prevention Plan Review & Inspection Setting**

Plan Review Setting		Comments
Standards Used /Updates/Timing	2014 Uniform Fire Code; Fire Code Criteria Manual; 2013 Ed. NFPA 13, Installation of Fire Sprinklers; 2013 Ed. NFPA 13D, Installation of Sprinklers in One-and-Two Family Dwellings and Manufactured Homes; 2013 Ed. NFPA 13R, Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height; 2014 Uniform Fire code; Numerous NFPA Standards adopted by reference through 2014 Ed. International Fire Code.	Use adopted standards in their review. Anticipate adoption of 2015 edition of International Fire Code and update of Fire Code Criteria Manual in 2016. Other Codes and Standards are up to date.
Types of Projects Reviewed	Site Plans, Subdivision Plans, Building Construction Plans, Hazardous Materials occupancies and structures located in Wildland Urban Interface (WUI) to confirm compliance with adopted Codes and Standards.	
Plan Review Delegated to DSD or External Depts.	None	
Plan Reviews Assumed for DSD	None	
Plan Review Overlap/Duplication with DSD	Possible duplication of review for exiting requirements including locations of illuminated exit signage.	
External Depts. Involved in Fire Plan Reviews	Fire Protection Systems are reviewed by other Departments when operation of system requires interface with other electrical or mechanical systems integral to the building. Fire provides review of site plans to determine appropriate emergency vehicle and fire hydrant access.	
Collocated Plan Review Staff in DSD	All Fire Prevention staff performing plan review functions are Collocated with DSD on second floor of One- Stop-Shop.	
Existing MOU's for Plan Review with DSD	Draft agreement established during One Stop Shop creation (2004).	
Existing MOU's for Plan Review with External Departments	None	
Inspection Setting		Comments
Inspections performed	Certified Inspectors perform field inspections of fire protection systems and to confirm compliance with Fire Code provisions identified on approved site plans. Also confirms that hazardous occupancies are operating in compliance with Fire Code.	
Inspections Delegated to DSD	None	
Existing MOU's for Delegated Inspections	None	

Existing Issues with External Departments

The following issues with external departments were identified during our interviews with Fire and Building staff.

Once a site plan has been approved by the various groups, including Fire Prevention - Engineering Services, the assumption by all participants is that the project will proceed in compliance with the approved set of plans. However, it is not unusual for changes to occur during the actual construction. When these changes impact the approved site plan the City of Austin's process dictates that a revised site plan be prepared and submitted to the Development Assistance Center (DAC) for approval of the changes. Unlike most other jurisdiction, the revised site plan is not automatically routed back through the original departments that reviewed and approved the plan. In the case of site plans that included specific Fire Code requirements, on some occasions these revised site plans have been approved without the knowledge or approval of the fire plan reviewers. The decision to reroute a revised site plan currently rests with the staff in the Development Assistance Center (DAC). In most cases the type of changes proposed on revised site plans fall well within the expertise of staff assigned to the DAC so it is appropriate to use the DAC as a process to expedite this review. However, when proposed site plan changes are beyond DAC staff's ability to review they must be routed back to the originating department, in this case Fire Prevention Engineering Services, for their review. Currently there is no checklist available for DAC staff to review to help them determine if the revised plans should be rerouted to Fire. Additionally, there is no process available to Fire in AMANDA to confirm they have seen the revised plans.

35. *Recommendation:* Austin Fire Department Engineering Services should prepare a checklist for DAC staff to use to help in determining the type of site plan revisions that should be rerouted to Fire for additional approval.

36. *Recommendation:* The AMANDA system should be modified to allow Fire to track receipt and approval of revised site plans.

Rerouting revised site plans to Fire may introduce a delay in the review and approval of these plans unless specific priority is given to the early notification and rapid review of these plan revisions. Generally the DAC review process for revisions is very timely though documentation of this process is currently limited. Adding a process to document receipt and approval of site plan revisions by all participating departments may initially seem burdensome, however, it will provide a level of accountability that will help ensure that the review of routed plans is not unduly delayed. A performance standard for Fire to complete site plan revision reviews within 3 business days at least 90% of the time should be established and monitored.

37. *Recommendation:* Austin Fire Department should complete assigned site plan revision reviews within 3 business days 90% of the time.

As stated in the overview section above, nearly all submittals for fire protection systems are deferred until after the building permit has already been approved. This arrangement can make it difficult for inspection staff to confirm that the appropriate fire permits have been obtained and the necessary inspections have been performed before the building inspector authorizes the construction to be covered. Over time the commercial development community has assumed the responsibility to ensure that the required inspections are occurring in the proper sequence but it has been difficult to confirm this without physically reviewing the on-site job card. We support the concept of allowing all the interested parties on a project to have full access to information critical to the completion of the project. In this case, having real-time access to the inspection history for a project is very valuable to both the customer and other inspection staff.

Within the last several years the practice of requiring fire sprinkler systems to be installed in residential projects, including single-family dwellings, has increased dramatically. The residential contractors are apparently not dedicating the same amount of care as the commercial contractors to ensure the inspections are being called in the proper sequence. This has resulted in incidents of the building inspector approving the “rough” (building, plumbing, electrical and mechanical) inspection and thereby authorizing the work to be covered prior to giving the Fire Inspector the opportunity to inspect the fire sprinkler piping installed within the walls. One method to address this problem would be to make the inspection status more readily available to both the contractor and the building inspectors. Currently Austin Fire utilizes an inspection tracking system (RMS) that is also used by Fire Suppression. This program does not have the capability to share information with the AMANDA program used by Development Services for tracking plan reviews and inspection activity. By having both the Building Inspector and the Fire Inspector enter inspection requests and results in the AMANDA same permit tracking system and making that information available to the contractor via a customer portal at the City’s website, the frequency of these problems could be reduced. This approach would be of particular benefit to all parties at the point in construction when final inspections need to be coordinated between the two Departments prior to authorizing occupancy.

38. Recommendation: The Austin Fire Department Technical Inspection staff should utilize the AMANDA permit system to track inspection requests, record inspection results, and track Special Events Applications.

As part of our initial request for data on this project we were provided with a copy of an unsigned Memorandum of Understanding (MOU) titled Partnership Agreement (circ. 2004). The purpose of the document was to create an agreement between Planning and Development Review Department (PDRD) and Austin Fire Department (AFD) regarding how staff from the Austin Fire Department’s Engineering and Inspection Services Section would coordinate with PDRD in conjunction with their move into the One Stop Shop arrangement. The MOU focused most specifically on commitments to provide services consistent with the City’s established performance standards and identified the reporting arrangements that would be used to help ensure

that both employee's rights were respected and management had the ability to make assignments consist with the Department's needs. This MOU should be updated using a format consistent with this current study and supplemented with language that more clearly identifies those actions that should be initiated in the event that individual or group performance standards are not being met.

39. Recommendation: A new MOU should be created between Development Services Department and Austin Fire Department specifying the conditions and expectations of their coordinated work on plan review and inspection activities.

One of the issues that can delay a project's approval for construction is the need to process requests for the use of alternate methods and materials for construction. The City of Austin clearly wants to be recognized as a progressive community that is open to evaluating new materials and potentially superior methods of construction. However, the process of evaluating these alternative designs can be very time consuming for technical staff and some proposed designs may be beyond the ability of existing staff to adequately review. When the complexity of a proposal warrants a significant time commitment or requires the use of outside technical expertise the City should be able to pass the cost of performing this evaluation onto the party requesting consideration of the alternate design. Currently the City does not charge a fee to perform the necessary reviews to evaluate the use of an alternate method or material. As this activity can deplete resources that would otherwise be assigned to other fire and life safety tasks it should be the burden of the requesting party to compensate the City for the use of their resources so that funds can be available to augment staffing as necessary to maintain a level of service for existing programs. In addition, if the complexity of an application for approval of an alternate method or material requires the City to obtain outside expertise then the applicant should pay the full cost of this service, including administrative overhead.

40. Recommendation: The City should establish a minimum fee to evaluate alternative methods and materials and seek to charge applicants the full-cost of providing these premium services. The applicant should be required to pay the full cost incurred by the City, including an administrative overhead charge.

If the City is willing to assess an additional fee to process requests to approve the use of an alternate method or material then the Department (DSD or Austin Fire) should establish a performance standard for processing the review. The complexity of evaluating an alternate method or material can vary greatly and it is therefore unlikely that a single performance standard would be appropriate for all cases, however, the department should make an effort to commit to a turnaround time based on the perceived complexity of the application at the time of submittal.

41. Recommendation: A Department reviewing an application to utilize an alternate method or material should commit to a turnaround time to process the application based on the perceived complexity of the submittal.

With the anticipated transition of the Development Services Department to an enterprise fund it is an appropriate time for the Fire Marshal's Office to perform a thorough evaluation of the services they provide in support of the development process to ensure they are being adequately reimbursed for the cost of these services. The Fire Department has established a fee schedule to charge for the specific services they perform, however it is not clear that this fee schedule captures the cost of services they perform during the site plan approval process.

42. Recommendation: The Fire Marshal's Office should update their fee schedule to reflect the actual cost of all services they provide in support of new development.

A component critical to a streamlined development process is the ability of customers to receive inspections in a timely manner. In the building inspection arena the standard "best practice" is to provide next-day inspections and some jurisdictions offer same-day inspections if requested in the morning. Currently there is a delay of between four (4) and seven (7) days between the request and the day the fire inspection is actually performed. An exception to this delay occurs when the customer is willing to pay an extra fee for a next-day inspection. This exception suggests that the reason Fire cannot conduct next-day inspections is based on insufficient funding to support having enough technical inspection staff to be able to meet the customer's needs. We strongly believe that new development should be willing to fully pay for the additional service demands they place on the jurisdiction. In the case of new construction, the Fire Department should be charging adequate permit fees to ensure they have sufficient technical inspection staff available to provide next-day inspections. The fee study conducted by the Fire Department should be designed to ensure that appropriate fees are being collected to support the staffing levels necessary to meet their performance standards.

43. Recommendation: The Fire Marshal's Office should adopt a performance standard that provides next-day inspections on new construction.

44. Recommendation: The Fire Department should adopt a fee schedule that provides sufficient funding to support next-day inspections for new construction.

Our study has placed significant emphasis on the need to establish performance standards for plan review turnaround times in order to ensure that assigned reviewers don't unduly delay the review process. The Fire Engineering staff have committed to meeting these performance standards but have noted that they are not actually afforded the full amount of time allocated in the performance standard because they don't

receive the plans from DSD intake staff in a timely manner. We believe DSD intake staff should adopt a performance standard to forward plans to the review staff within one day of receipt at least 90% of the time. This performance standard should be incorporated into the AMANDA permit system and compliance with this standard should be tracked and periodically reported to management. This performance standard should be incorporated into the MOU between DSD and Fire.

45. Recommendation: The MOU between DSD and Fire should include a provision that plans for Fire review will be routed to them within one day of receipt.

C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW AND INSPECTION BETWEEN DSD AND AUSTIN FIRE

In evaluating alternatives that could streamline the Plan Review and Inspection process between Development Services and Austin Fire Department we focused on communication and staff qualifications. On one end of the spectrum was evaluating the potential for DSD to absorb all of the new construction plan review and inspection responsibilities currently performed by Austin Fire. At the other end of the spectrum for consideration was determining that the existing arrangement of roles and responsibilities was already highly efficient and therefore should remain intact. A proposal to have DSD assume all existing Austin Fire construction plan review and inspection would be problematic due to lack of technical expertise on Fire Code issues that currently exists within DSD and potential legal constraints that would be encountered in transferring existing Fire Department employees from the Fire Chief's authority to reporting to the Building Official. On the other hand, it would be inappropriate to assume that no additional improvements could be made to existing arrangement between the two Departments. A significant step has already been taken to enhance communication between the two groups by collocating the groups on the same floor of the One Stop Shop at One Town Center. By being in close proximity, these groups are encouraged to communicate daily to resolve potential plan review and inspection conflicts before the issues become major problems when the construction is underway. Much of the communication that takes place between these two groups is on an informal basis. To be even more effective, the two groups should work to enhance the documentation of the decisions that are reached during their joint reviews. As stated in a recommendation above, both the DSD Plan Review and Inspection staff, as well as the staff providing plan review and inspection services from Austin Fire should be utilizing the AMANDA system as a platform to provide consistent project tracking and performance reporting.

Having both plan review and inspection groups utilizing the same permit tracking system will enhance the City's ability to accurately measure compliance with the established performance standards. Formalizing a Memorandum of Understanding between the two groups that clearly identifies performance expectations and dictates

steps that will be taken to resolve lapses in performance will significantly increase the predictability of the process. Therefore we believe implementation of the recommendations above will be sufficient program modifications to facilitate a more streamlined process without the need to make wholesale employee transfers between the two Departments.

VI. AUSTIN TRANSPORTATION DEPARTMENT (ATD)

A. OVERVIEW AND BACKGROUND

The Austin Transportation Department is charged with the responsibility to provide safe, efficient, cost-effective and sustainable roadways, bikeways, walkways and transit system for the city of Austin. The city Traffic Engineer's authority is defined in chapter 12 of the city code and the Transportation Department director is the officially appointed "Traffic Engineer". ATD has a critically important role pertaining to land development in Austin. As the responsible department to assure up to date transportation standards and conformance to the city's transportation circulation plans, ATD necessarily is engaged with all stages of development from early zoning and land use changes to final street highway and other transportation systems. It is extremely important that ATD interaction with PAZ, DSD as well as Public Works be clearly understood by all the partnering departments.

We wish to reinforce the need for DSD to continue to serve as the primary responsible department for new land development review and at the same time recognize the interdepartmental partnership with ATD.

There are five key divisions within the Transportation Department as described on the ATD webpage including:

1. Active Transportation Program

The City of Austin's Active Transportation Division seeks to improve quality of life in Austin through the development of a comfortable and connected pedestrian and bicycle network that serves all ages and abilities.

2. Arterial Management

The Arterial Management Division of the Austin Transportation Department works to manage mobility and safety for all modes of travel on Austin's arterial roadways. Arterials are roadways that are intended to carry higher amounts of traffic at a higher speed than neighborhood streets.

3. Parking Enterprise

The goal of the City of Austin Parking Enterprise Division is to make parking convenient and user-friendly throughout the City.

4. Right of Way Management

The Right of Way Management Division provides traffic planning and coordination for all activities in the right of way in order to ensure public safety and mobility. The City's right of way is typically the street surface, sidewalks and grassy areas between pavement and property lines.

5. Transportation Planning & Coordination

The Transportation Planning team conducts long-range transportation planning for the City of Austin and coordinates these efforts with other jurisdictions and agencies.

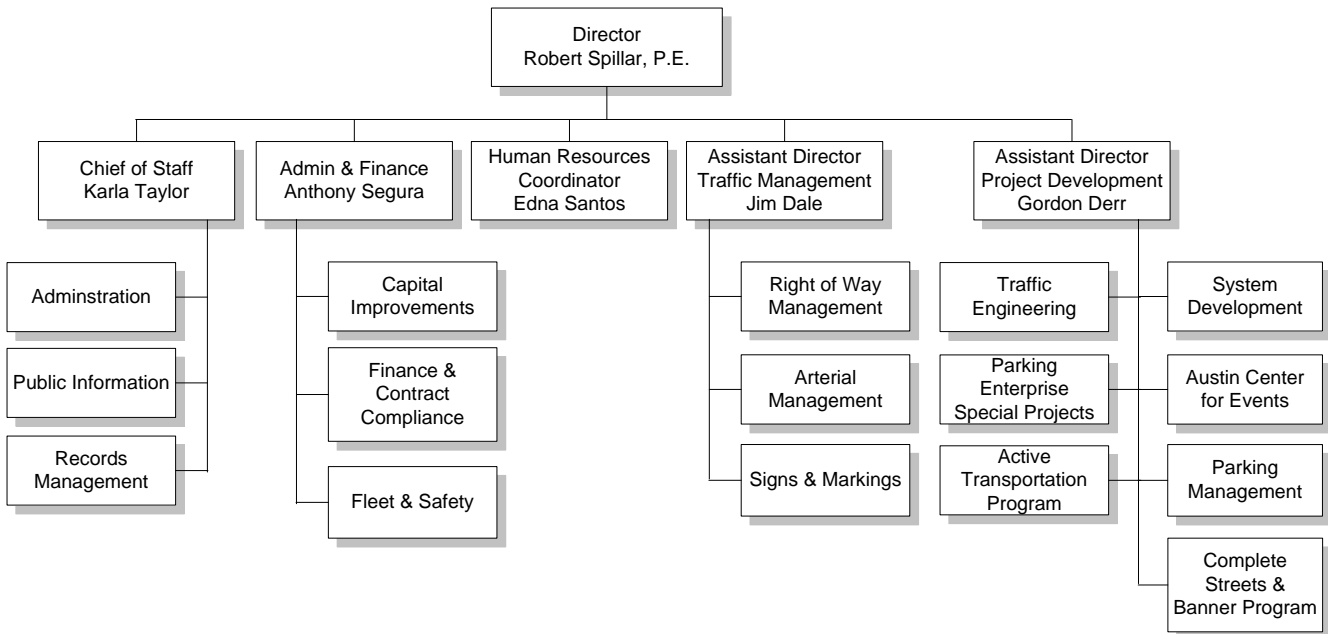
This chapter will focus on the interaction by the Traffic Engineering division and DSD for the review of new planned infrastructure necessitated by new development. Transportation Planning and Right of Way Management are also areas where conflicts have been observed. There is discussion in the chapter for Planning and Zoning (PAZ) describing conflicts and confusion between DSD and PAZ. It is our view that the DSD Transportation team is capable of managing the lead for development review from the initial concept and planning stages through to the final design plans for streets and highways given true collaboration with ATD and PAZ.

DSD has recently added a professional traffic engineer to their staff as recommended in the prior Zucker Systems report. DSD already has a team of transportation planning expert staff to assist with planning, zoning, and entitlements for new development. This addition of the professional (registered) traffic engineer will enable DSD to resolve many if not most traffic and access issues associated with ongoing new development. DSD has also correctly noted that ongoing and frequent communication with ATD will continue to be necessary. As the role and responsibility for this new transportation engineer evolve we believe that DSD may need to consider adding additional personnel to this division to accommodate the increasing workload.

B. ORGANIZATION

The organization for the Transportation Department is shown in Figure 5.

**Figure 5
Transportation Department Organization**



C. EXISTING DEVELOPMENT REVIEW/INSPECTION SETTING AND ISSUES

An old MOU dated 12/02/04 (#12 Table 2) between WPD and PW defined the Traffic and Transportation (T&T) review processes for new development in 2004. Public Works (PW) was then responsible for T&T in Austin. The tasks listed remain viable but that MOU is no longer up to date since ATD has assumed the T&T responsibility and DSD essentially has replaced WPD for development processing in Austin. The tasks described in the 2004 MOU are shown below:

- PW agrees to continue to provide services identified below to WPDR's Land.
- Land Use Review (LUR) to review site plan & subdivision applications.
- Review all variance requests from the Transportation Criteria Manual.
- (TCM) for arterial streets (geometric designs and median spacing).
- Attending meetings with OSS staff and applicants as necessary.
- Review all sign and marking plans for site, subdivision & construction plans.
- Provide recommendations for arterial street ROW variances if requested by OSS staff.
- Review intersection analysis/signal modifications proposed as part of traffic impact analysis (TIA) (signal section).

- Review and provide recommendations for any unusual roadway proposals that are not addressed in the TCM.
- Attend meetings with applicants to explain city staff position.
- Attend weekly transportation reviewer meetings to discuss unique use projects/issues.
- Team building training.
- AMANDA training.

All of the above tasks with the exception of the Traffic Signal section review, team building training, and AMANDA training are within the present capability of DSD since they now have a registered professional Traffic Engineer on the DSD staff. The traffic signal section is now within the ATD and also currently reviews plans for signals resulting from new development.

AMANDA training in our view is the responsibility of the CTM, and DSDs Information Technology/Spatial Analysis section as described in another section of this report. Team building training was not defined in the old MOU, however the basic need to have all departments function in a cooperative and partnering environment is an important element leading to the successful and seamless review system envisioned.

D. RECOMMENDATIONS FOR ATD TO STREAMLINE DEVELOPMENT REVIEW/INSPECTION

A new MOU to cover total flow of development review from concept planning thru final permitting/inspection is recommended. The MOU should takes into account the relationship between DSD, ATD, and PAZ to assure that all communication lines are maintained.

The plan review relationship between the transportation engineer in DSD and the Austin Transportation Department (ATD) is unclear and confusing to applicants and some staff members. Also, ATD recently sent a memo to mayor and Council concerning a zoning application, but did not communicate concerns to the Zoning Case Mgt. function in advance and did not copy Zoning Case Mgt. function on memo. The inter-relationship between Current Planning, DSDT and ATD needs to be reinforced and more transparent;

46. Recommendation: DSD should clearly identify and explain the plan review relationship between the ATD and the Transportation Engineer in DSD to customers and plan review staff. This issue will be addressed in an MOU between DSD and the Transportation Department.

- 47. Recommendation:** DSD should assume full responsibility for the T&T tasks described in the 2004 MOU (#12) between WPD and PW. PAZ should also be added to this MOU.
- 48. Recommendation:** ATD should continue to review traffic signal plans while maintaining conformance to review timeline schedules for each development project.
- 49. Recommendation:** ATD and DSD should adopt a revised MOU as shown in Appendix B to replace the 2004 MOU between WPD and PW.

VII. AUSTIN WATER UTILITY (AWU)

A. OVERVIEW AND BACKGROUND

Austin Water Utility supplies treated water, and collects and treats wastewater to customers within and outside the corporate city limits of Austin, as well as four communities, two water control and improvement districts, four water supply corporations, seven municipal utility districts, and four private utilities.

The Department is organized into 32 divisions which are managed through six program areas. Three of the divisions are routinely involved with ongoing review of various aspects of proposed new development. The three divisions are Utility Development Services, Special Services, and Consumer Services. The Engineering Design and Construction Standards Division also has a significant support role in the creation of rules, standards, and specifications related to development review in addition to the aforementioned three.

The following describes the roles of each AWU division for development-related plan review:

Utility Services Division

The Utility Development Services Division (UDS) assists in:

- The identification of water and wastewater infrastructure to meet proposed development needs,
- Ensuring compliance with State regulations, and City design criteria, standards, and specifications, and
- The resolution of problems and utility conflicts identified during construction of water and wastewater infrastructure.

UDS provides the following services:

- 1) Water and Wastewater Capacity Reviews for proposed development.
 - a. Reviews site plans, subdivision plans, development assessments, zoning cases, public improvement districts, and planned unit developments
 - b. Verifies service provider
 - c. Performs initial review of the existing City infrastructure and the proposed development identifying potential capacity issues for the development
 - d. Documents comments in Amanda
 - e. Creates capacity report and submits it to Pipeline Engineering Plan Review

2) Service Extension Requests for extension of City water and wastewater infrastructure for utility service.

- a. Verifies Developer's engineering calculations for meeting design criteria (fire flow, capacity, etc...)
- b. Coordinates with other AWU divisions to verify AWU long-range infrastructure plans for the area surrounding the proposed development
- c. Coordinates with other City departments to address concerns such as environmental concerns (for cases in the City's Drinking Water Protection Zone outside the City's corporate limits), fire flow requirements, impact upon City parkland or open spaces, etc...

3) Pipeline Engineering Plan Reviews for construction plans (including related easements) for water and wastewater infrastructure such as: Texas Department of Transportation, Central Texas Regional Mobility Authority, and County transportation projects, City of Austin Capital Improvement Program projects, and Sites and subdivisions.

- a. Consults and coordinates with other City departments, other governmental entities and AWU divisions
- b. Verifies construction plans meet State requirements and City design criteria, standards and specifications
- c. Assists with engineering issues discovered during construction.

4) Tap Plan Reviews for construction plans for water and wastewater residential and commercial tap connections.

- a. Consults with other departments and AWU divisions
- b. Verifies construction plans meet State requirements and City design criteria, standards and specifications
- c. Assists with engineering issues discovered during construction

5) The review of site plans, subdivisions, site plan exemptions and corrections, drop- in meters, evaporative loss program requests, and private easement requests.

- a. Consults with other departments and AWU divisions
- b. Verifies plans meet State requirements and City design criteria, standards and specifications for compliance with the plumbing code and other requirements, design criteria, standards, and specifications
- c. Provides customer assistance at the Development Assistance Center
- d. Documents comments in Amanda

6) Onsite Sewage Facilities (OSSF, a.k.a. septic tanks) Program, allows the development of sites with no wastewater infrastructure (i.e., wastewater infrastructure is located more than 100 ft. from the property line).

- a. Reviews plans for the installation of OSSFs
- b. Ensures, via inspection, the proper installation
- c. Tracks the proper maintenance and operation of OSSFs with advanced treatment systems.

- d. Implements, by State delegation, the requirements established in 30 TAC 285 related to the regulations of OSSFs.
- e. Develops and implements local OSSF requirements as described in City Code Chapter 15-5

Note: OSSF Facilities process is not currently included in Amanda.

Special Services Division

The Special Service Division (SSD), which is responsible for administering and enforcing several regulatory programs for AWU assists in the review of water and wastewater infrastructure and industrial user systems to meet proposed development needs, and verify compliance with federal, state, and local specifications, design criteria and standards, and finding resolutions to problems and utility conflicts identified during and post construction. SSD provides the following services:

- 1) Site Plan Review
 - a. Review site plans for compliance with federal, state and local regulations, design criteria, standards and specifications.
 - b. Document comments in Amanda and SSD files.
- 2) Plumbing Plan Review
 - a. Verify construction building and plumbing plans meet federal, state, and local requirements, design criteria, standards, and specifications.
 - b. Assist in resolving water, wastewater, pretreatment and water protection issues discovered during or post construction.
 - c. Document plumbing plan review and inspection comments in Amanda and SSD files.
 - d. Review plans for determining if proposed pretreatment systems and water protection devices and assemblies meet applicable minimum standards.
 - e. Ensure, via inspection, the proper installation and location of pretreatment, monitoring, sample outfall, and water protection and cross connection control systems and devices.
 - f. Administer and enforce the City's federal and state approved and required Pretreatment Program as authorized by City Code Chapter 15-10, 30 TAC Chapter 315, the Texas Pollution Elimination Discharge Permits issued to Austin Water (AW) for its wastewater treatment plants included in the approved program, and Chapter 40 CFR Part 403.
 - g. Administer and enforce the City's state required Water Protection/Cross Connection Program as authorized by City Code Chapter 15-1 and the Texas Commission on Environmental Quality's regulations found in 30 TAC Chapter 290

Consumer Services Division

Austin Water Tap Permitting Office of the Consumer Services Division performs the following functions:

- Reviews and processes all permanent and temporary water and wastewater related permits for Austin Water, as part of the City of Austin's Development Process
- Responsible for ensuring compliance with State and City regulations surrounding the collection of Capital Recovery Fees (Impact Fees)
- Creating and starting the utility billing account in the City of Austin's shared billing system (CC&B)

Austin Water Tap Permitting Office provides the following services:

1. Permits:

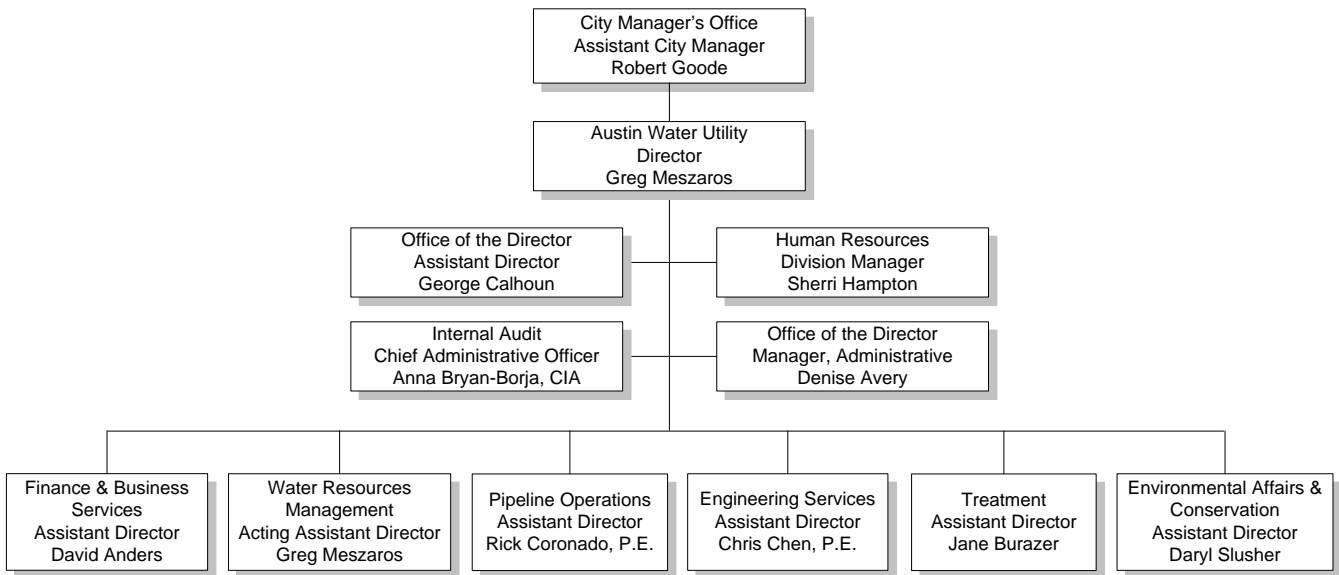
- a. Commercial and Residential Water Tap Permits
- b. Commercial and Residential Reclaimed Water Tap Permits
- c. Commercial and Residential Wastewater Tap Permits
- d. Commercial and Residential Cutover from Septic to City Wastewater Tap Permit
- e. Fire Hydrant Permits
- f. Truck Meter Permits
- g. Process payment transactions for Liquid Waste Hauler (LWH) Permits, volume sales of approved hauled wastes, and the manifest books used for the LWH Program Bulk Water Permits

2. Water/Wastewater Service Verification Form Reviews, as part of Residential Plan Review Intake

3. Record Management for existing services via Water and Wastewater Tap Cards; provide copies upon request

B. ORGANIZATION

**Figure 6
Austin Water Utility Organization**



C. EXISTING REVIEW/INSPECTION SETTING AND ISSUES

AWU has a long history of cooperation with DSD with regard to proposed water and wastewater infrastructure development plans and inspection of construction work. As a part of the past “One Stop Shop” (OSS) program all AWU inspection staff was transferred to PDRD (now DSD). Currently there are 4 FTEs of AWU staff co-located within DSD to assist customers. The intent was to have a means to address customer development related concerns within DSD to the maximum extent practical and possible. Due to project complexity it is recognized that this is generally not possible and that the detailed expertise within AWU is necessary to appropriately complete a review. DSD has reported that the AWU–UDS Division has recently been working well with them to resolve conflicts, and improve cooperation and communication.

The inspection of drop-in meters is currently being provided by AWU employees, which has improved response time to customers. AWU Inspections staff for the Customer Service Division assumed the inspections for drop-in meters because DSD did not have sufficient resources to provide that service in a timely manner for customers. An MOU between DSD and AWU signed on August 7, 2015 was necessary due to an October 1, 2014 AWU policy change wherein AWU ceased constructing and inspecting certain water and wastewater service lines with AWU staff (e.g. the first water and wastewater service to a legal lot) which subsequently required property owners/developers to design and construct the infrastructure. Because infrastructure being constructed by property owners/developers is inspected by DSD, this decision also inadvertently shifted meter inspection and installation to DSD instead of remaining with AWU. The purpose of the MOU was to clarify the inspection of meters less than or equal to 1-inch would be retained by

AWU.) The resolution and cooperation between AWU and DSD on this issue is illustrative of good partnering between two departments which we believe can serve as a positive example for all department interactions with DSD

50. Recommendation: AWU and DSD should monitor the performance objectives of the August 2015 MOU to assure that it continues to provides the best system for inspections of new water meter installations

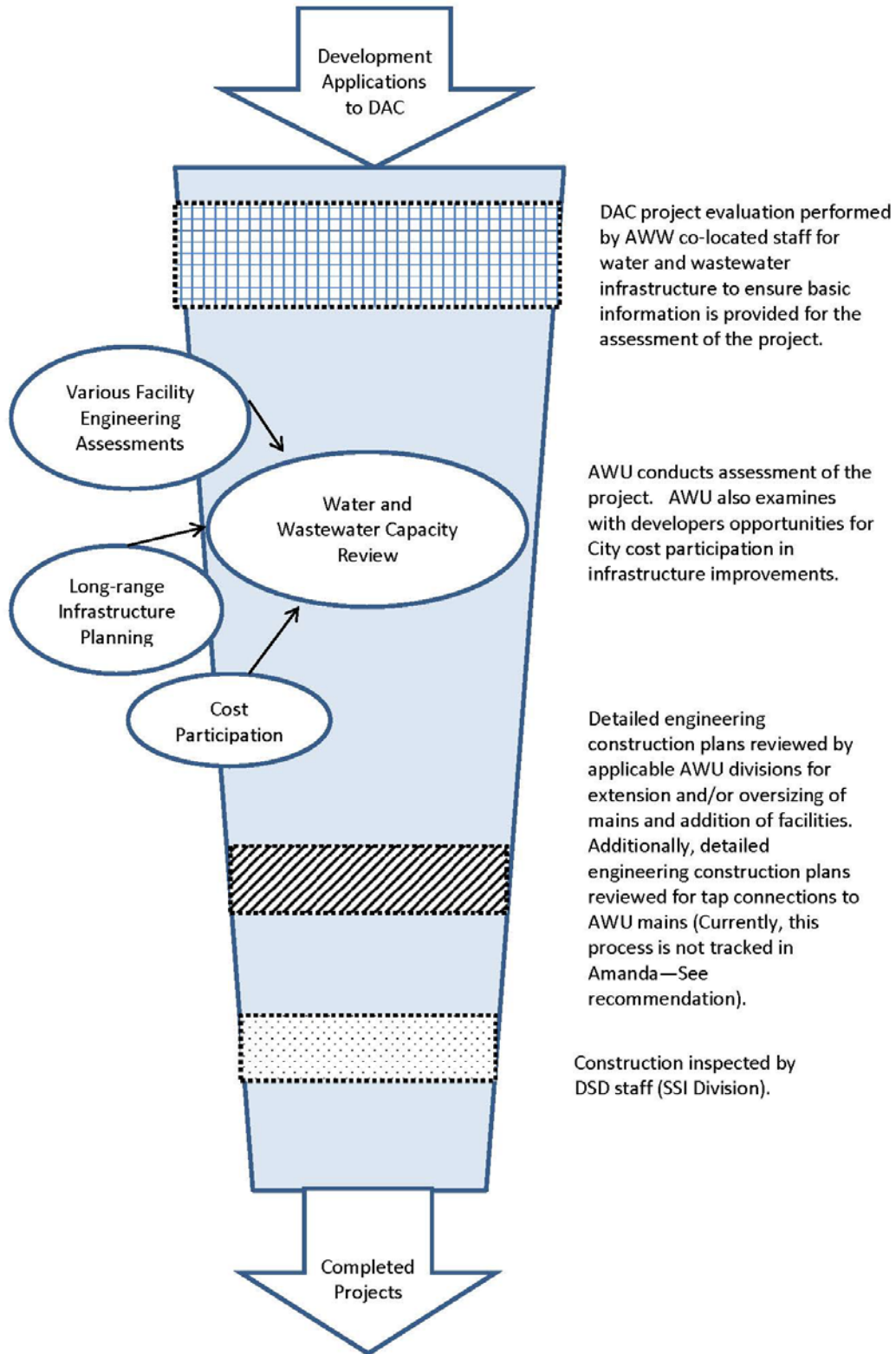
Experienced and knowledgeable staffs conduct inspections of AWU infrastructure construction by the Site Subdivision Inspection (SSI) Division of DSD. Many of the inspection staff (originally named AWU Engineering Division Taps inspection group) in SSI was transferred to DSD (then PDRD) prior to the creation of the OSS in an effort to improve the timing of inspections required in the City’s right-of-way. While the “Taps” designation may no longer exist, within SSI, staff continues to inspect infrastructure constructed in the right-of-way for AWU facilities. . There was a period in the recent past when it appeared that AWU did not have confidence in the quality of SSI inspection and were requiring redundant data and inspections before new developed infrastructure would be accepted. AWU and DSD have worked to resolve those conflicts and as evidenced by the August 2015 MOU which has improved the working partnership. Unfortunately the SSI field staffs are not at this time connected or using Amanda in the field, which still results in communication and coordination problems. We are recommending that the schedule to implement training, equipment and Amanda use in the field be accelerated to the current fiscal year.

Review of the AWU organization chart does not show a clear line of authority for focus of development review and inspection of new development. This can lead to confusion and delay if it unclear which AWU division is responding to a review. Based on our review and meetings with DSD and AWU staff, the Utility Development Services Division is fulfilling that primary focus responsibility. The Customer Service Division, Engineering Design and Construction Standards Division, and Special Services Division each have important functions relative to review and approval of the development of water and wastewater infrastructure. A development project generally requires the higher level of expertise in several if not all of the divisions within AWU. Therefore, there is little benefit to the customer for moving only a portion of the unique analysis and research required for plan review provided by Austin Water employees. A complex development project can require the higher level of expertise in several if not all of the previously identified key divisions within AWU. For example a project that requires a significant addition or modification to Austin’s water main line system or trunk sewer is likely beyond the capability of DSD to completely analyze for approval. The existing AWU staff within the DSD Development Assistance Center (DAC) are a critical and absolutely essential factor to assure that reviews of new development are directed to the appropriate AWU Division(s).

It is also helpful to understand the flow of the development review process for AWU infrastructure created by developers. The process steps illustrated in the flow chart below are briefly described as follows:

1. DAC project evaluation by AWU co-located staff help direct the review process through the correct AWU division(s)
2. AWU and developers meet to examine opportunities for cooperative projects and/or joint funding which may be integrated into the AWU Capital Improvement Program
3. Detailed engineering plan check and review by appropriate AWU divisions
4. Detailed engineering for TAP connection to AWU main and trunk lines (Note this is not yet integrated into the Amanda System)
5. Construction inspection by DSD staff (SSI Division)

**Figure 6A
AWU Flow Chart**



As Built Drawings

There remain some issues related to the acceptability of “as built” drawings for pipeline and other AWU infrastructure to allow complete acceptance of inspected work. AWU justifiably requires that they have complete and accurate as built drawings at the time new facilities are accepted. Both SSI and AWU staff agree that there should be complete as built drawings provided at the time of acceptance. It is the responsibility of the developers and their engineers to produce those plans in a timely manner in order to avoid acceptance delays. SSI should advise the developer, and document the communication, particularly when there is a change in the field, that final acceptance will be dependent upon receipt of detailed as built drawings correctly depicting the work actually constructed. In our view it should not be the responsibility of SSI or AWU to actually create or provide those plans including the “intersection sketches” as described in the next paragraph. Section 2.6.3 of the Utilities Criteria Manual (UCM) clearly requires that the developer produce the as built drawings of any AWU infrastructure

“2.6.3 - As-constructed Drawings

The project design engineer shall submit as-constructed drawings to the AWU showing all accepted corrections and modifications to the originally approved drawings. As-constructed drawings for water, reclaimed water, and wastewater construction shall consist of a complete set of drawings. Once AWU approves the drawings, they must be submitted to DAC for final acceptance.

Currently, once construction is complete and before final acceptance, the design engineer is required to submit as-built drawings of water and wastewater infrastructure to the DSD Inspector. Then the inspector creates additional field sketches for infrastructure located in intersections. These field sketches are necessary for Austin Water valve crews to perform the valve turns which are required prior to issuing final acceptance of the infrastructure for the City’s ownership, operation, and maintenance. This process can take up to several weeks to finalize and delays the contractor and developer’s final completion of a project. After the valve turn is complete, the field sketches and as-built drawings are provided to Austin Water’s Infrastructure Management Division for review. Only after Austin Water staff reviews and approves the drawings can the project be finally accepted. Austin Water staff then creates the new intersections in electronic format. This process can take up to several weeks to finalize and delays the contractor and developer’s final completion of the project.

It our experience we have found that developers and their engineers welcome opportunities to expedite the final approval of a given project if they in fact were also able to provide the complete as built drawings including the required intersection diagrams along with electronic plans and GPS identified locations. Valve turning and documentation by certified approved laboratory or engineering personnel could also be performed to expedite the final approval. We appreciate that it still may be necessary that these proposed changes be managed through the city’s’ formal rules process, which may take several months to conclude the changes to this procedure as described in the next paragraph. In the meantime developers and their engineers should be given the option to complete the as built drawings on a voluntary basis

In order to further expedite the development process in terms of the acceptance of construction projects, AWU should transition over a period of time that responsibility to the design engineer of the project. AWU has successfully conducted a pilot study of this change in responsibility to the design engineer. AWU should initiate the rules change process and establish a transition period for the responsibility of the creation of the intersection drawings to the design engineer. Even after the adoption of the rule, DSD inspection (SSI) will continue to verify that the intersection drawings are accurate and correct. Additionally, DSD may have to continue to provide supplemental information on the intersection drawings as is necessary for the proper documentation of field conditions. This recommendation should be completely implemented by July 2016 if it is initiated soon. This change will not only reduce the time between completion of construction and final acceptance, it also eliminates the amount of time DSD Inspectors spend developing the field sketches and eliminates the need for Austin Water staff to prepare the final intersection drawings in electronic format.

It has also been noted that expedient plan review is dependent upon the quality of the original submittal by the developer and their engineers, and that all corrections and comments have been addressed in resubmittals. A completeness check prior to submittal is an essential component to expedient reviews. Staff for AWU and DSD, by increased use of the City's Amanda system, can maintain both concurrent and full documentation of the progress of each submittal review and construction inspection phases. Use of electronic plan review will also be critical in this effort. Applicants do not have sufficient access to their project status via Amanda at the present time, and we suggest that they should have.

Design standards and rules pertaining to AWU facilities are updated and maintained by AWU and processed through the city's Rules Approval Process. There are currently a significant number of updates and corrections to the standards in progress. AWU maintains the following: Utility Criteria Manual Section 2; Standards Manual Series 500; Standard Specifications Manual Series 500; Austin Water Standard Products List. The current standards will all remain in effect and applicable to new development until the revisions are properly adopted. Consideration should be given to development projects being submitted just before or about the date when the new standards go into effect. Any project submitted after the date of adoption must comply with the new standards. The current status is shown below:

Utilities Criteria Manual - Section 2.9.2 Water Systems – Updates are currently in the 1st quarter 2016 posting process with anticipated adoption date anticipated in April 2016; Section 2.9.4 Wastewater Systems currently being reviewed and updated with anticipated Rules posting in the 2nd quarter of 2016 with anticipated adoption in July 2016.

Standards Manual Series 500 – A major overhaul of Standard Manual Series 500 is underway. There are currently 76 Standard Details for Water, Wastewater, and Reclaimed Water. By combining multiple Standards into single standards and deleting obsolete details, all 76 current details will be deleted and replaced with approximately

25-30 new Standards. A new large meter detail replacing the current three large meter details was adopted in November 2015. New details are nearing completion for submittal to the 2016 2nd quarter posting cycle with adoption anticipated in July 2016.

Standard Specifications & Standard Products List – Ongoing reviews and updates as needed.

DSD Site and Subdivision Inspections need to be tracked and recorded in the AMANDA system. Currently Austin Water has no tracking method on site and subdivision inspection projects, which are responsible for utility right of way and meter installation inspections. These updates such as: holds, and final acceptance, are unknown to Austin Water unless communicated with through email and/or phone call. This is inefficient and does not use an overarching way to communicate to all of staff that interacts with this process. In addition it does not allow for staff to answer questions to customers without making additional phone calls and emails to DSD staff. It is our view and based on best practices that DSD should improve this process

D. MEMORANDA OF UNDERSTANDING (MOU)

Please refer to table listing all available MOU affecting development review processes.

MOU's between AWU and DSD.

MOU # 1 in Table 2

There is a recently approved (dated August 2015) MOU between DSD and AWU covering reviews and inspection of water meters less than 1 inch (residential meters)

MOU dated 2004 (MOU #6 in table 2) between WPD and AWU can serve as a good framework to update document the operation policy between DSD and AWU.

The provisions of the above 2004 MOU are illustrated below:

Summary Agreement:

- AWU agrees to co-locate employees either full time or part time and provide back-ups, as needed and as identified in the latest approved OSS & AWU organization charts, to perform functions referenced above in the One Stop Shop.
- AWU agrees that identified OSS measures and FTE responsibilities will become part of the AWU department's business plan and employees' SSPR.

II: Responsibilities:

- Will consult with the public assisting them by providing expertise in understanding Austin Water Utility connection regulations & requirements as it applies to existing and proposed development projects.
- Will train DAC staff on Austin Water Utility connection issues & requirements as appropriate

- Will participate fully in DAC team meetings
- The respective division managers will establish, in individual SSPRs, mutually agreed upon operational protocols and additional performance measures relating to responsibilities and work place obligations.
- Will consult with the public assisting them by providing expertise in understanding Austin Water Conservation issues & programs as it applies to existing and proposed development projects.
- Will train DAC staff on Austin Water Conservation issues & programs as appropriate.
- Will participate fully in DAC team meetings.
- The respective division managers will establish, in individual SSPRs, mutually agreed upon operational protocols and additional performance measures relating to responsibilities and work place obligations
- Will review site plan and subdivision plans for Austin Water Utility distribution & service requirements in cooperation with the LUR Case Manager
- Will provide problem solving and conflict resolution with respect to Austin Water Utility distribution & service requirements issues as appropriate.
- Will participate fully in LUR team meetings
- Will assist DAC staff, as needed
- The respective division managers will establish, in individual SSPRs, mutually agreed upon operational protocols and additional performance measures relating to responsibilities and work place obligations.

III: Training

- Team building training
- Amanda training

IV: Reporting

This FTE will report to the Manager of WPDR/LUR and the AWU Manager of Development services. (Note: Although this MOU needs to be updated to reflect the current configuration, it is our understanding that the original implementation of the 2004 MOU resulted in unexpected problems for employees and customers. Adjustments need to be made to the written document to reflect adopted processes that resulted in improved customer service and staff efficiencies.)

E. TIMELINES

Timelines for AWU reviews are included in the city code. A draft set of timeline revisions is currently being developed by DSD and AWU as illustrated below:

15.4 Water and Wastewater Tap Construction Plans

(A) An applicant may file a Tap Construction Plan for the installation of water, reclaimed water, or wastewater services for review and approval. A standalone Tap Construction Plan without an accompanying Site Development Permit shall be limited to the scope of work allowed under the requirements of Site Plan Exemption as provided under Section 25-5-2 of the Land Development Code. Austin Water shall review the Tap Plan application in accordance with the following general guidelines:

1. Initial Tap Construction Plan submittals shall be reviewed for completeness within 10 business days.

(a) If an application is deemed incomplete, deficiencies will be identified and must be corrected by the applicant within 45 calendar days of the initial submittal or the application shall expire.

(b) Applications deemed complete shall file for formal review within 45 calendar days of the initial application or the application shall expire.

2. Staff will complete initial technical review of submittals within 20 business days of formal submittal.

3. An applicant may file an update to a Tap Plan not later than one year after the date the application is filed.

4. Staff will complete review of updates filed to address staff comments in 10 business days

5. Once all plan deficiencies have been addressed, staff may approve and release the tap construction plan.

6. Construction of the Tap Construction Plan improvements shall commence within one year of approval or the plan shall be considered expired.

7. A Tap Construction Plan that has expired must be resubmitted as a new Tap Construction Plan.

15.5 Timeliness of Update Submittal for Tap Construction Plans

(A) An applicant shall file a formal update with the City of Austin in compliance with the timelines set forth below or the submittal shall be considered inactive:

1. Update one shall be filed no later than the 30th business day after the final case comment report is issued by the City.

2. Update two shall be filed no later than the 20th business day after the final case comment report is issued by the City in response to update one.

3. Update three shall be filed no later than the 15th business day after the final case comment report is issued by the City in response to update two.

4. All subsequent updates shall be filed no later than the 15th business day after the final case comment report is issued by the City in response to the previous update.

(B) The director of Austin Water may alter the deadlines in (A) based on good cause.

(C) Projects deemed inactive shall pay a reactivation fee prior to continuing the processing of the application.

15.6 Update Fees for Tap Construction Plans

(A) All projects requiring the submittal of a fourth (4th) formal update shall require payment of an update fee prior to continuing process of the application.

The timelines for responses shown in the code sections above are much too long in our view. We believe that with the full incorporation of Amanda and with the suggested revised MOU recommended in this report that these codified timelines can be reduced significantly. As a starting goal cutting the above review deadlines in half would be appropriate. This may be a part of the code next process, however it is still appropriate that these timelines can be reduced by agreement in the suggested MOU

The recent progress of partnering and teamwork between AWU and DSD is evident. Both departments have made progress toward resolving conflicts and developing policies and procedures to improve the development process for their customers. More work is needed to clarify the roles of DSD and AWU with respect to support for the Development Assistance Center and to accelerate the implementation of access to Amanda and requested management reports.

F. RECOMMENDATIONS FOR AWU/DSD

51. Recommendation: SSI Division in DSD should accelerate the implementation of access to Amanda by all field staff this fiscal year. Training for field staff and appropriate hardware for field use should be acquired and commence very soon.

52. Recommendation: Amanda should be modified in order for the DSD Site and Subdivision (SSI) workgroup performing inspections of right-of-way work to be recorded in Amanda.

53. Recommendation: Amanda should be modified in order for the entire AWU on-site sewage facility (i.e. septic tank, OSSF) permitting processes to be included.

- 54. *Recommendation:*** The implementation of the Tap Construction Plan process into Amanda must be accelerated and should have the same due dates as is currently applied to Austin Water's Pipeline Engineering Construction Plan Review process.
- 55. *Recommendation:*** Revise and update MOU #6 in Table 2 to reflect current departmental and procedural status. Evaluate workflow and opportunities to expand DSD responsibilities for AWU facility reviews
- 56. *Recommendation:*** Immediately initiate the requirement for final as built drawings including "intersection diagrams" to be provided in electronic format by the developers' engineers on a voluntary basis and simultaneously start the process to modify the UCM to mandate this requirement.
- 57. *Recommendation:*** Allow certification and documentation of new valve turning to be provided by developer's engineers and laboratories in lieu of requiring SSI staff to perform this task prior to project acceptance.
- 58. *Recommendation:*** Formally adopt a rules change requiring developers and their engineers to provide complete as built drawings including intersection diagrams in electronic digital format for AWU infrastructure along with certified/documented new valve turning to be completed by beginning of FY16.
- 59. *Recommendation:*** Assure that developer's engineers have sufficient access to Amanda to be able to monitor and respond to their specific projects.
- 60. *Recommendation:*** Initiate code modifications to the timelines shown above to reduce the times for response to all stages.

VIII. COMMUNICATION AND TECHNOLOGY MANAGEMENT (CTM)

A. OVERVIEW

As stated on their website, “*The Communications and Technology Management Department provides Austin residents and internal and external business partners with reliable information and efficient technology services to assist them in meeting their information needs and business goals*”. The group is responsible for serving the needs of a vast number of both internal and external customers. Based on the numerous national awards they have received, their work is well respected by their peers throughout the country. We were asked to include them in this study to determine their role in assisting the development related departments in their efforts to expand services to both customers and internal users. By expanding the services that can be available to development customers through accessing the city’s website portal, customers can transact business 24/7, submit plans electronically and receive up-to-date status reports on their project. Internal departments can benefit from CTMs work by expanding the number of departments that can access the AMANDA Permit Tracking System and the development of custom dashboards that accurately track compliance with established performance standards for each of the work groups. These steps are consistent with the Departments mission to make the right information available to the right people as the right time.

As the Department entrusted with the responsibility to deliver and sustain technology systems, CTM plays a critical role in assisting Departments in their efforts to streamline the development process. Several of the recommendations in this report depend on the ability of CTM to implement specific technology enhancements within a designated time frame.

CTM has developed an Information Technology Strategy plan for 2014-2019, which includes specific methods that will be employed to ensure that technology enhancements are implemented in a strategic manner. The plan includes a provision for annual review to keep pace with changing needs. We anticipate that the recommendations within our study will be incorporated into that annual review and update process.

61. Recommendation: The recommendations in this report should be reviewed and incorporated to the greatest extent possible into the Information Technology Strategy.

CTM has developed a useful matrix indicating Power Users responsibilities and Department Administration as shown in Figure 7.

**Figure 7
CTM Responsibilities**

Power Users Will	Departmental Admins Will	CTM Will
Serve as the Subject Matter Expert (SME) and point of contact for the business unit or Folder(s), participating in efforts with other SMEs, Department Admins, CTM, and/or the vendor	Work as liaison between business users, technical staff, and vendor, understanding business needs and translating them into technical solutions for IT staff and vendor	Serve as the SME for technical items related to AMANDA and/or related software
Document business practices and Standard Operating Procedures (SOPs)		
Assist in the analysis of new and enhanced functionality (e.g., projects, enhancements, data fixes, and tickets)	Perform initial analysis and design on creation of new and enhanced functionality (e.g., projects, enhancements, data fixes, and tickets), including those requiring configuration and coding changes	Participate in design review and signoff for new and enhanced functionality (e.g., projects, enhancements, data fixes, and tickets)
Serve as the first point of contact for End Users experiencing issues with AMANDA or related software	<ul style="list-style-type: none"> • Provide second-tier support for End Users experiencing issues with AMANDA or related software • Monitor the department's Magic service group to ensure tickets are addressed in a timely manner • Gather additional information for tickets sent back to departments to ensure completeness of request • Submit requests for any changes dealing with financial information to departmental financial representative prior to submission to CTM Service Desk 	<ul style="list-style-type: none"> • Provide technical support for End Users experiencing issues with AMANDA or related software • Route tickets to department Magic service group for incomplete requests or items for which they are to provide support • Set and communicate standards for minimum information needed in tickets • Escalate issues to vendor as needed
	Submit technical Knowledge Management Entries (KMEs) to CTM when needed	Develop, publish, and maintain technical KMEs
	Submit requests for access to AMANDA database for external applications	Provide access to AMANDA database for external applications when appropriate
Submit New User Account and Permission Modification Request forms to Department Administrator	Assist Power Users with submission of New User Account and Permission Modification Request forms, performing a quality check before submission to CTM	<ul style="list-style-type: none"> • Develop and maintain form for standardized roles • Create and maintain user accounts
Assist Department Administrator and CTM with analysis and design of Forms and Reports	Create and maintain department Forms and Reports	Create and maintain Enterprise (spanning more than one department) Forms and Reports

Power Users Will	Departmental Admins Will	CTM Will
Perform initial analysis and/or fulfill Public Information Requests (PIRs)	Assist with fulfillment of PIRs	Assist with fulfillment of PIRs when necessary
	<p>Work on department-specific folder configuration and coding tasks in the Sandbox/Development environment as agreed upon by CTM and departments</p> <ul style="list-style-type: none"> • Maintain lookup tables • Build and maintain AMANDA Merge Document templates including SQL and macros • Update inspection territories for the respective business area in AMANDA per CTM guidelines 	CTM has some responsibility here TBD
Merge People records as needed	Merge People records as needed	<ul style="list-style-type: none"> • Implement and maintain Duplicate People Procedure • Create and implement scripts to merge People records
	Maintain Fast Tracks (except Valid) for department Folders.	Maintain Fast Tracks, including Valid, for department Folders
	Submit Deployment Plans per CTM established procedure	
Recommend priorities to Department Administrator on deliverables related to projects, incidents, and change requests	Maintain overall priorities for department in Product Backlog	Respond to requests in the order prioritized by departments
Conduct or coordinate User Acceptance Testing (UAT) on system modifications, which may require developing test scripts	Conduct or coordinate User Acceptance Testing (UAT) on system modifications, which may require developing test scripts	
Create and maintain job-specific training materials and train End Users		Assist with the creation of job-specific training materials (e.g., manuals, Quick Reference Cards, and CBTs)
Identify and train a backup Power User	Identify and train a backup Department Administrator	Provide training for Department Administrators as needed
Attend AMANDA-related meetings as required	Attend AMANDA-related meetings, including the Operating Board, as required	Attend AMANDA-related meetings, including the Operating Board, as required
	<ul style="list-style-type: none"> • Coordinate with department Records Manager and City Clerk on developing records retention schedule. • Perform analysis and design of scripts related to records retention 	Create and implement scripts for data cleanup and/or to comply with data retention schedules

Power Users Will	Departmental Admins Will	CTM Will
	schedule	
Review public-facing portals (e.g., AMANDA Web Portal and Socrata) for content related to their business unit and Folder(s)		Add or remove content from public-facing portals to meet department requirements
	Analyze and submit requests related to Master Data Management including People and Property for review by Operating and Governing Boards	
	Departments will assign staff to create and maintain multi-lingual voice prompts for the IVR	
Monitor and ensure fees are assessed correctly and automatically by AMANDA	Develop new fees and cleanup existing fees, follow package/lookup standards for fee procedures	Provide necessary packages for different fee scenarios and implement fee changes

B. CENTRALIZED CONTROL VS DEPARTMENT RESOURCES

During our interview with CTM staff it became clear that CTM feel strongly that it is critical that resources to implement new technologies and maintain current systems should be assigned to CTM. They stressed that programs that support development services departments rely on a shared IT approach to ensure that architecture, standards, common infrastructure and key enterprise application services are consistent across city government. This approach is certainly understandable given the complexity of the various programs currently being utilized throughout the City. However, from the perspective of the individual Departments who have committed to see that these technology enhancements are implemented within specific time frames, there is frustration over not having control of the resources needed to complete these projects. The Development Services Department has recently retained some staff to perform technology support functions within the Department. As of the time of our interviews it was not reported to us that this arrangement has created any significant conflicts between those projects being performed within the Departments and those being implemented by CTM. Eventually, however, we foresee the need to establish clear guidelines to identify the scope of projects that can be undertaken independently by the Department and those that must be coordinated with CTM. A tool we have identified throughout this report to address this situation is the creation of a Memorandum of Understanding (MOU) to address the scope of projects that can be completed utilizing staff assigned to the Department. In addition to this MOU, we believe that comprehensive MOU will need to be created to define the commitments that must be documented between the participating departments and CTM for our recommendations to be implemented.

On another issue CTM believes that DSD is routinely waiving the fee they should be charging (4% of permit fee) to support technology. This should be clarified in the MOU. It is possible that other departments should also include such a fee.

62. Recommendation: CTM and DSD should develop a MOU to clearly define the scope of projects that can be undertaken independently by technology staff assigned to DSD.

63. Recommendation: CTM should establish an MOU that defines the commitments to be made by CTM and the Departments to achieve implementation of the recommended technology changes contained in this report.

C. PROJECT STATUS REPORTING

During our interviews with staff from development related departments and confirmed with CTM we noted that there is no centralized database that receives and tracks the status of service requests that come from departments to CTM. Given the lofty goals referenced in the strategic plan and on the web site we were surprised that such an internal project status-tracking program was not in place. Departments expressed frustration with a process that receives requests for technology enhancements but provides no feedback to acknowledge receipt and fails to communicate projected completion dates or provides periodic status reports back to the requesting Department.

64. Recommendation: CTM should create an internal program to track the receipt and completion status of all technology enhancement requests from Departments.

D. STAFF AND FUNDING

CTM is critical to implementation of both this and the prior Zucker Systems report. It appears that CTM will need additional licenses as well as staff and/or consultants to implement the various recommendations in a timely way. Specific requests include:

- 25 additional full-time licenses and 25 view-only licenses are needed at a cost of \$65,500;
- Four (4) staff are needed immediately to start taking on recommendations from the Zucker report;
- An additional six (6) staff are needed in Fiscal Year 2017 in order to sustain the effort; and
- Two (2) additional staff are needed to work on Business Intelligence needs.

While we are supportive of adding additional staff or consultants for CTM, based on our experience elsewhere, we feel the requested numbers may be a bit on the high side. However, as can be seen in the attached MOU, the list of needed projects is extensive.

65. *Recommendation:* Additional resources should be made available for CTM to implement this and the prior Zucker Systems report.

IX. COMMUNITY TREE DIVISION

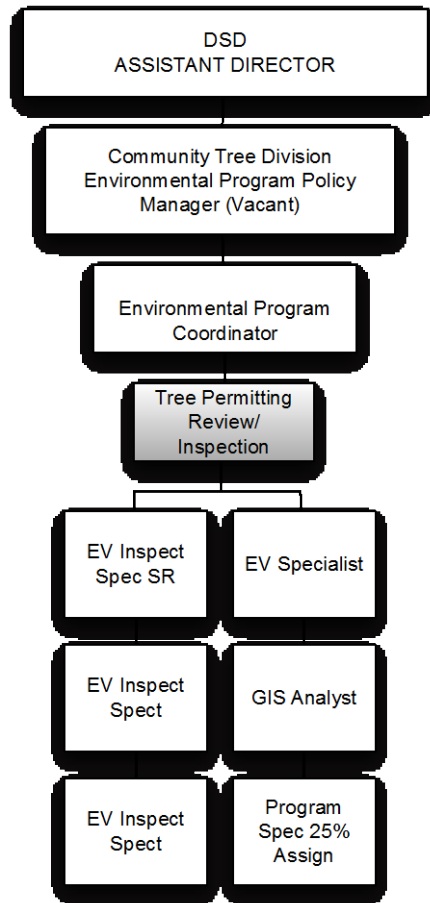
A. OVERVIEW

According to the organizational chart provided to Zucker on 9/22, Tree Permitting activities are administered by the Community Tree function within the Land Use Review Division of the Development Services Department. The Community Tree function, includes three programs, including the Tree Permitting Review/Inspection (TPRI) program. The TPRI program is responsible for Tree Permitting Plan Review activities, including issuing tree permits for residential & commercial properties in compliance with the Land Development Code (Chapter 25-8, Subchapter B). In addition, the Environmental Criteria Manual (Section 3, Tree and Natural Area Preservation), provides the design criteria to implement the tree and natural area preservation goals identified in the Land Development Code. A Tree Ordinance Review Application is required to remove or to construct within close proximity of a protected size tree within the full or limited purpose city limits.

B. ORGANIZATION

Figure 8 below shows the organizational structure for the TPRI function within the Community Tree Division of the Land Use Review Division of the DSD as of 9/22/15.

Figure 8
Existing Tree Permitting Review/Inspection Organizational Structure



Existing Plan Review & Inspection Setting within DSD/External Departments

Table 5 below summarizes the data gathered from City Staff regarding the interface between the TPRI function and the larger DSD Department.

Table 5
Existing TPRI DSD Review & Inspection Setting

Plan Review Setting		Comments
Standards Used /Updates/Timing	Title 25-Subchapt. B Environmental Criteria Manual (Section 3, Tree and Natural Area Preservation) and Administrative Manual.	Standards for Environ. Criteria are outdated. Scheduled to be updated after Code Next.
Permits Reviewed	Tree Permits, Building Permits	Residential and Commercial Properties Tree Permits.
DSD Plan Reviews	Site Plans, Subdivisions, heritage tree variances	
Types of DSD Development Projects Reviewed	Conceptual Site Plans, Site Plans, Subdivision (preliminary, final Plats); Heritage Tree Variances	
External Plan Reviews Timely	N/A	No External Reviewers for Tree Resources.
Scope of Plan Review	Compliance with Title 25-Subchapt. B Environmental Criteria Manual (Section 3) and Administrative Manual.	
Plan Review Delegated to DSD or External Depts.	This function is within DSD. OTHER?	No Outside Agencies involved in Tree Permit Reviews. However, sometimes discuss with Fire, Water, Utility and Transp. Depts. According to staff this consultation is occasionally needed because all three disciplines have requirements that affect tree preservation objectives. So, the parties work together when needed to arrive at the most preferred design, to meet city initiatives, in each individual situation.
Plan Reviews Assumed for DSD	Tree Permits OTHER?	

Plan Review Overlap/Duplication with DSD	None reported.	Duplication/Confusion with PARD efforts recently eliminated through position Transfers from PARD. PARD was reviewing Tree resources in the ROW. This review was determined to be duplicative of DSD reviews and outside of PARD's purview (although PARD had capable Foresters to conduct ROW reviews) The PARD Forestry Reviewers were collocated to an existing and expanded DSD Urban Forestry/Community Tree Division. They are now reviewing within DSD. PARD no longer reviews for ROW trees reducing PARD's review responsibility and allowing more focus on parkland dedication.
Collocated Plan Review Staff in DSD	Community Tree Function is Collocated on 4 th Floor	
Should Any FTE's From External Depts. be Transferred to TPRI in DSD	6 Positions just Transferred From PARD	6 positions were transferred from PARD to eliminate duplication and improve coordination, support and permitting and planning efforts.
FTE's Performing Tree Permit and DSD Plan Review	3	
Existing MOU's for Plan Review with DSD	None	
Existing MOU's for Plan Review with External Departments	Yes	6/15 MOU with PARD re: Enforcement of Tree Pres. Code Cemeteries; 10/14 MOU with PARD Re: Transfer of the Urban Forestry program in PARD to PDRD & relocation of 6 staff to PDRD (collocated) to align Chapter 6.3 (Planning) activities. Org chart shows 2 of the 6 transferred are assigned to TPRI function.
Inspection Setting		Comments
Inspections performed/Duplications	Tree Permit and development-related inspections for Tree Resources. No duplications reported.	The EV Inspectors with the TPRI program of the Community Tree function inspects active residential construction.

Inspections Delegated to DSD	Yes. Delegated to Environmental Inspection within Site/Subdivision Inspection function of DSD. No duplications.	Environmental Inspection function of DSD performs all development related inspections concerning tree resources to ensure compliance with approved site plans and subdivision as it pertains to tree regulations. They inspect commercial and subdivision construction projects. Inspections include monthly site visits to ensure the approved tree resources are consistent with field conditions: existing trees, tree/root protection is compliant, and correct tree plantings (at the time of project completion). By code, the City Arborist can resolve issues as they arise during the inspection process. By organizational structure, the Manager for Environmental Inspection. There is annual training between the two groups.
Existing MOU's for Delegated Inspections	None.	
MOU's Needed within DSD or External Depts.	Possibly.	The Community Tree Div. (CTD) Staff interviewed indicated that an MOU may be needed between the CTD and Environmental Inspection staff to formalize an existing informal agreement that exists between DSD Environmental Inspection Function and CTD to perform the monthly site visits/inspections that are conducted to ensure the approved site plan is consistent with field conditions (e.g., trees, tree/root protection compliance, tree planting compliance (at the time of project completion).

Existing Plan Review and Inspection Interface Issues with DSD/External Departments

No issues with internal (e.g., within DSD) or external issues were reported related to Tree Permit plan reviews and inspections. As noted in the above Table, there are no external reviewers assigned to review Tree Permits. Inspections related to these permits are conducted within the Tree Permit Review/Inspection Program (TPRI) or by the Site/Subdivision Inspectors, both of which are within DSD. Additionally, there were no inspection overlaps reported and TPRI plan reviews related to DSD site plans, subdivisions and building permits, were reported to be timely.

C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW WITHIN THE DEVELOPMENT SERVICES DEPARTMENT (DSD) OR EXTERNAL DEPARTMENTS

Because no internal or external plan review or inspection issues were identified and both of these activities are contained within DSD, we did not consider alternatives for further streamlining internally. Additionally, an MOU with the Parks and Recreation Department (PARC) and the Planning and Development Review (PDRD) was

executed in October of 2014, to align the PARD and PDRD Urban Forester Functions and eliminate duplication of effort, confusion and communication issues, which is excellent. Since the PDRD was recently divided into two Departments, consisting of Development Services Department (DSD) and Planning and Zoning Department (PAZ), the MOU could be amended to reflect the fact that the Community Tree Division Program now resides within DSD, if deemed necessary.

66. Recommendation: Update the MOU between PARD & PDRD, dated 10/14, to reflect the fact that the Community Tree Division is now under DSD, rather than PDRD. The reassignment is included in the Parks MOU, Section F below.

X. CURRENT PLANNING DIVISION OF THE PLANNING AND ZONING DEPARTMENT (PAZ)

A. OVERVIEW

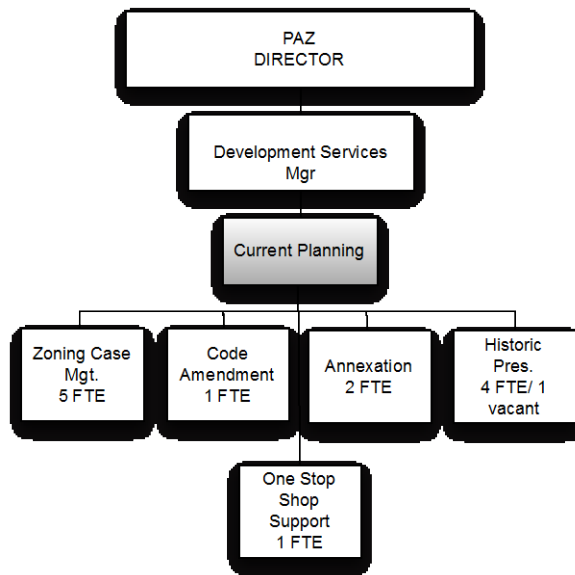
Current Planning is a Division under the newly formed Planning and Zoning Department (PAZ). This Division was formerly under Planning & Development Review, which was recently divided into two separate Departments: the Planning and Zoning Department (PAZ) and Development Services Department (DSD).

Current Planning is comprised of Zoning Case Management, Code Amendment, Annexation, One Stop Shop Support and Historic Preservation. Generally, the Zoning Code Management function is responsible for processing zoning and comprehensive plan map amendments; the Code Amendment function manages the Code Amendment Process; the Annexation Function prepares and maintains the City’s 3-year Municipal Annexation Plan, processes Annexation applications and special and public improvement district proposals, resolves Extraterritorial Jurisdiction boundary issues (ETJ) and monitors the Texas Legislature, every other year, to identify, analyze, make recommendations on, and sometimes provide testimony at hearings on proposed Bills. The Historic Preservation program staff foster and coordinate historic preservation efforts in the City, such as permit processing. The Division is also responsible for interpreting zoning ordinances for community stakeholders through a Use Determination Process. One Stop Shop Support handles the file archiving process for the Division.

B. ORGANIZATION

Figure 9 below shows the existing organizational structure of Current Planning.

Figure 9
Existing Current Planning Organizational Structure



Existing Plan Review & Inspection Setting within PAZ/External Departments

Although the Current Planning Division is now in a separate Department (PAZ), it remains collocated with DSD Land Use Review Staff at One Texas Center. Table 6 below summarizes how Current Planning interfaces with the DSD and external departments.

Table 6
Existing Current Planning Plan Review & Inspection Setting

Plan Review Setting		Comments
Standards Used /Updates/Timing	Use Austin Development Code (Title 25), Alternative Development Code, etc. for reviews. Update of Code (e.g., Code Next) is underway.	Any standards used are those included in the Development Code.
Types of Projects Reviewed	Zoning, historic pres., annexation, code amendments.	
Plan Review Delegated to DSD or External Depts.	None	
Plan Reviews Assumed for DSD	None	
Plan Review Overlap/Duplication with DSD	Not aware of any	
External Depts. Involved in Current Planning Plan Reviews	<ul style="list-style-type: none"> · DSD (Transpo, Watershed, Site/Sub Inspections) - Collocated · City Clerk (agendas) · Austin Water (water/wastewater) · Austin Energy · Austin Transpo. · Austin Resource Recovery (e.g., trash service) · Austin Libraries · Law Dept. · Watershed Protection Dept. (e.g., drainage, floodplain) · CTM (zoning map, technology, addressing, petitions, Amanda) · Parks & Rec Dept. (PARD) · Financial Services Dept. (Fiscal Impacts) · Office of Real Estate · Department of Public Works · Austin Fire Dept. · Austin Police Dept. · Travis County – Collocated · Neighborhood Housing & Com De. (NHCD) · Austin Code (Compliance) · School Districts (ISD's) · Water Districts · EMS (City/County Joint Agency) · Health & Human Services (City/County Joint Agency) · Municipal Utility Districts (MUD's) Public Information Office 	Staff interviewed did not identify any plan review duplications or provide suggestion for excluding any external depts.
Collocated Plan Review Staff in DSD	All Current Planning Staff Collocated with DSD	
Existing MOU's for Plan Review with DSD	None	DSD performs transpo/watershed reviews
Existing MOU's for Plan Review with External Departments	None	
Inspection Setting		Comments
Inspections performed	Historic Pres. Performs Annual Inspections of Landmarks to confirm tax break eligibility.	
Inspections Delegated to DSD	Remaining Current Planning Functions do not perform site/sub, env. inspections. Delegated to DSD, which is collocated with Current Planning.	
Existing MOU's for Delegated Inspections	None	

C. EXISTING ISSUES WITH EXTERNAL DEPARTMENTS

The following issues with external departments were identified during our interviews with Current Planning Management staff:

- *See our recommendations under the CTM section of this report;*
- The existing MOU agreement that provides for Austin Code (Compliance) Dept. to provide public notice sign staking on behalf of the Current Planning Division (e.g., because they were already in the field on other matters) is no longer being observed by Austin Code. The Code Dept. broke the MOU agreement about 1.5 years ago and no longer performs this service for Current Planning. Current Planning now uses Temporary Staff to stake public notice signs. Current Planning Management staff indicated that the use of temporary staff is more efficient and predictable and as such they do not feel renegotiating a new MOU with Austin Code is warranted; and
- City lawyers assigned to review and respond to issues in Current Planning are considered too slow and are generally viewed as an obstacle to problem solving. They appear overly conservative, particularly with regard to legal notices, which causes major processing delays. In addition, all of the lawyers in the Law Department are in a rotation to provide legal representation to the City at public hearings. Not all of them appear to have adequate background and/or experience, and as such, legal representation at meetings is at times seen as insufficient. Lawyers often sit in the audience during hearings, instead of being seated at the podium, which does not provide the right image.

This issue will be addressed in a MOU between DSD, PAS and the Legal Department.

D. ALTERNATIVES FOR STREAMLINING PLAN REVIEW INTERFACE WITH EXTERNAL DEPARTMENTS

Except for Historic Preservation-related inspections, DSD has been delegated inspection responsibility for inspections associated with Current Planning (when needed). Given the fact that Current Planning is collocated with DSD and inspection services have been delegated, except for Historic Preservation, it was unnecessary to consider collocation and delegation or absorption of Plan Review and/or inspection activities or the execution of an MOU between Current Planning and DSD for any plan review and inspection services.

As outlined in the above table, there are numerous external departments that filter in and out of the plan review process on Current Planning projects. These external departments are largely the same ones that filter in and out of the DSD plan review process.

In other sections of this report, we have recommended that certain critical plan reviewers located in external departments, be colocated with DSD, while others should continue to provide plan review and/or inspection services from their current locations, due to DSD office space limitations and other factors. In some cases, we also recommend execution of MOU's between certain external Departments and DSD to formalize commitment to service delivery, funding arrangements, etc. Because Current Planning Division is colocated with DSD, this function will benefit from our recommendations to colocate external departments within DSD. As such, separate MOU agreements between Current Planning and these external departments are not necessary. Instead, Current Planning will become a party to such agreements, where necessary.

67. Recommendation: PAZ/Current Planning should be included as a party in MOU's between DSD and external departments, where necessary to ensure plan review services are guaranteed and timely.

E. OVERVIEW OBSERVATIONS

The splitting of the Planning and Development Review department into the two departments of DSD and PAZ can create confusion for customers as well as staff and other operating departments. As an overall direction the MOUs between DSD and operating departments are designed to increase collocation and reduce the number of review functions for various permits. The same approach could be used for PAZ reviews. However, one could argue that zoning cases, ordinance changes, and annexations include more policy implications and thus would support the continued review by external departments. Three alternatives seem possible including:

1. Leave the review of Current Planning activities with the external departments as currently practiced. However, as suggested in the review of PDRD, Current Planning would take a more aggressive approach in managing these reviews including use of AMANDA for the reviews. DSD would also be added as an external review department.
2. Have DSD provide all the Current Planning reviews, using the same relations to external departments as practiced for other DSD reviews. This alternative would not recognize the possible extra policy implications of Current Planning Reviews. These reviews are currently creating issues related to Transportation and Watershed.
3. Have Current Planning conduct all the external department reviews with Current Planning staff. However, Current Planning does not appear to have the skill sets to handle these reviews.

68. Recommendation: Alternative 1 as outlined above should be pursued and included in MOUs between Current Planning and operating departments.

Relations between PAZ and external departments remain the same except that PAZ takes a more aggressive role in project management. This approach is outside the scope of this current contract and should be pursued separately by the Planning and Zoning Department.

XI. ECONOMIC DEVELOPMENT DEPARTMENT

A. OVERVIEW

The Economic Development Department (EDD) leads the global business recruitment, urban regeneration, small business development, cultural arts, and music efforts for the City of Austin.

For this study, we interviewed staff from the Music and Entertainment (MED), Global Business Recruitment Program (GBRE) and the Redevelopment Divisions (RD) to understand how they interface with the Development Services Department Plan Review and Inspection functions.

The GBRE Division is focused on increasing jobs and investment in Austin through business attraction and by assisting local businesses with international expansion and trade. While we found that Small Business program staff in the GBRE interface with DSD, their role is limited to providing informal ombudsman services for small business, to help small business applicants understand permitting requirements and processes. They do not use, develop, or administer standards and they do not conduct plan review or inspections.

The RD is concerned with rebuilding key assets of the city and administering public-private redevelopment agreements that support mixed-use project development and downtown redevelopment. Through our interviews with staff in RD, we found that they interface with DSD by administering public-private redevelopment agreements that support mixed-use project development and downtown redevelopment and acting as project managers and acting as an Ombudsman to assist developers in navigating through plan review and permitting issues with DSD and external departments.

RD staff indicated that they do not develop or administer standards or perform any plan review or inspection services for DSD and their Ombudsman role is currently limited to facilitating resolution on plan review and inspection issues, through information dissemination and coordinating meetings to discuss and resolve issues between the developer and city departments involved in the development review process.

In addition, they frequently set up kick-off meetings with DSD at the beginning of a phase (site plan submittal, construction inspection, etc.) to make sure the whole team understands project relationship and development agreement provisions that may pertain to the review and inspection process. In some cases, RD staff attend meetings between the DSD Case Manager, developer and engineer prior to formal plan submittal and through the review process. Typically, RD project development partners

review and inspections on standard City timeline goals, since DSD has not had a program to expedite these services.

ED Staff provided insight into reoccurring design and construction issues with Austin Water Utility and Austin Transportation Department, which are discussed in this report under those respective sections.

B. MUSIC ENTERTAINMENT DIVISION (MED)

The Music and Entertainment Division (MED) of EDD functions as an economic development accelerator and centralized resource center for Austin’s music industry, and an active community partner for Austin’s citizens, community groups, and neighborhoods. MED assists outdoor live music venues with the City-required permit process, and work closely with both large and small festivals on issues related to temporary event permits and other requested City resources for holding those events. They also help to mediate agreements between neighborhood groups and permitted outdoor music venues to find equitable, win-win solutions and compromises related to outdoor music issues.

The MED is collocated on the 10th Floor of the One Texas Center building, along with other special events oriented Departments, collectively known as Austin Center of Events or ACE. ACE was created after hearings conducted by the Austin Music Commission hearings to examine the effectiveness of the City's administration of the multiple permit types associated with temporary, special events, found many issues (see interface issues section below) with the administration process and recommended the creation of ACE to act as a one-stop shop for special events within the City. Other departments that are collocated include, the City Transportation Office of Special Events, Police and Fire Department Special Events Units, Corporate Special Events staff from Management Services, Austin/Travis County EMS. Austin Parks and Recreation Department (PARC) is planned to be collocated in the near future. Health and Austin Resource Recovery and other City Departments also participate. These various Departments were purposely collocated at Council’s direction to create a centralized, publicized point of contact for special event permitting information and event management help.

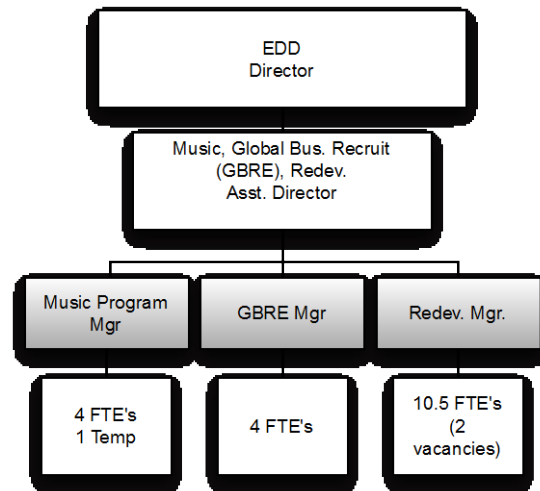
MED acts as a type of Ombudsman to assist special live music event applicants navigate through city plan review and permitting systems, which are currently complex due to rapid special event growth, while mitigating negative impacts upon neighborhoods.

Since this Division of EDD interfaces regularly with DSD through plan review, inspection and permitting, we focused on MED’s interface with DSD in this section of the report and considered alternatives for streamline this interaction.

Organization

Figure 10 shows the MEP, GBRE and Redevelopment Programs in the context of the EDD Department.

Figure 10
Existing MEP, GBRE & Redevelopment Organization within the EDD Organization



Existing DSD Interface/Plan Review & Inspection Review Setting

MED interfaces with the Development Services Department (DSD) through the Development Assistance Center, which is a function within DSD, located on the 1st Floor of One Texas Center that issues Temporary Use Permits, and several types of Live Music Permits, defined by the City's Code, including: 24-hr Live Music Permit, Special Event Permit, Multi-day, and Outdoor Music Venue Permits (OMV). The MED helps coordinate and participates in the Sound Impact and Temporary Event Impact Plan reviews on private property required as part of an Outdoor Music Venue Permit or Special Event Permit, multiday.

The Plan Reviews for Sound Impact Plans and Temporary Event Impact Plans are conducted by MED and the collocated staff on the 10th Floor involved in the Live Music permitting activities, and other Departments not currently collocated. Because participating ACE departments use different data management systems (e.g., SharePoint, Right of Way Management Approval Network (ROWMAN), (AMANDA,)) review activities are less efficient. However, the collocation of these various staff involved in special events helps to bridge communication and coordination inefficiencies. In addition, "Special Event" meetings are held by the review group with new applicants, weekly, to discuss and resolve event issues and permitting requirements, which also helps to speed up the review and permitting process.

Table 7 below summarizes data received from staff regarding how the MED currently interfaces with the DSD Department.

**Table 7
Existing MED Plan Review & Inspection Setting**

Plan Review Setting		Comments
Standards Used /Updates/Timing	Titles 9, 25, 14 of Muni Code; Temp. Occupancy Use Permits.	Title 9 (Live Music Permits, Sound Impact Plans, Temp. Event Impact Plans); Title 25 (Temp. Use Permits, to authorize a temporary activity not otherwise allowed as a principal or accessory use) Special Event Signs) to authorize temporary event signage; Title 14 (event permits within ROW/public property – Transpo. Div of Public Works issues permits for temp use of streets, sidewalks, parkways, and private property after coordinating traffic planning) . Title 8 (permits for public park use/sound permits in public parks) ; temporary change of use permit (TUP) is a permit issued by the building or fire code official to authorize a temporary increase in occupancy levels allowed by applicable technical codes for a property or structure (associated with Outdoor Music Venue permits for commercial buildings)
Types of DSD Projects Reviewed	24- hour Live Music Permit; Special Event, Multiday Permit; Outdoor Music Venue Permit	Review Sound Impact Plans/Temp. Event Impact Plans through Austin Center of Events (ACE) Team
Scope of Plan Review	ACE Applications; Sound Impacts/Temp. Event Impact Plans	ACE created a “master special event application” called the ACE application in an attempt to combine Temporary Change of Use, Temporary Use, ROW Event and Temp. Sound event permit applications.
Plan Review Delegated to DSD or External Depts.	DAC within DSD processes TUP’s and issues permits for Temporary Event Sound Permits. Outdoor Music Venue Permits (commercial property); Temp. Sign Permits.	The Temporary Use Permit overlaps with other required permits required for outdoor public gatherings. It does not require approval by the Austin Center for Events, so police, medical, music and transportation teams in the ACE are not aware of the permits, unless the specific TUP involves the Fire Department and they alert ACE.
Plan Reviews Assumed for DSD	Sound Impact Plans; Temp. Event Impact Plans	DAC does not issue related ROW permits; Fire Temp Occupancy Change Permits; PARD Permit; Health permits and others. Applicant must secure permits separately from Departments as required.
Plan Review Overlap/Duplication with DSD	TUP permit can overlap with Temp Event Permits. Zoning Review duplication	DAC confirms zoning and MED/ACE confirms zoning
Collocated Plan Review Staff in DSD	MED is on 10 th floor collocated with ACE; DAC is on 1 st Floor	Also, MED has AMANDA privileges within DAC’s folder.

Plan Review Setting		Comments
FTE's Performing Plan Review	2.5 FTE staff within the MED Division of Econ. Dev. Are dedicated to Live Music Permitting	
Existing MOU's for Plan Review with DSD	None	
Existing MOU's for Plan Review with External Departments	None	
Inspection Setting		Comments
MED Inspections performed	MED conducts sound permits inspections but does not have formal inspectors.	
Inspections Delegated to DSD	The Stage set up inspections conducted by DSD Residential Building inspector	DSD residential building inspector inspects stage setup and there have been complaints that the residential building inspector is not trained property to review stage construction.
Inspections Delegated to External Departments	ROW inspections – Transportation Dept. Code issues – Code Dept. Fire Dept. handles inspections for Temp Use Permits, Temp Change of Use, on private property.	The South by Southwest, Frat week and F! Event is inspected by PACE – Public Assembly Code Enforcement which is an informal group of city departments (Fire, Police and Code Department, Right of Way function in Transportation, Austin Resource Recovery and Texas Alcohol and Beverage Commission. DSD inspection staff are not involved in PACE. Participation inconsistent, No defined inspection schedule, scope.
Existing MOU's for Delegated Inspections	None	

Existing Plan Review Interface Issues with DSD

Interviews with MED staff revealed the following interface issues with DSD (i.e., DAC) associated with Live Music Plan Review and Permitting.

- Fast special event growth over the past few years has resulted in complex, unclear, overlapping (e.g., a Temporary Event Permit and Temporary Use Permit are often required) and dispersed policies and ordinance provisions and plan review permitting procedures (e.g., Title 9, 25, 8, 4, etc.). Code provisions use different terms than applications used by permitting departments, causing further confusion (e.g., Special Event Permit used in Code; Temp. Event Permit used by staff) (AMC finding). The regulatory framework issues were studied by the Austin Music Commission and reported in the Austin Music Census report.
- The TUP permit overlaps with Live Music Permits, due to code language;
- Acting in an Ombudsman capacity, while assisting is the review and permitting process is not ideal as these roles are in conflict with one another;
- There is no single, responsible Department or Office to obtain permit information, approvals, permits for temporary and special events (Austin Music

Commission (ACM) finding). Although ACE has been created, permitting is still dispensed and administration leadership within ACE as well as the scope of ACE's role and responsibility has not been defined. Further, DSD is a permitting function in the city, but do not appear to have adequate representation or involvement in ACE;

- A new ordinance was drafted by ACE staff that was aimed at creating a single Special Events Permit to simplify the permitting process, but has stalled. Staff indicated that Council had adopted a resolution (Resolution # 20120524-089) instructing the city manager to streamline the process and bring back necessary code changes to do so. However, City Attorneys and private event attorneys began to battle over provisions. A key source of contention was the City's Law Department's desire to add a new permitting entity into ACE to issue permits, which private event attorneys objected to because it added more bureaucracy. Staff we interviewed agrees with the private event attorneys and believes that a new permitting entity does not need to be created. Rather, permitting responsibility should simply be defined in the ACE office to lead and administer the application, review and permitting process;
- Staff has been working on consolidating, simplifying, clarifying and possibly moving Live Music Permit regulations in Title 9, so that they are easier to understand and administer;
- There is no scalability in permitting based on event size (ACM finding);
- The Austin Music Census identified the need for Functional, Formal Entertainment Districts (e.g., expanding the concept of geographical entertainment districts to encourage music industry cluster development for the private sector) as a long-term strategic policy strategy for economic development for specific City-level policy action to enable additional potential funding;
- A TUP requires the approval of the various departments, but not the Austin Center for Events (ACE). As such, police, medical, music and transportation teams in the ACE are not always aware of TUP's, unless the specific TUP involves the Fire Department (AFD), in which case AFD's special events team alerts its ACE partners. The term "solid wall" used in the TUP permitting process is undefined;
- Inspection responsibilities are not defined adequately. For example, The South by Southwest Event (SXSW), F1 and Frat Week events are inspected by PACE – Public Assembly Code Enforcement which is an informal group of city departments (Fire, Police and Code Department, Right of Way function in Transportation, Austin Resource Recovery and Texas Alcohol and Beverage Commission. DSD inspection staff are not involved in PACE. PACE teams go out during this timeframe to make sure that every activation or event has obtained a permit. Unfortunately they are not part of the permitting process and often create more administrative issues, instead of focusing on public safety issues. A recent example is when SXSW was given a citation for a banner on a

chain link fence that said “enter here.” Also, PACE participation is inconsistent. In addition, OMV and Special Event inspection responsibility is not defined and MED staff has absorbed some inspection responsibility to bridge gaps in the inspection process;

- Enforcement efforts on TUP’s, and Live Music Permits that are issued are inconsistent;
- Applications for the various live music permits can be submitted through multiple portals (e.g., no single point of contact), including the MED, ACE, DAC. A single portal should be designation to reduce confusion (ACM finding).
- Applications must interface with multiple departments (e.g., no single point of contact) to secure all required permits (e.g., DAC, Transportation, Fire, PARD, Health, etc.) (ACM finding);
- Temporary change of occupancy permits issued by AFD are confusing;
- The MED is not yet integrated into the AMANDA system, however the City is actively working to integrate ACE departments and Live Music permitting;
- Permits can’t be obtained online (ACM finding);
- An renewal process has not been established for Outdoor Music Venue Permitting (OMV); and
- Despite the City’s efforts to create ACE as a one stop shop, City Departments, ACE, customers and the community either do not know or fully understand what ACE is and what it does.

69. Recommendation: The City should complete its work on consolidating local regulations to simplify and streamline plan review and permitting for Special Events (e.g., live music) and eliminate permit duplications and commit to this work and a timeframe for completion.

70. Recommendation: The City should complete its work on consolidating the various Live Music applications and permits into a single Special Events Permit (e.g., live music) application and permit and distinguish it from a TUP permit to eliminate duplication and confusion and commit to this work and a timeframe for completion.

71. Recommendation: AMANDA should be configured to receive, pay for, review and issue Live Music Permits online as soon as practicable and external departments involved in the review and permitting process should be integrated into AMANDA. (See the draft MOU between DSD and CTM)

See our recommendation below concerning our preferred streamlining alternative.

Alternatives for Streamlining Plan Review, Permitting and Inspection Interface with DSD

MED's primary charge is to act as an Ombudsman to assist applicants in securing the various types of Live Music Permits and review Sound and Temporary Event Impact plans. The DAC is responsible for issuing permits for Live Music permits, once Impact Plans are evaluated and approved. As noted above, applicants may be required to obtain separate permits from other departments in addition to the DAC permit, depending on the scope of their event (e.g., Temporary Occupancy Permits, ROW Permits, TUP, etc.).

In addition, as noted, MED has informally assumed responsibility for sound permit inspections.

The following alternatives for streamlining the Plan Review, permitting and inspection processes related to interface with DSD were explored. However, we have concluded that given the extent of the issues that currently exist additional study is needed to develop a suitable streamlining solution.

1. Move Plan Review Responsibility from MED/ACE to (DAC) DSD and Provide Funding For Services through an MOU

This Alternative is not practical for a number of reasons. First, staff indicated that Council directed the collocation of several departments to form ACE in order to create a centralized, publicized point of contact for special event permitting information and event management assistance because the existing regulatory scheme is too complex to easily navigate. Second, the City Council has made Temporary Entertainment, event and sound permits a high priority economic benefit and MED has become the experts on helping customers and neighborhoods navigate the regulatory system to facilitate timely permitting and resolve issues. Third, Plan Review services are provided by multiple specialized departments that possess system and citywide knowledge within their disciplines related to outdoor entertainment impacts that can't be easily transferred to DAC staff. Finally, interviewees indicated that DAC service hours are too limited to accommodate Live Music/Special Event Customers, as these customers require much broader and more flexible service hours.

As such, we do not recommend this as the Preferred Alternative.

2. Collocate Relevant MED and ACE Plan Review Staff to DSD through a Matrix MOU

MED staff are already collocated with other departments involved in special event permitting on the 10th Floor of One Texas Center. DAC staff is located on the 1st Floor of One Texas Center and as such are "partially" collocated with MED, in that both functions are housed in the same building. Moving MED/ACE staff from their location

on the 10th floor to the DAC office would be counter-productive given the objectives of the ACE program, and impractical given the office space limitations within DAC.

As such this is not a Preferred Alternative because the collocation already exists.

72. Recommendation: Any new building for DSD should include a collocated MED and ACE and this is included in the draft MOU. (See the draft MOU between DSD and EDD in Appendix A.)

3. Leave Situation as is with MOU Agreement between MED/ACE and DAC to Meet Plan Review Service Standards and outline inspection responsibility.

The existing situation is that DAC handles permitting of various Music Event Permits, after Impact Plan Review is approved by MED, which is part of ACE. Additional separate permits are also typically required along with Music Event permits, which are issued by separate departments. Application processes are confusing because staff administering the Plan Review and Permitting processes have labeled permits differently than governing codes, created new permits to bridge regulatory gaps, issue overlapping permits because they believe they are required to do so (e.g., TUP and Temporary Occupancy Permits), and have created workarounds in an attempt to simplify Plan Review, Permitting and inspections, while protecting surrounding neighborhoods.

Leaving the situation as is with an MOU to formalize plan review, permitting and inspection activities is not ideal because it involves the issuance of overlapping permits in some cases, duplicative plan reviews (e.g., MED and DAC review zoning), multiple applications, etc., which is confusing and inefficient.

However, an MOU could be used to designate a single application portal, clarify roles and responsibilities of the staff involved, outline policies to eliminate overlapping permits (e.g., TUP), existing unclear and/or undefined regulatory terms and establish inspection authority and responsibility, until such time that ACE/assigned staff completes needed regulatory changes for Live Music Permits.

While this option has the benefit of creating the least disruption and leaves the permit issuance with DAC, which is intended as a development assistance and permitting center and MED/ACE as a mitigation resource for neighborhoods and review resource for DAC, it may create confusion, since it is a short-term solution.

As such, it is not the preferred solution.

4. Leave Situation as is without an MOU

This is not a preferred Alternative for the reasons stated above.

5. **Move Permitting Responsibility for Live Music and Sound Related events (e.g., 24-hr Live Music Permit, Special Event Permit, Multi-day, and Outdoor Music Venue Permits (OMV) from DAC to the MED and execute an MOU to outline plan review, inspection and permitting responsibilities between DAC, MED and external departments.**

Because MED is already collocated with other departments involved in special event plan review and inspection, we evaluated the option of moving Live Music Event related permit issuance from DAC to MED to help reinforce the Council's desire to create a centralized, publicized point of contact for special event permitting where customers receive efficient service by expert staff. While this Alternative is a worthwhile option, it may create more confusion for customers, and may necessitate the addition of staffing and other resources for MED, which would become the application intake and permit issuance portal for these types of permits.

MED management staff indicated that this Alternative would require 1 FTE to assist with intake, plan review processing and coordination and permit issuance and potentially 2 FTE's to conduct inspections for OMV and Special Event permits to ensure compliance with permit conditions.

In addition, this alternative further removes DSD's involvement in the permitting process, which may exacerbate communication and coordination issues between DSD, Economic Development and ACE participants.

As such, this is not a preferred alternative at this time.

In addition, this alternative further removes DSD's involvement in the permitting process, which may exacerbate communication and coordination issues between DSD, Economic Development and ACE participants.

As such, this is not a preferred alternative at this time.

73. Recommendation: Due to the number and complexity of issues identified in the Live Music Event/Temporary Event permitting processes, further analysis is needed, beyond the scope of this study, in order to fully identify all issues, constraints and opportunities and develop a comprehensive alternative for streamlining these processes.

XII. HEALTH AND HUMAN SERVICES DEPARTMENT (HHS), TRAVIS COUNTY

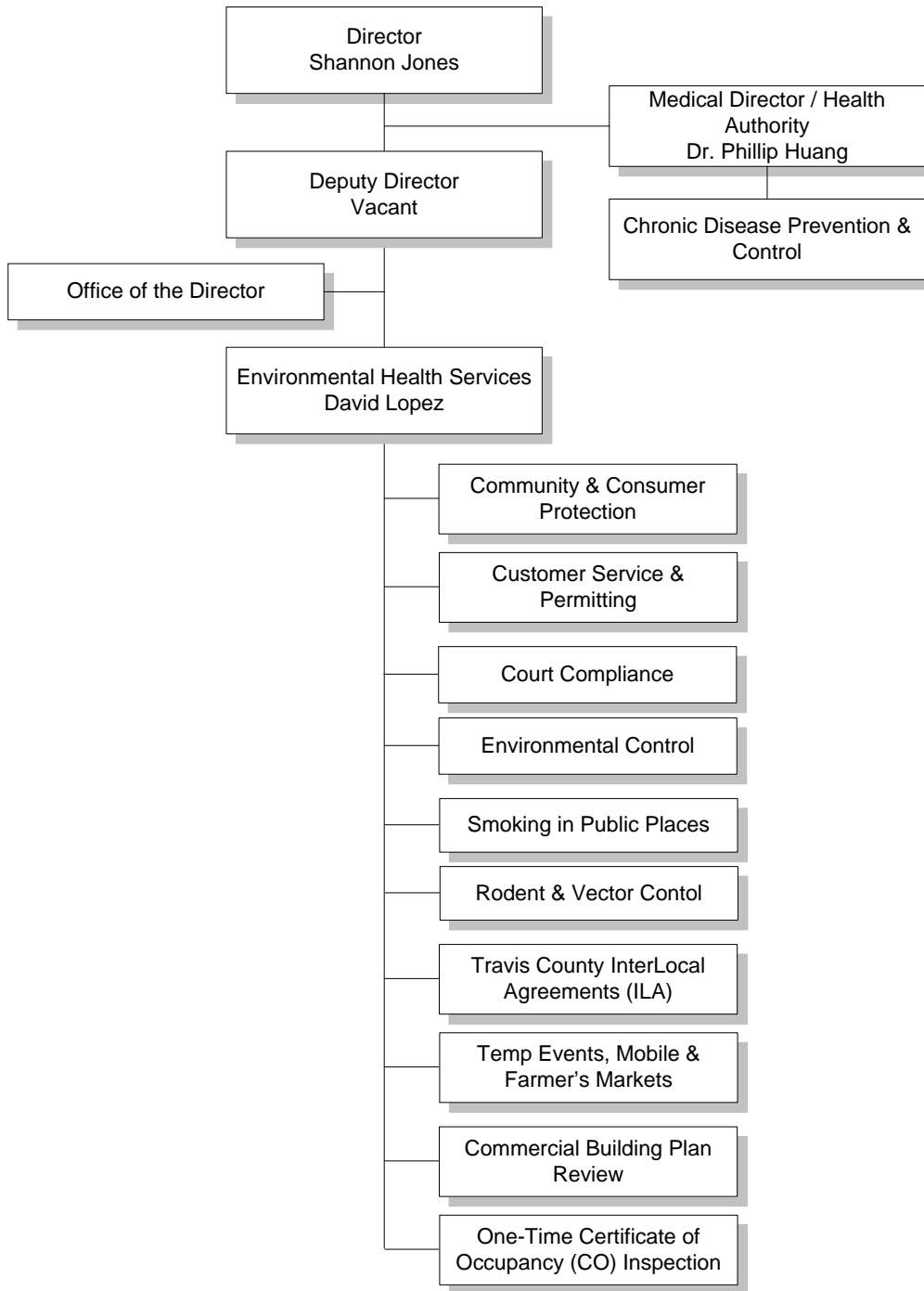
A. OVERVIEW

The Austin–Travis County Department of Health and Human Services protects residents from infectious diseases and environmental threats and provides education about the benefits of healthful behaviors in avoiding chronic diseases. To ensure compliance with local and state health codes, the Environmental Health Services Division conducts plan reviews, permitting, inspections, complaint investigations, compliance action, surveillance/monitoring and public health education activities relating to establishments that offer or store any type of food or beverage. They also review and inspect public swimming pools. The equivalent of one FTE employee from the Health Department is located at the One Stop Shop on a rotating basis.

B. ORGANIZATION

Figure 11 below shows the existing organizational structure of the Environmental Health Services Division of the Austin – Travis County Health and Humans Services Department.

Figure 11
Health and Human Services Department Organization



C. EXISTING HEALTH DEPARTMENT PLAN REVIEW & INSPECTION SETTING

**Table 8
Existing Health Department Plan Review & Inspection Setting**

Plan Review Setting		Comments
Standards Used /Updates/Timing	Environmental Health Services Division (EHSD) SOP 8.305, 8.305A1, 8.305A2 Food Enterprises; EHSD SOP 12.100 & 12.101 Pools, Spas & Public interactive Water Features & Fountains	Standards incorporate compliance provisions established by State and Federal law; Standards are up-to-date
Types of Projects Reviewed	Food Enterprises and semi-public pools, public pools and public interactive water features and fountains.	Staff collocated with Building and Fire Plan Review staff in One Stop Shop
Plan Review Delegated to DSD or External Depts.	None	
Plan Reviews Assumed for DSD	None	
Plan Review Overlap/Duplication with DSD	None	
External Depts. Involved in Health Department Plan Reviews	None.	
Collocated Plan Review Staff in DSD	Health Department staff are collocated with Building Plan Review and Fire Plan Review staff on the second floor of the One Stop Shop at One Town Center..	
Existing MOU's for Plan Review with DSD	None	
Existing MOU's for Plan Review with External Departments	None	
Inspection Setting		Comments
Inspections performed	Registered Sanitarians perform plan reviews and field inspections of various food handling and production facilities as well as public and semi-public swimming pools.	
Inspections Delegated to DSD	None	
Existing MOU's for Delegated Inspections	None	

D. ALTERNATIVES FOR STREAMLINING PLAN REVIEW AND INSPECTION BETWEEN DSD AND AUSTIN – TRAVIS COUNTY HEALTH AND HUMAN SERVICE DEPARTMENT

For the purpose of this study our focus is on the interface between Austin Development Services Department (DSD) and Austin – Travis County Health and

Human Services when reviewing and inspecting Food Enterprises and public pools/spas. Staff performing plan reviews and inspections for this Division meet the State Law requirement of being a Registered Sanitarian and are located on the same floor as the Commercial and Residential Building and Fire Plan Review staff within the One Stop Shop at One Town Center. Under normal circumstances projects that require plan review by the Environmental Health Services Division are submitted for review and approval before they will be accepted for submittal as part of a formal building permit application at the Commercial Building Review counter of the Development Services Department.

The Department has established a performance standard of reviewing plan submittals within ten (10) days of submittal. This information is tracked within the AMANDA permit system and management reports are periodically produced to identify the Department's rate of compliance with their performance standard. Recent staff interviews indicate they are currently completing these plan reviews within seven (7) days of receipt. While we strongly support the establishing and tracking of compliance with plan review turnaround time performance standards, we must draw attention to the fact that, by DSD requiring this review to be completed and approved prior to allowing the plans to be submitted for Commercial Building review, amounts to a process that requires plans to be reviewed in series. We believe, whenever possible, plan reviews should be conducted concurrently (in parallel) by all groups charged with plan review responsibilities. We are aware that occasionally a decision to require processing plans in series is intended to limit the number of plans that must be reproduced, tracked and stored. The problem of storing large sets of plans was very evident during our site reviews of the plan review offices.

A way we recommend to address the challenges associated with handling multiple sets of large paper-based plans is to implement a program to accept plans in a digital format and utilize electronic plan review software to help manage the process. Since the release of our original report for Planning and Development Review Department, we have been advised that the City of Austin is actively pursuing the implementation of ProjectDox software to facilitate electronic plan review. We recommend that the current practice of requiring prior Health Department review and approval be modified to allow concurrent review with the building plan review process as part of the ProjectDox implementation. This process change should immediately reduce the overall time that plans spend in the review process.

74. Recommendation: With the implementation of ProjectDox, Health Department reviews should be performed concurrently with the Commercial Building Permit plan review process.

In reviewing potential program modifications to enhance the development review process and the relationship between DSD and the Health Department it is appropriate to recognize the many improvements that have already been implemented. Many improvements were originally introduced during the establishment of the One Stop Shop at One Town Center. Collocating Health Department plan review staff on the

same floor as the DSD Commercial Plan Reviewers and the Austin Fire Department Plan Review Engineers represents a significant investment in removing the types of silos that can contribute to ineffective communication between groups that frequently need to collaborate. The fact that both Departments are also familiar with the use of the AMANDA system is considered a benefit. However, both Departments are not fully utilizing the capabilities of the system and are not taking advantage of the ability of the system to share information that could be important to employees in both departments. This need can be of particular importance when proposed plan changes are submitted that could not only impact the Building plan review but also modify a previously approved plan from the Health Department. Tracking these types of plan changes to confirm that appropriate groups have had a chance to participate in reviewing the revised plan is currently very difficult.

75. Recommendation: DSD and Travis Health Department should pursue greater shared use of the AMANDA system.

In evaluating the potential need for major adjustments in the plan review and inspection process for new construction and remodeled projects to confirm compliance with the local and state health standards it is appropriate to determine if major problems currently exist and how would a change significantly improve the situation. Based on interviews with staff and feedback from customers during focus group meetings there seems to be few complaints about the how the current process works. Our investigation generally concurs with this assessment, however, we do believe some improvements could be made to better coordinate the inspection process between DSD and Travis County Health by enhancing the use of the inspection tracking modules within AMANDA. The concept of transferring the responsibility for conducting health related inspections on construction projects from the Health Department to the Building Inspection Division was considered. One of the major factors considered in our evaluation process was the fact that Texas Law requires that individuals who have demonstrated their competency by obtaining State Registration as a Sanitarian perform these types of inspections. Obtaining this high level of competency in this specific field is rarely required of any individuals performing normal building related inspection services, therefore, the concept of simply transferring the responsibility to existing staff in the Building Inspections Division of DSD is not a workable solution unless it is accompanied by a significant commitment to the type of training necessary to prepare an individual to become a Registered Sanitarian. In addition, staff within the Environmental Health Services Division is routinely assigned a wide variety of other duties that have little correlation to the duties assigned to typical building inspectors. A review of the organization chart for this Division helps illustrate the variety of activities that these inspectors may be assigned.

76. Recommendation: The current responsibilities for performing health related inspections of Food Enterprises and public pools should remain with the Austin – Travis County Health and Human Resources Department.

- 77. Recommendation:** The process for requesting inspections by County Health inspectors on new construction and remodels for Food Enterprise establishment should be integrated with the DSD Building Division process to better coordinate the overall inspection process.

XIII. LAW DEPARTMENT

A. OVERVIEW AND BACKGROUND

The fundamental authority for the City Attorney (LAW Department) is incorporated in Article 5 Section 6 of the Austin City Charter as follows: There shall be a department of law, the head of which shall be the city attorney, who shall be appointed by the city manager. The city attorney shall be a competent attorney who shall have practiced law in the State of Texas for at least five (5) years immediately preceding his or her appointment. The city attorney shall be the legal advisor of, and attorney for, all of the officers and departments of the city, and he or she shall represent the city in all litigation and legal proceedings. He or she shall draft, approve, or file his or her written legal objections to, every ordinance before it is acted upon by the council, and he or she shall pass upon all documents, contracts and legal instruments in which the city may have an interest.

There shall be such assistant city attorneys as may be authorized by the council, who shall be authorized to act for and on behalf of the city attorney.

B. ORGANIZATION

The LAW Department is organized into 8 divisions as described below and as shown on the organization chart. Of the several divisions the Land Use/Real Estate division and the Criminal Prosecution or legal enforcement division have the majority of the interaction with DSD. The divisions of LAW are described below:

Austin Energy Legal Services

Austin Energy Legal Services manages regulatory, transactional, and other legal issues for Austin Energy, the City's municipally owned electric utility and the nation's ninth-largest public power utility.

Criminal Prosecution

The Criminal Prosecution Division prosecutes Class C misdemeanors pursuant to state laws and city ordinances.

The Criminal Prosecution Division prosecutes Class C misdemeanors pursuant to state laws and city ordinances. The attorneys in this division practice before the City of Austin Municipal Court and cover an average of 60 dockets per week including jury trials, bench trials, and pre-trial motion hearings. Prosecutors pursue approximately 430,000 cases a year submitted by City of Austin departments including Police, Austin Code, Fire, and Health.

Ethics and Compliance

The Ethics and Compliance Team provides legal advice and ethics training to City employees, boards and commissions, and elected officials.

Intended to serve educational purposes, the Team does not conduct investigations nor give advice to members of the public. Depending on the matter, the Auditor's Office or the Human Resources Department handles investigative and disciplinary action.

Financial and Administrative Services

The Financial Services Division provides financial planning and budgeting for the City of Austin Law Department, including business planning, purchasing and outside counsel/consultant contracting.

General Counsel

The General Counsel Division (formerly the Employment and Public Safety Division) provides advice and counsel to all City Departments and operations on employment, labor relations, and civil service legal issues.

Land Use and Real Estate Division

The Land Use and Real Estate Division provides services to City departments, such as Planning and Development Review, Watershed Protection, Austin Water Utility, Neighborhood Housing, Economic Growth and Redevelopment, Solid Waste and Parks Department.

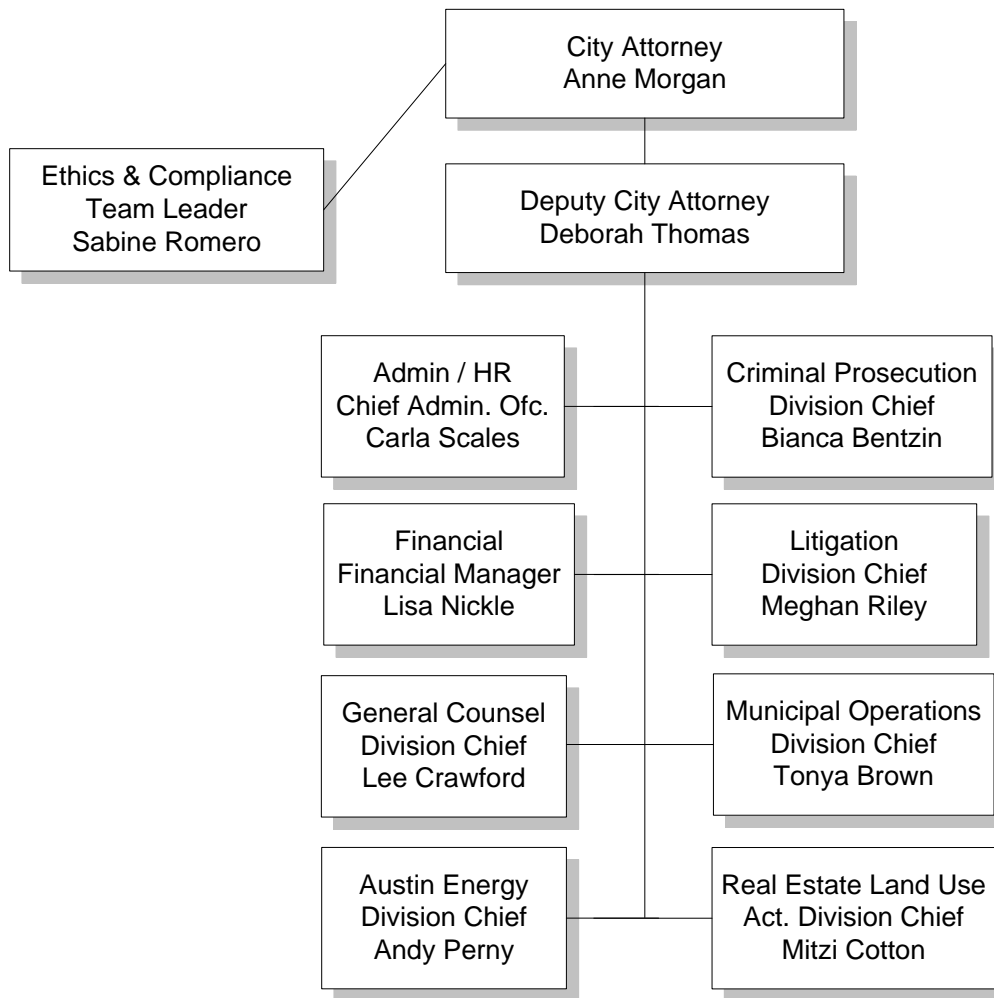
Litigation

The General Litigation group defends the City of Austin and its employees in all civil litigation cases. The types of cases managed by the General Litigation Division include civil rights, contract disputes, personal injury, employment, and land use matters.

Municipal Operations

The Municipal Operations Division provides services to specific City departments, such as Health and Human Services, Emergency Medical Services, Fire, Library, Convention Center, Information Technology Services, Budget, Purchasing and Financial Services.

**Figure 12
Law Department Organization**



C. DEVELOPMENT REVIEW/INSPECTION SETTING AND ISSUES

There are currently no MOU’s between LAW and DSD.

Reviews by the LAW department of pertinent documents and agreements is facilitated when standard contract and pre-approved document forms are used. When non-standard forms are used it necessarily takes longer to complete a legal review. The LAW Department has reported that their response time for review of standard or pre-approved format documents is within (5) working days after receipt.

Key issues between LAW and DSD have been noted by the Zucker team that we believe have contributed to delays in development processing and with environmental enforcement matters. Conflict issues in the past have included timely reviews by LAW of development related documents; environmental enforcement; effective and knowledgeable legal representation before city commissions.

To be fair we also wish to point out that there is a shared responsibility between LAW and DSD for delay and other issues. For example LAW can't be expected to turn around a review of a non-standard form contract at the last minute or that DSD does deserve to have code enforcement case details well understood prior to the start of a prosecution trial.

It is in the best interests of the city that resolution of the underlying causes of these conflicts and issues are resolved by partnering and mutual agreement and improving the lines of communication between the two departments. We have included some suggestions and a draft MOU between DSD and LAW that can help resolve this type of conflict.

We are also pleased to note that both LAW and DSD are sincerely working to improve their working relationship.

For example LAW has instituted a new process for providing service to Planning Commission and the Zoning and Platting Commission. They still use a rotation but the rotation now consists of just 4 attorneys, as opposed to a much larger pool or group in the past. Those attorneys are receiving dedicated training in land use from the most experienced land use attorney. The new rotation started in September, 2015. The less experienced attorneys are being accompanied by more experienced attorneys during commission meeting and hearings. The attorneys will be better versed in land use legal issues under the new process. We believe that DSD and PAZ should also assure that an experienced professional staff member is also available during the full extent of the same meetings as when attorneys are present. It would be appropriate for the proposed MOU between Law and DSD define this partnership in greater detail.

Communication lines and advance preparation for hearings and meetings is a necessary requirement for LAW, DSD, and PAZ. We believe that the more extensive use of Amanda by these departments can facilitate the communication links. Amanda can be particularly useful if used by the Land Use and Criminal Prosecution divisions of the LAW Department. Project progress as well as the ability to monitor deadlines for responses and actions taken in the land use area will improve the overall management of each project. It is also our view that a well-documented history associated with code enforcement can be especially significant for the criminal prosecution division particularly when it may be necessary for a court proceeding. Often the long-term history when well documented in Amanda will help assure a successful prosecution

There are code and environmental violation prosecutions that require a full team effort between LAW and DSD if they are to be successful. Neither DSD nor LAW wish to fully prosecute violations when the matter can be resolved by securing compliance by the violator. However there are always a number of situations where all means of resolving a violation fail, and formal prosecution is the only alternative left to the city. We understand that some cases have failed due to the lack of true teamwork between LAW and DSD. Other cases have not succeeded because of the stricter requirements of a superior court prosecution. It is our understanding that there can be a fairly

significant number of this type of code and or environmental prosecution that can be litigated in an Administrative Law Court where an Administrative Law Judge is empowered to decide these cases. The departments should explore this alternative.

Co-location of staff for many interdepartmental situations pertaining to new development has often helped the overall process of development review. We evaluated the potential for co-location of a lawyer within the DSD offices. The LAW department expressed concern that co-location could actually be counter-productive for at least a couple of reasons. One reason is the need to ensure sufficient boundaries between attorneys and their client departments, which LAW regards as an essential part of the attorney-client relationship. The overall goal of better integrating legal advice into DSD functions could, according to LAW, be furthered more effectively through regularly scheduled meetings and training sessions. A second reason, which is based on past experience with colocation, is that it furthers what LAW regards as over-reliance on attorneys for issues that should be resolved primarily by DSD/PAZ staff, such as basic code interpretation, administrative policy, and customer relations. While legal advice is often essential to DSD and PAZ operations, best practice procedures require that DSD and PAZ staffs do a better job at screening-out issues that do not require lawyer involvement. It is our view in this instance that co-location could result in overuse of attorneys for routine department functions.

DSD was generally in favor of co-location as a solution to their concerns. DSD was responding to the perception that response times could be improved. At this time and after discussions with both LAW and DSD we do not see a benefit to co-location an attorney in the DSD offices at this point in time. We do see the need for more interaction and training between the DSD, PAZ, and LAW Departments to help each department better understand opportunities and constraints associated with applying the Austin code to development cases. As stated elsewhere in this chapter review response times have been better defined and improved particularly when developers utilize the standard pre-approved forms for documents. Further the increased and advanced use of Amanda by LAW, particularly in the Land Use and Criminal Prosecution divisions, will allow monitoring of response deadlines by all departments.

Questions Posed to LAW

Processing time for Law review is minimized when DSD utilizes the various pre-approved standard form agreements and documents. This makes a lot of sense and we assume many of these documents are of the “fill in the blanks” type of form. In our conversations we recall that it was suggested that a typical review time for these standard form documents was less than 5 working days and that non-standard form documents take more time for the legal review (29 days). The comments in answer to our questions were received from the Law Department:

- 1) *Can you provide a list of the standard form documents that are routinely used by DSD?*

The standard easements are online on the City’s website under Development - <http://www.austintexas.gov/page/common-easement-and-restrictive-covenants> . The

restrictive covenants are available through DSD reviewers and the goal is to have these documents online by the end of the year, if possible.

2) *Are the standard form documents maintained by the city's rules and standards system whereby public notice and related procedures are followed?*

No

3) *Does your department provide training and or tutorials for DSD and development review staff to assure that they provide your department with timely and proper documents for your review. Is there a written procedures manual or policy?*

In the past there has been training that the Law Department has provided. We are always available for additional training if needed. No, there is not a written procedure manual or policy.

However, the preparation of the documents is not controlled by DSD. The applicant is responsible for preparing the legal documents using the forms provided on the Website. DSD's function is to confirm that the metes and bounds description closes and covers the correct area and the form of easement will address the code requirement.

4) *Do you review these documents via the AMANDA System and respond accordingly. Does the current AMANDA system function for your review process. Are any changes necessary or underway?*

The Law Department has not been added to the AMANDA system yet. It is our understanding that DSD and CTM is working on this process, but the review is merely to update in AMANDA the date of receipt and delivery of documents Law is provided. We will provide comment once the system is ready for testing.

5) *Are there circumstances that still require hard copy documents for your review and approval in addition to the electronic submittals via AMANDA?*

Yes, all final documents we receive are hard copies and are required for review and approval (draft documents are often received in electronic form). Once approved and signed off by Law and then DSD, the applicant is responsible to retrieve the document from DSD and record at their expense the recordable documents at the appropriate County public records center and have the original document returned to DSD.

Over time there are potential enhancements that may be possible to further facilitate the process. In particular, once all three counties that are within the City's jurisdiction area have adopted electronic filing of recordable documents, the system could be revised to allow electronic filing. This would also require changes to the fee schedule

since the filing would be then managed and paid for by DSD. However, this process may have additional benefits, including facilitating the GIS update process if all recorded documents are in electronic form.

6) *Please correct the above times if I have them wrong.*

Once a document is received from DSD or AWU, it is reviewed within the 5 working dates allocated. It is usually reviewing within 48 hours. If the documents do not utilize the City's form, then they can take up to 20 working days to review.

7) *How often are non-standard documents submitted by DSD for your review?*

Depends as this comes from applicants and is not within the City's control. As of this Fiscal Year, the Law Department has received 77 documents (initial review) and 8 have been non-standard.

8) *Are most (what %?) of DSD legal services conducted by the land Use Division under Mitzi Cotton. I have some additional questions regarding code enforcement below which I understand are under a separate division?*

If you mean zoning code enforcement that is under Austin Code Department, both Mitzi Cotton and Meghan Riley (Litigation Chief) supervise the attorney that is the primary attorney for that function. If you are talking about enforcement for work without permit, correct? If that is so, Mitzi's attorneys have assisted in the past. But at this point most of those issues go to the Chief Prosecutor, Bianca Bentzin.

9) *Are there circumstances that still require hard copy documents for your review and approval in addition to the electronic submittals via AMANDA?*

Yes, hard copies are required for review and for approval since the applicant records the documents at the County.

10) *Is there any informal or documented written procedures or MOU(s) between DSD and Law that have been or are in effect at the present time?*

Not regarding easements, restrictive covenants, street deeds, etc.

D. RECOMMENDATIONS TO STREAMLINE DEVELOPMENT REVIEW, CODE ENFORCEMENT AND COMMUNICATION BETWEEN LAW AND DSD

- 78. Recommendation:** Adopt an MOU between LAW and DSD along the lines of the draft document provided in this report in Appendix B. Review response timelines as well a joint meeting attendance should be an important elements of this MOU.
- 79. Recommendation:** LAW should, at the earliest possible date, include greater use of Amanda, initially for the Land Use and Criminal Prosecution Divisions.
- 80. Recommendation:** LAW together with DSD should continue to explore opportunities to expand and utilize electronic submittals and approval of documents and forms up to and including formal recordation of legal documents required for new development.
- 81. Recommendation:** LAW, DSD, and PAZ should mutually develop a training program whereby lawyers and DSD/PAZ staff regularly meet to evaluate procedures and responsibilities of each based on actual case experiences in Austin.
- 82. Recommendation:** LAW along with DSD and other departments responsible for securing code and environmental compliance should determine feasibility and implement use of the Administrative Law Court System to prosecute violations.
- 83. Recommendation:** LAW should monitor and regularly update its website listing of approved form documents to help and encourage all users including developers and city staff to better manage development project submittals.

XIV. NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT (NHCD)

A. OVERVIEW

The Neighborhood Housing and Community Development (NHCD) Department provides housing, community development and small business development services to benefit eligible residents, so they can have access to livable neighborhoods and increase their opportunities for self-sufficiency. NHCD ensures developers receive available affordable housing benefits and so that the City can receive the affordable housing units.

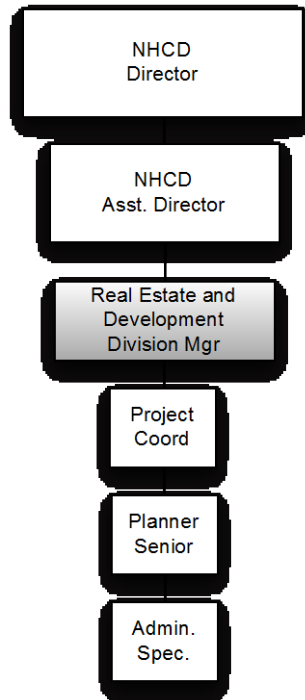
The Real Estate and Development (RED) function is a Division within NHCD that provides financing for developing affordable housing, and implements the City's Developer Incentive Programs (e.g., expedited review for SMART Housing). RED interfaces with the Development Services Department (DSD) by providing Plan Review of various DSD development applications, including Site Plans, Subdivisions, Building Permits and Zoning Cases, in order to assess whether these new developments trigger affordability provisions established through the City's Land Development Code, numerous Ordinances (e.g., University Neighborhood Overlay (UNO), Transit Oriented Development, etc.).

RED ensures, where possible, that SMART Housing (Safe Mixed Income Accessible Reasonably Priced Transit Oriented) provisions are met, such as expedited review. They also ensure that the numerous density bonus and development incentive provisions (e.g., 13 development incentive programs as of 7/15) are administered properly and that affordable housing is provided and Fees in Lieu are assessed accurately, collected, programmed and reported on as required.

B. ORGANIZATION

Figure 13 below, shows the current organizational structure of the RED Division of the NCHD Department.

Figure 13
Existing Real Estate and Development (RED) Organizational Structure



Existing DSD Interface/Plan Review & Inspection Review Setting

Table 9 below summarizes the how the RED currently interfaces with the DSD Department.

Table 9
Existing NHCD Plan Review & Inspection Setting

Plan Review Setting		Comments
Standards Used /Updates/Timing	Land Development Code (e.g., Title 25); Density Bonus provisions are scattered throughout; multiple overlays districts	Density bonus provisions need to be consolidated into one area of Code. Should be accomplished through CodeNext.
Types of DSD Projects Reviewed	Site Plans, PUD's, (Zone changes) Subdivisions, Building Permits	SMART Housing program provides incentives, including dev. review and inspection fee waivers, and fast-track review, to developers and builders of reasonable priced homes, per Council's April 2000 policy.
Scope of Plan Review	At Pre-submittal/Dev. Assessment stage - NHCD reviews PUD's and zone changes to determine if affordability incentives have been requested and negotiates affordability incentives /requirements. For SMART Housing, the developer submits	Interface with the developer upfront on SMART Housing prior to the project entering the review or zoning system. The project is certified by NHCD for participation to receive fee waivers and expedited review. The certification letter states the percentage of fee waiver the project can receive. An application has to be reviewed by NHCD before a SMART Housing certification letter can be issued. Developers are informed of the

Plan Review Setting		Comments
	<p>application to NHCD before the making a formal submittal. NHCD creates a file reviews the application and certifies the project.</p> <p>At completeness check stage NHCD reviews for affordability provisions (if they are listed as a reviewer)</p> <p>At formal submittal stage NHCD reviews projects (e.g., Vertical Mixed Use, micro units) to determine if density bonus provisions have been requested/accessed by the developer. NHCD determines whether cash in lieu or affordable units are required, and/or restrictive covenants needed, etc.</p> <p>At certificate of occupancy stage, NHCD calculates cash-in lieu (based on as-built drawings and architect certs), collects fee.</p> <p>After projects are constructed, NHCD tracks to ensure units promised are delivered and meet requirements. Also conduct monitoring</p>	<p>Certification process through the City's website, the DAC, NHCD staff and the formerly by the SMART housing review team.</p> <p>When density bonus / incentive programs are accessed by developers, NHCD relies on PAZ and DSD to communicate with NHCD to tell them that the developer is accessing a density bonus/incentive program. There are 13 programs in place and the provisions are convoluted because they are all different.</p> <p>NHCD issues letters of affordability for our other developer incentive programs (density bonus ordinances), verify affordability terms, fee-in-lieu calcs. and collection, and Restrictive Covenant issuance and recordation.</p> <p>NCHD subject matter experts also issue Affordability Impact Statements, which are an assessment of the impact of a proposed rule/ordinance/process on the regulatory barrier, cost and production of affordable housing for reporting purposes.</p>
Plan Review Delegated to DSD or External Depts.	SMART Plan Housing Review once project is certified by NHCD to participate.	Should be through designated SMART housing review teams, but regular DSD review teams are currently used, without providing expedited review. RED is added as a review discipline on a respective zoning case and distributed a packet. They issue comments directly to the zoning case manager, and they insert our comments into the master comment report that is issued to the applicant. Our comments must be cleared by NHCD
Plan Review Overlap/Duplication with DSD	No. The SMART Housing Review team was not responsible for the review of the affordability of the project but would await NHCD sign off to approve if there were any issues	However, RED has to scan agendas, and AMANDA to double check to determine if affordability provisions are triggered and met because SMART Housing Teams no longer exist and NCHD is not listed as a standard reviewer in AMANDA or on reviewer lists.

Plan Review Setting		Comments
	with affordability.	NHCD role is to ensure the developer receives the benefits so that the City can receive the affordable units.
Collocated Plan Review Staff in DSD	None	
Should RED staff in NCHD be Collocated with DSD	No.	Need interaction with parent (NCHD) dept. RED reviewers have other responsibilities.
FTE's in RED Performing Plan Review	1 FTE; 15% of time spent on reviews, mtgs. with developers	Also involved in coordinating, resolving issues, etc. Staff time also includes meeting with the developer to go over proposals and discussing legal documents needed for affordability.
Existing MOU's with DSD (formerly part of Watershed Protection & Dev. Review)	7/24/ 06 MOU between NHCD and Watershed Protection & Development Review Re: SMART Housing Review Team, expedited Review and inspection and review fee waivers. Only partially in force	Only partially in force – expedited review not being performed.
Existing MOU's for Plan Review with External Departments	None	May need Austin Energy MOU if SMART Housing Teams reinstated
Inspection Setting		Comments
Inspections performed	NCHD has a Monitoring division that conducts monitoring on constructed projects overtime, to ensure the affordability period is met.	RED places restrictive covenants placed on Affordable projects sometime between the start of construction and prior to issuance of certificate of occupancy. NHCD handles annual long-term monitoring on-site inspections (e.g., inspect records & income to prove continued affordable eligibility and ensure rents are compliant with Covenants and terms- 2000 units.
Inspections Delegated to DSD	DSD delegated inspection responsibility for SMART Housing/Affordable projects.	SMART housing is supposed to receive expedited inspection per 2000 council resolution and 2006 MOU. Inspections services were to be reimbursed by NCHD. Team was supposed to be funded by NHCD, and funding used to be in the NCHD budget. Not currently being reimbursed, but also not performing expedited. Reviews. Since it is a council initiative funding may need to be provide via general funding and placed in DSD budget through budgeting process. Not sure status. Residential inspections should inspect for "Visitability." Austin Energy Green Building inspectors should be inspecting for green building compliance for SMART housing.
Existing MOU's for Delegated Inspections	None	SMART

Existing Plan Review and Inspection Issues with DSD

Interviews with NHCD staff indicated that the following plan review and inspection issues were reported:

- 2006 MOU with WPDR not being followed by DSD. SMART review team no longer exists and expedited Review does not occur. NHCD used to have funding in budget to allow charge backs (e.g. compensation) for providing expedited Plan Review and Inspection services, but no longer. Funding stopped being set aside in NHCD budget in 2008, and Special SMART Review Teams broke down. DSD Case Managers currently conduct SMART Housing review through regular teams without expedited review. Need updated MOU that outlines dedicated Review Team, responsibilities and funding provisions;
- City Manager should issue Executive Bulletin to require DSD and External Department's commitment to SMART Housing policies issued by Council in 2000;

84. Recommendation: DSD and all External Departments should implement the SMART Housing policies issued by Council.

- The Smart Review Team, within DSD, should include a Site or Subdivision Case Planner/Project Manager, Env. Planner, Transportation Eng., a drainage/water quality engineer and an administrative assistant. A Gantt Chart could be used to outline review steps/timeframes;
- A designated residential building reviewer should review and process the SMART Housing residential building permits and a designated commercial building reviewer for SMART Housing multi-family/mixed use developments. Designated Green Building staff in the Austin Energy Department should also be involved in reviews to ensure Green Building standards are met (unless delegated to DSD). All inspectors involved in SMART Housing inspections should be well versed in SMART Housing requirements;
- DSD should provide review, permit and inspection reporting to NHCD regarding SMART Housing review and inspection cycles and timeframes;
- Some affordability reviews by NHCD have been missed (e.g., PUD's) because NHCD is not listed as a standard reviewer/review discipline in AMANDA or on review lists. Staff indicated at the pre-submittal a development assessment occurs for PUD zoning cases, which gives departments a "heads up" on a proposed PUD. NHCD should be added to AMANDA and review lists to ensure they have the opportunity to review projects that trigger affordability;
- AMANDA needs to be adaptable to changing code provisions;
- NHCD has read only access to AMANDA, despite having asked CTM for review access. RED staff currently has to scan AMANDA to ensure all projects that trigger affordability are captured. In addition, AMANDA does not have

correct prompts to determine if affordability is triggered, which would help capture missed projects. NHCD is working on AMANDA integration.

85. Recommendation: CTM should modify AMANDA to add NHCD as standard reviewer for Affordability projects and be integrated into the AMANDA system and to ensure that all projects that trigger affordability are captured.

- RED should be interfacing with DSD during pre-application/pre-submittal meeting with developers as a liaison to a designated SMART Housing review team to go over expectations, review schedules and turnaround times for both the review staff and the developer’s design team to ensure the expedited schedule (e.g., incentive) is met. Since DSD SMART Housing Review Teams no longer exist, pre-applications meetings don’t regularly occur and expedited reviews are not provided.
- RED should be interfacing consistently with DSD during the Plan Review process and should be added as a standard review discipline in AMANDA and on any reviewer lists, where affordability has been triggered. RED currently has to scan agendas, and AMANDA to double check to determine if affordability provisions are triggered and met because SMART Housing Teams no longer exist and NCHD is not listed as a standard reviewer in AMANDA or on reviewer lists.
- RED should be interfacing with DSD in project negotiations. Currently, when a PUD is proposed, the Case Manager requires negotiation with a number of departments to ensure that each departments needs are met to the extent possible, so that one department’s needs are not mutually exclusive to another. For example, Parkland dedication and improvements can prevent inclusion of affordable units, because of cost considerations. This should occur on all affordability projects as early as possible

See recommendation below regarding execution of an MOU to resolve these issues.

C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW INTERACTION WITH DSD

Since inspection responsibilities have already been delegated to the Site/Subdivision and Residential and Commercial Inspection functions of DSD, and no issues with the delegated inspection service delivery were reported, we examined potential alternatives to further improve external communication and coordination in the Plan Review process.

1. **Move All Affordability Plan Review Responsibility from NHCD (RED Division) to DSD Plan Reviewers and Provide Funding For Services through an MOU**

DSD is already administering SMART Housing reviews through their typical Plan Review team process. However, as noted above, designated SMART Housing review teams no longer exist to provide expedited plan review or inspection. We recommend an MOU between NHCD and DSD to resolve this issue. Consideration needs to be given as to who will pay the fees for expedited service.

For other affordability projects, the involvement of RED plan reviewers within NHCD depends on the type of project. For example, on zone change and PUD projects, RED is involved in the pre-submittal/dev. assessment stage to negotiate affordability terms. Since this stage involves affordability negotiations, it is important the NHCD remains involved. However, as noted above NHCD is not consistently included these meetings.

NCHD is also involved in the Completeness Check, when they are identified as a needed participant. However, they are not always identified as such. The Completeness Review for affordability triggers could be delegated to DSD, with appropriate training. If a project is found to trigger affordability, NHCD should be alerted via AMANDA and added as a reviewer during the formal plan review stage.

NHCD is also involved in the formal plan review stage of the development process, when they are included as a reviewing party. NHCD believes they should remain in the formal review process, rather than delegating this to DSD because density bonus provisions are complex and scattered in the Code and require an understanding not only of the intent of the code provisions, but also how it is applied in the context of citywide affordability goals and requirements.

However, as noted above, NHCD is not always identified as a reviewer on projects that access affordability incentives and critical errors have been made by PDRD Plan Review staff as a result. DSD should add NHCD as reviewer if DSD determines during the completeness check that affordability provisions have been triggered.

NHCD is also involved at the certificate of occupancy stage to collect any cash-in-lieu fees due (based on as-built drawings and architect certification). Fees collected are placed in designated accounts and programmed accordingly. NHCD must remain in this stage of the process as well, since fees collected must be accurate, programmed and reported.

As such, it is not practical or efficient for DSD Plan Reviewers to absorb all NHCD Affordability Plan Review responsibilities, since they would need to have a comprehensive understanding of larger NCHD programs and objectives in order to review a small percentage of projects that trigger affordability reviews.

NCHD Staff indicated that their reviews are generally timely and when AMANDA systems improvements are complete, so that they are no longer limited to “Read Only” access accessibility, coordination and communication will be further improved.

Given the need for NHCD to remain in various stages of plan review, as identified above, this Alternative was rejected as preferred. See our recommendation below to delegate Completeness Check to DSD and enter into an MOU.

2. **Collocate Relevant Staff to DSD through a Matrix MOU**

NHCD staff are currently housed in an office building off-site. We evaluated the possibility of collocating the 1 FTE designated RED plan reviewer from NHCD to DSD Plan Review Staff (e.g., Site Plan, Subdivision, Building, etc.).relevant NCHD affordability Plan Reviewers and determined that is was impractical since only 15% of 1 FTE is spent conducting plan review and given the current DSD office space limitations and that fact that reviews are generally timely. Moreover, AMANDA improvements will improve coordination and the issues identified related to SMART Housing, which can largely be resolved through the execution of an MOU and a City Manager directive.

As such, this Alternative was eliminated as preferred alternative. However, as the program changes, it may be useful to reconsider this alternative.

3. **Leave the Plan Review Situation with DSD partially as is with MOU Agreement to outline Plan Review Responsibility and Service Standards and formalize DSD Inspection Responsibilities**

This Alternative would provide for NCHD to continue to perform Affordability Plan Review off-site, when their review is triggered, and participate in Pre-application/pre-submittal meetings and other meetings with DSD staff for affordability projects, as needed. As noted, DSD already manages SMART Housing Plan Review and absorbed inspection duties for affordability projects, however the funding for these services should be outlined in an MOU.

Given DSD's complex Plan Review environment, which calls for external reviewers to filter in and out the various processes, the physical separation of NHCD from DSD, DSD's desire to establish and meet more aggressive review time frames, and the City's overall goal of improving customer service, and existing SMART Housing Plan Review issues, it is reasonable to obtain a renewed commitment from external reviewers to provide timely plan review services, regardless of budget or other resource constraints through an MOU.

In addition, DSD and PAZ should agree to include NHCD in any pre-submittal meetings where affordability is triggered (e.g., PUD's, zone changes) so timely affordability negotiations can occur. To help streamline the Completeness Check process, DSD absorb NHCD's Completeness Check reviews to identify whether affordability has been triggered. If triggered, DSD should ensure that NHCD is alerted via AMANDA and becomes a plan review participant in the formal submittal stage. The MOU should also include provisions to ensure that SMART Housing projects

receive expedited plan review and inspection services as directed by council, with funding reimbursement by NHCD or the budget process. The MOU should also include provisions to rectify service delivery issues when they occur, and the use of the AMANDA platform and formalize associated inspection expectations and duties that have already been absorbed by DSD.

The impracticalities associated with DSD Staff absorbing all the NHCD plan review activities or collocating NHCD reviewers to DSD, make this Alternative preferred, as it would provide value, while creating the least disruption.

XV. OFFICE OF REAL ESTATE SERVICES

A. OVERVIEW

The Land Management Section of the Office of Real Estate Department (ORED) administers Chapter 14-11 of the City Development Code, including license agreements, release of easements, vacation of ROW, encroachment agreement activities. They are also responsible for the transactional closings of property acquisitions (easements and fee), and part of the Quality Assurance/Quality Control function for the Acquisitions Section of ORED.

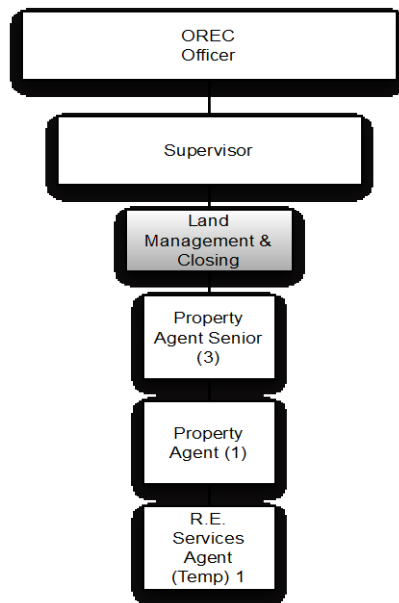
Staff interviewed indicated that each of the above Chapter 14-11 functions have a unique application form and process and are tailored toward a specific property rights transaction. Land Management staff in the ORED manages these processes, which includes application intake, review, boards & commission approval (when applicable), appraisal (when applicable), City Council approval (when applicable), and legal document preparation and recordation.

The Land Management Section interfaces with the Department of Development Services (DSD) in the Plan Review through their license agreements, release of easements, vacation of ROW, encroachment agreement activities. They do not review current planning projects (e.g., Zoning Case Management, Annexation, Code Amendment projects).

B. ORGANIZATION

Figure 14 shows the current organizational structure of the Land Development Section with the ORED Department.

Figure 14
Existing Office of Real Estate Department (ORED) Organizational Structure



Existing DSD Interface/Plan Review & Inspection Review Setting

Table 10 below summarizes how the ORED currently interfaces with the DSD Department.

Table 10
Existing ORED Plan Review & Inspection Setting

Plan Review Setting		Comments
Standards Used /Updates/Timing	City Municipal Chapter 14 (property easements, etc.)	Recently updated. Additional updates to be completed as needed.
Types of DSD Projects Reviewed	Site Plans. Reviewed during the Completeness Check on the 4 th floor in person.	Pending AMANDA upgrades will allow us to conduct these checks through the AMANDA system. ORED does not conduct additional plan reviews, and we do not review zoning issues or building permit applications.
Scope of Plan Review	Determine whether any proposed Site Plan improvements will encroach into an area where the public holds the dominant property right (right-of-way or easement);	For plans that show such encroachments, we add a note to advise the applicant that they will need to submit an application for a License Agreement or Encroachment Agreement. License Agreements are required to license use of public ROW for private use (e.g., outdoor café). Encroachment agreements are required for buildings placed at property line (required in downtown areas)
Plan Review Delegated to DSD	None presently.	Easement releases and right of way vacations

Plan Review Setting		Comments
or External Depts.	Completeness checks for ORED have not been delegated because DSD staff cannot adequately evaluate plans for the types of improvements that qualify for a License Agreement.	<p>have always been under Real Estate. The Encroachment Agreement has only been in existence for about 2 years, but it has also only been with Real Estate.</p> <p>License Agreements was the only process that was once delegated to land use review, when it was part of the Watershed Protection and Development Review Department. It was also delegated to DAC, which is now within DSD at one point. This process was re-assumed by ORED because delegated staff lacked a thorough understanding of property rights transactions, and as such were unable to provide effective support and service.</p> <p>Under ORED, the License Agreement process is supported by a team that administers the other Chapter 14-11 processes, and this provides for a high level of functional security and synergy. Cross-training and skills redundancy among the Land Management team members ensures an effective continuity of operations in the event of personnel vacancies. Further, in an extreme event, there are capable staff members elsewhere in the Department with skills or expertise who can step in and provide operational support.</p>
Plan Reviews Assumed for DSD	Chapt. 14-11 reviews (license agreements and Encroachments)	Some of the Land Development team in ORED have access and experience with AMANDA, but the system is not currently used in Chpt. 14-11. However, there is an AMANDA upgrade in process and we have been working with a design team on the integration of our processes into the AMANDA system.
Plan Review Overlap/Duplication with DSD	None	
FTE's involved in DSD Completeness Check Plan Review	1 FTE	Less than 10% of time spent on completeness check (e.g., 3 hrs. per week)
Collocated Plan Review Staff in DSD	Partially. Currently located on the 7 th Floor of the Texas One Center Building.	A facilities realignment is underway to make space on the 13th floor, which will reposition staff back with the rest of Real Estate by early 2016.
Existing MOU's for Plan Review with DSD	None	
Existing MOU's for Plan Review with External Departments	None	
Inspection Setting		Comments
Inspections performed	None	Land Development Section does not conduct any inspections. No inspections occur. Sometimes inspections are conducted by the Code (Compliance) Department responding to a code violation.
Inspections Delegated to DSD	N/A	
Existing MOU's for Delegated Inspections	N/A	

Existing Plan Review and Inspection Issues with DSD

The following Plan Review issues were identified during our interviews with ORED staff. ORED processes do not involve inspections.

- Occasional Site Plan and License Agreement Tracking issues. During the Site Plan review process, a developer may be required to place certain improvements in the right of way (such as street trees) and may also elect to place certain improvements in the right of way (such as an awning, bench, or balcony), and any of these types of encroachments requires a License Agreement. Once a Site Plan is approved, the developer may commence construction activities. However, the Site Plan does not convey a legal right for the developer to encroach in a right of way. The license agreement is the legal instrument that provides the developer with the right to encroach. As such, Site Plans and License Agreements need to track closely together so that all entitlements are in place by the time the developer is ready to begin construction.

There have been occasional conflicts between Site Plans and License Agreements, when they have not been closely tracked together. For example, the Site Plan reviewer is review evaluating a proposed development under the Land Development Code, and as such, is primarily concerned with onsite issues, as opposed to analyzing the use of the rights of ways from a property rights perspective, or considering the legal implications of how right of way use agreements should or should not be used. At times, DSD Plan Reviewers have attempted to require placement of non-standard improvements in the right of way with the instruction that the improvement should be under a license agreement (because the City does not want to maintain the improvements). However, these types of improvements are not allowed to be placed under a license agreement. They are required to be approved under a Site Plan. So, if they were placed under a license agreement, and the City decided to exercise the revocability clause in the License Agreement (as provided for in Code), the property would immediately become a non-compliant use;

- Some of the Land Development team in ORED have access and experience with AMANDA, but the system is not currently used in Chpt. 14-11. However, there is an AMANDA upgrade in process and ORED has been working with a design team on the integration of these processes into the AMANDA system.

86. Recommendation: ORED should delegate Site Plan Completeness Check reviews to DSD Site Plan Case Managers to determine whether ROW encroachments exist that necessitate License or Encroachment Agreements and advise ORED Accordingly.

See our recommendation below concerning leaving Chapter 14-11 review responsibilities for Site Plan reviews as is, with an MOU committing to provide Plan Review service.

87. Recommendation: ORED Department should complete work with the AMANDA design team to integration their Chapter 14-11 processes into the AMANDA system to further Plan Review and License Agreement/Encroachment coordination.

C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW INTERFACE WITH DSD

The following alternatives for streamlining the ORED interface with the DSD Plan Review process were explored as there are no inspections associated with ORED processes that interface with DSD.

1. Move Plan Review Responsibility to DSD and Provide Funding For Services through an MOU

We discussed the option of moving Plan Review responsibility from the Land Management Section of ORED to Site Plan review staff in DSD.

The ORED staff interviewed indicated that easement releases and right of way vacations have always been under Real Estate. The Encroachment Agreement is a relatively new process that has only been in existence for about 2 years and it has also only been administered by ORED.

The License Agreements process was once delegated to land use review, when it was part of the Watershed Protection and Development Review Department. It was also delegated to DAC, which is now within DSD at one point. This process was re-assumed by ORED because delegated staff lacked a thorough understanding of property rights transactions, and as such critical mistakes were made and staff was unable to provide effective support and service (e.g., provide accurate information and direction to applicants).

Under the Land Management Section of the ORED, the License Agreement and Encroachment processes are supported by a knowledgeable experienced team (e.g., 7 in the Division) that administers other similar Chapter 14-11 processes, which provides for a high level of functional security and synergy. Cross-training and skills redundancy among the Land Management team members ensures an effective continuity of operations in the event of personnel vacancies. Further, in an extreme event, there are capable staff members elsewhere in the Department with skills or expertise who can step in and provide operational support.

As such, ORED desires to retain responsibility for the Plan Review services currently provided to DSD. Comprehensive understanding of these types of property rights can't easily be transferred to DSD Site Plan or DAC staff, as it requires years of training, access to other experienced ORED staff and knowledge of bigger picture ORED strategies, goals and objectives. .

We agree with staff's assessment, particularly in light of the fact that delegation has been attempted in the past but was unsuccessful. As such, this is not a preferred Alternative.

2. Collocate Relevant Plan Review Staff to DSD through a Matrix MOU

The Land Development Section is already partially collocated with DSD in that they are housed within the One Texas Center Building on the 7th floor. Due to existing DSD office space constraints and the disadvantages associated with separating Land Development Section staff from their parent ORED Department and given that Plan Review services are generally delivered on time, and intend to utilize the AMANDA platform to deliver services, once available, we believe that further collocation ORED staff, from the 7th Floor to the 4th Floor could be too disruptive and that this Alternative is not warranted at this time.

However, this Alternative should be reevaluated when DSD secures appropriate office space that can reasonably accommodate collocated staff.

3. Leave Situation as is with MOU Agreement to Meet Plan Review Service Standards

Leaving the existing situation as is, with Land Management staff in the ORED performing Plan Reviews from their partially collocated office facilities within Texas One Center would provide the least disruption for ORED and DSD staff, particularly given the existing office constraints within DSD.

In addition, this Alternative would provide for more efficient and proficient ORED Plan Review service delivery, without additional costs associated with extensive training for DSD staff and the potential addition of staff resources required to assume new Plan Review responsibilities.

To help implement the City's desire to establish more aggressive Performance Standards for DSD Plan Review and ensure that all external departments are committed to providing on-time service delivery through the AMANDA platform (wherever possible), execution of an MOU between the Departments is warranted in order to secure a commitment to guarantee plan review service, agree to rectify service delivery issues when they occur, meet review time frames, etc.

As such, this is the preferred option at this time.

88. Recommendation: The Land Development Section of ORED should remain in their existing office space within Texas One Center to conduct plan reviews using the AMANDA platform (when possible) and enter into an MOU with DSD to guarantee delivery of Plan Review Service. Should DSD

move to a new facility, relevant parts of ORED should be collocated with DSD or DSD might even be trained to assume some of the ORED functions.

4. **Leave Situation as is without an MOU**

Although ORED reviews are thorough and generally timely, a commitment to provide plan review service is prudent to ensure that these services are a priority and delivered as agreed even during economic downturns. As such, we do not recommend this alternative.

XVI. PARKS AND RECREATION DEPARTMENT

A. OVERVIEW

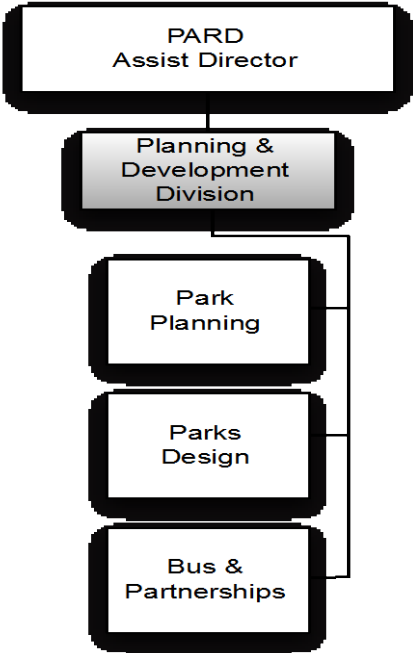
The Planning and Development Division (P&D) of PARD is the function that interfaces with the Department of Development Services (DSD) in the Plan Review and Inspection activities. They also interface with the newly formed Planning and Zoning Department through occasional Zoning Case Management, Annexation and Code Amendment Reviews. The P&D Division staff are integral in planning for future growth and development of Austin’s parks and recreation system by reviewing site plan, zoning, Planned Unit Developments, Municipal Utility District, Municipal Management Districts and subdivision cases and negotiating park land and/or park improvements and/or collecting parkland dedication fees. They also review these development proposals to determine impacts on parkland.

Management staff indicated that the P&D currently consists of 4 FTE’s and none of these staff are currently collocated with DSD. As shown in the table below, 1.5 FTE’s interface with DSD Plan Review activities.

B. ORGANIZATION

The organizational structure for the Planning & Development Division of the Parks Department is shown in Figure 15 below.

Figure 15
Planning and Development Division of Parks, Organization



Existing DSD and PAZ Interface/Plan Review & Inspection Review Setting

Table 11 below summarizes how the P&D currently interfaces with the DSD Department.

**Table 11
Plan Review/Inspection Setting with DSD&PAZ**

Plan Review Setting		Comments
Standards Used /Updates/Timing	Park Land Dedication (PLD) Standards	PLD Standards have been revised and currently under council review. Major change is going from flat fee for res. Units to density-based fee. Also adding hotels as assessed use. Parks Department Operating Procedures need to be updated. Currently being updated.
Types of DSD/PAZ Projects Reviewed	PARD reviews site, subdivision, zoning, MUD's and Municipal Mgt. Districts.	
Scope of Plan Review	Parkland dedication, Project proximity to parkland and impact on parkland and Master Planning.	
Plan Review Delegated to DSD or External Depts.	No	
Plan Reviews Assumed for DSD	None	Have not assumed any plan reviews for DSD
Plan Review Overlap/Duplication with DSD	None	PARD reviews do not overlay with DSD /PAZ. Prior to this year, we did have one overlap related to PARD Forestry reviewing ROW trees, which was corrected.
Collocated Plan Review Staff in DSD	No	Perform Plan Review off-site at PARD Office Lamar & 29 th Street
FTE's Performing Plan Review	1.5 FTE	FTE's includes a full time Senior Planner (vacant but will be advertised before the end of Oct. 2015, and a ½ time Principal Planner.) DSD provides PARD with a ¼ of a position to help offset review costs. This has traditionally been a line item in the PDRD budget. However, since PDRD was split into DSD and PAZ, PARD is uncertain as to whether the funding will be coming out of DSD or out of PAZ, since PARD reviews extend to both departments. This is an on-going budget line item and an MOU has not been executed to reflect this arrangement. However, a line item in each of the departments' budgets (PAZ and DSD) may be needed. Staff indicated that the ¼ funding from PDRD started in the early 2000's, when PDRD delegated boat dock reviews to PDRD and provided ¼ funding to offset review costs. However, in 2013-14, boat doc reviews were delegated back to PDRD. The funding remained because PARD amended the Parkland Dedication Ordinance in 07 to include site plan reviews (Prior to 2007, PARD did not review site plans for parkland dedication, PDRD did the reviews). In addition, since 07, when PARD assumed Parkland dedication reviews, activity has increased to 1.5 FTE, however PARD is still only being compensated for ¼.
Existing MOU's for Plan Review with DSD	None	
Existing MOU's for Plan Review with External Departments	None	
Inspection Setting		Comments
Inspections performed	PARD completes its own inspections for compliance with parks standards, when developers are constructing park amenities for their parkland dedication requirements; Otherwise DSD performs inspections related to Site and Subdivision construction.	Currently, the developer alerts PARD when a park-related improvement is complete so that they can perform inspections and release fiscal surety.
Inspections Delegated to DSD	Yes	
Existing MOU's for Delegated Inspections	No	
Why does DSD need to provide any funds to Parks?		

As Table 11 shows, the P&D Division of PARD has responsibility for performing all plan review related to parkland dedication, etc. and no Plan Review overlap was reported. PARD performs their own inspections on park-related improvements and DSD performs inspections related to site and subdivision construction. No overlap was reported between the departments.

Existing Plan Review and Inspection Issues with DSD

Interviews with P&D staff indicated that the following plan review and inspection issues were reported:

- Weekly pre-submittal review meetings that occur prior to the Completeness Check, with relevant PARD, Watershed, Environmental, Floodplain, and DSD permitting staff should occur to help reduce plan review time frames because it facilitates problem-solving and more comprehensive staff recommendations and conditions.
- DSD inspectors should be trained and required to notify PARD Plan Review and Inspection staff when park amenity construction begins, which typically occurs near the end of the construction cycle, when landscaping improvements are installed. PARD inspection staff could then begin their inspections sooner, which would improve inspection service delivery.
- Specific communication issues arise when applicants shop their plans around to different departments and play the departments off each other. That is why joint communication through pre-submittal meetings would be helpful.

See 5/13/15 final Zucker Report for discussion and recommendation on pre-submittal/pre-application meetings.

89. Recommendation: Include formal notification requirements of the start of park-related improvements by DSD inspectors to PARD through AMANDA platform in an MOU.

C. ALTERNATIVES FOR STREAMLINING PLAN REVIEW AND INSPECTION INTERFACE WITH DSD/PAZ

The following alternatives for streamlining the R&D Plan Review interface with DSD were explored.

1. Move Plan Review and Inspection Responsibility to DSD and Provide Funding For Services through an MOU

We discussed the option of moving Plan Review responsibility from P&D plan review staff to DSD/PAZ plan review staff. PARD Staff interviewed indicated that they do not believe PARD reviews can be delegated to Plan Review staff in DSD and PAZ, even if training to relevant staff is provided because PARD dedication reviews require intimate knowledge of the existing park systems, its Long Range Plan, and many other

global park strategies goals, objectives and issues. PARD reviews can be complex and often requires PARD review staff to interface within several PARD divisions to make decisions about parkland dedication and development adjacent to parkland. Without this bigger picture knowledge and regular interaction with staff within the PARD, opportunities to acquire critical parkland, trail connections, etc., and/or improvements and/or fees can be missed. Moreover DSD/PAZ plan review staff have heavy caseloads and training and absorption of PARD reviews would likely require additional staffing in DSD and PAZ.

In addition, P&D reviewers within PARD interface with Environmental and Transportation DSD reviewers, as well as Watershed and Utility reviewers and applicants as needed in meetings, via telephone and email to resolve issues, which can be time consuming, further limiting DSD and PAZ plan review staff's ability to absorb PARD plan review duties.

PARD completes their own inspections for compliance with parks standards, when developers are constructing park amenities for their parkland dedication requirements. Otherwise DSD performs inspections related to Site and Subdivision construction. Currently, the developer alerts PARD when a park-related improvement is complete so that they can perform inspections and release fiscal surety. Other than the inspection timing issues noted above, no other inspection issues were reported by interviewees.

As such, PARD desires to retain responsibility for Plan Review and inspection services for park-related improvements.

We agree with staff's rationale and as such, this is not the preferred Alternative.

2. Collocate Relevant P&D Plan Review Staff with PARD to DSD through a Matrix MOU

Currently, 1.5 FTE's in PARD's R&D Division perform Plan Review on DSD applications.

PARD management staff indicated that they are not receptive to collocating P&D staff to DSD on a part-time, rotating basis since they are generally performing timely plan reviews and there are no plan review or inspection duplications between the Departments. They also believe that communication and coordination issues would not necessarily be resolved through collocation within DSD because the many frequent interactions required with off-site, external departments, such as watershed, public works, utilities, and fire, would interfere with the collocation arrangement. The AMANDA system is helpful in facilitating communication with DSD and external departments and planned improvements to AMANDA will further improvement communication and coordination.

We agree with PARD staff with regard to their rationale for not preferring collocation at this time. While collocation may enhance team-oriented attitude and ease communication flows among collocated plan reviewers, it can work in the opposite

direction for the P&D team function, since P&D team members no longer have the benefit of daily-collocated interaction with each other.

Further, since PARD reviews are generally timely and review staff participates in DSD and PAZ meetings, where necessary and are accessible to the development community, collocation does not appear warranted, given the office constraints at the DSD facility and the planned improvements to AMANDA which will enhance communication and coordination. Thus, this Alternative is not preferred.

DSD has indicated that a new office facility is being sought to relocate all DSD functions in the next few years. The new facility is intended to accommodate office space for existing, future and collocated DSD staff. As such, this Alternative should be re-evaluated once new office space is secured.

90. Recommendation: Collocating part of PARKS with DSD should be considered once DSD has secured new office space.

3. **Leave Plan Review Situation in PARD as is with MOU Agreement to Meet DSD Plan Review Service Standards and formalize DSD Inspection Responsibilities**

Leaving the Plan Review situation as is, with P&D staff performing Plan Reviews from their off-site location on Lamar Street, would provide the least disruption for P&D staff, particularly given the existing office constraints at the DSD facility.

Given that P&D reviews have generally been timely, the office constraints of the existing DSD facility and PARD's interest in executing an MOU with DSD to outline terms that guarantee Plan Review service and formalize delegation of DSD inspection services, we believe this is the preferred Alternative at this time.

91. Recommendation: The P&D Division of the PARD should remain in their existing off-site facility to conduct plan reviews using the AMANDA platform and enter into an MOU with DSD that guarantees PARD plan review service delivery and formalize the delegation of inspection responsibility to DSD with appropriate funding terms.

4. **Leave Situation as is without an MOU**

Although P&D reviews are thorough and generally timely, a commitment to provide plan review service is prudent to ensure that these services are a priority and delivered as agreed even during economic downturns. As such, we do not recommend this alternative.

5. **Financial Issues**

In the past the Planning and Development Review Department provided PARD with ¼ position to help offset review costs for parks. There has been an open question as to how this would be handled by both DSD and PAZ. We suggest instead that PARD should absorb their own cost for their park review.

XVII. PLANNING AND ZONING DEPARTMENT

The Planning and Zoning Department (PAZ) was part of PDRD. PDRD was split into the two departments of PAZ and the Development Services Department. Most of the work on this current contract relates to DSD and we have not completed any comprehensive review of PAZ. We do include comments concerning CodeNext in Chapter III, and the PAZ Current Planning Division in Chapter IX. We have also include a suggested MOU between DSD and PAZ to clarify a number of issues as shown in Appendix B.

In our interviews we noted a number of issues related to PAZ and DSD including:

- When PDRD was split into DSD and PAZ, it was agreed that support services would report to DSD but continue to serve both DSD and PAZ including support of GIS. Although PAZ has expressed a concern that they do not have sufficient GIS support because the GIS person works in DSD it appears that the issue is more who controls staff than how well the service works. We believe it would be counter-productive to split GIS off from the technology part of DSD. DSD and PAZ should continue to work in a partnership related to GIS;
- There are five DSD staff working on the CodeNext project but PAZ is concerned if the staff from various departments working on CodeNext, including DSD are adequately distributing CodeNext issues to their respective staffs. It is suggested that PAZ should provide additional guidelines concerning their expectation from participating department;
- Insufficient attention given to confirming that new ordinances are consistent with ImagineAustin. There is a lack of consensus regarding the ability of the City to enforce a requirement that all ordinance changes be reviewed for conformance with Imagine Austin before Council can approve them. Many ordinance changes are being quickly processed to address a specific issue effecting a small group of properties.

The two departments should address the above issues.

92. Recommendation: Adopt MOU between DSD and PAZ to clarify relations and processes.

XVIII. PUBLIC WORKS DEPARTMENT (PWD)

A. OVERVIEW AND BACKGROUND

The City of Public Works Department designs, constructs, maintains, and operates the City's Right of Way (R/W) including the following tasks:

- Establishment of standards construction in the R/W.
- Coordination of work in the R/W.
- Inspection and acceptance of new infrastructure.
- Approval of third party use of the right of way, including the review and approval of licensing, encroachment, and vacation of the R/W.
- Providing safe routes to school support to the ISD's within the City.

The Public Works Department designs, manages, and inspects capital improvement projects, and is the City's primary agency for the delivery of facilities, roadway, urban trails, and utilities projects."

B. ORGANIZATION

"The Public Works Department is organized into four Branches with the divisions indicated below:

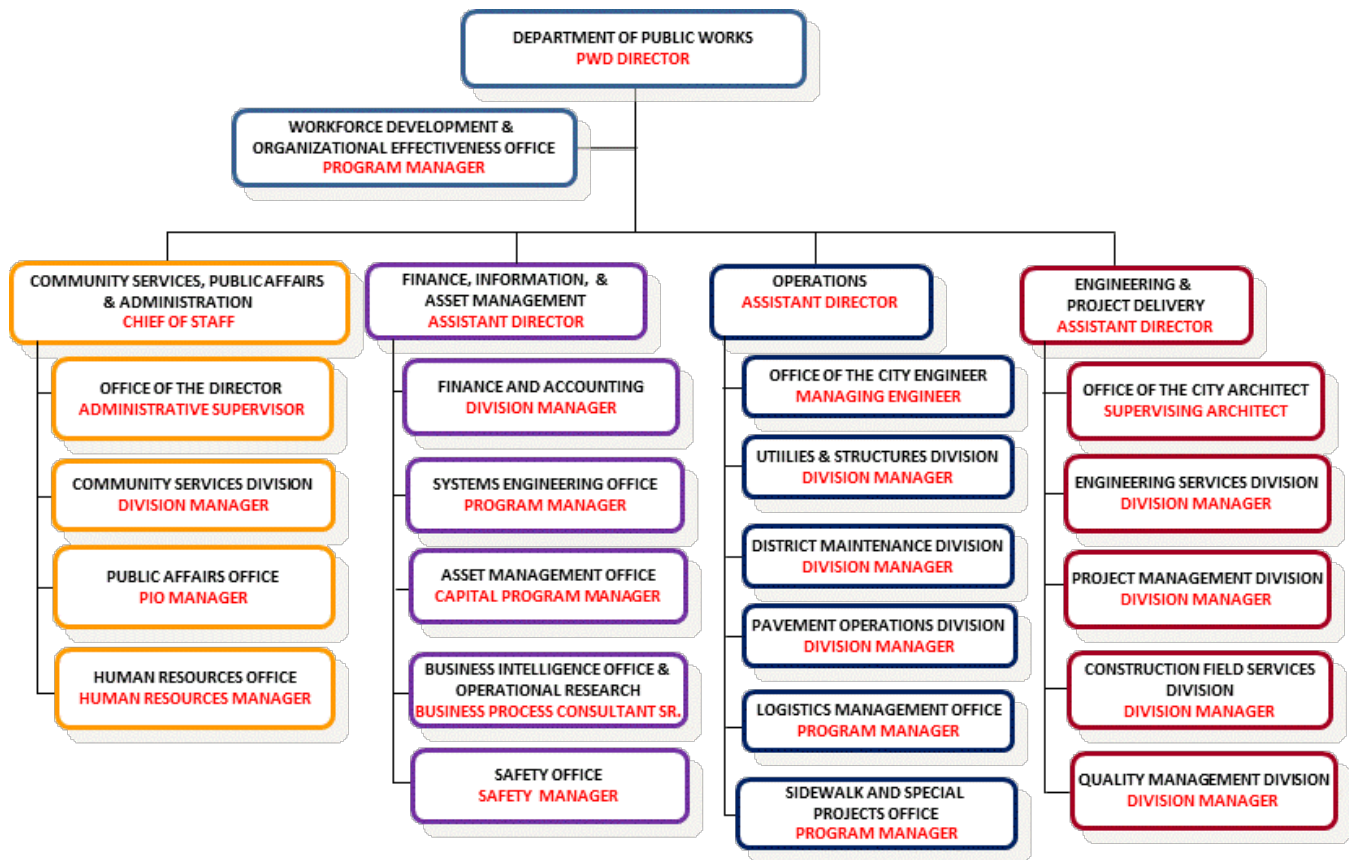
- The Community Services, Public Affairs, and Administration branch oversees PWD administration, human resources, workforce development, community services, governmental relations, and public affairs under the direction of the Department Chief of Staff. The branch consists of the Office of the Director, Public Affairs Division, Community Services Division, and Human Resources Offices.
- The Business Enterprises Branch This branch oversees finance, systems information, business intelligence and operations research, the safety program, and asset management. It includes the Systems and Information Management Division, Financial Services Division, Safety Office, Business Intelligence and Operations Research Office, and the Asset and Capital Program Management Office under the direction of the Assistant Director for Finance and Business Systems.
- The Street and Bridge Operations Branch oversees street and bridge operations, including logistics, utilities and structures, engineering, district maintenance, pavement operations and sidewalks under the Assistant Director for Operations. The branch divisions consist of the Utilities and Structures Division, District

Maintenance Division, Pavement Operations Division, Sidewalks and Special Projects Division, and the Office of the City Engineer.

- The Engineering and Project Delivery Branch is responsible for the delivery of the City’s Capital Improvement Program under the Assistant Director for Engineering and Project Delivery. The branches divisions are Project Management Division, Engineering Services Division, Construction Services Division, and Office of the City Architect.

The development infrastructure inspection staffs (SSI) in DSD were transferred from PW to PDRD (DSD) several years ago as a part of the “One Stop Shop” (OSS). There exists today a good informal communication between PW and SSI staffs.

**Figure 16
Public Works Department Organization**



Existing Review/Inspection Setting and Issues

PW supports the development review process with the following services:

- Delegation of authority under an MOU for the review and approval of new infrastructure and modification of existing infrastructure within the R/W for standard designs consistent with the Transportation Criteria Manual.

- Final inspection and acceptance of new infrastructure and dedication of R/W.
- Review and approval of non-standard designs for the R/W.
- Review of structures proposed for construction in the R/W, including bridges, culverts, and retaining walls.
- Establishment of the standards for the construction of Urban Trails.
- Review and approval of third party uses of the R/W, including licensing, encroachment, and vacation. This process is executed on the behalf of the PW Director by the ORES.
- Coordination of public improvement projects with private development where appropriate and applicable.
- ADA compliance reviews and technical for sidewalks, accessible routes, and other ADA related issues.
- Review of tree and other planting proposals for work in the R/W for non-standard approaches.
- Technical engineering support as requested.
- Review and approval of plans for the installation of telecommunications facilities.
- Site plan review as needed to supplement existing PAZD/DSD resources.

PW is also responsible for the maintenance and updates of an extensive list of standard plans and procedures known as the Transportation Criteria Manual (TCM) for work in the public right of way (R/W). The total list is included in the appendix of this report. It also includes many standards that are maintained by other departments including AWU and ATD

The Public Works Department is leading the City's effort to rewrite the Transportation Criteria Manual. The revision will include the following features:

- Incorporation of a Governance Section that will streamline the approval of new standards and revisions and will provide a process to expedite conflicts among the City's various governing documents and application of those standards. PWD will retain sponsorship of this section.
- Development of a Street Design Manual providing more latitude in the horizontal configuration of roadways, which will align with the criteria developed under the CodeNext process. ATD is leading this effort and will retain sponsorship.

Incorporation of the standards for design and construction into a Standards of Construction document providing the City specifications for work in the R/W. PWD will retain sponsorship for this effort.

At the present time each individual department has responsibility to manage the standards applicable to their department and carry changes through the city's rules and public notification process.

The Public Works Director has reported that his department has generally been satisfied with the design and construction quality of infrastructure resulting from new development when it is turned over to the PW department by DSD. However there have been problems such as discontinuity of sidewalks and other improvements as well as conformance with the ADA law. Some of these issues are the result of a narrow focus on the development plan at a specific location and DSD LU division not always taking into account the adjacent property and infrastructure that may be impacted by the proposed new development. Accordingly PWD staff remains concerned about the amount of support it provides to DSD Site and Subdivision Division (SSI) staff. PWD notes that SSI personnel are often uncertain as to what exceptions that they can approve, the lack of personnel available to perform inspections, and inconsistencies that arise at the time of final inspection.

There appears to also be a problem for staff career advancement for many including inspectors within DSD that was discussed in our previous report. We believe that it would be beneficial for the two departments (DSD and PW) to work with the city's HR Department to focus on the career advancement system and opportunities for all inspectors in both departments

A suggestion has been made by Public Works to move SSI back into the PW Department. We disagree that this would result in a complete solution to the issues described. It also would further complicate coordination between DSD and other departments for which SSI inspects new developed infrastructure including AWU and WPD as well as others. Maintaining SSI within DSD, serving in the same division as the city's building inspectors, and integrating all the new development inspection operations along with good partnering and MOU's with the operating departments is the best course of action and is consistent with currently accepted best practices for managing new development

Engineering staff in Public Works has also proposed that the department be included in the plan review of proposed new development including a formal plan signature by the City Engineer. The proposal describes an authority by the "City Engineer". We cannot find that the Austin Code defines or authorizes a City Engineer position although it is a named position within the Public Works Department. The Public Works Director, exercising the authority provided to him under City Code for the operation and maintenance of the City R/W, has established the position of "City Engineer" with the authority to review and update standards for construction, coordinate work between public and private projects, review and recommend approval of variances and waivers from existing standards, provide resources in support of DSD review and inspection, and review and recommend approvals/disapprovals for third party use of the public R/W (including licenses, encroachments, and vacations).

The PW Director supports developing and implementing updated MOUs among the various agencies involved in work in the R/W, and having the disputes resolution provide subject to the Governance Process being developed as part of the TCM revisions.” Public Works also agrees that co-location and more extensive use of Amanda by DSD and PW can result in more effective and complete engineering plan reviews for new development. PW has reported that this can be a viable option particularly for the near term. As CTM and the Departments improve on the utilization of Amanda the need to have co-located staff may be reduced or eliminated. A “sign off” by co-located public works staff in the early design review may help assure that the conflicts at final inspection described above can be reduced or eliminated

The PW department utilizes Amanda and has the ability to monitor the status of projects that will ultimately become their maintenance responsibility. SSI routinely invites PW staff to participate in the final inspection prior to acceptance by the city of the public facility involved. As previously mentioned in this report we support the need for SSI to accelerate their implementation of the use of Amanda for their field staffs.

There are no completely active MOU’s between PW and DSD at the present time, other than the previously described MOU (#3 in Table 2) dated March 2011 and the draft MOU (Table 2- #2) between PDRD, WPD and PW. It is clear as stated previously that the MOU’s need to be updated and revised to conform to today’s reality. PWD agrees that updating the MOUs that exist among the various agencies impacting work in the R/W to reflect the current City organizational structure. These MOUs should also clearly reflect that authority is being delegated to DSD but final acceptance of work and approvals of waivers and variances still reside with the entities named under City Code. For example we have noted that the draft MOU (#_ table 2) with WPD has made this very clear. Named entities under the Code (e.g. PW Director, Traffic Engineer, Urban Forester) also retain the authority to withhold approval authorities for certain types of actions from DSD and PAZD based upon their best professional judgment. PWD, ATD, AWU, WPD, and ORES need to provide periodic and cyclic training to PAZD and DSD staff. Resolution of disputes should be subject to the Governance Section of the TCM for work in the public R/W.

C. ALTERNATIVES TO STREAMLINE DEVELOPMENT REVIEW/INSPECTION

Standards Review and Processing, TCM governance proposed by PW suggests a significant change to the existing rules process that will require more extensive analysis and comment by the participating departments. At this time we do not see that it would necessarily result in a more effective contribution to streamlining the development review program in Austin. There is a strong possibility however that the proposed changes will help simplify and assure that the standards are kept up to date in a more timely manner and that all departments are actively engaged in the process. Public Works and all the departments need to take the time to completely analyze that proposal which we anticipate will extend well beyond the deadline for this report.

Adding the Public Works Department to the plan review sequence as we understand to be proposed by Public Works would be very difficult to accomplish and would not result in helping to streamline the development review. It is also unclear whether there is any merit to this suggestion just on the issue of compliance with the code, inasmuch as it has been noted that there have not been any significant quality issues with privately developed infrastructure turned over to PW. We do not recommend this course of action other than co-location of PW staff to DSD at this time.

D. RECOMMENDATIONS FOR PUBLIC WORKS

- 93. *Recommendation:* PW should continue to work with all involved departments to develop an improved and more efficient process to manage the standards, specifications and rules (TCM) process for the city.**
- 94. *Recommendation:* Do not add Public Works department to the DSD development plan review sequence with formal approval signature by the City Engineer at this time.**
- 95. *Recommendation:* Co-locate PW engineering staff with DSD as needed to assure comprehensive development engineering plan reviews for new development.**
- 96. *Recommendation:* Public Works along with DSD and WPD should adopt the revised MOU#3 (originally dated March 2011) to reflect the current departmental authority.**
- 97. *Recommendation:* PW and DSD request the city HR Department to evaluate and improve the career advancement ladder for inspection staff.**

XIX. URBAN DESIGN

A. OVERVIEW

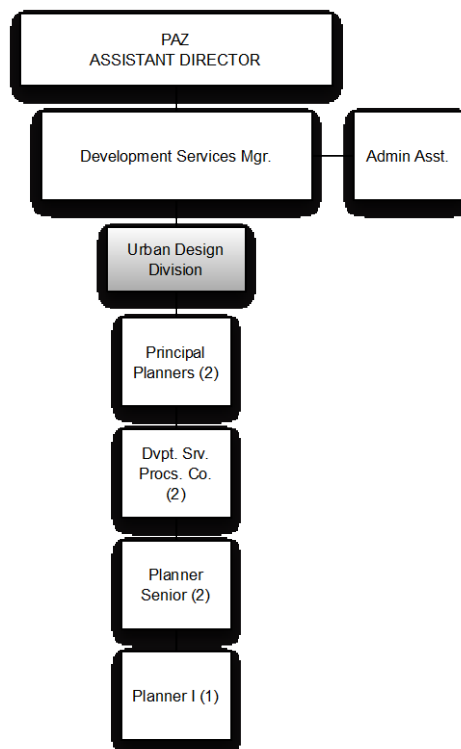
Urban Design is a Division within the newly formed Planning and Zoning Department (PAZ). According to the Division website, the Division works to implement beautiful, sustainable, and people-centered places that build and serve diverse communities. Staff in this Division are involved in the design and review of Great Street Program, CIP Infrastructure and Special Area Planning activities

The Division interfaces with DSD by providing urban design services primarily through the Plan Review of Site Plans with the goal balancing function and design, heritage and change, vision and reality. The Division also occasionally provides Plan Review services for the Subdivision Review function within DSD, as well the Zoning Case Management function of PAZ on proposed zoning cases.

B. ORGANIZATION

The Urban Design Division is divided into two functions: Urban Design and CodeNext. Figure 17

Figure 17
Existing Urban Design Function Organizational Structure



Existing DSD Interface/Plan Review & Inspection Review Setting

Table 12 below summarizes the how Urban Design currently interfaces with the DSD Department.

Table 12
Existing Urban Design Review & Inspection Setting

Plan Review Setting		Comments
Standards Used /Updates/Timing	Alternative Land Development Code (Form Based). Code Up to date, but may be updated with Code Next.	Urban Design developed the Alternative Land Development Code for use in 5 designated areas, where use of this code is permitted through the Alternative Equivalent Compliance process.
Types of DSD Projects Reviewed	Plan Review is for Site Plan cases for DSD, mainly. Sometimes review subdivisions and zoning cases. Issue formal Compliance on Alternative Equivalent (AEC) Compliance cases. Also Interact with Transpo Eng. In DSD on transpo issues related to private development projects using AEC.	Sometimes review License agreements for the Office of Real Estate Use AMANDA to record comments.
Scope of Plan Review	Review Site Plan and occasionally Subdivision cases in DSD and occasionally Zoning cases in PAZ for compliance with Alternative Land Development Code.	
Plan Review Delegated to DSD or External Depts.	None	
Plan Reviews Assumed for DSD	Alternative Equivalent Compliance Review	
Plan Review Overlap/Duplication with DSD	None	
Collocated Plan Review Staff in DSD	Urban Design function is collocated in the Texas One Center building on 8 th floor (moving to 7 th)	
FTE's Performing Plan Review	3 FTE	
% Time Performing Plan Review	1 FTE 30% 1 FTE 65% 1 FTE 75% = 1.7 FTE	
Existing MOU's for Plan Review with DSD	None	Urban Design was formerly part of Planning & Development Review, which included what is now called DSD.
Existing MOU's for Plan Review with External	None	

Plan Review Setting		Comments
Departments		
Inspection Setting		Comments
Inspections performed	None	
Inspections Delegated to DSD	DSD performs inspections on Site Plan and Subdivision construction activities	
Existing MOU's for Delegated Inspections	None	

Existing Plan Review and Inspection Issues with DSD

No Plan Review or Inspection issues were identified during our meeting with Urban Design Management and Principal-level staff. Plan Review services provided by the Urban Design function are generally timely and the team uses the AMANDA platform to record review findings/comments.

Alternatives for Streamlining Plan Review Interface with DSD

The following alternatives for streamlining the Urban Design Plan Review interface with DSD were explored. Since inspection responsibilities are already the responsibility of DSD, inspection services were not included in this evaluation.

1. Move Plan Review Responsibility from Urban Design to DSD and Provide Funding For Services through an MOU

We discussed the option of moving Plan Review responsibility from Urban Design, which is within the newly formed Planning and Zoning Department to Site Plan and Subdivision review staff in DSD and Zoning Case reviewers within PAZ.

Staff interviewed indicated that the existing Code requires Urban Design staff to perform review because the Urban Design Team have specialized degrees and training in Urban Design and developed the design code used in reviews. Thus they have a comprehensive understanding of the Code and, as such, can perform much more efficient reviews than other DSD and PAZ Plan Review Staff. Their extensive knowledge of urban design can't easily be imparted to DSD/PAZ Plan Reviewers. Although the Urban Design Team provides training to senior level Plan Review staff on fundamental Urban Design review elements, more extensive training would be required and still may be insufficient since urban design skills are acquired through specialized degrees and practice.

Even with extensive training, it is likely that only some areas of urban design review responsibilities could be delegated to senior-level, DSD/PAZ Plan Review Staff and it is likely that additional DSD/PAZ staff resources would be required in DSD/PAZ to absorb the additional Urban Design Plan Review responsibilities, given their heavy caseloads. Further, if the CodeNext effort expands the use of Form-based code provisions into other areas of the City, overcoming training issues for DSD/PAZ Plan Review staff to assume urban design in these areas may not be possible.

Finally, the existing office space constraints in DSD and PAZ may limit their ability to add needed staffing resources. They may need additional staff. Code Next may be Form Based Code, so more training will be necessary.

For the reasons outlined above, this Alternative is not preferred.

2. Collocate Relevant P&D Plan Review Staff to DSD through a Matrix MOU

Urban Design Division is partially collocated with DSD in that they are housed within the One Texas Center Building on the 8th floor and moving to the 7th Floor. Due to existing DSD/PAZ office space constraints and the disadvantages associated with separating Urban Design staff from their parent Department and since Plan Review services are generally delivered on time by Urban Design, and they participate in DSD/PAZ meetings as necessary and utilize the AMANDA platform to deliver services, we believe that further collocation of 1/7 FTE, from the 7th Floor to the 4th Floor could be too disruptive and that this Alternative is not warranted at this time.

However, this Alternative should be reevaluated when DSD secures appropriate office space that can reasonably accommodate collocated staff. It should also be noted that in the future it is possible that DSD and PAZ will be joined together in one department as was previously the case.

3. Leave Situation as is with MOU Agreement to Meet Plan Review Service Standards and formalize DSD Inspection Responsibilities

Leaving the existing situation as is, with Urban Design staff performing Plan Reviews from their partially collocated office facilities within Texas One Center would provide the least disruption for Urban Design staff, particularly given the existing office constraints within DSD/PAZ. In addition, this Alternative would provide for more efficient proficient and efficient urban design review service delivery, without additional costs associated with extensive training for DSD/PAZ staff and the potential addition of staff resources.

To facilitate the City's desire to establish more aggressive Performance Standards for DSD/PAZ Plan Review and ensure that all external departments are committed to providing on-time service delivery through the AMANDA platform, execution of an MOU between the Department is prudent in order to secure a commitment to guarantee plan review service, agree to rectify service delivery issues when they occur, meet review time frames, etc.

As such, this is the preferred option at this time.

98. Recommendation: The Urban Design should remain in their existing office space within Texas One Center to conduct plan reviews using the AMANDA platform and enter into an MOU with DSD/PAZ to guarantee delivery of Plan Review Service.

4. **Leave Situation as is without an MOU**

Although Urban Design reviews are thorough and generally timely, a commitment to provide plan review service is prudent to ensure that these services are a priority and delivered as agreed even during economic downturns. As such, we do not recommend this alternative.

XX. WATERSHED PROTECTION DEPARTMENT (WPD)

A. OVERVIEW AND BACKGROUND

Watershed Protection is responsible for the protection of lives, property and the environment of Austin by reducing the impact of flood, erosion and water pollution.

Austin is particularly vulnerable to drainage problems due to torrential rain downpours and rocky terrain over large areas of the city. WPD has a multi-tiered approach including a wide variety of ongoing programs such as Grow Green and the Lady Bird Lake Cleanup Crew; construction projects such as storm water ponds and stream bank restorations; along with regulations to help prevent future problems. WPD is funded by a drainage fee on utility bills.

WPD was instrumental in the original “One Stop Shop” program and the current management of this department authored many of the original MOU’s to facilitate that program when it was originally created. Some of the changes put in to effect at that time have eroded due to budget constraints and revised priorities for WPD, along with a lack of aggressive management by PDRD in the past.

The WPD is organized with four major divisions as described below and as shown in the organization chart.

Environmental Resource Management- Develop and implement policies, programs and capital improvement projects that support two of the Watershed Protection Department's missions - water quality protection and erosion control (i.e., stream restoration).

Field Operations-The Field Operations Division protects and manages Austin’s natural waterways, engineered channels, drainage pipelines and storm water ponds that together make up our city’s drainage system.

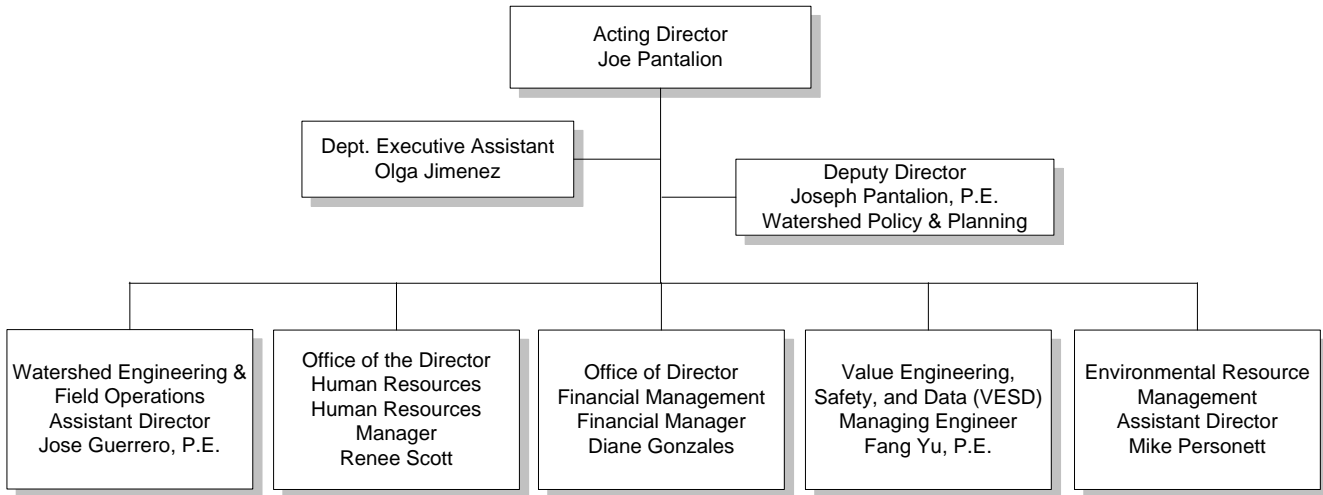
Watershed Engineering- Monitors storms and creeks, barricades flooded roads and assists emergency responders. Regulates development to prevent future problems, provides advice on protecting homes and businesses, and creates and maintains floodplain maps and models.

Watershed Policy & Planning-In addition to planning efforts, the Watershed Planning Division ushers new or updated rules and ordinances through the stakeholder process, ensures compliance with state and federal regulations and supports the department’s GIS functions.

B. ORGANIZATION

Note that the organization charts may not be totally up to date.

Figure 18
Watershed Protection Organization



Existing Review/Inspection Setting and Issues

The majority of development review responsibility for Austin has been assumed by DSD (formerly PDRD). WPD continues to provide a significant environmental review and flood management responsibility. As such WPD's Interaction with DSD still has a number of critical junctures. It is also important to note that the current acting Director of WPD was a leader of the creation of the original "One Stop Shop" system in 2004, and the majority of the MOU's created at that time were developed under his guidance.

Environmental regulation and inspection require the active participation by both WPPD and DSD. As such it is our view that the existing MOU between these two departments should be revised and updated. DSD conducts a significant environmental plan review and inspection responsibility enforcing regulation promulgated by WPD. The same is true for flood design and assuring that NPDES as well as city flood standards are maintained.

Staff and applicants do not have a clear understanding of the plan review, problem-solving and hearing representation authority relationship between the Environmental Review function in DSD and the Environmental Review Officer in the Watershed Protection Department (WPD). For example, the Environmental Review Officer from WPD will attend hearings to represent environmental issues, but the reviews were conducted by the Environmental Review function in DSD;

MOU

A draft MOU (#2 Table 2) has been available since July 2013 between WPD and PDRD. This contract and its provisions appear in large part to remain applicable to the current organizations of WPD and DSD. We have included a redraft of this contract (MOU) for the departments to fine tune. This MOU is one of the more extensive documents due to the necessity to assure conformance to both the city code and to the operational requirement of the two departments. We believe that this MOU should be carried forward, and simplified if possible, to help assure a smooth working relationship between DSD and WPD. Both departments have indicated willingness to move forward with this revised MOU. It appears that the most critical issues is related to the environmental review by the two departments

C. RECOMMENDATIONS FOR WPD TO STREAMLINE DEVELOPMENT REVIEW/INSPECTION

- 99.** *Recommendation:* DSD should clearly identify and explain the plan review, problem-solving and hearing representation authority relationship between the Environmental Review function in DSD and the Environmental Review Officer in the Watershed Protection Department (WPD). This issue should be addressed in an MOU between DSD and the Watershed Protection Department.
- 100.** *Recommendation:* WPD along with DSD and Public Works should update the existing MOU dated March 2011 to reflect the current departmental authority responsibilities and working relationships.
- 101.** *Recommendation:* Revise as appropriate and adopt the draft MOU (originally dated July 2013) between DSD and WPD along the lines of the draft provided in this report

XXI. TRAVIS COUNTY TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT

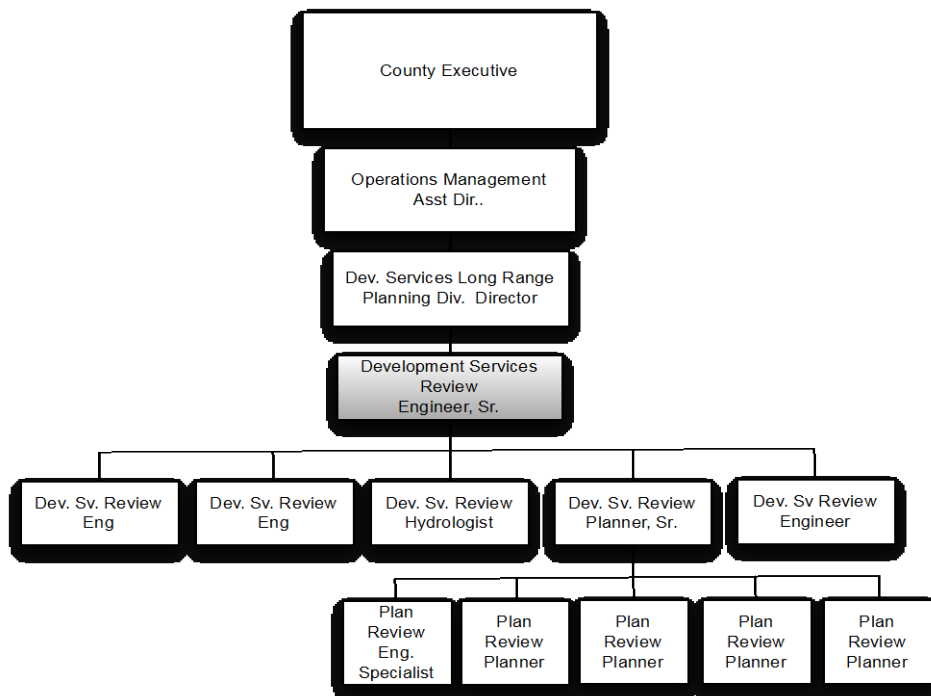
A. OVERVIEW

The Travis County Transportation and Natural Resources Department provides engineering, design, construction, and maintenance of county roads, drainage and bridges. The County’s Development Services Long Range Planning Division coordinates with Austin DSD to review subdivisions and building permits in Austin’s extra territorial jurisdiction.

B. ORGANIZATION

Figure 19 below is an organizational chart provided by Travis County Transportation and Natural Resource Management Staff that shows the county division/staff involved in Subdivision Platting process within the ETJ.

**Figure 19
Existing Travis County Organizational Structure**



Interface/Plan Review and Inspection Review Setting

Table 13 below summarizes the how Travis County Transportation Division staff currently interfaces with the City Subdivision and Inspection Review in DSD Department.

**Table 13
Existing Subdivision Plan Review & Inspection Setting**

Plan Review Setting		Comments
Standards Used /Updates/Timing	Title 30 (City/County Subdivision Regulations, and the Inter-Local Agreement ILA) with Austin that outlines responsibility for subdivision review and construction. City and County Construction, transportation, drainage (Austin's Criteria), environmental and utilities standards.	Site Plan reviews are not included in ILA. IGA should be updated. Title 30 should be updated to include rough proportionality provisions and alternative street standards; City Transportation Criteria Manual needs to be updated to include rough proportionality provisions and alternative street standards; City drainage criteria manual – needs to be updated; ILA is Operative. The 3rd Amendment (2004) to Inter-local Agreement in use. Amendments largely driven by legislative changes.
Types of DSD Projects Reviewed	Subdivision Platting in ETJ; Also, County is flood plain administrator on site plans (on-site septic). Also participate in Completeness Check process and collect county fees.	
Scope of Plan Review	Review subdivisions within ETJ area for compliance with Title 30, ILA; established & agreed upon criteria and standards.	
Plan Review Delegated to DSD or External Depts.	City is Lead on Subdiv. Review in certain areas per ILA	
Plan Reviews Assumed for DSD	County is Lead on Subdiv. Review in Certain areas per ILA The County is case manager (lead) in the DDZ (Desired Development Zone) the City of Austin is the case manager (lead) in the DWPZ (Drinking Water Protection Zone).	County does not have fee-based role in Env. Review.
Plan Review Overlap/Duplication with DSD	No duplication by design.	Title 30 is the subdivision regulation that was adopted by Travis County Commissioners Court and the City of Austin City Council. This is the adopted regulation for all subdivisions that are in the portion of the City of Austin ETJ that is also in Travis County. The County and the City of Austin both review for different functional areas so there is no fee based duplication of review. For example Travis County is the only street and drainage reviewer and the City of Austin is the only environmental reviewer.
Can DSD absorb	No. Joint participation	

Plan Review Setting		Comments
county Plan Review Responsibilities	required by legislature.	
Collocated Plan Review Staff in DSD	County staff is collocated on the 4 th floor with City Staff to form a Single Office per ILS	County Staff is collocated at DSD on 4 th floor 3 days per week. County staff is rotated. Mtgs. held weekly (Thurs) to review cases and coordinate. City staff rotates weekly meetings at County building every 6 months. County is collocated so they can pick up paper files, work on cases, do completeness checks, shuttle plans for signatures, and a number of smaller things (e.g., to create Single Office)
FTE's Performing County Plan Review	5	5 planners are involved in collocation. They have scheduled office hours for two hours on Monday, Wednesday and Friday and the 5 planners take collocating. They are also in the DSD office at other times for meetings, etc.
Existing MOU's for Plan Review with DSD	ILA establishes Plan Review Terms	
Existing MOU's for Plan Review with External Departments	None	
Inspection Setting		Comments
Inspections performed	No fee based inspections performed, per ILA.	County does non-fee based (e.g., free) spot construction inspections for quality control on streets because the County has liability and maintenance responsibilities for the streets and drainage until the area is full purpose annexed. The County wants to be able to represent to the Travis County Commissioners Court what that the roads recommended to be supported via taxpayers' money, meet the standards. The County does not do a spot check inspection at every milestone during the construction process, only a sampling.
Inspections Delegated to DSD	Per ILA City staff does all construction (infrastructure) inspections in ETJ areas. Inspections completed by DSD Site and Subdivision Inspection Division.	
Existing MOU's for Delegated Inspections	None. ILA establishes City (DSD) Inspection responsibility.	

Existing Plan Review and Inspection Issues with DSD

We interviewed the Travis County Attorney, County Executive and the Development Services and Long-range planning Director to discuss existing Plan Review and Inspection issues with the City's DSD. In general, the interviewees expressed concern that pressures to build in ETJ, coupled with the use of alternative funding mechanisms, such as MUD's/PID's and developer agreements and the need to deviate/vary from

established standards and use more flexible design and development tools, such as PUD's, has created more friction between the City and County.

The following summarizes the issues identified.

- PUD proposals in the ETJ slow County reviews because they deviate (by design) from standard practice;
- The City's AMANDA system has chronic accessibility issues, which slows county reviews;

102. Recommendation: The City's DSD director should identify the County's specific AMANDA access issues and work with CTM to immediately resolve them.

- The County has to maintain ETJ development until the debt associated with PID's/MUD's funding (e.g., Bonds) is retired, which impacts county liability and Operation and Maintenance costs.
- The City and County staff are working on "alternative urban street standards," (including location of trees, utilities, and travel lane widths). The County would like these standards added into Title 30 in advance of Code Next, so that these issues don't have to be re-negotiated with every proposed PUD, MUD or PID application. The City desires alternative street standards as well, in the form a "complete streets standards." Thus, the entities are working on a mutually agreeable standard.
- The City and County are working on a "rough proportionality" model, to ensure development is assessed their fair-share. The County would like this model included in Title 30 and in the Transportation Criteria Manual in advance of Code Next;
- The Regional Storm water Management Program (RSMP) provisions need to be clarified in the Inter-Local Agreement;
- The County is not a party to MUD, PID, PUD, developer agreement negotiations and would like to be extended courtesy reviews through an amended ILA, so they can assess potential issues;
- The City does not conduct inspections on private roads, which is a common feature in PUD's. The ILA should be amended to specify that the county is responsible for fee-based inspections of private roads in the ETJ; and
- Plan Review performance standards are outlined in the ILA. Faster review time frames need to be negotiated and included in an amended ILA, which may require additional county staffing resources and a funding source.

103. *Recommendation:* Austin’s Mayor and City Manager should work with County to negotiate a 4th Amended Inter-Local Agreement (ILA) to clarify/resolve RSMP provisions in the ETJ; provide for a county courtesy review of MUD/PID/PUD/developer agreement negotiations in the ETJ; assign private road inspections and fees to the County in the ETJ; address and agree upon county review time frames and resultant staffing resources in the ETJ.

104. *Recommendation:* Designated City and County staff should complete the “Alternative Urban Street Standards” and “Rough Proportionality Model,” and include these in Title 30 and/or the Transportation Criteria Manual as soon as practicable, so that they can be used for Plan Review activities in the ETJ.

Alternatives for Streamlining Plan Review

The following alternatives for streamlining Plan Review and inspection interface with DSD were explored. With the exception of private streets, DSD has already been delegated inspection responsibility for subdivision construction inspection in the ETJ areas, per the existing Inter-Local Agreement.

1. **Move Plan Review Responsibility to DSD and Provide Funding For Services through an MOU**

Joint Plan Review by the City and Travis County is required by the legislature as reflected in the existing Inter-Local Agreement, thus this Alternative is not permissible.

2. **Collocate Relevant P&D Plan Review Staff to DSD through a Matrix MOU**

Travis County Plan Review staff are currently collocated with the City DSD on the 4th floor, and Plan Review responsibility, management oversight and problem-solving remedies are established by the existing Inter-Local Agreements, thus this Alternative is already in place.

3. **Leave Situation as is with MOU Agreement to Meet Plan Review Service Standards and formalize DSD Inspection Responsibilities**

The Plan Review situation between the City DSD and Travis County should remain as is since the relationship has been defined by the legislature and existing Inter Local Agreement and is working, except as noted above. The existing Inter Local Agreement should be modified as recommended above, which will capture issues related to private street inspections. As such this is the preferred Alternative.

4. **Leave Situation as is without an MOU**

An Inter-Local Agreement is in place and required to define Plan Review processing and the relationship between the City DSD and County reviewers and inspectors. Therefore, this Alternative was rejected.

Appendix A

Persons Interviewed

Austin Code Department

Donald Birkner, Assistant Director
Paul Tomasovic, Acting Assistant Director
Carl Smart, Director

Austin Energy

Pamela England, Manager Public Involvement/Real Estate Services
Joan Wilhite, Distribution Construction Leader
Jenna Neal, Sr. Planner

Austin Fire Department Prevention and Preparedness Services

Matt Orta, Assistant Chief
Migl Thomas, P.E., Fire Marshal's Office
Scott Stookey, Fire Marshal's Office
Joe White, Chief Engineer, Fire Marshal's Office
Sonny Pelayo, Lead Engineer
Frank Alvarez, Battalion Chief
Chris Swenson, Fire Marshal
Krishe Allen, Admin. Supervisor

Austin Water Utility (AWU)

Alice Flora
Bart Jennings,
Kathy Flowers,
Tony Canales,

Austin - Travis County Health and Humans Services

Robert Wright, RS, Supervisor
DuShun Phillips, RS
Mark Churilla, RS

Communications and Technology Management Department (CTM)

Bruce Hermes, MPA, PMP, Deputy Chief Information Officer
Stephen Elkins, IT Director
Stacey West, IT Manager
Kamran Karini, IT Div. Mgr.
Denise Lucas, Deputy CID
Ross Clark, IT Mgr.

Development Services Department

Rodney Gonzales, Acting Director

George Adams, Assistant Director

Christopher Johnson, DAC Manager

Development Services Department, Building Inspections & Plan Review Division

Carl Wren, P.E., Assistant Director, Building Official

Jose Roig, Deputy Building Official

John McDonald, Residential Plans Examiner Supervisor

Lalo Sanchez, Chief Plans Examiner

3-building inspectors

Development Services Department, Environmental Review

Andy Linseisen, Division Manager

Sue Barnett,

Development Services Department, Land Use Review & Development Assistant Center Divisions

Michael Embesi, Urban Forestry Division

Donna Golati, Principle Planner, Site Plan Division

David Wahlgren, Subdivision Division

Craig Carson,

QB McKown,

Sangeeta Jain,

Susan Scallon,

George Adams, Assistant Director

Brent Lloyd,

Beth Robinson,

Andy Linseisen,

Scott James

Development Services Department, Site and Subdivision Inspection

Ruben Cantu, Manager

Russ Lewis,

Economic Development Department

Jo Ann Fabian, Music Program Specialist

Don Pitts, Music Program Manager

Bill Manno, Corporate Special Events Program Manager (Office of the City Manager)

Jo Ann Fabian, Music Program Specialist

Susan Walker, MuniProg Professional-Temp BizOpen Ombudsman

Greg Kiloh, Project Manager

Preston Stewart, Global Business Recruitment and Expansion Coordinator

Kevin Johns, Director
Vicky Valdez, Manager, Small Business Program

Law Department

Brent Lloyd, Attorney, Land Use
Debora Thomas, Acting Deputy City Attorney
Jim Williams, Attorney, Land Use
Anne Morgan, City Attorney

Neighborhood Housing & Community Development Dept.

Betsy Spencer, Director
Gina Copic, Division Manager Real Estate & Dev. Div.

Office of Real Estate

Lauraine Rizer, Officer
Eric Hammack,

Parks and Recreation Department

Greg Montes, Planner
Marilyn Lamensdorf, Principal Planner

Planning and Zoning Department

Greg Guernsey, Director
Jerry Rusthoven, Current Planning Div. Manager
Michael Embesi, Urban Forestry Division
Tonya Swartzendruber, Principal Planner, Urban Design Division
Jim Robertson, Division Manager, Urban Design Division
Matt Lewis, Assistant Director

Public Works Department

David Magana,
Howard Lazarus
Robert Hinojosa

Real Estate and Development Division

Javier Delgado, Project Coordinator, Real Estate & Dev. Division

Transportation Department

Eric Boliich,
Robert Spillar
Gordon Derr

Travis County

Tom Knukoles, Attorney Travis County

Steve Manilla, County Executive

Ann Bowlin, Development Services and Long-range Planning Director

Watershed Protection Department

Joe Pantalion

Jose Guerrero,

Chuck Lesniak,

Appendix B

MOUs

III. Austin Code Department

Memorandum of Understanding Between Development Services Department (DSD) and the Austin Code Department (ACD)

From: Carl Smart, Director, Austin Code Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Development Services Department and Austin Code Department Cooperative Agreement

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and the Austin Code Department to establish and memorialize an agreement of the parties related to the City of Austin's code development process and the investigation and resolution of construction completed without permits or under an expired permit.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes. A significant problem identified by staff was the estimated 50,000 permits that are expired annually without having received appropriate inspection. Staff also estimates that a similar amount of work is performed annually without having obtained a building permit. This level of illegal construction places Austin residents at risk of fire and life safety hazards as well as potential significant property lost.

1. It is understood that in another MOU between DSD and the Communication and Technology Management Department (CTM) sets forth a timeline to provide DSD plan review staff with access to those Austin Code cases that involve investigations of work performed without permit or work exceeding the scope of existing permits.
2. It is understood that effective enforcement of new codes is highly dependent of the specific language incorporated into the adopting Ordinances. Austin Code

Department should have a role in assessing the enforceability of proposed code changes prior to adoption.

2. Agreements

The parties agree to the following:

1. DSD shall consult with Austin Code to solicit their opinion on the enforceability of proposed code language for those Ordinances that Austin Code will be assigned to enforce.
2. Austin Code will assign a full-time staff position to report to the Development Assistance Center (DAC) at One Town Center to assist customers in the process of resolving code enforcement complaints, including work without permit. This position will continue to be funded by Clean Community Fees.
3. Austin Code will work with DSD and CTM to allow DSD plan review staff the ability to access AMANDA to determine the required scope of work required to resolve code enforcement violations.
4. DSD shall have read-only access to Austin Code cases in AMANDA and shall agree to maintain all complainant information confidential.
5. Austin Code will support enhancement of AMANDA to allow Austin Code staff to include an adequately detailed description of the scope of work that must be accomplished.
6. DSD will determine if a submitted project is in response to a code enforcement violation, if the permit addresses the actual violation.
7. The responsibility to establish a program to notify and contact permit holders prior to expiration of their building permits shall be assigned to Austin Code.
8. On an interim basis, Austin Code will transfer a group of qualified employees, including administrative support, to DSD to create and implement a program to stem the volume of expired permits and streamline the process of investigating and resolving work without permit complaints. Transferred staff will continue to be funded through Clean Community fees.
9. At a future date, as determined mutually by DSD and Austin Code, the expired permit program will become the sole responsibility of DSD and program funding will become a shared responsibility.

It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development review and inspection activities

and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

APPROVED:

Development Services Department

By: _____
Rodney Gonzales, Director

Date: _____

Director, Austin Code Department

By: _____
Carl Smart, Director

Date: _____

Assistant City Manager, Public Safety

By: _____
Rey Arellano, Assistant City Manager

Date: _____

Assistant City Manager, Development Services

By: _____
Sue Edwards, Assistant City Manager

Date: _____

IV. Austin Energy

Memorandum of Understanding Between Development Services Department (DSD) and the Austin Energy (AE) 11/22/15

From: Larry Weis, General Manager, Austin Energy

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Plan Check and Inspection for Development Projects

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and Austin Energy (AE) to establish and memorialize an agreement of the parties related to the City of Austin's review and inspection of development projects.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

1. It is understood that another MOU between DSD and the Communication and Technology Management Department (CTM) sets forth a timeline to provide Austin Energy access to the AMANDA permit system to confirm that DSD inspectors have approved solar installations to qualify for Power Saver Program benefits.
2. It is understood that a previous MOU existed between Planning and Development Review (PDRD) that stated that PDRD would conduct their plan review process to include confirmation compliance with the Austin Energy Criteria Manual. Due to disagreements regarding technical interpretations between the two groups, that MOU is no longer being enforced.
3. It is understood that a previous MOU was also created between Austin Energy and PDRD when the One-Stop-Shop was created in 2004. Several organizational changes have been implemented since the creation of the One-Stop-Shop that warrants an update of the existing MOU.

2. Agreements

The parties agree to the following:

1. DSD shall provide daily management oversight of Austin Energy staff assigned to the Development Assistance Center (DAC) and Austin Energy will provide technical oversight of the work performed by Austin Energy staff. Austin Energy shall prepare employee Performance Evaluations with input from DSD management. Austin Energy shall continue to fund the activities of their staff assigned to the DAC.
2. Austin Energy staff assigned to the Development Assistance Center (DAC) shall commit to meeting specific turnaround time performance standards and to tracking such performance in the AMANDA permit tracking system. Performance standards should be met a minimum of 90% of the time.
3. Austin Energy shall reflect appropriate work group labels and matrix reporting criteria for staff assigned to the DAC.
4. DSD Electrical Inspectors will expand the scope of their inspections of solar installations to include confirming the project meets the criteria established for customers to qualify for Power Saver Program benefits. Austin Energy will transfer funds to DSD commensurate with the cost of providing this additional service. Inspections will be recorded in the AMANDA system.
5. DSD Electrical Inspections and Austin Energy Inspections shall evaluate the potential for transferring the responsibility for inspecting commercial transformers over 400 amps from Austin Energy to DSD Electrical Inspections.
6. The DSD Permit Center will establish a performance standard of scanning ESPA documentation to Austin Energy within one day of initial processing.
7. Management from DSD and Austin Energy shall intercede with their respective electrical inspection groups to resolve the current communication breakdown between the groups and to establish a process for resolving inconsistencies in code interpretations.
8. Austin Energy and DSD will identify how inspection and plan review interpretations disagreements will be resolved in the future.
9. Recognizing that the time consumed by Austin Energy to design and install distribution systems to serve new development can have a significant impact on

the overall timeline to complete a project, Austin Energy shall evaluate its current staffing levels and commit to adding staff resources to address customer complaints regarding turnaround times.

10. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development review and inspection activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

APPROVED:

Development Services Department

By: _____

Rodney Gonzales, Director

Date: _____

General Manager, Austin Energy

By: _____

Larry Weis, General Manager

Date: _____

Assistant City Manager, Development Services

By: _____

Sue Edwards, Assistant City Manager

Date: _____

City Manager

By: _____

Marc A. Ott, City Manager

Date: _____

V. Austin Fire Department

Memorandum of Understanding Between Development Services Department (DSD) and the Austin Fire Department (AFD) 11/22/15

From: Rhonda Mae Kerr, Chief, Austin Fire Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

**Subject: Development Services Department and Austin Fire Department
Cooperative Agreement**

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and the Austin Fire Department to establish and memorialize an agreement of the parties related to the City of Austin's code development process and the investigation and resolution of construction completed without permits or under an expired permit.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

1. It is understood that another MOU between DSD and the Communication and Technology Management Department (CTM) sets forth a timeline to provide Fire Prevention Engineering Services plan review staff with access to AMANDA for those revised site plans being processed through the Development Assistance Center (DAC) to confirm proposed revisions do not adversely impact previously approved fire and life safety requirements. AMANDA shall also be modified to allow Fire to utilize the system for both plan review and new construction inspection tracking.
2. It is understood that a 2004 draft MOU was created between Planning and Development Review (PDRD) and the Austin Fire Department (AFD) regarding

how the One-Stop-Shop was to be established, including the collocation of Fire Plan Review staff with the DSD Plan Review staff. That MOU was never signed. Given the organizational changes that have occurred since 2004 and the need to provide specific performance standards, it is appropriate to prepare an up-to-date MOU between the two Departments.

2. Agreements

The parties agree to the following:

1. Fire Prevention Engineering Services shall prepare a checklist for DAC staff to use to help determine when a revised site plan should be rerouted to Fire Plan Review for their additional review;
2. DSD and Austin Fire shall specify the conditions and expectation of their coordinated work on plan review and inspection activities;
3. The Fire Marshal's Office will work with DSD staff to identify and quantify the cost of services they provide in support of the development process so that appropriate fees can be collected to cover their actual costs;
4. DSD agrees to route plans to fire within one day of receipt;
5. Fire Prevention Engineering Services shall commit to completing plan review of revised site plans within three (3) days at least 90% of the time. Compliance with this standard shall be confirmed through periodic reports generated in the AMANDA system;
6. Fire Prevention Engineering Services shall adopt the use of the AMANDA permit system to track the status of plan reviews and construction inspections. The performance standards for reviewing plans shall be consistent with the standards adopted by other departments and agencies based on the type of project being reviewed;
7. DSD Plan Intake will adopt a performance standard that strives to distribute plans to Fire Engineering for review within one day of receipt at least 90% of the time. This standard will be incorporated into the AMANDA system and compliance will be periodically reported;
8. Fire should adopt a performance standard that calls for next day inspections;
9. DSD Plan Review and Fire Prevention Engineering Services should mutually generate a recommended minimum processing fee and timeline to accept and approve or reject applications for the use of alternate methods and materials. The fee for processing applications for alternate methods and materials should

allow for the pass-through of any costs associated with the City's need to utilize the services of an outside expert to review the application;

10. Austin Fire shall commit to maintaining the collocation of Fire Prevention Engineering Services with DSD Plan Review should the One-Stop-Shop be relocated to a larger facility in the future; and

11. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development review and inspection activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

APPROVED:

Development Services Department

By: _____
Rodney Gonzales, Director

Date: _____

Chief, Austin Fire Department

By: _____
Rhonda Mae Kerr, Fire Chief

Date: _____

Assistant City Manager, Public Safety

By: _____
Rey Arellano, Assistant City Manager

Date: _____

Assistant City Manager, Development Services

By: _____
Sue Edwards, Assistant City Manager

Date: _____

VI. Austin Transportation

Memorandum of Understanding Between Development Services Department (DSD) and the Austin Transportation Department

From: _____, Director Austin Water Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Relation of DSD and ATD

Purpose:

The purpose of this agreement is to promote the most effective implementation of the requirements of the City of Austin Land Development Code. The above-mentioned departments, through inter-departmental staff cooperation, can minimize or eliminate duplication of efforts through this agreement.

This agreement is effective __/__/__ and is subject to periodic review due to changing conditions and at the request of any of the department directors.

Organizational Abbreviations:

Austin Transportation Department (ATD)

- Traffic Engineer (TE)
- Project Development Division (PD)
- Traffic Management Division (TM)

Development Services Department (DSD)

- Land Use Review Division (LUR)

Planning and Zoning Department (PAZ)

- Current Planning Division (CP)

Public Works Department (PWD)

- Engineering/Project Delivery (EPD)
- Operations (OPS)

Program Abbreviations:

- Land Development Code (LDC)
- Transportation Criteria Manual (TCM)
- Critical Environmental Feature (CEF)
- One Stop Shop (OSS)
- Geographic Information System (GIS)
- Site and Subdivision Inspection (SSI)
- Erosion and Sedimentation Control (ESC)
- Environmental Resource Management (ERM)
- Full Time Employee(s) (FTE)

Summary Agreement:

1. DSD is recognized as the lead department to coordinate and confirm any and all transportation related issues and decisions related to proposed and new land development. ATD and PAZ each have important roles and necessary participation in the review of proposed and new land development and as such are close partners with DSD in the ongoing review and approval of new development in Austin.
2. DSD and PAZ recognize the authority and responsibilities of the Austin Traffic Engineer (TE). DSD/PAZ are hereby acting as an extension of the office of the TE and are committed to follow and promulgate the Austin code requirements of the TE. The TE retains and has final authority as defined in the code.
3. DSD may request and ATD agrees to provide services identified below upon DSD's Land Use Review (LUR) requests to review site plan & subdivision applications:

- Review variance requests from the Transportation Criteria Manual (TCM) for arterial streets (geometric designs and median spacing). Attending meetings with OSS staff and applicants as necessary;
 - Review all sign and marking plans for site, subdivision & construction plans;
 - Provide recommendations for arterial street ROW variances if requested by OSS staff;
 - Review intersection analysis/signal modifications proposed as part of traffic impact analysis (TIA) (signal section);
 - Review and provide recommendations for any unusual roadway proposals that are not addressed in the TCM. Attend meetings with applicants to explain city staff position; and
 - Attend weekly transportation reviewer meetings to discuss unique projects/issues.
4. ATD will collocate staff within the DSD and DAC offices as necessary to assure timely participation during early stages of development applications for zoning/site and subdivision/detailed engineering review. The number and location of ATD staff within DSD offices shall be determined by mutual agreement of the respective directors of ATD/DSD/PAZ
 5. ATD shall also be directly responsible to maintain and update as necessary the various transportation standards in the TCM and will advise of pending updates through Amanda when changes are being developed.
 6. ATD shall be an active user and participant in the Amanda programs including those necessary to assure timely responses to development reviews of ongoing projects. Review times general guidelines require ATD responses to DSD and PAZ requests are ten (10) working days for 1st review and five (5) working days for 2nd and subsequent reviews. Review times shall be met a minimum of 90% of the time.

APPROVED:

Development Services Department

By: _____
 Rodney Gonzales, Director

Date: _____

Austin Transportation Department

By: _____

Robert Spillar, Director

Date: _____

Assistant City Manager, Infrastructure Services

By: _____

Robert Goode, Assistant City Manager

Date: _____

Assistant City Manager, Development Services

By: _____

Sue Edwards, Assistant City Manager

Date: _____

VII Austin Water Utility

Memorandum of Understanding Between Development Services Department (DSD) and the Austin Water Utility (AWD)

From: _____, Director Austin Water Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Relation of DSD and AWD

Purpose:

This Partnership Agreement outlines the (DSD) Department and the Austin Water Utility (AWU) to manage Austin Water Utility review functions within the City of Austin's One Stop (OSS) and Development Assistance Center in DSD.

I: Summary Agreement:

This agreement pertains to development reviews for proposed new development from entitlement phases through final design including engineering plans and related submittals for AWU infrastructure by private developers. There are also two existing separate MOU's between DSD, AWU and the Public Works Department (PW) for construction field inspections of infrastructure created by new development and for environmental inspections and enforcement dated August 2015 and 2011

Organizational Abbreviations:

Austin Water Utility (AWU)

- Water Resources Management Division (WRM)
- Finance and Business Services Division (FB)

- Environmental Affairs and Conservation Division (EAC)

Development Services Department (DSD)

- Land Use Review Division(LUR)
- Development Assistance Center (DAC)

Staffing

- AWU agrees to co-locate employees either full time or part time and provide back-ups, as needed and as identified in the latest approved OSS & AWU organization charts, to perform functions referenced above in the One Stop Shop.
- AWU agrees that identified OSS measures and FTE responsibilities will become part of the AWU department's business plan and employees' SSPR

II: AWU Responsibilities:

- Will consult with the public assisting them by providing expertise in understanding Austin Water Utility connection regulations & requirements as it applies to existing and proposed development projects.
- Will train DAC staff on Austin Water Utility connection issues & requirements as appropriate.
- Will participate fully in DAC team meetings.
- The respective division managers will establish, in individual SSPRs, mutually agreed upon operational protocols and additional performance measures relating to responsibilities and work place obligations.
- Will consult with the public assisting them by providing expertise in understanding Austin Water Conservation issues & programs as it applies to existing and proposed development projects
- Will train DAC staff on Austin Water Conservation issues & programs as appropriate
- Will participate fully in DAC team meetings
- The respective division managers will establish, in individual SSPRs, mutually agreed upon operational protocols and additional performance measures relating to responsibilities and work place obligations. Performance measures shall be met a minimum of 90% of the time.
- Will review site plan and subdivision plans for Austin Water Utility distribution & service requirements in cooperation with and when requested by the DSD Case Manager
- Will provide problem solving and conflict resolution with respect to Austin Water Utility distribution & service requirements issues as appropriate

- Will participate fully in DSD team meetings
- Will assist DAC staff, as needed
- The respective division managers will establish, in individual SSPRs, mutually agreed upon operational protocols and additional performance measures relating to responsibilities and work place obligations. Performance measures shall be met a minimum of 90% of the time.
- AWU will maintain and update all applicable standards and rules as well as apprise DSD in advance of pending changes that may impact current projects

III DSD Responsibilities

- DSD will review and approve Site and Subdivision Plans including engineering design drawings in accordance with AWU standards in effect at the date of approval. DSD will seek advice and consultation from appropriate AWU divisions as necessary to assure full compatibility with AWU's standards, master plans and system capacity requirements.
- Complex projects involving modification or additions to water main lines and systems and/or sewer trunk lines will be routed directly thru AWU engineering offices for review and approval within agreed upon and code mandated review response timelines

AMANDA System

- DSD along with Austin Communications and Technology Management Department (CTM) will equip, train, and activate the use and access to the AMANDA system by all field construction inspection crews during the current fiscal year to assure full communication between AWU and SSI on all field construction
- Modify AMANDA in order for the entire AWU on-site permitting process is included;
- Accelerate implementation of the Tap Construction Plan process into Amanda;

IV: Training

- Team building training
- AMANDA training

V: Staff Reporting

This FTE will report to the Manager of DSD/LUR and the AWU Manager of Development services

1. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development review and inspection activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about March 1, 2017.

APPROVED:

Development Services Department

By: _____

Rodney Gonzales, Director

Date: _____

Austin Water Department

By: _____

Greg Meszaros, Director

Date: _____

Assistant City Manager, Infrastructure Services

By: _____

Robert Goode, Assistant City Manager

Date: _____

Assistant City Manager, Development Services

By: _____

Sue Edwards, Assistant City Manager

Date: _____

VIII.

Communication and Technology Management Department

Memorandum of Understanding Between Development Services Department (DSD) and the Communication and Technology Management Department (CTM)

**From: Stephen A. Elkins, Chief Information Officer, Communication and
Technology Management**

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Communication and Technology Support

1. Background

The purpose of this memorandum of understanding is to formalize an arrangement between the Communications and Technology Management (CTM) department and the Development Services Department to establish and formalize an agreement of the parties related to the City of Austin's Information and Network Technology resources. This document is meant to supplement the existing Core Service Level Agreement (SLA) for CTM IT Services specific to the development

review, permitting, inspection, and enforcement processes and their IT needs. This MOU will be reviewed, at a minimum, on an annual basis with both parties needing to consent to any changes.

2. Agreements

The parties agree to the following:

A. Desktop Computing and Office Automation Support

- i. CTM will establish and administer department employee email accounts and to provide sufficient storage capacity for retained emails in accordance with City of Austin policies.
- ii. CTM will provide technical support and training for end users on IT solutions that have been approved by CTM or IT Governance in support of Essential IT Capabilities.

B. Network and Security

- i. To establish and maintain user accounts for all designated DSD personnel.

C. Database Administration

- i. CTM will maintain and administer reliable database software to support the requirements of enterprise-wide and departmental applications that have been approved by CTM or IT Governance in support of Essential IT Capabilities.
- ii. CTM will provide routine backup services and assist in data restorations, when requested.
- iii. CTM will provide access to databases for external applications when appropriate.

D. Geographical Information Systems (GIS)

- i. To maintain and administer software product licenses and act as primary liaison with GIS software vendors.
- ii. To provide end user support and training and to support an intra-city GIS user group
- iii. To host and maintain geographic mapping coverages (data "layers") that are used by multiple departments within the City.
- iv. To provide oversight and assistance in the acquisition and/or development of specific GIS applications used by the DSD.
- v. To host and maintain a GIS public access portal for presentation of DSD coverages in proper context with other City-wide data.

E. Applications

- i. CTM will serve as the Subject Matter Expert (SME) for technical items related to the City's IT governance approved enterprise software.
- ii. CTM will participate in design review and signoff for new and enhanced functionality (e.g., projects, enhancements, data fixes, and tickets).
- iii. CTM will set and communicate standards for minimum information needed in tickets.
- iv. CTM will escalate issues to vendor as needed.
- v. CTM will develop, publish, and maintain technical Knowledge Management Entries (KMEs).
- vi. CTM will develop and maintain form for standardized roles.
- vii. CTM will create and maintain Enterprise (spanning multiple departments) Forms and Reports.
- viii. CTM will assist with fulfillment of PIRs when necessary.
- ix. CTM will implement and maintain Duplicate People Procedure.
- x. CTM will create and implement scripts to merge People records.
- xi. CTM will respond to requests in the order prioritized by departments.
- xii. CTM will assist with the creation of job-specific training materials (e.g., manuals, Quick Reference Cards, and CBTs).
- xiii. CTM will provide training for Department Administrators as needed.
- xiv. CTM will attend application related meetings, including Operating or Governing Boards, as required.
- xv. CTM will create and implement scripts for data cleanup and/or to comply with data retention schedules.
- xvi. CTM will add or remove content from public-facing portals to meet department requirements.

It is agreed and recognized that the Communications and Technology Management (CTM) department is Austin's overall coordinator of information technology activities and as such will monitor the implementation of this MOU.

It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

APPROVED:

Development Services Department

By: _____

Rodney Gonzales, Director

Date: _____

Communication and Technology Management Department

By: _____

Stephen Elkins, Chief Information Officer

Date: _____

Assistant City Manager, Support Services

By: _____

Mark Washington, Assistant City Manager

Date: _____

Assistant City Manager, Development Services

By: _____

Sue Edwards, Assistant City Manager

Date: _____

Exhibit A Addendum – Department Specific Agreements

Exhibit A – Department Specific Agreements

The parties agree to the following:

a. General Support

- i. CTM will provide support as outlined in the CTM Core Services Service Level Agreement (SLA) Revision 2 signed and dated October 20, 2014, and is incorporated herein by reference.

b. Response Time by Levels

- i. CTM will provide support as outlined in the CTM Core Services Service Level Agreement (SLA) Revision 2 signed and dated October 20, 2014, and is incorporated herein by reference.

c. Application Management and Data Automation (AMANDA)

- i. CTM will act as the primary liaison with CSDC (AMANDA's vendor) and oversee all licensing requirements and associated payments.
- ii. CTM will host, maintain, and support the AMANDA enterprise software environment for all necessary users within the department in a reliable fashion.
- iii. CTM will provide and support an AMANDA public portal that will enable applicants to submit permit applications, track their progress, and schedule inspections.
- iv. CTM will maintain and enhance VPN mobile access to AMANDA for use by department personnel who work in the field.
- v. CTM will provide periodic updates and enhancements to AMANDA, as provided by the vendor. Specific enhancements for 2016 will include:
 - 1. Conversion to Version 6 for "thin client" browser based utilization.
 - 2. Support and assistance to department staff for the replacement and outdated AMANDA reports and other departmental reporting features that will be incompatible with Version 6
 - 3. Support and assistance to the department in creation, testing, and hosting of new AMANDA "dashboards".
- vi. CTM will provide end user training for new features and enhancements.

- vii. CTM will provide access to other departments that need to utilize AMANDA during the development review processes. More specifically, to expand the use of AMANDA to the departments specified in the Zucker Report:
1. To configure AMANDA to receive, pay for, review and issue Live Music Permits online no later than June 2016.
 2. To configure AMANDA to notify Parks at the state of park-related improvements by DSD no later than May 2016.
 3. To add NHCD as a standard reviewer for Affordability projects in AMANDA no later than August 2016.
 4. To configure AMANDA to integrate the Office of Real Estate Services, Chapter 14-11 processes into the AMANDA system and conduct Office of Real Estate Services review through the AMANDA system no later than September 2016.
 5. To review Travis County concerns related to the AMANDA system no later than April 2016
 6. To determine how CTM can act more quickly on system improvement requests, may relate to the Tiered Governing Board system, to be reviewed no later than February 2016.
 7. To integrate the Law Department into the AMANDA system, no later than April 2016.

8. DSD (LUR) will assist CTM and the Watershed Protection Department to enable the tracking of waivers, no later than April 2016.
9. DSD (LUR) will assist CTM and the Watershed Protection Department in the transition of the review and approval of Dam Safety Certificates into the AMANDA system, no later than April 2016.
10. DSD (LUR) will assist CTM and the Watershed Protection Department to create a new process for floodplain review as part of the Building Permit review including creating review comments, review timelines, and performance measures, no later than April 2016.
11. DSD will assist CTM and the Watershed Protection Department to transition the review and approval of Floodplain Review and Variances into the AMANDA system no later than September 2016.
12. DSD will work with CTM and the Watershed Protection Department to create a process for Erosion Hazard Zone review at both Site Development Permit and Building Permit review including creating review comments, review timelines, and performance measures no later than November 2016.

d. Online Plan Review

- i. CTM will support the continued implementation of online plan review and integration of the systems with AMANDA and the City's accounting system

XII. Health and Human Services Department – Travis County

Memorandum of Understanding Between Development Services Department (DSD) and the Austin – Travis County Health and Human Services Department (ATCHHSD)

From: Carlos Rivera, Director, Health and Human Services Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Plan Check and Inspection for Development Projects

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and the Austin – Travis County Health and Human Services Department to establish and memorialize an agreement of the parties related to those City of Austin plan review and inspection services provided by Health and Human Services.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

3. It is understood that another MOU between DSD and the Communication and Technology Management Department (CTM) sets forth a timeline to provide Health and Human Services with better access to AMANDA for the purpose of coordinating plan review and inspections with the DSD process, including concurrent processing of plans submitted electronically.

2. Agreements

The parties agree to the following:

1. Parties agree that the existing assignment of responsibilities for plan review and inspection of Enterprise Food establishments and public pools should continue in order to comply with Texas Law.
2. When DSD begins accepting digital plans for review, Austin – Travis County Health and Human Services shall utilize the AMANDA system to concurrently process these plans.
3. Health and Human Services shall record their inspection results within the AMANDA system in order to better coordinate their activities with those inspections conducted by DSD inspectors. Any agreed upon performance standards shall be met a minimum of 90% of the time.
4. It is agreed and recognized that the Development Services Department is Austin’s overall coordinator of development review and inspection activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about March 1, 2017.

APPROVED:

Development Services Department

By: _____

Rodney Gonzales, Director

Date: _____

Director, Health and Human Services

By: _____

Carlos Rivera, Director

Date: _____

Assistant City Manager, Development Services

By: _____

Sue Edwards, Assistant City Manager

Date: _____

XIII. Law Department

Memorandum of Understanding Between Development Services Department (DSD) and the Law Department

From: Anne Morgan, City Attorney

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Commitments and Responsibilities

I. Purpose: Memorandum of Understanding

This Agreement outlines the commitments and responsibilities of the Development Services Department (DSD), the Planning and Zoning Department (PAZ), and the City Attorney Department (LAW). Several areas of LAW and DSD/PAZ are included as follows:

Organizational Abbreviations:

- City Attorney and Law Department (LAW)
- Real Estate & Land Use Division (RELU)
- Criminal Prosecution Division (CP)
- Development Services Department (DSD)
- Land Use Review (LUR)
- Site and Subdivision Inspection Division (SSI)

- Building and Code Enforcement (CE)
- Planning and Zoning Department (PAZ)
- Current Planning Division (CPlan)

Program Abbreviations:

- Land Development Code (LDC)
- One Stop Shop (OSS)
- Full Time Employee(s) (FTE)

II. Summary Agreement:

Authority

- Authority currently granted to the City Attorney and LAW Department is in _____ of the City Charter; and
- Development Services Department (DSD) authority is vested within section 25 of the city code.

Licenses, Contracts, and Agreements

- DSD/LUR will review and approve license agreements that are associated with subdivision and site plan permit applications; and
- LAW shall approve the form of all licenses, contracts, and agreements between the City of Austin and Land Developers.

Boards and Commissions meeting participation and support.

LAW and DSD/PAZ shall each provide qualified senior staff presence and support for the following:

- Planning Commission;
- Zoning and Platting Commission; and
- Environmental Board

Response Timing by LAW to DSD review requests

- Preapproved standard form contracts and documents-5 working days or less.

- Nonstandard and original documents 1st review 10 working days or less; 2nd review 5 working days or less.
- Review times to be met at least 90% of the reviews.

Compliance Enforcement Support

- DSD/SSI shall continue to provide regulatory compliance support services associated with legal enforcement proceedings; and
- CP and DSD will mutually determine whether individual prosecutions are convened in Superior or Administrative Law Court.

General Support

- AMANDA-LAW will commence full utilization of the AMANDA System during 16 FY for its Land Use (RELU) and Criminal Prosecution (CP) Divisions;
- LAW will develop a comprehensive training program designed to advance the proper responsibilities for LAW/DSD/PAZ related to new development;
- DSD and PAZ will fully cooperate and participate in the Comprehensive Training Program; and
- LAW will maintain a complete catalog of pre-approved document forms and will periodically update and expand as necessary.

City Code Maintenance and Modification

III: Training

- LAW will conduct periodic training sessions for DSD (and PAZ) staff on a periodic schedule for appropriate Land Use and Prosecution issues;
- Training issues and schedule TBD mutually by DSD and LAW; and
- DSD in cooperation with CTM will assist with AMANDA training for LAW personnel

IV: Reporting

- LAW FTE's will report to their respective managers in LAW. DSD FTE's will report to their respective managers in DSD.

V: Funding

- Upon the full implementation of a development fee supported enterprise funding system DSD and Law shall evaluate appropriate funding from fees and general fund sources to cover legal services costs

XV. Office of Real Estate

Estate

Memorandum of Understanding Between Development Services Department (DSD) and the Office of Real Estate Department (ORED)

From: Lauraine Rizer, Officer, Office of Real Estate Services Department (ORES)

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Plan Check for private development within the public right of way.

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and Office of Real Estate Services Department (ORES) to establish and memorialize an agreement of the parties related to the City of Austin's review and inspection of private development projects. This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

1. It is understood that in another MOU between DSD and the Communication and Technology Management Department (CTM) sets forth a timeline to configure AMANDA to integrate Chapter 14-11 processes into the AMANDA system and conduct ORES review through the AMANDA system.

2. Agreements

The parties agree to the following:

1. The plan review function for the public right of way for private development on public property in the City of Austin shall be the responsibility of the Office of Real Estate Services Department (ORES). These functions include license

agreements, easement releases, right of way vacations, and encroachment agreements activities. The Development Services Department (DSD) shall support ORESD in this effort as may be requested by ORESD.

2. The inspection function for private development on public property in the City of Austin shall be the responsibility of DSD. The Office of Real Estate Department (ORED) shall support DSD in this effort as may be requested by DSD.
3. ORED should delegate Site Plan Completeness Check reviews to DSD to determine whether ROW encroachments exist that necessitate License or Encroachment Agreements.
4. The Office of Real Estate Department (ORED) will agree to specific plan review timelines to be development jointly by DSD and ORED for each activity. These agreements shall be completed not later than April 1, 2016. Timelines shall be met 90% of the time.
5. ORED should work with the AMANDA design team to integrate Chapter 14-11 into the AMANDA system;
6. It is agreed that the MED function will, to the extent possible, be collocated with DSD activities. The function is currently located on the 7th floor of One Texas Center and should be included in any new building or facility designed for DSD.
7. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

APPROVED:

Development Services Department

By: _____
Rodney Gonzales, Director

Date: _____

Office of Real Estate Department (ORED)

By: _____
Lauraine Rizer, Officer

Date: _____

Assistant City Manager, Development Services

By: _____
Sue Edwards, Assistant City Manager

Date: _____

XVI. Parks and Recreation Department

Memorandum of Understanding Between Development Services Department (DSD) and the Parks and Recreation Department (PARD)

From: Sara L. Hensley, Director Parks and Recreation Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Plan Check and Inspection for Park Department Activities

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and Parks and Recreation Department (PARD) to establish and memorialize an agreement of the parties related to the City of Austin's review and inspection of private development projects.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

2. It is understood that in another MOU between DSD and the Communication and Technology Management Department (CTM) sets forth a timeline to configure AMANDA to notify Parks at the start of park-related improvements by DSD inspectors.

2. Agreements

The parties agree to the following:

1. The plan review function for parks shall remain with the Parks and Recreation Department (PARD). Timelines for Park review will be negotiated and agreed between PARD and DSD no later than February 1, 2017. DSD shall support PARD in its plan review as may be requested by PARD. Timelines shall be met a minimum of 90% of the time.
2. Parks will finance its own costs for its plan review function for parks. The .25 contribution from DSD or PAZ will no longer be available.
3. DSD will complete inspections for compliance with part standards except when developers are constructing park amenities for their parkland dedication. In these cases parks will inspect these facilities.
4. Formal notification at the start of park-related improvements will be given by DSD to PARD through AMANDA;
5. The October 30, 2014 MOU between PARD and the Planning & Development Review Department (PDRD) is now transferred to the Development Services Department (DSD).
6. It is agreed that the Parks and Recreation Department plan review function will, to the extent possible, be included in any new building or facility designed for DSD.
7. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development activities and as such will monitor the implementation of this MOU. DSD should complete a review of this MOU on or about March 1, 2017.

APPROVED:

Development Services Department

By: _____
Rodney Gonzales, Director

Date: _____

Parks and Recreation Department

By: _____
Sara L. Hensley, Director

Date: _____

Assistant City Manager, Community Services

By: _____
Bert Lumbreras, Assistant City Manager

Date: _____

Assistant City Manager, Development Services

By: _____
Sue Edwards, Assistant City Manager

Date: _____

XVII. Planning and Zoning Department

Memorandum of Understanding Between the Development Services Department (DSD) and the Planning and Zoning Department (PAZ)

From: Greg Gurnsey, Director Planning and Zoning Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Plan Check and Inspection for Current Planning Activities and Relation of the Two Departments

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and the Planning and Zoning Department (PAZ) to establish and memorialize an agreement of the parties related to the City of Austin's review and inspection of private development projects including Annexations, Zoning, Historic Preservation, and Code Amendments.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

1. It is understood that in another MOU between DSD and the Law Department addresses Current Planning concerns that lawyers assigned to review and respond to issues in Current Planning and DSD are slow and generally viewed as an obstacle to problem solving. They are extremely conservative, particularly with regard to legal notices, which causes major processing delays. In addition, all of the lawyers in the Law Department are in a rotation to provide legal representation to the City at public hearings. Not all of them appear to have adequate background and/or experience, and as such, legal

representation at meetings is often seen as inadequate at best. Lawyers often sit in the audience during hearings, instead of being seated at the podium, which is not appropriate.

2. It is understood that another MOU between DSD and the Communications and Technology Management Department (CTM) to address help desk response issues and updating of the GIS. It currently takes 17 days for response. This is particularly problematic for petitions because the GIS function of CTM checks validity of petitions, so processing can be delayed due to slow response. Also, the GIS function is responsible for updating the zoning map, which is constantly changing. Maps need to be promptly updated to provide staff and community with accurate information.

This MOU will also provide for online submittal and payment of Current Planning Historic Preservation Applications.

3. Agreements

The parties agree to the following:

1. PAZ is the responsible party for processing annexations, zoning, historic preservation and code amendments;
2. DSD will be, along with other departments, on PAZ's Current Planning's review list for annexations, zoning, historic preservation and code amendments;
3. It is agreed that DSD will review the building permit aspect of all historic preservation projects;
4. To the extent any PAZ's Current Planning reviews require inspection, particularly building permits for historic preservation projects, such inspections shall be undertaken by DSD;
5. It is agreed that the Urban Design Division of PAZ will continue to review Site Plans, Subdivisions and occasionally License agreements for the Real Estate Office. All reviews will take place within the AMANDA System and follow the performance standards adopted by DSD. Standards shall be met a minimum of 90% of the time;

6. It is agreed that DSD will work with PAZ to provide GIS support as needed by PAZ;
7. It is agreed DSD staff on the CodeNext team will develop procedures to keep all relevant DSD staff informed about CodeNext activities and draft codes so that the new Code can be properly implemented;
8. It is agreed that DSD is responsible to see that its review of projects and any conditions are consistent with the Imagine Austin Plan;
9. It is agreed that the PAZ Urban Design and Current Planning functions will, to the extent possible, be collocated with DSD activities; and
10. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

APPROVED:

Development Services Department

By: _____
Rodney Gonzales, Director

Date: _____

Planning and Zoning Department

By: _____
Greg, Gurnsey, Director

Date: _____

Date: _____

Assistant City Manager, Development Services

By: _____
Sue Edwards, Assistant City Manager

Date: _____

XVIII. Public Works Department

Memorandum of Understanding Between Development Services Department (DSD) and the Public Works Department (PWD) and Watershed Protection Department (WPD)

From: Howard Lazarus, Director Public Works Department

From: Joe Pantalion, Watershed Protection Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

**Subject: Promote the most effective implementation of the Austin Land
Development Code.**

**Edit this pdf as follows: change PDRD to DSD, Lazarus,Pantalion, and Gozales
sign this revised agreement replaces the 2011 MOU**

Add:

1. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development review and inspection activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

MEMORANDUM OF UNDERSTANDING

**Planning and Development Review Department (PDRD)
and
Watershed Protection Department (WPD)
and
Public Works Department (PWD)**

Purpose of this Agreement

The purpose of this agreement is to promote the most effective implementation of the requirements of the City of Austin Land Development Code. The above-mentioned departments, through inter-departmental staff cooperation, can minimize or eliminate duplication of efforts through this agreement.

This agreement is effective April 1, 2011 and is subject to periodic review due to changing conditions and at the request of any of the department directors. This agreement replaces the March 8, 2005 Memorandum of Understanding.

Inspection responsibilities for Commercial Sites, General Permit, Single-Family lots, Subdivisions and Capital Improvement Projects (CIP)

PWD shall be responsible for inspection of all CIP projects. This includes inspections of CIP site projects including water quality controls/ponds, CIP street/drainage projects including water quality controls/ponds, and CIP water/wastewater projects. PWD shall also be responsible for inspection of water quality controls/ponds for building projects. Projects in critical aquifer zones will require additional inspections. COA personnel or hired consultants may be used for inspections.

PDRD shall be responsible for inspection of all non-CIP projects. This includes inspections of commercial sites, general permits, single-family lots, subdivision (street/drainage/water/wastewater), private drainage and water/wastewater projects in City easements.

Pre-Construction Meetings

All construction projects are required to hold a pre-construction meeting on-site to address erosion control, tree protection and other site-related issues prior to construction (LDC Sections 25-1-282 and 288).

The PWD inspector or project manager shall coordinate and facilitate this meeting for all CIP projects. This meeting shall include the PDRD environmental inspector. This meeting may include the PDRD construction inspector, if applicable. This meeting shall include a WPD representative for CIP projects with water quality controls and/or detention ponds.

The PDRD inspector shall coordinate and facilitate this meeting for all non-CIP projects. This meeting may include the PWD inspector and WPD representative, if applicable.

Agreement of Uniform Enforcement Procedures

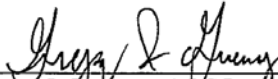
The enforcement procedures for violations of the erosion control and other environmental requirements of the Land Development Code shall be uniformly and fairly administered for all projects. Although the inspection responsibilities and tasks are different for these project types, the enforcement procedures shall be the same. Therefore all departments agree to use the enforcement procedure outlined below and in Exhibit A.

Responsibility for Enforcement of Environmental Requirements During Construction

The respective inspector identified shall be responsible for enforcing the environmental requirements as shown on the approved plans for all projects identified in this agreement. PDRD environmental inspector will monitor compliance with environmental and site plan requirements on all projects. On CIP projects, the environmental inspector will communicate non-compliance to the PWD inspector or project manager. Enforcement and complaint resolution procedures are attached as Exhibit A.


- The responsible inspector shall make sure that all erosion controls and tree protection fencing are installed as shown on the approved plans prior to the pre-construction conference and that they are maintained during construction in accordance with approved plans and specifications.
- The final acceptance for all CIP projects shall be evaluated and approved by PWD. The final acceptance for all non-CIP projects shall be evaluated and approved by PDRD. WPD will be consulted prior to final acceptance of any water quality controls or detention ponds which will be maintained by WPD. Permanent revegetation of all disturbed area must be complete and meet the site plan requirements prior to final acceptance of the project (LDC Section 25-8-182). All projects that have site improvements that require building permits, and/or transportation requirements (parking lot) must be inspected by PDRD environmental inspector to make sure engineering requirements are met. The PDRD environmental inspector will be responsible for releasing the engineering requirement on building permits or issuance of a Certificate of Compliance in the ETJ.

Effective Date –April 1, 2011.



Gregory I. Gudmsey, A.L.C.P.
Date 3/15/11

Director
Planning and Development Review Department



Howard Lazarus, P.E.
Date 4/14/11

Director
Public Works Department



Victoria Li, P.E.
Date 3/25/11

Director
Watershed Protection Department

XIX Urban Design

Memorandum of Understanding Between Development Services Department (DSD) and the Planning and Zoning Department (PAZ)

From: Greg Guernsey, Director Planning and Zoning Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Plan Review function from Current Planning and Urban Design Division of the Planning and Zoning Department

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department (DSD) and the Planning and Zoning Department (PAZ) to establish and memorialize an agreement of the parties related to the City of Austin's review of private development projects.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

It is understood that in another MOU related to the Real Estate Department, the Urban Design Division will as needed provide appropriate review of License Agreements.

2. Agreements

The parties agree to the following:

1. The Urban Design Division will continue to review Site Plans using the AMANDA platform with reviews due no later than 3 days prior to DSD Site Plan Performance Standards. Performance standards shall be met a minimum of 90% of the time.
2. It is agreed that the Planning and Zoning Department will, to the extent possible, be collocated with DSD activities. The function is currently located

on the 7th floor of One Texas Center and should be included in any new building or facility designed for DSD.

3. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about April 1, 2017.

APPROVED:

Development Services Department

By: _____
Rodney Gonzales, Director

Date: _____

Planning and Zoning Department

By: _____
Greg Guernsey, Director

Date: _____

Assistant City Manager, Development Services

By: _____
Sue Edwards, Assistant City Manager

Date: _____

XX. Watershed Protection Department, #1

**Memorandum of Understanding Between Development Services
Department (DSD) and Watershed Protection Department
(WPD)**

From: Howard Lazarus, Director Public Works Department

From: Joe Pantalion, Watershed Protection Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

**Subject: Promote the most effective implementation of the Austin Land
Development Code.**

**Edit this pdf as follows: change PDRD to DSD, Lazarus, Pantalion, and Gonzales
sign this revised agreement replaces the 2011 MOU**

MEMORANDUM OF UNDERSTANDING

**Planning and Development Review Department (PDRD)
and
Watershed Protection Department (WPD)
and
Public Works Department (PWD)**

Purpose of this Agreement

The purpose of this agreement is to promote the most effective implementation of the requirements of the City of Austin Land Development Code. The above-mentioned departments, through inter-departmental staff cooperation, can minimize or eliminate duplication of efforts through this agreement.

This agreement is effective April 1, 2011 and is subject to periodic review due to changing conditions and at the request of any of the department directors. This agreement replaces the March 8, 2005 Memorandum of Understanding.

Inspection responsibilities for Commercial Sites, General Permit, Single-Family lots, Subdivisions and Capital Improvement Projects (CIP)

PWD shall be responsible for inspection of all CIP projects. This includes inspections of CIP site projects including water quality controls/ponds, CIP street/drainage projects including water quality controls/ponds, and CIP water/wastewater projects. PWD shall also be responsible for inspection of water quality controls/ponds for building projects. Projects in critical aquifer zones will require additional inspections. COA personnel or hired consultants may be used for inspections.

PDRD shall be responsible for inspection of all non-CIP projects. This includes inspections of commercial sites, general permits, single-family lots, subdivision (street/drainage/water/wastewater), private drainage and water/wastewater projects in City easements.

Pre-Construction Meetings

All construction projects are required to hold a pre-construction meeting on-site to address erosion control, tree protection and other site-related issues prior to construction (LDC Sections 25-1-282 and 288).

The PWD inspector or project manager shall coordinate and facilitate this meeting for all CIP projects. This meeting shall include the PDRD environmental inspector. This meeting may include the PDRD construction inspector, if applicable. This meeting shall include a WPD representative for CIP projects with water quality controls and/or detention ponds.

The PDRD inspector shall coordinate and facilitate this meeting for all non-CIP projects. This meeting may include the PWD inspector and WPD representative, if applicable.

Agreement of Uniform Enforcement Procedures

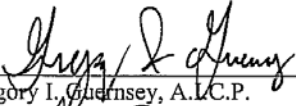
The enforcement procedures for violations of the erosion control and other environmental requirements of the Land Development Code shall be uniformly and fairly administered for all projects. Although the inspection responsibilities and tasks are different for these project types, the enforcement procedures shall be the same. Therefore all departments agree to use the enforcement procedure outlined below and in Exhibit A.

Responsibility for Enforcement of Environmental Requirements During Construction

The respective inspector identified shall be responsible for enforcing the environmental requirements as shown on the approved plans for all projects identified in this agreement. PDRD environmental inspector will monitor compliance with environmental and site plan requirements on all projects. On CIP projects, the environmental inspector will communicate non-compliance to the PWD inspector or project manager. Enforcement and complaint resolution procedures are attached as Exhibit A.

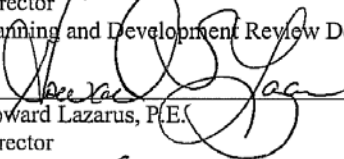
- The responsible inspector shall make sure that all erosion controls and tree protection fencing are installed as shown on the approved plans prior to the pre-construction conference and that they are maintained during construction in accordance with approved plans and specifications.
- The final acceptance for all CIP projects shall be evaluated and approved by PWD. The final acceptance for all non-CIP projects shall be evaluated and approved by PDRD. WPD will be consulted prior to final acceptance of any water quality controls or detention ponds which will be maintained by WPD. Permanent revegetation of all disturbed area must be complete and meet the site plan requirements prior to final acceptance of the project (LDC Section 25-8-182). All projects that have site improvements that require building permits, and/or transportation requirements (parking lot) must be inspected by PDRD environmental inspector to make sure engineering requirements are met. The PDRD environmental inspector will be responsible for releasing the engineering requirement on building permits or issuance of a Certificate of Compliance in the ETJ.

Effective Date –April 1, 2011.



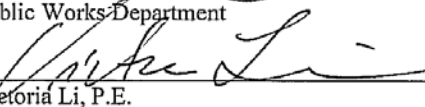
Gregory I. Guernsey, A.C.P.
Director
Planning and Development Review Department

Date 3/15/11



Howard Lazarus, P.E.
Director
Public Works Department

Date 4/1/11



Victoria Li, P.E.
Director
Watershed Protection Department

Date 3/25/11

XX. Watershed Protection Department, #2

Memorandum of Understanding Between Development Services Department (DSD) and the Watershed Protection Department (WPD)

From: Joe Pantalion, Watershed Protection Department

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: One Stop Shop Commitments

Draft MOU #2 WPD/DSD

I. Purpose: Memorandum of Understanding

This Agreement outlines the commitments and responsibilities of the Land Use Review Section (LUR), a division of the One Stop Shop in the Development Services Department (DSD) and the Watershed Protection Department (WPD). Several areas of WPD and DSD are included as follows:

Organizational Abbreviations:

Watershed Protection Department (WPD)

- Watershed Engineering Division (WED)
- Environmental Officer (EO)
- Environmental Resource Management (ERM)

- Office of Director (OD)

Development Services Department (DSD)

- Land Use Review (LUR)

Program Abbreviations:

- Land Development Code (LDC)
- Drainage Criteria Manual (DCM)
- Regional Stormwater Management Program (RSMP)
- Critical Environmental Feature (CEF)
- Creek Flood Hazard Mitigation(CFHM)
- One Stop Shop (OSS)
- Land Use Review (LUR)
- Geographic Information System (GIS)
- Integrated Pest Management (IPM)
- Erosion and Sedimentation Control (ESC)
- Environmental Resource Management (ERM)
- Full Time Employee(s) (FTE)

II. Summary Agreement for Programs:

Authority

- Authority currently granted to the Director of the Watershed Protection and Development Review Department in Title 25-7 and 25-8 of the LDC and both the Drainage Criteria Manual (DCM) and Environmental Criteria Manual (ECM) will remain with WPD and shall not be assumed to be changed or conveyed to the appropriate Director of the Watershed Protection Department or the
- Development Services Department (DSD) until official changes are made to the LDC, DCM, and ECM.

Environmental Officer

- The Environmental Officer shall be located within WPD, but because of statutory responsibilities (25-1-45), will coordinate with staff from both departments on development issues related to environmental protection.
- The EO will act in the capacity of advisor to the DSD staff as it relates to LDC 25-2 and 25-8. The EO may choose to participate in the Chapter 245 review team for determination of regulations.

- Final determinations regarding interpretation and implementation of LDC Ch. 25-8 and Ch. 25-1 will be made by the Environmental Officer in consultation with DSD staff.
- In collaboration with LUR staff, the Environmental Officer will review and approve recommendations to Boards and Commissions on variances to Ch. 25-8 and Ch. 25-7.
- The EO will review and approve administrative variances to Ch. 25-8 within 72 hours of receiving the administrative variance form. Reviews shall meet the standard a minimum of 90% of the time.
- LUR will review Planned Unit Developments and provide comments and recommendations to the EO regarding environmental superiority. After review of LUR recommendations and in consultation with LUR staff, EO will make a final recommendation on environmental superiority

Detention Waiver Review:

- OD of WPD will retain final authority for approval of detention waivers.
- LUR will provide Completeness Check review of detention waiver requests for WPD, and will work with OD beginning in FY14 to transition the review of detention waiver requests to LUR by the end of Q1 FY14. OD, WED / CFHM will provide technical assistance and support for detention waiver review if requested by LUR.
- OD will provide WED / CFHM Section Manager and LUR assigned review team members with copies of all approval letters for waivers from detention that are issued.
- OD will scan and upload to the appropriate AMANDA folder PDF copies of all approval letters for detention waivers.
- LUR will assist WPD in transitioning the intake process for detention waivers and AMANDA case creation to LUR by the end of FY 13.
- OD will provide training for LUR staff on the review of detention waivers during the transition of the review to LUR and on an ongoing basis as requested by LUR.

RSMP Participation Review:

- WPD will continue to manage the RSMP program and have final approval authority of RSMP requests.
- LUR will provide Completeness Check review of RSMP requests for WPD, and will work with OD beginning in FY14 to transition the review of RSMP requests to LUR by the end of Q1 FY14. OD, WED / CFHM will provide technical assistance and support for RSMP review if requested by LUR.

- OD will provide WED / CFHM Section Manager and LUR assigned review team members with copies of all approval letters regarding RSMP approvals. WPD will scan and upload to the appropriate AMANDA folder PDF copies of all approval letters for RSMP.
- LUR will assist WPD in transitioning the intake process for RSMP cases and AMANDA case creation to be completed by LUR by the end of FY 13.
- LUR will work with WPD to modify AMANDA to develop a new process for detention review including reporting on fees collection, review timelines, and performance measures.
- OD will provide training for LUR staff on the review of RSMP during the transition of the review to LUR and on an ongoing basis as requested by LUR.
- ~~The Financial Function of tracking and reconciling developer deposits via the RSMP balance sheet account will be transitioned to financial staff in DSD during FY13. Any transfers out of the RSMP accounts will continue to be reviewed and confirmed by the WPD financial staff.~~
- ~~GIS Support~~

DCM Waiver Review

- WED will continue to provide review and approval of alternative Hydrologic and Hydrologic modeling software if requested by LUR.
- LUR will provide review and approval of general DCM waivers and will provide WED/CFHM Section Manager with copies of waivers from the DCM that are issued. DSD will scan and upload to the appropriate AMANDA folder PDF copies of all approval letters for DCM waivers that are issued.
- LUR will assist WPD to modify the AMANDA system to enable the tracking of waivers so that reports can be generated on the number of waivers issued annually.
- WED will review and issue waivers from DCM provisions for Dam Safety and FEMA coordination.
- LUR will assist WED in the transition of the review and approval of Dam Safety Certificates into the AMANDA system. WED will target completion of the transition of Dam Safety Certificates into the AMANDA process by the end of FY 14.

Floodplain Review / Floodplain Variances

- Floodplain review will be completed by WED and all floodplain variances, exceptions, and associated requests will be reviewed, approved, and processed by WED.

- DSD will work with WED to modify AMANDA to create a new process for floodplain review as part of Building Permit review including creating review comments, review timelines, and performance measures. Performance measures shall be met a minimum of 90% of the time.
- DSD will collaborate with WED to provide support to floodplain review as part of Building Permit review.
- LUR will assist WED in the transition of the review and approval of Floodplain Review and Variances into the AMANDA system upon completion of a new AMANDA process.

License Agreements

- LUR will review and approve license agreements that are associated with subdivision and site plan permit applications.
- WED will review and approve license agreements that are not associated with a subdivision or site plan application.

Drainage Easement Releases

- LUR and WED will concurrently review and approve drainage easement releases, and coordinate responses to the applicant for consistency.

Regional Pond Performance

- Regional Pond Performance Criteria will be reviewed and approved by WED.

Erosion Hazard Zone Review

- Prior to implementation of the Watershed Protection Ordinance (WPO) that establishes new review requirements for the Erosion Hazard Zone (EHZ), LUR will work with WPD to modify AMANDA to create a new process for EHZ review at both Site Development Permit and Building Permit review including creating review comments, review timelines, and performance measures.
- Upon adoption of the WPO, LUR will provide Completeness Check review of EHZ requests will assume responsibility for EHZ review as part of the Site Development and Building Permit reviews in collaboration with WPD.
- WPD will manage the EHZ program and establish the rules and procedures for review of the EHZ in collaboration with LUR and will provide ongoing technical assistance and support for EHZ review.

Environmental Board

- LUR staff will provide notice of requested Environmental Board agenda items and backup to the Environmental Officer within required timeframes.

- Subject to approval of the Environmental Board Chair, the Environmental Officer will schedule environmental variances, Planned Unit Developments, and other development cases on the Environmental Board agenda as requested by DSD. WPD will upload variance backup material to AMANDA.
- LUR will review applicant variance requests, PUD's and other development cases and provide staff summary and recommendations in consultation with ERM and the Environmental Officer.
- LUR/WPD will collaboratively develop criteria that will be used to evaluate variance requests.
- WPD will provide copies of adopted motions related to development cases to DSD staff within 24 hours of adoption of minutes and add to AMANDA.

Planning Commission / Zoning and Platting Commission

- DSD will schedule environmental variances, Planned Unit Developments, and other development cases on the PC / ZAP agendas following consideration by the Environmental Board. DSD will upload Variance backup material to AMANDA.
- DSD will provide copies of adopted motions related to development cases to EO within 24 hours of adoption of minutes and add to AMANDA.

Environmental Review

- LUR will review for erosion control, construction on slopes, landscape, protected trees, Heritage Trees, grading plans, net site area, impervious cover, sequence of construction, Chapter 245 and Underground Storage Tanks (UST).
- LUR will provide Completeness Check for above.
- LUR will provide waiver, Land Use Commission variance, and administrative variance review related to Chapter 25-8 of the LDC and the ECM.

Critical Environmental Feature Review

- ERM will provide Critical Environmental Feature review for projects in the City's jurisdiction. Results of this review will be entered into AMANDA by comment deadlines for each project.
- ERM will provide guidance for buffers or alternate protections of CEFs that will provide comparable water quality benefits. These recommendations will be documented in AMANDA.
- ERM will attend project meetings with the applicants to explain CEF protection recommendations if requested by LUR.

- When requested by LUR staff, ERM will attend boards and commission meetings when support for granting or denial of a variance request is needed based on CEF review and recommendations.
- ERM will provide field identification of Critical Environmental Features for those projects which require it under the LDC. These features will include wetlands, rimrocks, bluffs, sinkholes, springs, and recharge features.
- ERM will review regulatory changes impacting water quality and CEF protection and provide comments to the project manager for the subject code, rules, or criteria manuals.

Groundwater Contamination Review

- LUR staff will notify ERM of applications for proposed commercial developments with underground structures (e.g. parking garages, basements, etc.) when they are located in or adjacent to areas of groundwater contamination as mapped by WPD.
- WPD will provide all LUR review staff with GIS access to the groundwater contamination information as mapped by WPD.
- ERM staff will evaluate proposed commercial developments with underground structures (e.g. parking garages, basements, etc.) that are only located in or adjacent to areas with documented groundwater contamination for the purpose of prescribing stormwater discharge regulatory requirements for proposed surface discharges.
- LUR will identify, map and investigate potential Historic UST's and document all findings.

Abandoned Landfills

- WPD will maintain a database and map of abandoned landfills and provide access to that information for DSD staff for use in site plan, subdivision, and building permit review.

Integrated Pest Management (IPM) Plan Review

- LUR will provide review of standard Integrated Pest Management Plans as a part the site and subdivision review process. IPM's containing special requirements or exceptions will be reviewed and approved by WPD's Integrated Pest Management Coordinator.

Compliance Enforcement Support

- DSD shall continue to provide regulatory compliance support services associated with legal enforcement proceedings initiated by WPD program activities.

Planning Support

- Watershed Policy will continue to provide watershed and environmental support for the neighborhood planning and comprehensive planning functions of DSD.
- Watershed Policy will provide planning and GIS support for development-review related code and criteria modifications that are determined by WPD to have a significant benefit to watershed protection.
- Invasive Species Plan: WPD will lead the development of an invasive species management program to manage invasive plant species for the City of Austin. The DSD City Arborist Program will provide staff support and GIS development of the spatial database for the program.
- WPD will work with LUR to facilitate training of stakeholders and staff.

Environmental Criteria Manual

- ERM will continue to provide technical assistance to LUR staff as needed, to interpret ECM 1.30 (Environmental Assessment), 1.3.4 (Pollutant Attenuation Plan), 1.10.0 (Point Recharge Identification Criteria, 1.12.0 (Void and Water Flow mitigation), and 1.13.0 (Design Guidelines for Shoreline Modification, Stabilization and Access).
- LUR will provide ERM with copies of all waivers from the ECM that are issued, including letters pertaining to Section 1.4 and 1.6 of the ECM.

City Code Maintenance and Modification

- DSD and Watershed Policy will collaborate on proposed code and criteria changes and offer mutual support where appropriate in the rules change and code amendment process.
- WPD and DSD will each establish a SPOC to coordinate all rules changes made by their respective departments by the start of FY 14. All code and criteria changes will be coordinated through the respective SPOC's prior to initiating the amendment process to prevent duplication or other conflicts.
- WED shall be responsible for maintaining and modifying Ch. 25-7 and shall initiate and coordinate major code revisions.
- WPP shall be responsible for maintaining and modifying Ch. 25-8 and shall initiate and coordinate major code revisions.
- DSD may process changes to Chapters 25-7, 25-8, the ECM, and the DCM. LUR will provide review of standard Integrated Pest Management Plans as a part the site plan and subdivision review process. IPM's containing special

requirements or exceptions will be reviewed by WPD's Integrated Pest Management Coordinator.

III: Training

- ERM will continue to provide CEF recognition training for LUR staff. This training will include one session annually to review LDC requirements for Environmental Assessments for all uses. An additional session will be conducted in the field where recharge features and wetlands can be identified.
- ERM will provide a short guidance document on how to use the groundwater contamination mapped data and to determine when to refer a site to ERM for further evaluation and issuance of a Stormwater Discharge Permit.
- WPD will provide LUR reviewer's access to the WPD GIS servers containing flooding complaints, groundwater mapping, etc.
- WPD and DSD will collaborate on training and graphic materials for web pages, brochures pertaining to any changes to LDC or Technical Manuals referenced in this agreement.

IV: Reporting

- WPD FTE's will report to their respective managers in WPD. LUR FTE's will report to their respective managers in DSD.

V: Funding

- WPD agrees to fund the addition of one FTE, minimum Engineer C, in LUR beginning in FY 14 to facilitate the transition of the review of detention waivers, RSMP, and the implementation and review of the Erosion Hazard Zone in both the Site Development and Building Permit processes. WPD agrees that should the implementation of the EHZ review result in significant delays in the Building Permit process, WPD will fund temporary FTE's for administrative support and ERM engineering staff will provide additional review assistance.
- Any use of Drainage Utility Fee revenue by DSD must be for watershed protection related activities.

VI: Other Terms and Conditions

- It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development review and inspection activities

and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about March 1, 2017.

- The terms of this agreement shall remain in force until superseded by a new or revised agreement. Any changes, additions or deletions must be mutually agreed to by the directors of both the Watershed Protection Department and the Development Services Department.

Development Services Department

By: _____

Rodney Gonzales, Director

Date: _____

Watershed Protection Department

By: _____

Joe Pantalion, Director

Date: _____

Assistant City Manager, Development Services

By: _____

Sue Edwards, Assistant City Manager

Date: _____

XXI. Travis County

Memorandum of Understanding Between Development Services Department, Planning and Zoning Department and Travis County

From: _____, Travis County

To: Rodney Gonzales, Director, Development Services Department

Date: January __, 2016

Subject: Subdivision Platting and Building Permits in Extraterritorial Jurisdiction (ETJ)

1. Background

The purpose of this memorandum is to formalize an arrangement between the Development Services Department and Travis County to establish and memorialize an agreement of the parties related to the City of Austin's review and inspection of private development projects in the ETJ.

This memorandum is a follow up to the April 2015 Zucker Systems Workflow Organizational Assessment of the Planning and Development Department that indicated the need to improve Austin's development processes.

1. It is understood that in another MOU between DSD and the Communication and Technology Management Department (CTM) sets forth AMANDA improvement needs for the County.
2. It is understood that another MOU between DSD and the Transportation Department that the City and County are working on a "rough proportionality" model, to ensure development is assessed their fair-share and include alternative street standards. This model should be included in Title 30 and in the Transportation Criteria Manual in advance of Code Next. The target date for completion of this model shall be June 1, 2016.
3. It is understood that in another MOU between DSD and Watershed protection that the City's drainage criteria manual will be updated by July 1, 2016,

Agreements

The parties agree to the following:

1. Austin's City Manager should work with the County to negotiate a 4th Amended Inter-Local Agreement (ILA) to:
 - Clarify/resolve RSMP provisions in the ETJ;
 - Provide for a county courtesy review of MUD/PID/PUD/developer agreement negotiations in the ETJ;
 - Assign private road inspections and fees to the County in the ETJ; and
 - Address and agree upon county review time frames and resultant staffing resources in the ETJ.
2. To the extent that the County wishes to review building permits in the ETJ, this review shall be completed two days before the City's review performance standard.
3. It is agreed that the County function will, to the extent possible, be collocated with DSD activities. The function is currently located on the 4th floor of One Texas Center and staffed three days a week and should be included in any new building or facility designed for DSD.
4. It is agreed and recognized that the Development Services Department is Austin's overall coordinator of development activities and as such will monitor the implementation of this MOU. DSD should complete a review of the MOU on or about March 1, 2017.

APPROVED:

Development Services Department

By: _____
Rodney Gonzales, Director

Date: _____

Travis County

By: _____,
Director

Date: _____

Assistant City Manager, Development Services

By: _____

Sue Edwards, Assistant City Manager

Date: _____