

Late Backup
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May 10, 2018
Agenda Item #16

Kitchen MOTION SHEET
~~Open Communication~~

Motion to replace Options A and B:

WHEREAS, the City Council established the Planning Commission by ordinance in 1945, and since that time the Commission has been tasked with performing significant and complex regulatory functions on behalf of the City of Austin; and

WHEREAS, these vital functions include acting as the City's "zoning commission" in accordance with Chapter 211 of the Texas Local Government Code, which mandates that the Commission provide reports to the City Council on proposed changes to the City's zoning ordinances; and

WHEREAS, the Planning Commission also acts as the sovereign body responsible for approving subdivision plats under Chapter 212 of the Texas Local Government Code and various administrative decisions relating to water quality, drainage, and other development regulations; and

WHEREAS, in addition to its enabling authority under state law, the Planning Commission is subject to Article X of the Austin City Charter, which sets forth additional responsibilities and functions as well as membership and operational requirements; and

WHEREAS, Art. X § 2 was added to the charter in 1994 in response to concerns regarding influence over land use planning decisions and established "a minimum of two-thirds of the members who shall be lay members not directly or indirectly connected with real estate and land development;" and

WHEREAS, the City Council is committed to complying with the charter and to ensuring that the Planning Commission includes members with a diverse range of perspectives and backgrounds; and

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WHEREAS, the City Council believes that a clearer process is necessary and desirable to ensure appointments comply with the Art. X § 2 of the City Charter; **NOW THEREFORE,**

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

Administrative Requirements.

- with Article
and the City Auditor*
- (A) The City Manager, in consultation with the City Clerk, is directed to provide a questionnaire for applicants to open positions on the Planning Commission designed to assist the Council in determining whether an individual is “directly or indirectly connected with real estate and land development.”
 - (B) The City Manager is directed to begin requiring completion of the questionnaire for subsequent applications for appointment or reappointment to the Planning Commission.
 - (C) Upon completion of the application process, the Clerk’s Office shall provide the questionnaire to the nominating council member, providing opportunity for an alternative nominee. When the nomination moves forward, the Clerk’s Office will distribute nominee’s questionnaire to Council for review 10 days prior to Council vote on approval of individuals. Council will discuss nominations at the work session prior to council meeting posted for nominee’s approval.
 - (D) The City Manager is directed to create and bring back for approval, by June 14, 2018, a process for removing Planning Commissioners if the Commission’s composition does not comply with the City Charter. If a charter amendment is required to remove Planning Commissioners, the City

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Manager is directed to bring back potential charter amendments for Council's consideration.

ADOPTED: _____, 2018 **ATTEST:** _____

Jannette S.
Goodall
City Clerk