



City of San Antonio

Agenda Memorandum

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Agenda Item Number: 6.

Agenda Date: 4/15/2014

In Control: Quality of Life Committee

TO: Sheryl Sculley, City Manager

FROM: Roderick J. Sanchez, AICP, CBO, Development Services Director

COPIES TO: Councilwoman Ivy Taylor, Chair, District 2; Councilman Diego Bernal, District 1; Councilwoman Shirley Gonzalez, District 5; Councilman Joe Krier, District 9; Erik J. Walsh, Deputy City Manager; Michael Shannon, Assistant Development Services Director

SUBJECT: Overview and Status Report on City of San Antonio's Building Standards Board

SUMMARY:

At the November 19, 2013, Quality of Life Committee meeting, former Councilman Carlton Soules requested that an overview of the Building Standards Board (BSB) be presented to the committee to better understand the BSB process and the time commitment required of membership. This report provides an overview of the BSB, current workload and outcome-based statistics, and an overview of implemented and contemplated operational changes to streamline the BSB's processes.

BACKGROUND INFORMATION:

The BSB ordinance 2011-05-05-0354 approved significant changes to the code enforcement process by reconstructing a City-staffed board with appointed citizens and charging them with quasi-judicial power. The BSB hears and rules on issues related to minimum property maintenance violations, appeals to San Antonio Property Maintenance Code (SAPMC) violation notices, dangerous and dilapidated structures and appeals to summary abatements (when the City abates a property without providing the owner prior notice, as allowed by state law and City Code). Most importantly, these changes have allowed for quicker compliance by reducing the amount of time it takes for a case to be heard from an average of 88 to 30 days. These changes also improved transparency and the dynamic of the code enforcement process (citizen judges and a decriminalized process).

The BSB consists of fourteen (14) members: Ten (10) Council District appointees; one (1) Mayoral appointee; and three (3) at-large appointments. The mayoral appointment and the at-large appointments are prescribed for the following categories: historic preservation professional, single-family rental property manager, multi-family

rental property manager, and commercial rental property manager/design professional.

The board operates at the panel level. There are two panels consisting of seven members each. Panels hold hearings twice per month unless otherwise indicated. Meeting dates are the first and third Thursdays of the month for Panel A and the second and fourth Thursdays for Panel B. Currently, panel membership is as follows:

Building Standards Board Membership by Panel	
Panel A	Panel B
CD 1 Representative	CD 2 Representative
CD 3 Representative (Vacant since Feb.2014)	CD 9 Representative
CD 4 Representative	CD 7 Representative (Vacant since Dec. 2013)
CD 5 Representative	Mayoral Representative
CD 6 Representative	Multi-Family Property Mgr (Vacant since May 2013)
CD 8 Representative / Single Family Property Mgr (Panel Chair)	Commercial Property Mgr
CD 10 Representative (Vacant since Dec. 2013)	Historic Preservation (Panel Chair)

Development Services staff continues to work with City Council and Office of the City Clerk staff to ensure all positions are filled in a timely manner.

ISSUE:

Membership in the BSB requires a significant commitment from residents due to the number of cases brought before the board for non-compliance. In CY (Calendar Year) 2013, Panel A met 18 times, Panel B met 21 times and the full board met 2 times for a total of 41 meetings throughout the year. Below is a breakdown of case type by panel:

Panel A - Calendar Year 2013			
Case Type	# of Cases	Avg # Cases per Month	Avg # Cases per Meeting
Dangerous Structures	86	7.0	5.0
San Antonio Property M	226	19.0	13.0
Summary Abatement A	6.0	0.5	0.3
Total Cases	318	26.5	18.3
<i>Cases Pulled</i>	<i>47</i>	<i>3.9</i>	<i>3.0</i>

Panel B - Calendar Year 2013			
Case Type	# of Cases	Avg # Cases per Month	Avg # Cases per Meeting
Dangerous Structures	59	5.0	3.0
San Antonio Property M	177	15.0	8.0
Summary Abatement A	2.0	0.2	0.1
Total Cases	238	20.2	11.1

<i>Cases Pulled</i>	38	3.2	2.0
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On average, each meeting lasts 3 hours in length, which is consistent with other Development Services Department board meetings (Board of Adjustments, Planning Commission, Zoning Commission) that typically last 3-4 hours. In CY 2013, Panel A had 8 meetings that lasted longer than the average meeting time and Panel B had 3 meetings that lasted longer than the average meeting time.

In an effort to reduce the duration of meetings staff has implemented the following process improvements:

- Combining presentations of multiple violations at a single property
- Pulling cases from agendas when properties come into compliance prior to the hearing
 - In CY 2013, 85 cases were pulled from the agendas
- Redirected 183 cases to the Administrative Hearing Officer (AHO)
 - 132 Exterior maintenance cases
 - 26 High weed cases
 - 25 Accumulation of rubbish or garbage cases

Staff has also identified additional efforts to maintain efficient and effective meetings:

- Fill vacant positions within the next three (3) months.
 - Development Service staff will work closely with the Council Office, City Clerk's Office, add an advertisement to the City's web site, and mention the openings at Neighborhood Association meetings and other City board meetings
- Continue to monitor and adjust panel assignments to maximize efficiencies
- Establish caseload limit of 14 cases per meeting agenda

Staff will continually look to improve the processes and policies guiding the BSB.

ALTERNATIVES:

The Quality of Life Committee may provide additional suggestions on how to streamline processes.

FISCAL IMPACT:

There is no fiscal impact. This is a briefing item only.

RECOMMENDATION:

There is no recommendation associated with this briefing item.