



CITY OF LONG BEACH

R-16

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 (562) 570-5237

June 10, 2014

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Request the Department of Development Services work with the City Attorney to draft an Ordinance dissolving the Disabled Access Appeals Board (DAAB) and transferring the responsibilities of the DAAB to the Board of Examiners, Appeals and Condemnation (BEAC); and return to the City Council with the implementation ordinance(s). (Citywide)

DISCUSSION

In 1981, pursuant to Section 19957.5 of the California Health and Safety Code, the Disabled Access Appeals Board (DAAB) was established by City Council Resolution No. C-23275. The DAAB was established to hear written appeals regarding actions taken by the City's Building Official relating to enforcement of State regulations pertaining to access and public accommodations by disabled individuals. Historically, the DAAB has met infrequently.

The Board of Examiners, Appeals and Condemnations (BEAC) was established pursuant to City Council Ordinance No. C-5332 in 1977 to determine the suitability of alternate materials and types of construction, and to hear appeals of decisions made by the City's Building Official on matters related to enforcement of State codes and substandard conditions. The BEAC meets regularly once a month and holds meetings in accordance with the Brown Act.

The existence of two separate boards with functional similarities is no longer viable. It is, therefore, recommended that the DAAB be dissolved and their responsibilities shifted to BEAC, and that BEAC act as the hearing body for all appeal proceedings. Currently, the BEAC has seven (7) members with no disabled individuals represented on the Board. The DAAB has five (5) members, including two (2) disabled individuals. Combining these boards will require the appointment of two (2) disabled individuals to the BEAC in accordance with State law. The consolidation of these two boards will reduce redundancies, improve efficiencies and enhance the delivery of programs and services.

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Based on City Council direction, staff would work with the City Attorney to prepare the necessary documents to transition the activities and oversight of the DAAB to BEAC. When completed, such documents will be presented to the City Council for consideration.

Through these steps, and through the establishment of a stronger BEAC, staff believes that the core functions of both commissions will be retained and strengthened.

This matter was reviewed by Assistant City Attorney Michael J. Mais on May 21, 2014 and by Budget Management Officer Victoria Bell on May 16, 2014.

TIMING CONSIDERATIONS

City Council action is requested on this matter on June 10, 2014, to provide ample time for preparation of the necessary documents in order to return to City Council in a timely manner.

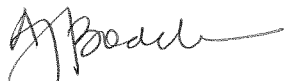
FISCAL IMPACT

Compensation for BEAC and DAAB members is budgeted in the Development Services Fund (EF 337) in the Department of Development Services. The net reduction in Board members from 12 to 9 will provide savings reflected in EF 337. Consolidation of DAAB and BEAC will result in organizational and staffing efficiencies through the elimination of one commission. No local job impact is expected as a result of this recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:AR:DK
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APPROVED:



PATRICK H. WEST
CITY MANAGER