

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning & Economic Development

AGENDA DATE: Introduction – April 10, 2012
Public Hearing – April 17, 2012

CONTACT PERSON/PHONE: Mathew McElroy, (915) 541-4193

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code, to clarify the role of the Open Space Advisory Board in the development review process and to amend staff support for the Board. **(All Districts)**

BACKGROUND / DISCUSSION:

See attached ordinance. On January 17, 2012, the City Council requested that staff work with the OSAB to draft proposed language changes to the OSAB enabling ordinance and to clarify the role of the Board in the development review process. The Open Space Advisory Board appointed a subcommittee to work with Planning and Legal Staff to draft such language and prepared a draft to present to City Council for review.

PRIOR COUNCIL ACTION:

On January 17, 2012, the City Council requested that staff work, in collaboration with the OSAB, on this task. On March 20, 2012, the City Council requested that staff proceed forward with the ordinance.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy, Deputy Director for Planning

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL)
CHAPTER 2.22 (OPEN SPACE ADVISORY BOARD), OF THE EL PASO CITY CODE,
TO CLARIFY THE ROLE OF THE OPEN SPACE ADVISORY BOARD IN THE
DEVELOPMENT REVIEW PROCESS AND TO AMEND STAFF SUPPORT FOR THE
BOARD**

WHEREAS, the Open Space Advisory Board was established by Ordinance 017123, and the duties of the Open Space Advisory Board were amended by Ordinance 017205; and

WHEREAS, the City Council of the City of El Paso determines that the ordinance should be amended and these amendments are in the best interest of the citizens of the City of El Paso.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 2, Administration and Personnel, Chapter 2.22, Open Space Advisory Board, Section 2.22.040, Secretary – Duties, of the El Paso City Code is amended as follows:

2.22.040 - Secretary—Duties.

The city manager shall designate a city department to provide an employee to serve as the recording secretary and shall provide administrative and technical staff support to the Open Space Advisory Board. Any additional administrative support not provided by the city manager must be approved by the city manager.

Section 2. That Title 2, Administration and Personnel, Chapter 2.22, Open Space Advisory Board, Section 2.22.050, Board Duties, of the El Paso City Code is amended as follows:

2.22.050 - Board duties.

A. The Open Space Advisory Board shall act as an advisory board and provide recommendations to the City Council in efforts to preserve and acquire open space as identified in the "Towards a Bright Future: A Green Infrastructure Plan for El Paso, Texas," commonly referred to as the open space master plan. The Open Space Advisory Board shall provide recommendations on the implementation of the open space master plan. The Open Space Advisory Board shall review and provide input to the City Council on legislative matters pertaining to open space submitted to the board by the director of the Department of Parks and Recreation, the deputy director of the Planning and Economic Development Department, the chief executive officer of the Public Service Board, the deputy director of the Economic Development Department and the city flood plain administrator or their designees. Specifically, the Open Space Advisory board shall:

1. Review, advise, propose and recommend actions to the City Council on additions or changes to: the open space master plan, open space goals, open space acquisitions, open space funding and

spending prioritization, Title 18 (if the amendment relates to landscaping or grading), Title 19, Title 20 and Title 21 of the city code or any other city code provision if requested by staff;

2. Provide recommendations to the city council regarding matters before state and federal agencies affecting open space identified in the Open Space Master Plan or Stormwater Capital Improvement Plan for which comment or input is solicited or requested to include, but not be limited to, requests for individual permits from the U.S. Army Corps of Engineers;

3. Review and provide input to city staff regarding matters initiated by city staff to identify, preserve, acquire and manage open space, including development plans that impact open space or plans for open space components of undeveloped areas in the city or its extra territorial jurisdiction; and

4. Review and provide input to the city council and the El Paso Water Utilities—Public Service Board (EPWU) regarding the Master Stormwater Management Plan and the annual Stormwater Capital Improvement Plans per Ordinance 016668, and on matters initiated by EPWU to include establishing priorities for open space acquisitions and improvements and review of EPWU reports regarding the ten percent of annual drainage utility fee revenues allocated for "Green Projects," as relating to open space.

5. The Board may conduct meetings closed to the public when discussing matters related to the acquisition of real property.

B. It shall be the duty of the open space advisory board to serve as an advisory body to the city council on matters concerning the Mountain Development Area and the Hillside Development Area, as defined in Title 19 of the El Paso City Code. The open space advisory board shall:

1. Review and make recommendations to the City Plan Commission (CPC) regarding its, rezoning applications within the Mountain Development Area and the Hillside Development Area. If such recommendations are not forwarded to the CPC prior to the relevant CPC meeting, nothing in this section shall serve to prevent the CPC from taking action;

2. Review, on a quarterly basis, a report submitted by city staff on land studies and plats approved in the Mountain Development Area and Hillside Development Area for the purpose of understanding how the new development impacts open space within the area; and

3. Make recommendations for future acquisition of properties in the Mountain Development Area that are of interest and concern to the city.

Section 2. Except as herein amended, Title 2, Administration and Personnel, Chapter 2.22, Open Space Advisory Board, of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this _____ of _____ 2012

SIGNATURES ON FOLLOWING PAGE

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

Mathew McElroy,
Deputy Director
Planning & Economic Development

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney