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

**DEPARTMENT:** **Parks and Recreation**

**AGENDA DATE:** **June 2, 2009 (Introduction) June 9, 2009 (Hearing and Action)**

**CONTACT PERSON/PHONE:** **Nanette Smejkal (915) 541-4331**

**DISTRICT(S) AFFECTED:** **All Districts**

**SUBJECT:**
An Ordinance amending Title 2 (Administration and Personnel), by adding Chapter 2.22 (Open Space Advisory Board) to create the Open Space Advisory Board to assist in the preservation and acquisition of open space.

**BACKGROUND / DISCUSSION:**
The ordinance establishes the number of board members, defines the group as an advisory board, and identifies the major duties of the committee including providing open space policy recommendations, recommending open space acquisition, and advising on the implementation of the Open Space and Greenways Plan.

Open Space advice is currently provided through a subcommittee of the Board of Parks and Recreation. In order to focus additional attention on open space, a separate advisory board appointed by the Mayor and Council is recommended.

**PRIOR COUNCIL ACTION:**
On May 18, 2009 the QOL LRC reviewed the draft ordinance and voted to forward an ordinance establishing the new board to Council for consideration and action.

**AMOUNT AND SOURCE OF FUNDING:**
**How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?**
N/A

**BOARD / COMMISSION ACTION:**
On April 27, 2009, the Open Space subcommittee reviewed the draft ordinance.

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

**LEGAL:** (if required) _____ **FINANCE:** (if required) _____

**DEPARTMENT HEAD:** _____
**(Example: if RCA is initiated by Purchasing, client department should sign also)**
***Information copy to appropriate Deputy City Manager***

**APPROVED FOR AGENDA:**

**CITY MANAGER:** _____ **DATE:** _____

**ORDINANCE NO._____**

**AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), BY ADDING CHAPTER 2.22 (OPEN SPACE ADVISORY BOARD) TO CREATE THE OPEN SPACE ADVISORY BOARD TO ASSIST IN THE PRESERVATION AND ACQUISITION OF OPEN SPACE**

**WHEREAS,** the City of El Paso ("City") finds that the creation of an Open Space Advisory Board will benefit the City in preserving and acquiring open space, which will benefit the residents of El Paso.

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

1. That Chapter 2.22 (Open Space Advisory Board) be created and added to the El Paso City Code along with the following sections.

2. That Section 2.22.010 (Membership – Appointment – Terms – Vacancies) be created and added to the El Paso City Code as follows:

**2.22.010 Membership--Appointment--Terms--Vacancies.**

A. The Open Space Advisory Board ("Board") shall be composed of nine members, all of whom shall be residents of the City and known to be interested in open space, trails and greenways. Each member of the Council shall nominate one member to the Board. The terms of office shall be staggered selected by lot at the first board meeting. Five of the initial regular members shall have four-year terms and four of the initial regular members shall have two-year terms. All future appointments shall be for terms of four years and all terms shall expire in June. Appointments to vacancies that occur other than by expiration of a member's term of office shall be filled by appointment by the mayor and city council for the remainder of the unexpired term.

B. The Stormwater Engineer of the El Paso Water Utilities Public Service Board shall serve as an ex-officio member without the right to vote and will not be counted for purposes of establishing a quorum.

3. That Section 2.22.020 (Members not to hold other public offices – Compensation) is created and added to the El Paso City Code as follows:

**2.22.020 Members not to hold other public offices--Compensation.**

A. No member of the board shall hold any other public office of honor, trust or profit in the government of the City or county during his term of office.

B. The members shall serve without pay.

4. That Section 2.22.030 (Chair and vice-chair – Rules and regulations) is created and added to the El Paso City Code as follows:

**2.22.030 Chair and vice-chair--Rules and regulations.**

A. The board shall annually select from among its appointed members a chair and a vice-chair. The board shall adopt such rules and regulations for the government of its proceedings as may be deemed proper, not inconsistent with the ordinances and the Charter of the City and the laws of the state.

B. A quorum of the Open Space Advisory Board shall be a majority of the total number of the board members who have been appointed by city council at the time of the board meeting; provided however that a quorum shall not be less than three. The chair shall have a vote in all matters. No final action shall be taken on any matter except pursuant to a simple majority vote of members present.

5. That Section 2.22.040 (Secretary -- Duties) is created and added to the El Paso City Code as follows:

**2.22.040 Secretary--Duties.**

The director of the department of parks and recreation shall designate a department of parks and recreation employee to serve as the recording secretary and shall provide administrative and technical staff support to the Open Space Advisory Board.

6. That Section 2.22.050 (Board Duties) is created and added to the El Paso City Code as follows.

**2.22.050 Board Duties.**

The Open Space Advisory Board shall act as an advisory board and provide recommendations to the mayor and city council in efforts to preserve and acquire open spaces. The Open Space Advisory Board shall provide recommendations on the implementation of "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 review and provide input to the mayor and city council on legislative matters pertaining to open space submitted to the board by the director of the Department of Parks and Recreation, the director of the Developmental Services Department, the Chief Executive Officer of the Public Service Board, the director of the Economic Development Department and the City Flood Plain Administrator or their designees.

7. Except as changed herein, Title 2 of the El Paso City Code shall remain in full force and effect.

(*signatures are on the following page*)

ADOPTED this _____ day of _____, 2009.

CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Kristen L. Choi
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Nanette L. Smejkal, Director
Department of Parks and Recreation

## Survey of Interest in Proposed Open Space Advisory Board

| PRAB Member | District | Yes | No | Comments |
|---|---|---|---|---|
| Armstead, Michael | 5 | X | | Interested if nominated, accepted, and removed from the Parks & Rec Advisory Board |
| Carroll, Matthew | 8 | X | | I would like to serve on the new Open Space Board since my term on Parks will expire in October. |
| Cloud, Ralph | 7 | | | no response |
| Falvo, Richard | 6 | | X | |
| Feliberti, Francoise | 3 | X | | |
| Kennedy, Jeannine | 1 | X | | |
| Medrano, William | 4 | | X | |
| Munoz, Trinidad | 3 | | X | |
| Pataky, Carl | 8 | X | | Now I live in District # 1 |
| Robles, Ruben | 2 | | X | |
| Shuford, Frederick | 4 | | X | |
| Stokes, Henry | M | | X | |
| Tolbert, James | 2 | X | | Subject to a review of ordinances to allow serving on both Open Space and Parks and Recreation boards |
| Troncoso, Rodolfo | 6 | | X | |
| Turner, David | 1 | | X | No, not unless I can be on both Park Board and Open Space Board. |
| Wickstrom, Brian | M | | X | |
| *Vacant* | M | | | |
| *Vacant* | *5* | | | |
| *Vacant* | *7* | | | |

6/3/2009