

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

DEPARTMENT: El Paso Water Utilities: Submitted: June 13th, 2005

AGENDA DATE: June 21st, 2005

NOTICE setting a public hearing to be held before the City Council, the governing body of the City of El Paso, in the City Council Chambers at City Hall, 2 Civic Center Plaza, El Paso, Texas on Tuesday, July 26, 2005 at 9:00 o'clock a.m. or following thereafter in accordance with the agenda. In accordance with Texas Parks and Wildlife Code Section 26.001 and 26.002, the purpose of the public hearing is to receive and consider clearly enunciated local preferences regarding the project known as the Pico Norte Park Elevated Reservoir Water Tank. El Paso Water Utilities proposes to take and use a 0.4 acre site in the far Northeast corner of the 20-acre park area and adjacent to an existing El Paso Water Utilities pump station. The project is the construction of a 2.5 million gallon elevated storage tank and approximately one-half mile of 24-inch water supply line. The City Council will be asked to make a finding that: (1) there is no feasible and prudent alternative to the use or taking of the land site; and, (2) the project includes all reasonable planning to minimize harm to the land as a park resulting from the taking.

CONTACT PERSON/PHONE: Robert D. Andron, General Counsel 
El Paso Water Utilities, (915) 594-5607

DISTRICT(S) AFFECTED: District #5

SUBJECT:

Notice of a public hearing to be held at the City Council meeting of Tuesday, July 26, 2005 pursuant to the Texas Parks and Wildlife Code Sections 26.001 and 26.002. The hearing is required for a finding of no feasible and prudent alternative to the use of a small portion of Pico Norte Park for a 2.5 million gallon elevated water storage tank. Another purpose of this hearing is to receive and consider clearly enunciated local preferences. The City Council will be asked to approve the project along with its use of a 0.4 acre parcel out of the 20-acre park on July 26, 2005.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

As the result of an evaluation of water distribution system facilities within three major pressure zone service areas, it was determined that a crucial facility improvement needed is an elevated storage tank sited at the Pico Norte Park. There is no feasible, prudent alternative to the use of this small parcel in the northeast corner of the park site. Careful planning to minimize harm to the land as a park was done and the El Paso Water Utility is ready to proceed with the project.

Because the site is within a city park, Texas law requires that before the project is finally approved, the City Council must have a public hearing to determine that there is no feasible or prudent alternative to the use of the park and the project includes all reasonable planning to minimize harm to the land as a park site.

Careful planning and consideration has been done to put the 2.5 million gallon elevated storage tank on a concise 0.4 acre site in the far northeast corner of the 20-acre park adjacent to an existing pump station. Approvals have been obtained from the Parks & Recreation Advisory Board and the Parks Department Director.

This project is at a crucial site since it is the only one that provides the required optimal hydraulic conditions for system operation and a storage area for future desalinated water supplies.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

No.

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?

The Pico Norte Elevated Water Reservoir Storage Tank Project is an El Paso Water Utilities Capital Improvements Project approved in the FY 2005-2006 EPWU Budget with an estimated cost of \$3 million and its source account is EPWU –CIP 2026. No budget transfer is required.

BOARD / COMMISSION ACTION:

n/a

*******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:** _____

Attachments

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TO: Joyce Wilson, City Manager
City of El Paso, Texas

FROM: Robert D. Andron, General Counsel
El Paso Water Utilities Public Service Board *R. Andron*

DATE: June 13th, 2005

SUBJECT: Request to place Item on City Council Agenda
~~Regular~~ CONSENT Agenda: JUNE 21st, 2005

NOTICE setting a public hearing to be held before the City Council, the governing body of the City of El Paso, in the City Council Chambers at City Hall, 2 Civic Center Plaza, El Paso, Texas on Tuesday, July 26, 2005 at 9:00 o'clock a.m. or following thereafter in accordance with the agenda. In accordance with Texas Parks and Wildlife Code Section 26.001 and 26.002, the purpose of the public hearing is to receive and consider clearly enunciated local preferences regarding the project known as the Pico Norte Park Elevated Reservoir Water Tank. El Paso Water Utilities proposes to take and use a 0.4 acre site in the far Northeast corner of the 20-acre park area and adjacent to an existing El Paso Water Utilities pump station. The project is the construction of a 2.5 million gallon elevated storage tank and approximately one-half mile of 24-inch water supply line. The City Council will be asked to make a finding that: (1) there is no feasible and prudent alternative to the use or taking of the land site; and, (2) the project includes all reasonable planning to minimize harm to the land as a park resulting from the taking. (District 5) [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

BACKGROUND

As the result of an evaluation of water distribution system facilities within three major pressure zone service areas, it was determined that a crucial facility improvement needed is an elevated storage tank sited at the Pico Norte Park. There is no feasible, prudent alternative to the use of this small parcel in the northeast corner of the park site. Careful planning to minimize harm to the land as a park was done and the El Paso Water Utility is ready to proceed with the project.

Because the site is within a city park, Texas law requires that before the project is finally approved the City Council must have a public hearing to determine that there is no feasible or prudent alternative to the use of the park and the project includes all reasonable planning to minimize harm to the land as a park site.

Careful planning and consideration has been done to put the 2.5 million gallon elevated storage tank on a concise 0.4 acre site in the far northeast corner of the 20-acre park adjacent to an existing pump station. Approvals have been obtained from the Parks & Recreation Advisory Board and the Parks Department Director.

This project is at a crucial site since it is the only one that provides the required optimal hydraulic conditions for system operation and a storage area for future desalinated water supplies.

ACTION REQUESTED

Approve the notice for a public hearing as required by Texas Parks & Wildlife Code Sections 26.001 and 26.002. Said hearing will be to receive and consider clearly enunciated local preferences regarding the Pico Norte Park Elevated Reservoir Water Tank Project.

REQUEST TO PLACE ITEM ON THE CITY COUNCIL AGENDA – June 21st, 2005

Attached is backup information consisting of the letter to the City Manager from the El Paso Water Utilities General Manager dated May 9, 2005 giving official notice as required by the law of the project and proposed use of the park site. Also attached is a Supplemental Technical brief on the selection of the Pico Norte site and copies of the approval minutes of the Parks and Recreation Advisory Board of March 2, 2004. Attached also is a letter from the Parks and Recreation Department Director dated July 15, 2004 approving of the use and agreeing to a Joint Use Agreement. Finally, attached is a map showing the park and the proposed location of the project.

Please advise this office upon completion of your review and approval of the placement of this item on the City Council Agenda. If there are any questions, please call me at 594-5607 or email bandron@epwu.org.

I will plan to attend the City Council meeting. Thank you for your kind attention to this matter.

Attachments

Cc: The Honorable Mayor and City Council (distribution to M&CC will be sent Tuesday, June 14th)
Pat Adatao, Deputy City Manager for Building & Planning Services (email)
Deborah Hamlyn, Deputy City Manager for Quality of Life (email)
Theresa Cullen-Garney, Deputy City Attorney (email)
Jennifer Callan, Assistant City Attorney (email)
Richarda Duffy-Momsen, City Clerk (hard copies & email)
Edmund G. Archuleta, General Manager (email)
Nicholas J. Costanzo, Assistant General Manager (email)
Armando Gonzalez, Jr., Engineering Services Manager, PSB (email)
Jim Shelton, Land Administration, PSB (email)

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05/09

EDMUND G. ARCHULETA, P.E.

May 9, 2005

Joyce Wilson, City Manager
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901

Dear Ms. Wilson:

A handwritten signature in black ink, appearing to read "Joyce", written over the text "Dear Ms. Wilson:".

Last year, El Paso Water Utilities conducted an evaluation of distribution system facilities in the portion of East El Paso served by the Airport Pressure Zone. This pressure zone extends from Loop 375 in East El Paso towards the Montana Paisano intersection, and is generally bounded by I-10 to the south, and Montana and Airport Road to the north. Based on current and future growth demands, various facility improvements or upgrades (pipelines and storage) have been identified to meet service requirements and improve water distribution operation. One of these improvements is the construction of a 2.5 MG elevated water storage reservoir at the northeast edge of Pico Norte Park.

Hydraulic modeling has confirmed that the current pipe network in the Airport Pressure Zone lacks adequately sized pipelines to effectively move water supply in the western and central regions of the Airport Zone. A second factor is the proposed completion of a Desalination Facility that when completed in 2006, must be able to pump and store the treated high TDS blend mix within the Airport Zone. The placement of an elevated storage reservoir at the Pico Norte Park will alleviate these two pressure zone problems.

An elevated storage reservoir's effectiveness is determined by the capacity and location of the reservoir. Hydraulically, this reservoir must have a capacity of 2.5 MG and be located at the general vicinity of the Pico Norte Park. We have discussed the need for the Pico Norte Elevated Storage Reservoir with the Parks and Recreation Department. We proposed the reservoir be located adjacent to the existing Pico Norte Sewer Pump Station. At the March 2, 2004, Parks and Recreation Advisory Board meeting, a motion to approve the request for a joint use agreement with the City of El Paso and the Parks and Recreation Department for the construction of a water reservoir at Pico Norte Park passed with a majority vote. Consequently, we received a letter approving the site for the reservoir. Both the minutes and letter are attached for your reference.

We have also discussed the need for the reservoir with the City Attorney's office. Staff met with Ms. Terry Cullen-Garney and Ms. Jennifer Callan of the City Attorney's office on March 10, 2005, and explained the hydraulic limitations which make the park site the only feasible site for the reservoir. There are no available sites which meet the City's requirements for the elevated storage reservoir set backs. The advantage to siting the reservoir next to the existing sewer pump station is that the reservoir site can be reduced to 120' x 130'. We have attached a site plan for your reference.

Since there is no feasible alternative than to place the elevated storage reservoir at the Pico Norte site, we meet the requirements as outlined in the Texas Parks and Wildlife Code Annotated, Chapter 26, State Statute 26.001 (a) (1) which states:

“§ 26.001. Protected Land: Notice of Taking

(a) A department, agency, political subdivision, county, or municipality of this state may not approve any program or project that requires the use or taking of any public land designated and used prior to the arrangement of the program or project as a park, recreation area, scientific area, wildlife refuge, or historic site, unless the department, agency, political subdivision, county, or municipality, acting through its duly authorized governing body or officer determines that:

(1) there is no feasible and prudent alternative to the use or taking of such land;
and

(2) the program or project includes all reasonable planning to minimize harm to the land, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking.

(b) A finding required by Subsection (a) of this section may be made only after notice and a hearing as required by this chapter.

(c) The governing body or officer shall consider clearly enunciated local preferences, and the provisions of this chapter do not constitute a mandatory prohibition against the use of the area if the findings are made that justify the approval of a program or project.”

We ask your consideration in this matter. We wish to put this issue in front of the City Council as soon as possible. The concerns of the pressure zone as stated above currently impact the residents of East El Paso. This area will be further impacted when the Desalination Facility, which was bid last week and anticipated to be completed in 2007, is put in service.

We are in the process of negotiating our design contract in order to meet the required construction schedule of the reservoir. If you have any questions, please call me at (915) 594-5501.

Sincerely,



Edmund G. Archuleta, P.E.
General Manager

Attachments

Cc: Nick Costanzo, Assistant General Manager
Bob Andron, General Counsel
Terri-Cullen Garney, Assistant City Attorney



INTEROFFICE MEMORANDUM Project
Administration Management

To: Edmund G. Archuleta, P.E., General Manager
Thru: Bert Juarez, P.E., Chief Technical Officer
From: Patricia M. Phillips, P.E., Project Manager
Copy to: Bob Andron, General Counsel
Date: June 2, 2005
Subject: Supplemental Technical Basis for the Selection of Pico Norte Elevated Tank Site

INTRODUCTION:

This Technical Memorandum outlines the process used for determining the site selection of Pico Norte Park for the Pico Norte Elevated Storage Tank and 24-Inch Supply Line Project. The project involves the construction of a 2.5 mg elevated storage tank and the approximately one half mile 24-inch supply water main in east El Paso.

GENERAL PRINCIPALS IN SITE SELECTION OF AN ELEVATED TANK:

Elevated storage tanks in the El Paso Water Utilities operate in tandem with other tanks in their respective pressure zones. There are currently twenty-seven (27) zones serving El Paso Water Utilities customers. The tanks provide specific pressure and storage to the zone and are said to “float” together. To be effective in its zone, a tank must be placed at the overflow elevation to “float” correctly with the other tanks and be placed at a strategic location to provide an effective storage reservoir to the water system. If either parameter is not met - correct overflow elevation or strategic storage location – the tank is ineffective in a zone and pressure imbalances resulting in poor service responses.

BACKGROUND INFORMATION:

The El Paso Water Utilities conducted an evaluation of distribution system facilities within three major pressure zone service areas, one of which included the Airport Pressure Zone. Based on current and future growth demands, various crucial facility improvements or upgrades have been identified to meet service requirements and improve water distribution operation. One of the service requirements is that the Airport Zone be designed with distribution piping and adequate storage to balance the service pressures from one end of the zone to the other. Essentially, the Airport zone extends from Loop 375 in East El Paso towards the Montana-Paisano intersection, and is generally bounded by I-10 to the south, and Montana and Airport Road to the north. In addition, previous pipe modeling has confirmed that the current pipe network lacks adequately sized pipelines to be able to move water supply from the Jonathan Rogers Water Treatment Plant (from the easternmost part of the zone), west towards the central and western portions of the zone. A second vital factor is the proposed completion of a Desalination Facility that when completed in 2007, must be able to pump and store the treated blend mix water within the Airport Zone.

The Airport zone has long been short of storage capacity. The zone has historically relied on pumping stations at Eastwood, Zaragosa, and Americas as well as the McRae and Montana well production booster stations to meet peak demands. The Utility must improve this zone's storage capability in order to provide better distribution, resulting in overall system balanced pressures, reduced pumping to the zone, and meeting current requirements for storage as mandated by the Texas Commission on Environmental Quality (TCEQ). Additionally, the rapid, extensive residential expansion in East El Paso has resulted in strong water demand and pressure imbalances in the water system, particularly in the Airport Zone. To this end, the Utility constructed the Pebble Hills Elevated Reservoir several years ago to compliment the Vista Hills Elevated Reservoir in east El Paso. A future Vista Del Sol Elevated Tank is planned for construction in about 4 years also along the eastern part of the zone. However, there remains a critical need to construct additional elevated storage within the western part of the Airport Zone and consequently, this site was identified as the best one for the construction of a new 2.5 million gallon **Pico Norte Elevated Tank** and related supply main (tentatively 24-inch diameter).

SITE SELECTION:

Originally, the Pico Norte Tank site was to be the usual 4-acre site use. However, to minimize the use of park area, a site was carefully considered near where a lift station facility is already located, thus, the Pico Norte Tank is proposed to be located inside a small, 0.4 acre, site in Pico Norte Park located in the vicinity of Sam Snead with Pico Norte Street. As can be seen from the attached map, this area is far from the actual park uses sites. The proposed location at Pico Norte Park is the only one that provides optimal hydraulic conditions for system operation as well as providing a storage platform for future desalinated water supply. It is planned that the 24-inch supply line may connect to the existing 24-inch Steel Cylinder Concrete main located along Montwood Drive (refer to attached map). The Pico Norte Tank will be designed at the same overflow elevations as the Pebble Hills Tank and the Vista Hills Tank. Another elevated reservoir, the Cielo Vista Tank currently has a lower overflow elevation than that of the Pebble Hills and Vista Hills tanks and is not considered as effective storage for the Airport Zone at this time.

Other possible alternatives to this proposed tank site were considered but this one is the only one that meets all engineering requirements to serve the current and future customer needs. One of the alternatives seriously considered was physically raising the existing Cielo Vista elevated reservoir which is currently twenty (20) feet lower than the required overflow elevation of Pico Norte. This option had to be abandoned because of its excessive cost making it a financially unfeasible burden on the ratepayers. In addition, the water storage would not have been strategically located to maximize and provide immediate storage for the product water from the Desalination Plant, which could than be more efficiently distributed in the Airport Area where it is critically needed. Other sites were eliminated because they did not satisfy the water system engineering requirements to provide a strategic location near the Desalination Plant in order to provide effective water storage, zone balances and usage.

CONCLUSION:

The El Paso Water Utilities has carefully studied the Pico Norte site issue and has determined that there is no feasible and prudent alternative to the use of the Pico Norte Park Land. As stated previously, this site at Pico Norte Park is the only one that provides the required optimal hydraulic conditions for system operation as well as providing a storage platform for future desalinated water supply.

The project consultants and engineering personnel reviewed and considered all reasonable planning strategies to minimize any potential harm to the land use as a park area resulting from the elevated water storage tank use. Moreover, the proposed tank site is located adjacent to an existing EPWU lift station and the site footprint requirement has been engineered to be reduced from the Utility's normally required 4 acres for tanks of this magnitude, to a 0.4 acre site, thereby reducing the need to occupy any additional park area.



PARKS & RECREATION ADVISORY BOARD

March 2, 2004 Meeting

MINUTES

Members Present:

Sal Quintanilla, Vice-Chairman
Charlotte S. Johnson
Yolanda Cordova
Eileen Karlsruher
Alejandro Adauto, Jr.
Cherilyn Dorsey
Mitchel Doblado
Edward Moreno
Walt Phillips
Alma Wilson
Robert A. Gonzales
Rosa Dwyer
Alejandro Sanchez
Julio Norman
Brent Sanders
Alice Davis

Members Absent:

Bernie Sargent, Chairman
Shari S. Schwartz

Staff Present:

Richard Garcia
Joe Rodriguez
Doug Barnes
Pete Dunavant

Others Present:

Vivian Rojas, City Rep. (Dist #7)
Jose Lares, PSB
Enriqueta Natividad
Gerry Bernal
Carl Tickle

1. Call to Order:

Mr. Sal Quintanilla, Vice-Chairman, called the meeting to order at 6:04 p.m. He welcomed everyone and asked persons wishing to address the board to please sign the sign-in sheet.

2. Introduction of New Park Board Members:

Mr. Sal Quintanilla asked the new members of the board to please introduce themselves. He acknowledged the appointment of Ms. Alma Wilson, who had previously served on the board, and informed her that he was glad to have her back and invited her to again serve on the Aquatics/Sports Grievance Subcommittee. Mr. Quintanilla then introduced Ms. Alice Davis, welcomed her to the board and advised her that because she had just been appointed and had not had an opportunity to fill out the necessary paperwork

required by the City Clerk's Office, she would not be able to vote on issues brought before the board at the meeting. Ms. Davis introduced herself, stating that she had been appointed by City Representative Vivian Rojas, and added that she is a Public School Administrator with the YISD. Mr. Edward Moreno then introduced himself, stating that he is a retiree, a double dipper, very active in the community, and volunteers a lot for non-profit organizations. Mr. Brent Sanders also introduced himself and stated that he is a 5th grade teacher, appointed by City Representative Cobos, and a lifelong resident of El Paso.

3. Approval of the February 3, 2004 Meeting Minutes:

Ms. Rosa Dwyer asked a question as to whom the minutes referred to in the statement which read "The training is 4-8 hours, but he has asked them to make it 4-3 instead in order to keep things basic." She also requested clarification on what that statement meant. Ms. Dwyer was advised by Ms. Cecilia Castillo, the recording secretary, that the statement was made by Mr. Joe Rodriguez, the new Recreation Services Manager for the Parks Department, and that he was just stating that he would prefer that the training be either 3 to 4 hours only, instead of 4 to 8 hours long.

Motion was made, seconded and unanimously carried to approve the minutes as submitted.

4. Discussion and Action – Presentation on Proposed Elevated Tank At Pico Norte Park:

Mr. Joe Lares introduced himself stating he is an Engineer with the El Paso Water Utilities New Service and Development Section. The section deals with new growth and providing service to new customers in the City of El Paso. He thanked the board for giving him an opportunity to address them and added that the purpose of coming before the board was to make a presentation to request concurrence for a joint use agreement with the City of El Paso Parks Department for the construction of an elevated tank at the northeastern edge of Pico Norte Park, directly adjacent to their Pico Norte lift station facility. He referred to a map he had and pointed out to the board the exact location at the park where the PSB is looking at trying to accommodate a 2.5million gallon elevated water storage reservoir. Mr. Lares added that what they have done through a recommendation through their consultant is identify the park site location as the site which would provide optimal hydraulic conditions for improvements required for the water delivery system, specifically for the Airport Pressure Zone. He mentioned that the proposed reservoir would have the same elevation as other existing elevated tanks they already have, such as the Vista Hills tank located on Trawood Drive and the Pebble Hills tank located on Loop 375 in East El Paso. He added that another such tank is currently being built off of Edgemere. Mr. Lares continued his presentation by stating that the tank at the Pico Norte Park location would alleviate some of the problems they have in storage in the general location and would be a supplement to what they already have in the area. Right now they rely on continuous pumping to supply water to the area and it is costly to maintain and operate. He noted that they would be looking into construction in 2005 on the project and are really looking forward to the board approving their request in order for them to proceed through a joint use agreement with the Parks Department. Mr. Lares

further advised the board that staff from the PSB and Parks Department have met at the site on several occasions to discuss this project and he noted that there are a couple of playing fields at the park, but they would not be impacted at all with the construction of the tank at the specific site they have in mind. With that last bit of information, Mr. Lares ended his presentation and advised the board that if they had any questions he would be glad to answer them.

Mr. Julio Norman asked him as to what he meant when he said that what the PSB was looking for was the board's concurrence. Mr. Lares responded that what the PSB would like is for the board to approve a joint use agreement with the Parks Department and the City of El Paso, as it is his understanding that what is needed is a resolution from the board stating they are in agreement for the use of the property at the park for the purpose proposed. Mr. Walt Phillips asked if the PSB was only requesting use of the property and Mr. Lares stated that that was all they were proposing. Richard Garcia from the Parks Department advised the board that Parks Department staff did indeed meet with PSB staff at the park site and they also met with the Project Manager and with folks from the Eastside Soccer League to make sure that what is being proposed is not going to directly impact the Parks Department's organized athletic programs. Mr. Garcia added that the Parks Department currently has a pretty good relationship with the PSB right now and actually has several joint use agreements with them and with the school districts. He emphasized that the idea in mind is to help the PSB out because they are always helping the Parks Department. PSB has always been pro parks and now they have come to the Parks Department for assistance. Parks Department staff feels that PSB can easily be accommodated without any impact to the Department's organized athletic program and he is recommending that the board support and approve their request so a resolution can be presented to City Council for final approval. Mr. Edward Moreno asked if the residents had been advised of the proposal and Mr. Lares responded that at this point they had had no public meetings on this project. He stated that was part of the design phase, when they go out and provide the design itself and talk to some of the residents in the area. Ms. Cheryl Dorsey asked if there were any other proposed plans for the park and Mr. Richard Garcia advised her that actually there are plans to design some additional parking, which is going to go just north of the existing pump station and the proposed site for the elevated tank. There are also plans to put in a walking path to access the large soccer field and to plant more trees. Mr. Garcia added that when Parks Staff met with the Project Manager and Eastside soccer leagues everyone was made aware of plans to develop the park. Mr. Garcia advised Mr. Lares that he thought it was important that he inform the board about the height of the proposed tank and Mr. Lares responded that the actual height would be the same as the ones already in place on Trawood Drive and on Loop 375 and the construction would also be similar. Mr. Mitchel Doblado asked Mr. Lares if the Y had any problem with this proposed project and Mr. Lares said that the Y uses a portion of the park, but he did not know if they had been contacted about the proposed elevated tank. Mr. Sal Quintanilla advised the board that it seemed as if there had been enough discussion on the proposed project and asked for a motion; however, Mr. Julio Norman pointed out that he felt the board was obligated to get public input before moving forward. Mr. Richard Garcia noted that he agreed with Mr. Norman's statement because a project like this is going to definitely visually impact the

neighborhood, not so much facility wise, but visually yes, and he would kind of recommend there be a little bit of a public meeting, possibly at the Y to let them know about the proposed project. Mr. Lares stated that he was in agreement also; however, he emphasized that would happen in the design phase of the project and that would be addressed by the design engineer and consulting crew. They would obtain public comment. Ms. Eileen Karlsruher interjected that she would like to make a motion to approve without mentioning anything about public input because all PSB is requesting from the board is approval for a joint use agreement...this is only the first step and if the board approves the joint use agreement, public input would be obtained later on as the item would still need to go before City Council for approval. Ms. Rosa Dwyer seconded the motion made by Ms. Karlsruher. Ms. Cherilyn Dorsey inquired as to the chain of events to be followed on projects that come before them for approval. She wanted to know at what point during the process a request for public input should be made. Mr. Richard Garcia pointed out that he would assume PSB would definitely address the issue of obtaining public input because they certainly would want the residents of the area to know they are going to be getting a water facility that is going to help improve the water pressure in their neighborhood. He added that he would expect they would get public comment before the design or maybe in some portion of the master planning so the community will know what the tank is going to look like, so they can know what kind of water pressure they are going to have, and what they can expect when the tank is done. Mr. Humberto Juarez, a representative from the PSB, confirmed that public comment would probably be addressed during the design phase in order to keep the residents of the area satisfied and to let them know exactly what the project is going to entail and to give them an opportunity to provide some feedback. Mr. Mitchel Doblado pointed out that he thought the process been looked at is out of sequence as he believes the first thing to do is go to the people, get their blessing, let them say there is not a problem with the proposed project, and then request approval for the joint use agreement from the board. He added that it seems that what is being done is that everyone is putting the cart before the horse. Ms. Cherilyn Dorsey noted that the board does not know what policies are established for public communication and the board should not be making up rules and assumptions. Mr. Humberto Juarez emphasized that he wanted to clarify that the board would only be approving a recommendation to go forward because the joint use agreement would still have to be drawn by the attorneys, the agreement would still have to go before City Council, and they do intend to have some public hearing or a meeting to inform the public about the proposed project. He noted that they do not want to have a situation similar to the one on the Eastwood Park Project. Mr. Sal Quintanilla advised the board that enough discussion had been held and requested that the board vote on the issue and that Ms. Castillo poll the board.

The motion to approve the request for a joint use agreement with the City of El Paso and the Parks and Recreation Department for the construction of a water storage reservoir at Pico Norte Park, which was made by Ms. Eileen Karlsruher and seconded by Ms. Rosa Dwyer, was voted on and passed with a majority vote.

5. Discussion and Action – Naming of Multi Purpose Center – Ms. Enriqueta Natividad:

Ms. Enriqueta Natividad addressed the board on this item, stating that she was doing so at the request of several people who are disabled in different ways, at the request of some close friends, and at the request of persons she has worked with. She advised the board that at a community meeting held at Pavo Real Recreation a young lady by the name of Anna Thornton from the Parks and Recreation Department from the CDBG Program had passed around a petition to have the name of the Multi Purpose Center changed to the Paul Moreno Complex for the State Representative. Ms. Natividad said that immediately after the petition was circulated the young people objected right away and asked her to find out why the petition was being circulated, who requested that the petition be circulated and wanted the facility name change, and most importantly, they wanted for her to find out what the proper procedure was to oppose the name change. Ms. Natividad added that persons in opposition to the name change immediately signed any piece of paper given to them regarding their opposition to the facility name change. Ms. Natividad said that after that meeting, and as time went by, she called different people, either in the Parks Department or different places, and was given the run around; however, the main answer she kept getting was that this was a request by 10th Floor, City Hall. She pointed out that at a meeting she attended she even asked the Mayor about this and she never got a straight answer from him. Ms. Natividad continued by stating that she put out a notice to leave the name as it is and that it not be changed and right away she got 65 signatures opposing the name change. However, at a meeting with her City Representative Vivian Rojas and with Dr. Torgerson and Joe Rodriguez from the Parks Department, she was advised that she needed 50 signatures from residents who live within a mile radius of the Multi Purpose Center and the signatures she had obtained were from participants who have used the center for the last 18-20 years at least 3 to 5 days out of the week all year round. After she got this information she went out and got the signatures from residents who live within a mile radius of the center. She added that actually she got 60 signatures and turned in those 60 signatures, plus the 65 she had obtained from people who use the center a lot. She emphasized that the request to not have the facility name change is because a lot of persons with disabilities believe that when it has come to issues such as budget cuts and other issues the disabled advocate, whether it is in El Paso, Austin, or Washington, they have not had Representative Moreno's support and they can not understand his lack of support because he is in a wheelchair himself. Ms. Natividad stated that in many instances he has just passed the disabled community by, closed the door, or maybe wanted to remain neutral on some issues and he has been neutral on many issues for many years. She emphasized that the disabled community does not want to have Mr. Moreno as an enemy, but naming the facility after him has brought about mixed feelings and they really feel like it is a political request type of thing. Ms. Natividad explained that the original intention of the building was that it was to be used by the disabled community until 1990 when the purpose was changed with the American Disabilities Act, making it available to everybody. She noted that the original disabled community members who used the facility when it first opened and the younger members who used it before it closed for renovations are all in opposition to changing the name of the center from Multi Purpose Center to the Paul Moreno Complex. Ms. Natividad noted that she has talked to a lot of people including Mr. Ray Cox and Dr. Torgerson about their opposition to the name change, but she was not sure if the idea of naming the center after Mr. Moreno was still being considered.

She advised the board that Mr. Eric Reed from the Volare Independent Living Center was in attendance at the meeting and he is recommending the possibility of a memorial at the center with pictures of advocates for the disabled. Ms. Natividad was emphatic about the request of the disabled community to leave the name of the center as the Multi Purpose Center and said that they had heard something about the new swimming pool being named after Mr. Moreno; however, Mr. Moreno had said that he wanted the pool at the Multi Purpose center named after him instead.

The reason she Mr. Sal Quintanilla, the board's Vice-Chairman, asked Ms. Natividad if she was aware that the Parks and Recreation Advisory Board had a Park Naming Subcommittee and she replied that in speaking to Ms. Cecilia Castillo she had been informed of the existence of the subcommittee. Mr. Quintanilla then asked members of the board who was the chair of the Park Naming Subcommittee because this would be a request they would handle and Mr. Julio Norman informed him that he chaired that subcommittee. Ms. Natividad then asked if there would be a particular time when the name of the facility would be changed after Mr. Moreno or could the request just be placed on the City Council agenda and the name be changed immediately? Ms. Rosa Dwyer interjected that she seemed to remember that the Park Naming Subcommittee had already met regarding this issue and they had already made a recommendation to the board. Mr. Richard Garcia then advised the board that he recalled that when they were building the Hilos de Plata new senior citizen center and swimming pool, which are going to replace the old Washington Park Senior Citizen and Washington Park Swimming Pool, there was a request that had come from Paul Moreno's Office to name the pool after him and as far as he knows the request was approved by Council; however, it is his understanding that Mr. Moreno did not want that pool named after him - he wanted to name or rename the Multi Purpose Center after himself. Mr. Garcia added that as far as he knows there has been no formal request from anyone to name the Multi Purpose Center or the pool after Mr. Moreno so the question he addressed to Ms. Natividad was....does the disabled community want to keep the name "The Multi Purpose Center," or do they want the name changed? Again, Ms. Natividad was explicit in stating that they want the name to remain "The Multi Purpose Center." The reason she placed this item on the board's agenda was to make sure that someone does not come before the board without their knowledge or goes to City Hall or someplace else and gets the name of the facility changed.

Ms. Charlotte Johnson then asked Ms. Natvidad to please tell the board again who had circulated the petition to change the name of the facility and Ms. Natividad replied that they saw Ms. Anna Thornton, whom she believes is a program coordinator for the CDBG Program which has always met at the Multi Purpose Center, but because of the remodeling they are now meeting at the Pavo Real Recreation Center. Ms. Johnson asked Ms. Natividad if Ms. Thornton is a City employee and Ms. Natividad responded in the affirmative and added that when she talked to City Representative Vivian Rojas and Dr. Torgerson she had advised them that Ms. Thornton was circulating the petition during payroll hours. Ms. Thornton had confronted people with the petition at their Parents Meeting, which is usually held once a month. Ms. Natividad advised the board that she had asked Ms. Anna Thornton who had instructed her to circulate the petition and that

Ms. Thornton had said her boss, Ms. Veronica Meyers. Ms. Meyers had said it was her boss, Mr. Joe Acosta, and then she was informed that the boss was Mr. Enrique Valadez who works at Pavo Real Recreation Center. When she confronted Mr. Valadez who had asked that the petition be circulated, he told her that that person was Jay Lofton from Aquatics. Mr. Lofton had informed her that the request had come down from the 10th Floor, City Hall, and she heard nothing later on until she met the Mayor at Paul Moreno's community meeting at which time she had asked the Mayor and the Mayor had just looked at her and never really verified, but had recommended that she take the petitions and send them directly to Mr. Moreno in case he is disappointed. Ms. Natividad continued by stating that when City Representative Vivian Rojas had discussed this with the Mayor, the Mayor had recommended the same thing to her.

Ms. Charlotte Johnson advised Mr. Quintanilla that she still had a couple of procedural questions she needed to ask. First, is it ethical for a City employee to be circulating a petition about a name change for a City facility, and secondly, if a petition was obtained to change a park facility name, would it then come to the Park Naming Subcommittee before it went to City Council? Mr. Quintanilla asked Richard Garcia to address both questions and Mr. Garcia responded that on the first point he agreed 100% with Ms. Johnson. He stated he did not know how Parks Department staff got involved in trying to change the name of the facility, but if it did happen, it is a first and it is kind of unusual; and, he certainly would not support staff circulating the petition on behalf of somebody else. Regarding the second question, any requests for a name change would come to the whole Park Board, the board would then assign it to the subcommittee, the subcommittee would meet, review the petitions submitted, would listen to all the pros and cons, look at the request on its merits based on the park naming policy, and finally make a recommendation back to the whole Park Board, who would then make a recommendation to City Council. Ms. Dwyer then pointed out that she must have a faulty memory or something because she remembers this issue coming before the subcommittee for the Multi Purpose Center; therefore, she would like to request that the item be tabled until the minutes can be checked and so forth to see if in fact that did happen and it has already been done.

Mr. Quintanilla then asked Ms. Castillo if she remembered if this item had come before the board and Ms. Castillo responded that what she remembered was the issue of the naming of the Old Washington Park Senior Center being named the Hilos de Plata Senior Center and the naming of the new pool on Delta as the Paul Moreno Pool going before the Park Naming Subcommittee, with the subcommittee making such a recommendation to the whole board; however, when the resolution was prepared per their recommendation, the Parks Department (Mr. Ray Cox) was instructed to revise the resolution and have the resolution read that the Parks and Recreation Advisory Board was recommending the name of the Hilos de Plata Senior Citizen Center – no mention was to be made about naming the pool on Delta after Mr. Moreno because he did not want that particular pool named after him. He wanted the pool at the Multi Purpose Center named after him. Mr. Garcia commented that that was not his understanding Mr. Quintanilla then asked if he could get a motion to table this item until the Park Naming

Subcommittee can check the minutes to see what actually happened, or until the subcommittee meets and reports back to the board what actually happened.

Ms. Natividad then asked Richard Garcia when the center would open because she had heard late February or March and she wanted to know what would happen if the item is tabled. Mr. Garcia advised her that the item would have to be tabled until the board meets again on the first Tuesday in April. Ms. Natividad asked for assurance that nothing would happen before the next Park Board meeting and she was assured by Mr. Garcia that nothing would be done if the center opened before the meeting in April.

City Representative Vivian Rojas asked if she could speak briefly because this item did concern her and that is why she had encouraged Ms. Natividad to place this item on the board's agenda. She said she just wanted verification that she did speak with the Mayor and he did say that he was willing to listen to the constituents and the residents, and if they did not want the pool named after Mr. Moreno, that would be fine and the Multi Purpose Center would be left as it is named and they would find another facility to name after Mr. Moreno. She closed her statement by noting that that is what the Mayor had informed her.

Ms. Natividad commented that she would like for the board to be aware of the fact that there were a lot of persons from the disabled community who wanted to attend the meeting and address them on this issue; unfortunately, they have to get the Lift because they are using their power chairs and it takes 14 days in advance for them to get a ride if they can get a ride at all. She noted that she would notify them of the next meeting.

Ms. Cheryl Dorsey wanted to know, if the center was going to be opened soon, wouldn't somebody have already ordered the signs, or the plaque – has something already been purchased, and does it have the name Paul Moreno on it? Richard Garcia advised her that it has the Multi Purpose Center name.

The board voted on the motion made by Ms. Charlotte Johnson and seconded by Ms. Rosa Dwyer to table this item until the minutes could be checked to find out what actually happened, or until the subcommittee meets, if necessary, to address this issue. The motion passed unanimously.

6. Update on all Bond Issue Park Projects – Mr. Gerry Bernal:

Mr. Gerry Bernal greeted the board and introduced Mr. Carl Tickle, a member of the P+3 Executive Committee. Mr. Bernal asked if everyone had a copy of the update he had provided for them and commented that he hoped some of them had had an opportunity to go into the website and take a look at what they have on the web, which is updated once a month. Mr. Bernal reported that the McKelligon Canyon and Vista Del Sol Projects are currently in design and still being managed by the Engineering Department; however, they anticipate moving these projects to the Purchasing Department very soon. Regarding McKelligon Canyon, he said they would be meeting on Thursday with Viva El Paso to make a determination as to when they can go into construction, which really depends on whether or not they will be in operation this year. On the Northeast Regional

Park Project they are in final negotiations with the design team and the final scope has been processed. They are at the Engineering Department and are going up to the Legal Department. Hopefully, they can have this item on the agenda for Tuesday and this would be purchase order number two on their contract. The Eastwood Park Project is proceeding according to schedule and is currently 36% complete. All concrete panels have been erected, all roof decking and 90% of the steel is on the job site and the contractor has just finalized the parking lot. There is no striping on it and it is going to be blocked off until the end of the contract. They do not anticipate any problems with that project. The RFQ for the landscape architect is currently under the final fee proposal stage. The Marty Robbins and Lionel Forti Projects have been bid and they have already started to block off the area. The Memorial Park Project is currently bidding. The 16 projects that had been moved forward are all currently in design and there were 8 projects that only had trees. Mr. Bernal noted that he and Richard Garcia had conducted an inspection of those projects on Monday and they are all finalized. They are working on the RFQ's on some projects and other projects have moved forward all the way to City Council...that is the Westside Regional Park, the Westside Recreation Center, Veterans and Grandview Park. All the remaining projects will be worked on as scheduled. Mr. Bernal also advised the board that they have had some community meetings. They had one community meeting at Marty Robbins Park last week, which had very good attendance and City Representative Paul Escobar attended that meeting too. Parks Department staff and Engineering Department staff were also able to attend that particular meeting. Mr. Bernal further reported that they had met with the Album Park Preservation Association. It was a good meeting and about 16 people were in attendance. On the Cielo Vista Project, they met with some representatives at the park and got their input on some amenities they are doing at the park. He continued by noting that they had also met with the Kern Place Association members in regards to Madeline Park. He stated there are other community meetings they are pursuing and they hope to schedule another one pretty soon on the Memorial Park Project.

Ms. Cheryl Dorseley asked Mr. Bernal how they went about advising the people that there is going to be a meeting. Mr. Bernal stated that for the Marty Robbins Project, there is no organized group in that area so what they did was go to gas stations, grocery stores, nearby churches, elementary schools, middle schools, high schools, plus the hosting school and posted signs announcing the meeting. In addition, they also placed a small ad in the newspaper in the Living Section announcing the meeting. Other parks do have organized groups so most of the time they work with these groups to get meetings organized. He noted that as a result of their efforts on the Marty Robbins Park now they at least have a list of 16 people they can contact.

No action was required on this item.

7. Discussion and Action – Aquatics/Sports Grievance Subcommittee Meeting held on Wednesday, February 18, 2004 – Report by Sal Quintanilla:

Mr. Quintanilla thanked those members of the subcommittee who attended the meeting on the 18th. He reported that the grievance before the subcommittee was an appeal by Mr. Al Garcia for a one-year suspension imposed consistent with Rule #27 of the Rules

and Regulations and Participant's Code of Conduct that the Parks and Recreation Department has in place at the Carolina Recreation Center. Rule #27 reads that acts of misbehavior of a violent nature will result in an automatic one (1) year suspension from all Parks & Recreation activities or facilities. Mr. Quintanilla reported that a couple of years ago Mr. Garcia had been involved in an incident, which had been dealt with at that time, and had resurfaced again due to a more recent incident involving Mr. Garcia and another boxing coach participating at the Carolina Recreation Center which led to the one year suspension. Mr. Quintanilla emphasized that Parks Department Staff, as well as all other interested persons who had attended the meeting, and Mr. Al Garcia had all been given an opportunity to provide the subcommittee with any information they felt the subcommittee would need to make a decision concerning the appeal. Mr. Quintanilla noted that they did have 23 people willing to testify on Mr. Garcia's behalf and that because no one was willing to testify against Mr. Garcia, the subcommittee unanimously voted to lift the suspension.

Motion was made by Julio Norman and seconded by Eileen Karlsruher to accept and uphold the subcommittee's decision to lift the one-year suspension.

#8: Discussion and Action – Aquatics/Sports Grievance Subcommittee Meeting held on Wednesday, February 25, 2004 – Report by Sal Quintanilla:

Mr. Quintanilla advised the board that the subcommittee met at the request of Mr. Miguel Estrada because he had been imposed a one-year suspension consistent with Rule #10 and Rule #27 of the City of El Paso Carolina Recreation Center Boxing Arena Rules and Regulations. Mr. Quintanilla reported that the subcommittee had been provided with documentation involving seven (7) recorded incidents in which Mr. Estrada had been involved. He added that the subcommittee only addressed incident #1 and #6 together, pertaining to Rule #27 of the Carolina Recreation Center Boxing Arena Rules and Regulations, which reads that "Physical violence/confrontations towards officials, Parks & Recreation staff, spectators, participants, coaches and trainers at anytime will result in an automatic 1 year suspension from any Parks & Recreation facility or program or any other penalties deemed necessary." Mr. Quintanilla said the subcommittee also addressed items #2, 3, 4, and 7 listed on the documentation provided them. These incidents were in reference to Rule #10, which reads that, "The use of offensive or abusive language by anyone will not be tolerated in the boxing gym". A first offense of this rule can result in a written reprimand, second offence in a 1 month suspension, and a 3rd offense can result in an indefinite suspension until determined by the Parks Grievance committee. Mr. Quintanilla emphasized that incident #5 (smell of alcohol) could not, and was not discussed at all by the subcommittee. Mr. Quintanilla reported that Parks Department staff addressed the subcommittee, persons in attendance who had been involved in incidents with Mr. Estrada also addressed the subcommittee and Mr. Estrada was also given an opportunity to address the subcommittee and had denied all of the charges. Mr. Quintanilla concluded his report by stating that after the subcommittee listened to everyone wishing to address the subcommittee they conferred and voted unanimously that on items #1 and #6 pertaining to Rule #27, the one-year suspension which had been imposed would remain. On items #2, 3, 4, and 7, the subcommittee's decision was that Mr. Estrada had also broken Rule #10, and also on the Oscar Castillo

case, which was in reference to the use of vulgar and obscene language used by Mr. Garcia.

Motion was made by Julio Norman, seconded by Eileen Karlsruher and unanimously passed that the decision made by the subcommittee that the one-year suspension stand be accepted and upheld.

Richard Garcia advised the board that City Council had approved the appointment of the new director who is coming from Minnesota. The new director will be Dr. Norman Merrifield and he will be starting with the department on the 5th of April.

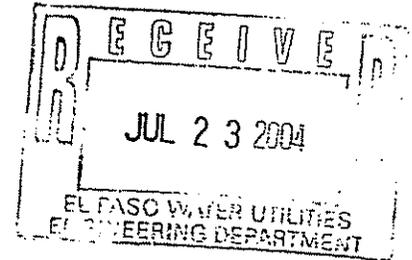
Vice-Chairman Quintanilla, on behalf of Dr. Bill Torgerson, extended an invitation to the board to attend the groundbreaking ceremony for the Cleveland Square Project to be held on Monday, March 22, 2004 at 2:00 p.m.

9. Adjournment:

The meeting was adjourned at 7:05 p.m.

July 15, 2004

Mr. José L. Lares, Jr., P.E.
Engineering Division Manager
Developer and Land Management Section
El Paso Water Utilities
1154 Hawkins Blvd.
El Paso, Texas 79925



Re: Pico Norte Elevated Tank Request for Joint Use Agreement

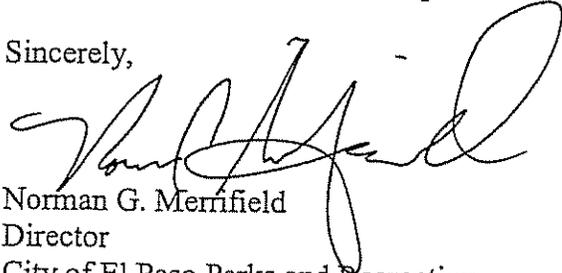
Dear Mr. Lares:

This regards your letter dated July 8, 2004, requesting a letter of agreement from our department for the construction of an elevated tank structure on the Pico Norte Park grounds. As your letter indicates, the Parks and Recreation Advisory Board met on March 2, 2004, and provided a favorable recommendation for the Joint Use Agreement allowing the construction of the elevated tank structure on park grounds.

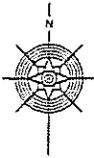
We understand that the tank will be constructed on a site approximately 120-feet by 130-feet and located at the northeastern edge of the park. In addition, we understand that a temporary construction area will also be needed as outlined on the exhibit submitted in your letter. Please accept this letter as our agreement for your attorney to initiate the draft of the Joint Use Agreement and presenting such to City Council.

Should you have any questions, please do not hesitate to contact me at 541-4331.

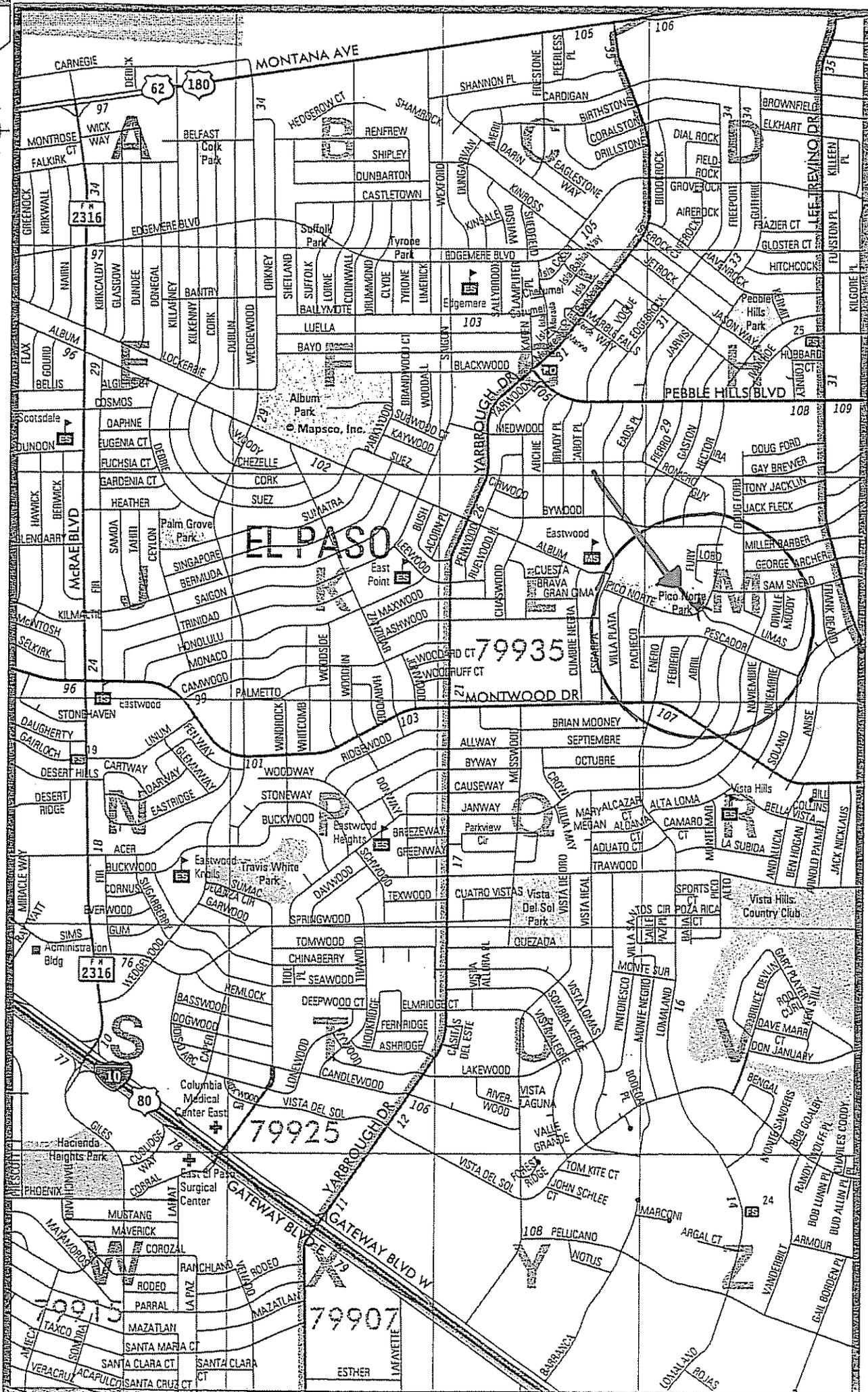
Sincerely,



Norman G. Merrifield
Director
City of El Paso Parks and Recreation

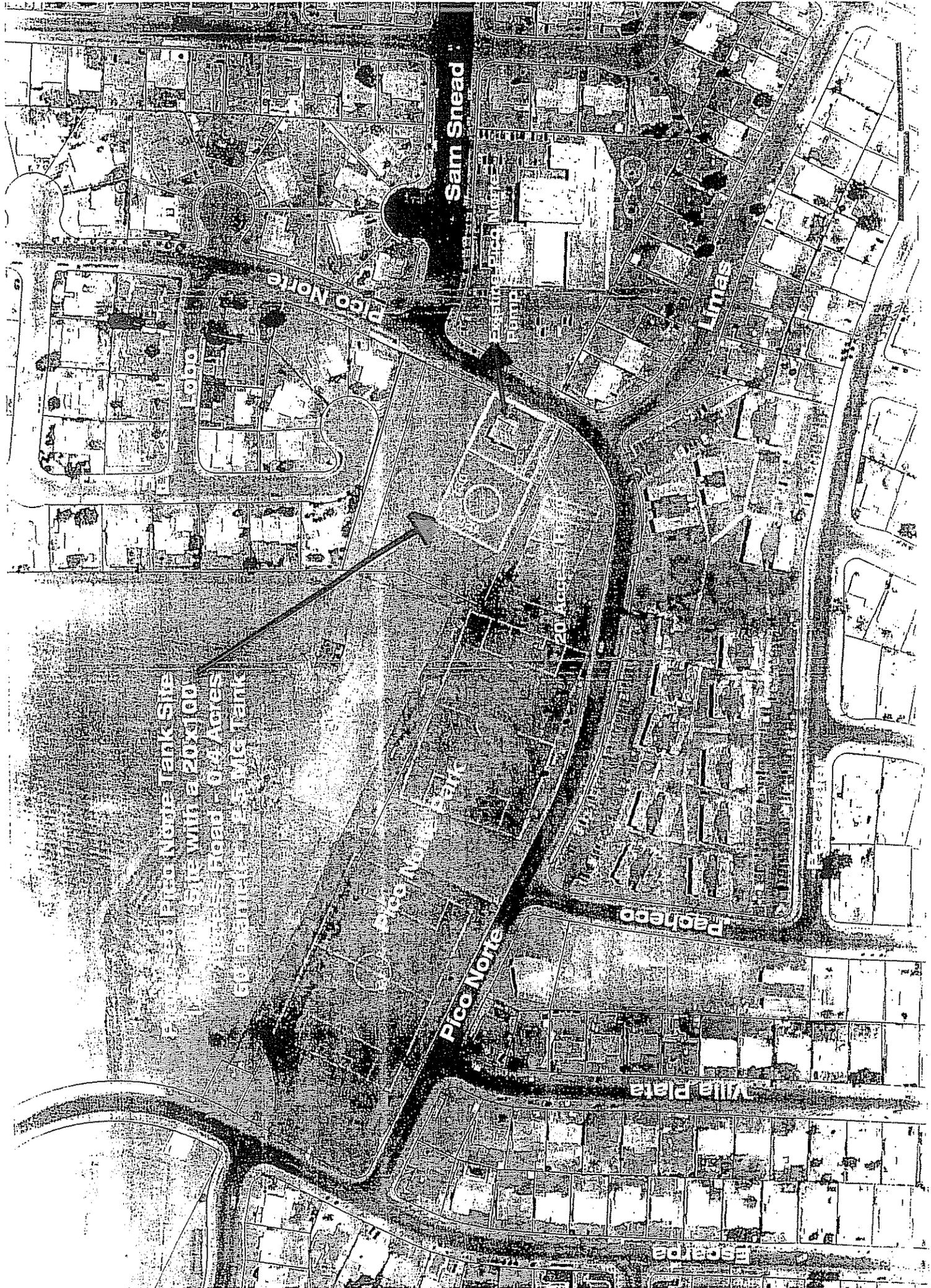


CONTINUED ON MAP 738



LOCATION MAP ONLY

Proposed Pico Norte Tank Site
Proposed Site with a 20x400
Access Road - 0.4 Acres
Proposed 25 MG Tank



LOCATION MAP ONLY