

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

DEPARTMENT: Parks and Recreation

AGENDA DATE: July 6, 2010 (Introduction) July 13, 2010 (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), Chapter 2.22 (Open Space Advisory Board), Section 2.22.050 (Board Duties) of the El Paso City Code.

BACKGROUND / DISCUSSION:

The enclosed ordinance has been prepared by the Legal Department.

The amendment updates duties of the OSAB by adding summarized language contained on page seven of the Halff Report dated 04/13/10 and encompassing the duties of the sunsetted Mountain Development Committee.

A redlined version is attached that indicates the changes.

PRIOR COUNCIL ACTION:

On April 13, 2010, Council directed that the duties of the Open Space Advisory Board be revised as recommended by the Halff Report and testimony from Open Space Advisory Board members.

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:

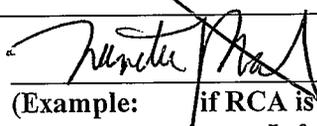
On June 28, 2010, OSAB reviewed the draft ordinance presented to them by the Legal Department and voted unanimously to approve and forward to City Council with a recommendation to approve.

*****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) CHAPTER 2.22 (OPEN SPACE ADVISORY BOARD), SECTION 2.22.050 (BOARD DUTIES) OF THE EL PASO CITY CODE TO CLARIFY THE DUTIES OF THE OPEN SPACE ADVISORY 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 this section should be amended to clarify the duties of the Open Space Advisory Board as outlined by a review conducted by Halff Associates, Inc. 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 Section 2.22.050 of the El Paso City Code is amended, for the purpose of clarifying the duties of the Open Space Advisory Board 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. 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 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. 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, City Code and regulations, and open space advertisement and promotion;
2. Provide recommendations to the city council regarding matters before state and federal agencies affecting open space 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 for 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 changes to the City Code and regulations that may help preserve open space;

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 10% of annual drainage utility fee revenues allocated for “Green Projects,” as relating to open space.

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 the following: proposed changes of zoning, detailed site development plans, special permits, subdivision plats/replats, land studies, right-of-way dedications or vacations, and other land development applications received on property 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 ordinance shall serve to prevent the CPC from taking action. In the Board’s recommendations regarding these items, special attention shall be given to drainage and flood control, open space requirements, grading impacts, and developmental controls;

2. Review and make recommendations for change, when appropriate, to regulations of the El Paso City Code affecting development of the Mountain Development Area;

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

4. Assist local and state agencies, as needed, in the long-term planning for the Franklin Mountains State Park.

Section 3. Except as herein amended, Title 2 (Administration and Personnel), Chapter 2.22 (Open Space Advisory Board) shall remain in full force and effect.

ADOPTED this _____ day of _____ 2010.

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 Smejkal, Director
Parks and Recreation Department

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Section 1. That Section 2.22.050 of the El Paso City Code is amended, for the purpose of clarifying the duties of the Open Space Advisory Board as follows:

2.22.050 Board duties.

- A. The Open Space Advisory Board shall act as an advisory board and provide recommendations to the ~~mayer 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 ~~mayer 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. 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, City Code and regulations, and open space advertisement and promotion;
 2. Provide recommendations to the city council regarding matters before state and federal agencies affecting open space 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 for 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 changes to the City Code and regulations that may help preserve open space;

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 10% of annual drainage utility fee revenues allocated for “Green Projects,” as relating to open space.

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 to the mayor and city council on the following matters relating to 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; and as requested by the city council:

1. ~~When performing any duty or function that requires the giving of a recommendation to the City Council regarding property located within the Mountain Development Area, to give special attention to drainage and flood control, open space requirements, grading impacts, and developmental controls when making such recommendation~~ Review and make recommendations to the City Plan Commission (CPC) regarding the following: proposed changes of zoning, detailed site development plans, special permits, subdivision plats/replats, land studies, right-of-way dedications or vacations, and other land development applications received on property 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 ordinance shall serve to prevent the CPC from taking action. In the Board’s recommendations regarding these items, special attention shall be given to drainage and flood control, open space requirements, grading impacts, and developmental controls;

2. ~~To~~ Review and make recommendations for change, when appropriate, to regulations of the El Paso City Code affecting development of the Mountain Development Area;

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

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