



**CAPITAL IMPROVEMENTS ADVISORY COMMITTEE MEETING
CITY HALL, 2ND FLOOR, CITY COUNCIL CHAMBERS
MARCH 4, 2009
10:00 A.M.**

MINUTES

The Capital Improvements Advisory Committee met at the above place and date.

The meeting was called to order at 10:00 a.m. Chair Olivas present and presiding and the following members answered roll call.

MEMBERS PRESENT:

Bobby Bowling
Sal Masoud
Dan Olivas
Charlie Wakeem
Larry Nance
Mark Dyer (Left Early)
Richard Piñeda
Ray Adauto

MEMBERS NOT PRESENT:

Michael Wyatt

AGENDA

Discussion and Action of the following:

- a. Approval of the minutes for the Capital Improvements Advisory Committee Meeting of February 17, 2009

ACTION: Motion made and unanimously carried to **APPROVE THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE MINUTES FOR FEBRUARY 17, 2009, WITH CORRECTIONS TO REFLECT THAT MR. DYER WAS PRESENT AT THE MEETING BUT SUBSEQUENTLY LEFT.**

Motion passed.

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Mr. Bobby Bowling suggested that items B and C be heard simultaneously.

- b. Consideration of Land Use Assumptions and Capital Improvements Plan and changes, reposting, and rescheduling
- c. Westside Service Area boundary issues

Mr. Neal spoke about the LUA and the CIP including the issue of the Westside service area. The first public hearing will take place on March 24, 2009, on the LUA and CIP. The CIAC has until March 18, 2009, to make comments known to City Council. On February 25, 2009, the Planning LRC met to

consider a presentation from Mr. Neal on the LUA and CIP but did not act favorably or unfavorably on the LUA and CIP based in part upon his request that they do not do so until the CIAC had an opportunity to meet. The same presentation that was given to the Planning LRC on February 25, 2009, was then presented to the CIAC. The first public hearing will be on water and, waste water-LUA and CIP. The 2nd public hearing on the rate setting will follow approximately 30 to 60 days after the City Council adopts the LUA and CIP. He will not authorize the reissuance of the addendum that includes a lot of rate related items until such time that all that information is correct.

- d. Update from staff and discussion and action made to the City Council at the February 25, 2009, meeting by the Planning LRC.

At the LRC Mr. Neal reported the Council committee voted unanimously not to recommend this creation of this additional service area on the Westside. They also made two additional recommendations:

- That whenever possible, the CIAC meetings be televised, and to
- Incorporate within the revision to the ordinance creating the CIAC, requiring that a member declare any unique financial interest in property they have prior to the discussion of the item.

Mr. Bobby Bowling clarified for the record that he owns less than twenty percent of the land in the thousand acres being discussed within the newly proposed Westside service area. He also noted that he owns property in the eastside and northeast which are potentially affected areas in this process. He also said he had been unfairly criticized about his involvement in this issue and made other statements in his defense.

Returning to items B and C.

ACTION: Motion made by Mr. Aduato, seconded by Mr. Dyer, **TO RECOMMEND TO THE CITY COUNCIL THAT A SEPARATE SERVICE AREA FOR WASTEWATER BE CREATED IN THE WESTSIDE DEFINED BY THE FOLLOWING ROADWAYS: TRANSMOUNTAIN ON THE NORTH, BORDERLAND ON THE SOUTH, DONIPHAN ON THE WEST, AND INTERSTATE 10 ON THE EAST.**

Motion passed. (5-3) with Mr. Wakeem, Mr. Nance and Mr. Piñeda voting NO to the motion. Chair Olivas did not vote.

Mr. Neal reported that Red Oaks, in their desire to make sure that all the calculations are correct, contracted a third party to review the document and provide comments.

The committee wants to know the name of the third party who is reviewing the calculations and who is paying for their service. Mr. Neal will provide this information to the committee.

- e. Additional comments from CIAC to present to Council.

ACTION: Motion made by Mr. Wyatt, seconded by Mr. Nance, and carried to **ADOPT THE STATEMENT SEEN ON THE SCREEN TO BE TRANSMITTED TO THE CITY COUNCIL.**

The statement read:

Overall, the Committee finds that the Land Use Assumptions and Capital Improvements Plan have been properly prepared by qualified professionals in accordance with Texas Local Government Code Chapter 395.

The Committee explicitly reserves any additional comments on impact fees until the "NOTICE ON HEARING ON IMPACT FEE" is made, presuming the City Council adopts the Land Use Assumptions and Capital Improvements Plan.

Motion passed unanimously.

- f. Schedule next meeting

Mr. Neal will notify the committee about the next scheduled meeting date.

ADJOURNMENT:

ACTION: Motion made by Mr. Adatao, seconded by Mr. Masoud, and unanimously carried to **ADJOURN** the Capital Improvement Advisory Committee Meeting at 12:25 p.m.

Mathew McElroy, City Plan Commission Executive Secretary