



**CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING
10TH FLOOR, LARGE CONFERENCE ROOM
NOVEMBER 11, 2008
5:00 P.M.**

MINUTES

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

The meeting was called to order at 5:15 p.m. John Neal present and presiding and the following members answered roll call.

MEMBERS PRESENT:

Ray Aauto
Bobby Bowling
Richard Pineda
Michael Wyatt
Sal Massoud
Mark Dyer
Dan Olivas
Charlie Wakeem
Larry Nance

AGENDA

1. Introductions

Each member of the Capital Improvement Advisory Committee introduced himself and everyone in the audience did as well. Mr. John Neal introduced himself and staff.

2. Elect Chair and Vice Chair

Nomination was made by Mark Dyer and seconded by Bobby Bowling to appoint Dan Olivas as Chair.

Larry Nance nominated himself as chair and Charlie Wakeem seconded the nomination.

There was a (6 -3) vote in favor of Mr. Dan Olivas for chair.

Nomination was made by Mark Dyer and seconded by Richard Pineda to appoint Larry Nance as Vice Chair.

Nomination was made by Bobby Bowling and seconded by Ray Aauto to appoint Mark Dyer as Vice Chair.

There was a tie of (3-3) vote for Vice Chair. Dan Olivas, Chair, broke the tie by voting in favor of Mark Dyer for Vice Chair.

Lupe Cuellar, Assistant City Attorney , noted that the Chair votes in all matters.

Mr. Neal decided that the committee discuss the agenda and entertain suggestions as to what rules they would like to have considered for adoption at the next meeting. The Chairman will preside and make such rules as he thinks appropriate. According to the ordinance that created this advisory committee, if anyone wants to overrule the Chair, they can challenge the decision of the Chair and the majority will uphold the decision.

3. Presentation and discussion by staff on following:

- 3a. Annexation and Impact Fee
- 3b. Statutory procedures for adoption on impact fees
- 3c. Role of the advisory committee
- 3d. Impact Fees – other cities, other city infrastructure funding, El Paso Infrastructure funding, other impact fee related items
- 3e. Council Policy direction
- 3f. Studies completed by consultants and revisions underway

John Neal gave a brief power point presentation and a brief summary that covered both Annexation and Impact Fees and noted that this is the same presentation that was given to the LRC and City Council.

City Council has given the direction to the EPWU and to the consultant to prepare a report and make modifications constituting a major addendum. This report will be available at the next meeting.

The Advisory Committee duties are spelled out in the statute and in the ordinance and they are to advise and assist with land use assumptions, to review the Capital Improvement Plan, and provide comments.

If impact fees are adopted, it will be the responsibility of the advisory committee to monitor and evaluate that implementation and to look for signs of inequities, reviews, and to report those to City Council. The Advisory Committee is required to file semi-annual reports associated with the implementation of impact fees and may provide advice to City Council on updates and revisions that need to be made.

The Advisory Committee will be required to file their comments with respect to land use and capital improvement plans five (5) days before the first public hearing and then again with respect to impact fees five days before the second public hearing. The Advisory Committee is also asked to review the service areas, to determine if more than one is justified and to review the options available on impact fees for credits or reductions on those fees based upon affordable housing considerations. This is a two stage approach. The first is a review of the land use assumption and capital improvement plan. This will be presented to the committee in a subsequent meeting but at that point the committee will also consider the multiple service areas and the methods of capital improvements plan calculations. After this, it will be presented to the City Council and if Council votes favorably on proceeding in adopting these then the committee will move to the second stage of the deliberations.

Mr. Neal noted that chapter eleven deals with water and waste water assessment by Red Oak and is useful to read to learn how impact fees are calculated. He drew his attention to Chapter Seven which deals with population, projections and estimates and Chapter eight which deals with the Land Use Assumptions and noted that these chapters will be the key to their consideration of these matters.

Lupe Cuellar, Assistant City Attorney, suggested that if the members have any questions, they address them to Mr. McElroy or Mr. Neal and they will forward them to her and she will formulate an opinion and have it ready for them at the next meeting.

He read part of the ordinance under item (b) appointing the Advisory Committee, noting that four members of the committee shall serve for a two-year term and five members shall serve for a three-year term. Under the ordinance, lots have to be drawn under the role of the Advisory Committee to see who will serve for two years and who will serve for three years.

With the drawing of lots, the following committee members will serve a two-year term:

Ray Adatao
Bobby Bowling
Richard Pineda
Charlie Wakeem

The following will serve a three-year term:

Michael Wyatt
Sal Masoud
Mark Dyer
Dan Olivas and
Larry Nance

It was noted for the record that Ms. Pat Adatao was in the audience.

There were no public comments.

Ms. Cuellar advised the committee that under the Open Meetings Act, committee members cannot discuss items that are pending before the committee.

4. Discussion and action on items for next agenda and next meeting date of the Advisory Committee.

The Robert Rules of Order, Land Use Assumption and the Capital Improvement Plan will be on the next agenda.

Mr. Costanzo from EPWU will have a report ready prior to the next meeting and will give it to Mr. Neal for distribution to the committee members.

ACTION: Motion was made by Mr. Adatao, seconded by Mr. Bowling, and unanimously carried to set the next meeting date for Wednesday, December 10, 2008 at 5:00 p.m., location is still pending.

ADJOURNMENT:

ACTION: Motion made by Ray Adatao, seconded by Sal Massoud, and unanimously carried to adjourn the meeting at 6:10 p.m.

Approved as to form:

Mathew McElroy, Executive Secretary, City Plan Commission