



**CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING
10TH FLOOR, LARGE CONFERENCE ROOM
DECEMBER 10, 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. Chair Olivas present and presiding and the following members answered roll call.

MEMBERS PRESENT:

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

AGENDA

1. Discussion and action of the following:

- a. Approval of the minutes for the Capital Improvements Advisory Committee meeting of:
 1. November 11, 2008

ACTION: Motion made by Mr. Wyatt, seconded by Mr. Piñeda, and unanimously carried to **APPROVE THE MINUTES FOR NOVEMBER 11, 2008.**

Motion passed.

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- b. Meeting Rules

Lupe Cuellar, Assistant City Attorney, noted that there were sufficient rules identified in the Ordinance and the opportunity to have them expanded within the by-laws was adequate and consistent with State Statute.

1ST MOTION:

ACTION: Motion made by Mr. Bowling, seconded by Mr. Wakeem, **TO APPROVE** the rules as presented.

Motion failed.

2ND MOTION:

ACTION: Motion made by Mr. Nance, seconded by Mr. Wakeem, **TO AMEND THE MOTION, TO INCLUDE A PHRASE THAT READS: THAT EVERY MEMBER WISHING TO SPEAK WILL BE RECOGNIZED BY THE CHAIR.**

Motion failed.

3RD MOTION:

ACTION: Motion made by Mr. Wyatt, seconded by Mr. Masoud, and unanimously carried to **APPROVE THE RULES AND REGULATIONS WITH THE AMENDMENT OF CHANGING THE NUMERICAL ORDER TO SHOW TEN (10) ARTICLES INSTEAD OF NINE (9).**

Motion passed.

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c. LUA Planning

Mr. Neal noted that the first stage in the process for the Advisory Committee is to take the report on the LUA and CIP and began referring their comments in anticipation of a public hearing that the City Council will call on that matter. Once they call it, the committee has the opportunity to provide comments up to five days prior to the actual public hearing. Statute is very clear that a professional engineer is to prepare the LUA and CIP. The Advisory Committee is to make such comments as deemed appropriate relating to LUA and CIP. This is not a situation where there is opportunity to negotiate changes between the professional engineer's opinion and the Advisory Committee's comments.

Lupe Cuellar, Assistant City Attorney, noted that the study has been done in accordance with the statute presented to the Advisory Committee. The Committee may review and comment on the study but not make any changes to it.

Mr. Neal noted that the impact fees is the second phase which the committee will do subsequent to the first process. An item has been placed on this agenda concerning the fees effect on housing costs which will be considered on the second phase of the process.

Ms. Cuellar answered questions from the committee regarding the timeline and noted that it would be more expedient and thorough if a staff member was assigned to the committee to keep track of the comments and record them.

Nick Costanzo from EPWU presented some of the staff members from EPWU that were in the audience and answered questions from the committee.

Richard Giardina from Red Oaks gave a summary briefing of the Addendum Report. He provided some information on the process overview and the mechanics of how they determine impact fees, fee areas, LUA, CIP, maximum fee calculations, what those fees are about, the credits that should be applied to those fees, and ultimately what the proposed impact fees are based on. He also answered questions from the committee.

Felipe Lopez from EPWU answered questions from the committee.

Mr. Neal reminded the committee that this report takes into consideration the plan projections for the Northeast Master Plan that accounts for approximately 70% of the dwelling unit capacity reflected in this report.

Mr. Neal will provide the committee with more information as to how they came to these projected numbers for the impact fee credit.

1ST MOTION:

ACTION: Motion made by Mr. Dyer, seconded by Mr. Piñeda, and unanimously carried **THAT THOSE ITEMS NOT COVERED IN TODAY'S AGENDA, BE THE FIRST ITEMS TO BE PLACED ON THE AGENDA AT THE NEXT MEETING.**

Motion failed.

2ND MOTION:

ACTION: Motion made by Mr. Nance, seconded by Mr. Bowling, and unanimously carried to **RECONSIDER THE MOTION.**

Motion passed.

3RD MOTION

ACTION: Motion made by Mr. Piñeda, seconded by Mr. Masoud, and unanimously carried **TO RECESS THE MEETING AT 7:20 P.M.**

Motion passed.

4TH MOTION:

ACTION: Motion made by Mr. Dyer, seconded by Mr. Masoud, and unanimously carried to **RECONVENE THE MEETING AT 10:30 A.M. ON THURSDAY, DECEMBER 11, 2008.**

Motion passed.

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RECONVENE:

Dan Olivas, Chairman, emphasized the importance of not interrupting a committee member when he is speaking and noted that the Robert Rules should be followed.

Members in the audience introduced themselves.

Dennis Jackson from Red Oak Consulting answered questions from the committee and noted that the areas in which the fees would be assessed are identical for both water and sewer.

Mr. Neal noted that there is a requirement that the committee file a report every six months and that the responsibilities to monitor the implementation of the impact fees and the continuation of the validity of the LUA and CIP is ongoing. He also noted that he had done some research pertaining to the Northeast quadrant and the potential impact fees. He distributed the results to the committee and entertained questions from the committee. Mr. Neal will reconstruct a list of developers that were interviewed by Halff and Associates and will provide it for Mr. Adatao.

It was suggested that the consultants elaborate a little bit more on how they came up with capital improvements.

- d. Water and Wastewater Addendum and CIP
- e. Fee effect on housing costs

Mathew McElroy, Deputy Director for Planning, gave a brief power point presentation and entertained questions from the committee.

Mr. Neal clarified that the whole issue of the effect on impact fees on housing costs and the issue of credits associated with affordable housing belongs in the second stage of the committee's deliberations. City Council was specific that they wanted to have the committee review the full range of options that may be available with respect to those credits or waiving of the fees for affordable housing.

Mr. Neal suggested that the committee forward their comments to him on issues relating only to LUA and CIP in accordance with the statute. He will put all those comments together, assemble them, and get them to the committee for their consideration at the next meeting.

Lupe Cuellar advised the committee to send their comments to Mr. Neal.

f. Schedule next meeting

ACTION: Motion made by Mr. Adatao, seconded by Mr. Bowling, and unanimously carried to **SET THE NEXT MEETING DATE FOR WEDNESDAY, JANUARY 7, 2009, AT 11:00 AM, LOCATION IS STILL PENDING.**

ADJOURNMENT:

ACTION: Motion made by Mr. Wakeem, seconded by Mr. Masoud, and unanimously carried to **ADJOURN** the meeting at 12:20 p.m., on Thursday, December 11, 2008.

Approved as to form:

Mathew McElroy, Executive Secretary, City Plan Commission