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**ADVISORY BOARD MINUTES**

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**PLANNING AND INSPECTIONS DEPARTMENT**

Wednesday, January 13<sup>th</sup>, 2016, 3:00 P.M.  
City 3 Building, 801 Texas Avenue  
Basement, Thorman Conference Room

**Members Present: 9**

*Chairwoman Lois Balin, Vice-Chairman Jim Tolbert, Katrina Martich, Dr. Richard Bonart, Joseph Nester, Dr. Richard V. Teschner, Maria Teran, Patricia E. White and Ann Morgan Lilly*

**Members Absent: 0**

**Vacancies: 0**

**Planning & Inspections Department – Planning Division Staff:**

*Larry Nichols, Director; Alex Hoffman, Lead Planner; Nelson Ortiz, Senior Planner; Harrison Plourde, Planner; Anne Antonini, Planner*

**Other City Staff Present:**

*Brie Franco, Assistant City Attorney; Cynthia Osborn, Real Estate Counsel, EPWU; Rudy Valdez, Capital Improvement District; Mr. James Wolf, Utility Planner, EPWU*

**Member of the public:**

*Marilyn Guida*

**1. Meeting Called to Order**

*Chairwoman Balin called the meeting to order.*

**2. Call to the Public** (items not listed on the agenda)

Chairwoman Balin explained the Call to the Public rules:

1. Stand up;
2. State your name for the record;  
*(minutes are being recorded and will ultimately be posted on the OSAB web page);*
3. Speak to the Board;
4. The Board can listen but cannot engage and deliberate in any discussion;
5. This is the public's opportunity to speak to the Board on matters not posted on today's agenda;
6. If you wish to speak on an item that is posted on the agenda, please wait until that item comes up for discussion; and
7. Comments by the public will be taken into consideration for future agenda items.

Mr. Hoffman requested those members of the public speaking to the Board to sign their name on the Public Comment sheet provided.

The following members of the public commented:

1. Ms. Marilyn Guida questioned the status of the NOS (Natural Open Space) Ordinance.

Chairwoman Balin responded the NOS Ordinance status is on the agenda under Item 7. **Information and Discussion:** Quarterly report on pending OSAB motions.

### 3. Discussion and Action:

- a. Changes to the Agenda.

*None.*

- b. Approval of Minutes: December 9<sup>th</sup>, 2015

Chairwoman Balin asked if Board Members had any additions/changes/revisions. There were none.

**MOTION:**

*Motion made by Dr. Bonart, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO APPROVE THE DECEMBER 9<sup>TH</sup>, 2015 MINUTES*

4. **Information and Discussion:** Presentation explaining the specifics of Public Service Board's Stormwater Bond. Contact: Cynthia Osborn, [cosborn@epwu.org](mailto:cosborn@epwu.org)

Ms. Cynthia Osborn, Real Estate Counsel, EPWU, explained specifics of the Public Service Board's Stormwater Bond monies and responded to comments and questions from the Board. Ms. Osborn introduced Mr. James Wolf, Utility Planner, EPWU; Mr. Wolf will be Ms. Osborn's backup for the Open Space Advisory Board.

Chairwoman Balin and Board Member Dr. Bonart commented.

5. **Discussion and Action:** Development of a list of criteria for the Board to use in their recommendations concerning lands to be acquired by the Public Service Board.

Contact: Cynthia Osborn, [cosborn@epwu.org](mailto:cosborn@epwu.org)

Ms. Cynthia Osborn, Real Estate Counsel, EPWU, explained EPWU-PSB staff request Board Members develop a list(s) of criteria regarding land recommendations to be acquired by the Public Service Board. Ms. Osborn also responded to comments and questions from Board Members.

Chairwoman Balin and Board Members Dr. Bonart, Ms. Martich, Mr. Nester, Ms. Teran,

The following staff members commented:

1. Mr. Alex Hoffman, Lead Planner
2. Ms. Brie Franco, Assistant City Attorney

Ms. Marilyn Guida, public, concurred with the motion.

**MOTION:**

*Motion made by Mr. Nester, seconded by Dr. Bonart AND UNANIMOUSLY CARRIED THAT THE PSB UTILIZE THE CRITERIA THAT ARE SET IN THE OPEN SPACE MASTER PLAN FOR EVALUATING THE DUAL PURPOSE LAND ISSUES.*

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**CLOSED SESSION**

**FOR THE RECORD – Chairwoman Balin read the following into the record.**

**The Open Space Advisory Board of the City of El Paso may retire into CLOSED SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda, consistent with the terms of the Open Meetings Act. The Open Space Advisory Board will return to open session to take any final action.**

SECTION 551.071 CONSULTATION WITH ATTORNEY  
SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY  
SECTION 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
SECTION 551.074 PERSONNEL MATTERS  
SECTION 551.076 DELIBERATION REGARDING SECURITY DEVICES  
SECTION 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

**CS1. Information and Discussion:** Updated information on the pending recommendation and the City’s negotiations concerning properties identified in the OSAB priority list. Discussion of this item will be closed to the public pursuant to the El Paso City Code, Section 2.22.050(A)(5), and Texas Government Code Section 551.072 Deliberation Regarding Real Property.  
Contact: Rudy Valdez, [valdezrx1@elpasotexas.gov](mailto:valdezrx1@elpasotexas.gov)

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**Following the Closed Session, Board Members reconvened the meeting.**

**6. Information and Discussion:** Quarterly report from the Planning Division, Subdivisions Section regarding land studies and plats approved in the Mountain and Hillside Development Areas.  
Contact: Nelson Ortiz, [ortiznx@elpasotexas.gov](mailto:ortiznx@elpasotexas.gov)

Mr. Nelson Ortiz, Senior Planner, gave the quarterly report from the Planning Division, Subdivisions Section regarding land studies and plats approved in the Mountain and Hillside Development Areas and responded to comments and questions from Board Members.

Chairwoman Balin, Vice-Chairman Tolbert and Board Members Dr. Bonart, Ms. Teran, Mr. Nester, Ms. White, Ms. Martich, and Ms. Lilly commented.

**7. Information and Discussion:** Quarterly report on pending OSAB motions.  
Contact: Alex Hoffman, [hoffmanap@elpasotexas.gov](mailto:hoffmanap@elpasotexas.gov)

Mr. Alex Hoffman, Lead Planner, gave the quarterly report on pending OSAB motions and responded to comments and questions from Board Members.

Chairwoman Balin, Vice-Chairman Tolbert and Board Members Mr. Nester, Dr. Bonart, and Ms. Martich commented.

Ms. Marilyn Guida, public, encouraged Board Members to speak with Col (Ret) Cary Westin, Managing Director, Economic & International Development Department and City Council Representatives regarding the placement of the following items on the City Council agenda:

1. *A recommendation to City Council to approve an ordinance amending Title 20 of the El Paso City Code to revise the definition of Natural Open Space and to add definitions and revise uses permitted with the Natural Open Space Zoning District*
2. *Recommend that City Council direct staff to initiate the rezoning process to rezone approximately 180 acres of land managed by the PSB, located south of the Northeast Master Plan, west of the Chuck Heinrich Park and east of the Franklin Mountain State Park from its current zoning districts to the NOS zoning district.*
3. *Recommend that City Council accept the land donation located east of Piedmont and abutting the Palisades pending the City's due diligence process and that the City Council direct staff to initiate the rezoning process from the property's current zoning district to the NOS zoning district.*
4. *The Open Space Advisory Board subcommittee drafted a resolution recommending that City Council direct City staff to develop a policy for development and use of the city-owned land adjacent to open space in a manner that protects and preserves the value of the open space. The OSAB approved this resolution at the September 5th, 2015 meeting.*

*Regarding the recommendation that City Council accept the land donation pending the City's due diligence process and that the City Council direct staff to initiate the rezoning process from the property's current zoning district to the NOS (Natural Open Space) zoning district with acceptance of the donation Ms. Guida suggested staff contact the ownership group periodically and update Board Members.*

*Lastly, regarding the motion that the Open Space Advisory Board recommend that City Council direct staff to work with those involved with the citizen collection center proposed for city-owned land south of and adjacent to Keystone Heritage Park to find another location for the citizen collection center and to preserve the land as natural open space in perpetuity, Ms. Guida requested staff provide the Board an update and/or request a staff member from Environmental Services present an update.*

8. **Information and Discussion:** Presentation on Open Space Master Plan implementation tools available to the Open Space Advisory Board.  
Contact: Alex Hoffman, [hoffmanap@elpasotexas.gov](mailto:hoffmanap@elpasotexas.gov)

Mr. Harrison Plourde, Planner, gave a presentation regarding Open Space Master Plan implementation tools available to the Open Space Advisory Board and responded to comments and questions from Board Members.

Chairwoman Balin, Vice-Chairman Tolbert and Board Members Dr. Richard Teschner, Ms. Martich, Dr. Bonart, Mr. Nester, and Ms. Teran commented.

The following staff members responded to comments and questions from Board Members:

1. Mr. Alex Hoffman, Lead Planner
2. Ms. Brie Franco, Assistant City Attorney

Ms. Marilyn Guida, public, questioned whether or not a Wildlife Sanctuary designation exists in the Municipal Code and if that designation could be applied to the Keystone Heritage Park.

- 9. Information and Discussion:** Brief discussion explaining whether or not the Board is allowed in its official capacity to sign a letter to President Obama expressing its support for designating the Castner Range as a national monument. Contact: Brie Franco, [francobl@elpasotexas.gov](mailto:francobl@elpasotexas.gov)

Ms. Brie Franco, Assistant City Attorney, explained the Board is *not* allowed to sign a letter to President Obama expressing its support for designating the Castner Range as a national monument; that action can only be done by the City Council.

Chairwoman Balin, Vice-Chairman Tolbert and Board Members Dr. Richard Teschner, and Ms. White commented.

## **10. Adjournment**

***MOTION:***

*Motion made by Dr. Teschner, and seconded by Ms. Lilly AND UNANIMOUSLY CARRIED TO ADJOURN.*