



ADVISORY BOARD MINUTES

REVISED

PLANNING AND INSPECTIONS DEPARTMENT

Wednesday, March 4th, 2015, 3:00 P.M.

City 3, 801 Texas Avenue

Basement, Trost Conference Room

Members Present: 7

Vice-Chairman Nester, Richard Teschner, Lois Balin, Maria Teran, Jim Tolbert, Patricia White (arrived at 3:15 p.m.), Charlie Wakeem

Members Absent: 2

Chairwoman Martich, Edward Beck

Vacancies: 0

Planning and Inspections Department – Planning Division Staff:

David A. Coronado, Planning and Inspections Division Program Manager; Alex Hoffman, Lead Planner; Harrison Plourde, Planner; Anne Antonini, Planner

Others Present:

Karla Nieman, Assistant City Attorney, City Attorney's Office; Lupe Cuellar, EPWU-PSB; Nancy Bartlett, Chief Performance Officer; Laura Cruz-Acosta, Assistant to the City Manager; Ms. Elia Perez, El Paso archeologist; Trish Tanner, Jobe Materials, L.P.; Ms. Marilyn Guida, resident; Dr. Marshall Carter-Tripp, Palisades Neighborhood Association

1. Meeting Called to Order

Vice-Chairman Nester called the meeting to order at 3:06 p.m.

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

1. Ms. Elia Perez understood the OSAB takes care of, maintains and/or purchases properties for open space areas, mainly arroyos. Ms. Perez reminded Board Members that natural and cultural resources are just as important as preserving the arroyos. Ms. Perez defined natural resources as the flora, fauna, and vegetation; cultural resources meaning the archaeology. There are many pre-historic archaeological sites, especially off the Resler area; additionally, these pre-historic archaeological sites connect with the arroyos that the OSAB are interested in.

Ms. Perez expressed to the Board Members that whether or not there is public interest/input, they must do their due diligence and follow State and Federal rules and regulations. For example, public or private development along an arroyo will initiate the 404 permit, a Federal regulation; furthermore, the 404 permit automatically triggers Sections 106 and 110. Sections 106 and 110 cover the cultural and natural resources. Ms. Perez commented on the proposed construction around the Keystone Heritage Park. When purchasing arroyos for the preservation of open space, Ms. Perez suggested, the OSAB remember to protect the head of the arroyos.

2. From a prepared statement, Ms. Marilyn Guida informed the OSAB that Keystone Heritage Park Board Members Mr. Bernie Sargent and Ms. Joanne Burt could not attend today's OSAB meeting due to prior engagements. However, both are very **considered concerned** about decisions this Board and the city might make about the use of the lands outside the Keystone Heritage Park.

On a personal note, Ms. Guida focused her comments on the proposed Citizen Collection Station and the Keystone Municipal Service Center proposed for Doniphan Drive and Kappa Road. She emphasized there are potential and probable **undiscovered** pre-historic cultural resources that may be on that city owned land south of the Keystone Heritage Park fence, where the Collection Station was proposed. Ms. Guida noted the Keystone Archaeological site is a State Archaeological landmark and a National Register site, both sites located within the Keystone Heritage Park boundaries, and expressed concern that the designations could be jeopardized if the site was spoiled by incompatible adjacent development.

3. Dr. Marshall Carter-Tripp noted Keystone Heritage Park is a District 8 resource but should be looked at as a resource for the whole city. Ultimately, City Council Representatives must decide whether or not to adhere to our Master Parks Plan and add that land to the park or not. It is important to look at the bigger picture and remember who benefits from these wetlands.

FOR THE RECORD

4. For the record, Ms. Laura Cruz-Acosta stated the City Manager's Office has put on hold any movement as it relates to the Business Park before it can be reviewed carefully by the City Manager's Office. Any movement with respect to the Citizen's Collection Site is not occurring at this time.

MOVE TO THE FOREFRONT OF THE AGENDA

Mr. Coronado suggested moving agenda item **5. Discussion and Information: Review of the City of El Paso's 2015 Strategic Plan** to the forefront of the agenda followed by items #3a. and #3b.

MOTION:

Motion made by Dr. Teschner, seconded by Ms. Teran **AND UNANIMOUSLY CARRIED TO MAKE AGENDA ITEM NUMBER 5 AGENDA ITEM NUMBER 3.**

3. Discussion and Action

- a. Approval of Minutes: January 21st, 2015

Vice-Chairman Nester asked Board Members if they had any additions, corrections and/or revisions to the minutes.

Mr. Wakeem requested the following two revisions:

1. **PAGE 2 OF 5, ITEM #5**

Discussion and Update: Status of the 2012 Quality of Life Bond Open Space Acquisition Priority List. Contact: Marcia Tuck, tuckmj@elpasotexas.gov

Mr. Wakeem recalled the Board had asked Ms. Tuck to do some due diligence and report back to the Board. He asked staff if that language could be mentioned in the minutes, on Item 5.

Mr. David A. Coronado responded he would add that language for Mr. Wakeem. He clarified the agenda item was not posted for "Action" the Board could not make a motion.

2. PAGE 3 OF 5, ITEM #7

Discussion and Information: The Open Space Advisory Board will receive an update regarding the acquisition of properties with stormwater funding.

Contact: Lupe Cuellar, lcuellar@epwu.org

Mr. Wakeem explained although Ms. Cuellar gave a presentation listing those properties acquired or in the process of acquisition. He felt it important to include those lists of properties in the minutes.

Mr. Coronado explained transcribing, verbatim, the meeting minutes verbatim is not the intent of the minutes. Per the Municipal Clerk's office, the minutes reflect who commented, motions and the vote.

Dr. Teschner requested the following two revisions:

1. PAGE 1, Members Present: 8

Dr. Teschner requested staff revise his departure time from 4:50 p.m. to 5:00 p.m.

Chairwoman Martich, Vice-Chairman Nester (arrived 3:23 p.m.), Edward Beck, Richard Teschner (left meeting at ~~4:50 p.m.~~ 5:00 p.m.), Maria Teran (arrived 3:16 p.m.), Jim Tolbert, Patricia White, Charlie Wakeem

2. PAGE 4 OF 5, ITEM #10

Discussion: Items for Future Agendas to include items not included in this agenda.

Dr. Teschner requested staff revise the following sentence to reflect his departure time from 4:50 p.m. to 5:00 p.m.

Following the conclusion of the above discussion, Dr. Teschner left the meeting at ~~4:50 p.m.~~ 5:00 p.m.

MOTION:

Motion made by Ms. Teran, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO ACCEPT WITH DR. TESCHNER'S TWO EXCEPTIONS.

ABSTAIN: Ms. Balin

b. Approval of Minutes: February 4th, 2015

Vice-Chairman Nester asked Board Members if they had any additions, corrections and/or revisions to the minutes.

MOTION:

Motion made by Vice-Chairman Nester, seconded by Mr. Tolbert AND UNANIMOUSLY CARRIED TO APPROVE.

ABSTAIN: Ms. Balin

c. **Changes to the Agenda.**

Vice-Chairman Nester asked staff if there were any changes to the agenda.

MOVE TO THE FOREFRONT OF THE AGENDA

*Mr. Coronado suggested moving agenda item **5. Discussion and Information: Review of the City of El Paso's 2015 Strategic Plan** to the forefront of the agenda followed by items #3a. and #3b.*

MOTION:

Motion made by Dr. Teschner, seconded by Ms. Teran AND UNANIMOUSLY CARRIED TO MAKE AGENDA ITEM NUMBER 5 AGENDA ITEM NUMBER 3.

4. **Discussion and Information:** Review of the Open Space Advisory Board enabling ordinances and the Board's associated function, responsibilities, and limits.

Contact: David A. Coronado, coronadoda@elpasotexas.gov

Mr. David A. Coronado, Planning and Inspections Division, Program Manager, gave a presentation regarding the OSAB enabling ordinance and the history of three previous ordinances. He reviewed language within sections of Title 2, Title 19, and Title 20 of the code. Mr. Coronado briefly reviewed city ordinance language having to do with the Board's associated function, responsibilities, and limits.

Mr. Coronado also commented on the Municipal Clerk policy on minutes and record keeping, motions, lists of Board Members, members of the public who commented, what time the meeting began and ended.

Additionally, Mr., Coronado commented on terms of service for Board Members staggering terms, term limits and appointed to ½-year terms.

Mr. Coronado noted Mr. Alex Hoffmann, Lead Planner, was recently selected to manage the Long Range Division, Planning and Inspections Department. As part of those duties, Mr. Hoffman became the Executive Secretary for the Open Space Advisory Board.

Vice-Chairman Nester and Board Members Wakeem, Teran, Teschner, Balin, and White commented.

Mr. Wakeem reiterated the OSAB serves as an advisory board to provide recommendations to City Council to acquire and preserve open space as identified in the Open Space Master Plan and to implement the Open Space Master Plan.

Ms. Karla Nieman, Assistant City Attorney, clarified Board Member term limits, per the code. For Mr. Wakeem, Ms. Nieman will research if he is eligible to be reappointed when his term expires this year. Additionally, Ms. Nieman recommended amending the OSAB ordinance to clarify the Board's authority within the 2015 Strategic Goals. She believed the Open Space goals are put of The Open Space Master Plan.

Ms. Marilyn Guida commented.

MOVE TO THE FOREFRONT OF THE AGENDA

*Mr. Coronado suggested moving agenda item **5. Discussion and Information: Review of the City of El Paso's 2015 Strategic Plan** to the forefront of the agenda followed by items #3a. and #3b.*

MOTION:

Motion made by Dr. Teschner, seconded by Ms. Teran AND UNANIMOUSLY CARRIED TO MAKE AGENDA ITEM NUMBER 5 AGENDA ITEM NUMBER 3.

5. **Discussion and Information:** Review of the City of El Paso's 2015 Strategic Plan.

Contact: David A. Coronado, coronadoda@elpasotexas.gov

Ms. Nancy Bartlett, Chief Performance Officer, City Manager's Office, highlighted the duties and responsibilities of the Chief Performance Officer. Ms. Bartlett elaborated on the *City of El Paso's 2015 Strategic Plan* and responded to comments and/or questions from Board Members and members of the public.

Vice-Chairman Nester and Board Members Balin, Teschner, Teran, Wakeem, and Tolbert commented.

Vice-Chairman Nester requested Ms. Bartlett share the following message with the City Manager's Office: *The Open Space Advisory Board is governed by an ordinance(s), our main goal is to preserve and acquire open space. Furthermore, the Board must ensure it is doing everything it can using our tools and being effective in doing so. The Board will ensure that it is in line with what the city is doing. These Board Members are volunteers and very passionate about what they do. These opinions heard by Ms. Bartlett today reflect that level of passion preserving and acquiring open space.*

Ms. Bartlett explained when the decision to create the *City of El Paso's 2015 Strategic Plan* was made word did not get out to everybody. This is El Paso's first Strategic Plan which will be updated annually, staff will be held accountable and progress will be measured.

The following City staff responded to comments and/or questions from the Board:

1. Ms. Laura Cruz-Acosta, Assistant to the City Manager;
2. Mr. David A. Coronado, Planning and Inspections Division, Program Manager

6. **Discussion and Action** on scheduling a Special Meeting of the Open Space Advisory Board during the month of March 2015. Contact: David A. Coronado, coronadoda@elpasotexas.gov

MOTION:

Motion made by Dr. Teschner, seconded by Mr. Wakeem AND UNANIMOUSLY CARRIED TO SCHEDULE A SPECIAL MEETING OF THE OPEN SPACE ADVISORY BOARD FOR MARCH 18TH, 3:00 P.M.

CLOSED SESSION

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 PROEPRTY
- 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. Discussion and Action: The Open Space Advisory Board will discuss the placement of property on the OSAB Stormwater 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).
Contact: Lupe Cuellar, lcuellar@epwu.org

MOTION:

Motion made by Ms. Teran, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO ACCEPT EL PASO WATER UTILITIES-PUBLIC SERVICE BOARD RECOMMENDATIONS FOR THE OSAB STORMWATER PRIORITY LIST.

7. Discussion: Items for Future Agendas.

Vice-Chairman Nester and Board Members White, Balin, Wakeem, Tolbert, and Teran commented.

- Ms. Tuck to give a presentation on the matrix
- Draft of NOS Ordinance with definition of 'wildlife'
- Recommendation that the seating arrangement allow all Board Members to be seated up front.

April 1st OSAB meeting – Discussion and Action:

MOTION:

Motion made by Mr. Tolbert, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO DISCUSS AND TAKE ACTION AND MAKE A RECOMMENDATION REGARDING THE KEYSTONE HERITAGE PARK BUFFER AND THE COLLECTION STATION PROJECT.

MOTION:

Motion made by Mr. Tolbert, seconded by Ms. Balin AND UNANIMOUSLY CARRIED TO DISCUSS AND TAKE ACTION ON INCOMPATIBLE ZONING NEXT TO THE WETLANDS.

MOTION:

Motion made by Mr. Tolbert, seconded by Ms. White AND UNANIMOUSLY CARRIED TO DISCUSS AND TAKE ACTION ON THE POLICY REGARDING HOW WE SET THE AGENDA.

The following City staff responded to comments/questions from the Board:

1. Ms. Karla Nieman, Assistant City Attorney asked Mr. Tolbert to clarify 'incompatible zoning'.
2. Mr. David A. Coronado, Planning and Inspections Division, Program Manager, suggested amending the By-Laws establishing protocol for placing items on the agenda. He explained why the agenda item regarding the proposed collection station project and the Keystone Heritage Park was not posted on this agenda. Finally, Mr. Coronado cautioned Board Members not to violate the Open Meetings Act.

8. Adjournment

MOTION:

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