

# Open Space



## ADVISORY BOARD MINUTES

### PLANNING AND INSPECTIONS DEPARTMENT

Wednesday, September 14<sup>th</sup>, 2016, 3:00 P.M.

City 3 Building, 801 Texas Avenue

Basement, Thorman Conference Room

#### **Members Present: 7**

Chairwoman Lois Balin, Vice-Chairman Dr. Richard C. Bonart, Charles Stapler (left meeting at 5:20 p.m.), Dr. Richard V. Teschner (left meeting at 5:20 p.m.), Bob Geyer, Patricia E. White, and Ann Morgan Lilly (left meeting at 4:30 p.m.)

#### **Members Absent: 1**

Joseph Nester

#### **Vacancies: 1**

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

Larry Nichols, Director; Kim Forsyth, Program Manager; Alex Hoffman, Lead Planner; Harrison Plourde, Senior Planner; Ryan Kirby, Planner

#### **Other City Staff Present:**

Karla Nieman, Assistant City Attorney, Legal; Rudy Valdez, Program Manager, Capital Improvement District (CID); Cynthia Osborn, Real Estate Counsel, El Paso Water; James Wolff, Planner, El Paso Water

#### **Members of the public:**

Ms. Marilyn Guida, Mr. Joe Molinar

### **1. Meeting Called to Order**

Chairwoman Balin called the meeting to order at 3:00 p.m.

Chairwoman Balin noted the July 6<sup>th</sup> OSAB meeting minutes were inadvertently left off of the agenda. The minutes will be posted on the October agenda for approval.

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

None.

**WELCOME**

*Chairwoman Balin welcomed newly appointed Board Member Charles Stapler. Staff would provide Mr. Stapler with the new Board Member information packet.*

Mr. Charles Stapler commented.

Mr. Nichols welcomed Mr. Stapler and reiterated Staff would put together the new Board Member information packet for him.

**3. Discussion and Action:**

a. Changes to the Agenda.

1. Vice-Chairman Dr. Richard C. Bonart requested Item 8. be moved to the forefront of the agenda.
2. Mr. Larry Nichols, Director, requested moving Items 11. and 12. immediately following Item 8.

***MOTION:***

*Motion made by Vice-Chairman Dr. Bonart, seconded by Ms. Lilly and Ms. White AND UNANIMOUSLY CARRIED TO MOVE ITEMS 8, 11, AND 12 AFTER ITEM 4.*

- 4. Discussion and Action:** Election of OSAB Chair and Vice-Chair for the 2016-2017 term.  
Contact: Lois Balin, [lois.balin@tpwd.texas.gov](mailto:lois.balin@tpwd.texas.gov)

Chairwoman Balin opened the floor for nominations for Chair.

**OSAB Chair nominations**

Dr. Teschner nominated Ms. Balin, Vice-Chairman Dr. Bonart seconded.

Chairwoman Balin accepted the nomination. Chairwoman Balin asked if there were any other nominations for Chair. There were none.

***MOTION:***

*Motion made by Dr. Teschner, seconded by Vice-Chairman Dr. Bonart AND UNANIMOUSLY CARRIED THAT LOIS BALIN BE NAMED OSAB CHAIRWOMAN FOR THE 2016-2017 TERM.*

**OSAB Vice-Chair nominations**

Dr. Teschner nominated Dr. Bonart, Ms. Lilly seconded.

Vice-Chairman Dr. Bonart accepted the nomination.

Chairwoman Balin asked if there were any other nominations. There were none.

***MOTION:***

***Motion made by Dr. Teschner, seconded by Ms. Lilly AND UNANIMOUSLY CARRIED THAT DR. RICHARD BONART BE NAMED OSAB VICE-CHAIRMAN FOR THE 2016-2017 TERM.***

5. **Information, Discussion and Action:** Quarterly Update from the El Paso Water Utility for June to August 2016. Contact: James Wolff, [JWolff@epwu.org](mailto:JWolff@epwu.org)

Mr. James Wolff, Planner, presented the Quarterly Update from the El Paso Water Utility for June to August 2016 to the Board.

The following Board Members commented:

1. Chairwoman Balin
2. Dr. Teschner
3. Vice-Chairman Dr. Bonart
4. Ms. White

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

1. Ms. Osborn, Real Estate Counsel, El Paso Water
2. Mr. Hoffman, Lead Planner
3. Ms. Nieman, Assistant City Attorney

Ms. Marilyn Guida, public, commented.

***NO ACTION WAS TAKEN.***

6. **Information, Discussion and Action:** Information on which Park/Ponds have future appropriated obligations of \$579,034.00 as stated in the El Paso Municipal Drainage Utility Financial Summary. Contact: James Wolff, [JWolff@epwu.org](mailto:JWolff@epwu.org)

Mr. Wolff provided information on which Park/Ponds have future appropriated obligations of \$579,034.00 as stated in the El Paso Municipal Drainage Utility Financial Summary.

The following Board Members commented:

1. Vice-Chairman Dr. Bonart
2. Chairwoman Balin
3. Dr. Teschner
4. Mr. Geyer

Ms. Osborn, Real Estate Counsel, El Paso Water, responded to comments and/or questions from the Board.

Mr. Joe Molinar, public, commented.

**NO ACTION WAS TAKEN.**

7. **Information, Discussion and Action:** The parameters, guidelines, and procedures used for determining which properties qualify for funding with the 10% Storm Water funds reserved for Open Space purchase. Contact: James Wolff, [JWolff@epwu.org](mailto:JWolff@epwu.org)

Mr. Wolff gave a presentation on the parameters, guidelines, and procedures used for determining which properties qualify for funding with 10% Storm Water funds reserved for Open Space purchase.

The following Board Members commented:

1. Chairwoman Balin
2. Mr. Geyer
3. Dr. Teschner
4. Vice-Chairman Dr. Bonart
5. Ms. White

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

1. Ms. Osborn, Real Estate Counsel, El Paso Water
2. Mr. Valdez, Program Manager, Capital Improvement District
3. Ms. Nieman, Assistant City Attorney

Ms. Marilyn Guida, public, commented.

**MOTION:**

***Motion made by Vice-Chairman Dr. Bonart, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED THAT OSAB DEVELOP LIST OF CRITERIA FOR PRIORITIZING TYPES OF PROPERTIES.***

Item was moved to the forefront following agenda Item 4.

8. **Discussion and Action:** Recommendation from the Open Space Advisory Board to City Council to consider entering into an agreement with KELP for the use of its gravel maintenance road for recreation use. Contact: Dr. Richard Bonart, [rickbonart@earthlink.net](mailto:rickbonart@earthlink.net)

Vice-Chairman Dr. Bonart gave a presentation asking if someone at the city would ask KFOX if it would be permissible to use their gravel road that intersects with the 1,000 Step Trailhead for hiking.

The following staff members commented:

1. Mr. Nichols, Director
2. Ms. Nieman, Assistant City Attorney
3. Mr. Hoffman, Lead Planner

**MOTION:**

*Motion made by Vice-Chairman Dr. Bonart, seconded by Mr. Geyer THAT WE ASK IF STAFF WOULD LOOK INTO THE POSSIBILITY OF APPROACHING, FOR SOME SORT OF MOU OR JOINT USE AGREEMENT, WITH THE OWNERS OF THE ROAD, BELIEVED TO BE KFOX.*

Mr. Rudy Valdez, Program Manager, Capital Improvement District, commented.

The following Board Members commented:

1. Mr. Geyer
2. Dr. Teschner

**AMENDED MOTION:**

*Motion made by Vice-Chairman Dr. Bonart, seconded by Mr. Geyer AND UNANIMOUSLY CARRIED THAT A FORMAL MEMO TO CITY COUNCIL, TO ASK STAFF TO FOLLOW.*

**CLOSED SESSION**

**FOR THE RECORD**

Chairwoman Balin read 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, Discussion and Action:** Information on the boundaries, infrastructure, and storm water plans for certain properties. Contact James Wolff, [jwolff@epwu.org](mailto:jwolff@epwu.org)  
*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.*

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

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**9. Information, Discussion and Action:** Update regarding the Mountain to River Valley Trail. Contact: Tracy Novak, [novakta@elpasotexas.gov](mailto:novakta@elpasotexas.gov)

Mr. Rudy Valdez, Program Manager, Capital Improvement District, gave a presentation updating Board Members on the Mountain to River Valley Trail and responded to comments and questions from the Board.

The following Board Members commented:

1. Chairwoman Lois Balin
2. Vice-Chairman Dr. Bonart
3. Dr. Teschner
- 4.

**NO ACTION WAS TAKEN.**

**10. Information, Discussion and Action:** Update on the approved Trailhead List.

Contact: Rudy Valdez, [valdezrx1@elpasotexas.gov](mailto:valdezrx1@elpasotexas.gov)

Mr. Valdez, Program Manager, Capital Improvement District, updated Board Members on the approved Trailhead List and responded to comments and questions from the Board.

The following Board Members commented:

1. Vice-Chairman Dr. Bonart
2. Dr. Teschner
3. Chairwoman Balin
4. Ms. White

Ms. Nieman, Assistant City Attorney, commented.

**NO ACTION WAS TAKEN**

**Discussed after Item 8.**

**11. Information, Discussion and Action:** Update on the policy for placing items on the OSAB agenda.

Contact: Larry Nichols, [nicholslf@elpasotexas.gov](mailto:nicholslf@elpasotexas.gov)

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

1. Mr. Nichols, Director, discussed the policy for placing items on the OSAB agenda.
2. Mr. Hoffman, Lead Planner
3. Ms. Osborn, Real Estate Counsel, El Paso Water
4. Ms. Nieman, Assistant City Attorney

The following Board Members commented:

1. Chairwoman Balin
2. Mr. Geyer
3. Vice-Chairman Dr. Bonart
4. Mr. Stapler
5. Dr. Teschner

**NO ACTION WAS TAKEN.**

**Discussed after Item 11.**

**12. Information, Discussion and Action:** Update regarding OSAB and BOAC's property acquisition recommendation to City Council. Contact: Larry Nichols, [nicholslf@elpasotexas.gov](mailto:nicholslf@elpasotexas.gov)

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

1. Mr. Nichols, Director, provided basic information regarding the OSAB and BOAC's property acquisition recommendations to Council. From that meeting, Council took action to pursue the acquisitions by the priority list currently in place.
2. Ms. Nieman, Assistant City Attorney

The following Board Members commented:

1. Vice-Chairman Dr. Bonart
2. Dr. Teschner
3. Ms. White
4. Chairwoman Balin
5. Mr. Geyer

**NO ACTION WAS TAKEN.**

**QUORUM WAS LOST AT 5:20 PM UPON THE DEPARTURE OF MR. STAPLER AND DR. TESCHNER, DURING COMMENT ON ITEM 10.**