



ADVISORY BOARD MINUTES

REVISED

CITY DEVELOPMENT DEPARTMENT

Wednesday, September 26, 2012, 1:30 P.M.
8th Floor Conference Room
City Hall Building, 2 Civic Center Plaza

Members Present: 5

James H. Tolbert, Lois A. Balin, Andres Quintana (1:39), Kevin T. von Finger, Chairman Charlie Wakeem

Members Absent: 2

Katrina M. Martich, Bill G. Addington

Vacancies: 2

Districts 1 and 3

Planning and Economic Development Staff:

David Coronado, City Development Program Manager; Elizabeth Gibson, Senior Planner; Carlos Gallinar, Deputy Director for Planning; Kimberly Forsyth, Lead Planner

Others Present:

Lupe Cuellar, Assistant City Attorney, City Attorney's Office; Karla Niemen, Assistant City Attorney, City Attorney's Office; Marcia Tuck, Parks & Recreation, Open Space, Trails and Parks Coordinator; Rudy Valdez, EPWU-PSB; Pat Aduato, EPWU-PSB; Gonzalo Cedillos, EPWU-PSB; John Balliew, EPWU-PSB; Martin Noriega, Engineering & Construction Management Department, Stormwater Division; Dr. Richard C. Bonart, DVM, EPWU-PSB Board Member; John Sproul, UTEP-CERM; Eddie Chew, President, El Paso/Trans-Pecos Audubon Society; Trish Tanner, Jobe

1. Meeting Called to Order

Chair Wakeem called the meeting to order at 1:37 pm.

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

None.

RECESS

Chairman Wakeem called for a recess to recognize and thank Mr. David Coronado for his two years of service to the Open Space Advisory. Chairman Wakeem noted Mr. Coronado had been promoted to the position of City Development Program Manager. Chairman Wakeem then welcomed Mr. Coronado's replacement, Ms. Elizabeth Gibson, Senior Planner.

Chairman Wakeem then called the meeting back to order at 1:41 pm.

3. Discussion and Action

a. Approval of Minutes: August 1, 2012

Chair Wakeem asked if Board Members had any additions, corrections and/or revisions for the August 1, 2012 meeting. There were none.

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Tolbert and UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR AUGUST 1, 2012.

b. Changes to the Agenda

Chairman Wakeem

1. Move Item 14 to the forefront; and
2. Upon the arrival of Ms. Forsyth, Items 11, 12, and 13, will be brought to the forefront.

MOTION:

Motion made by Mr. Tolbert, seconded by Mr. von Finger and UNANIMOUSLY CARRIED TO APPROVE THE CHANGES TO THE AGENDA.

4. Discussion and Action: Update on the EPWU feasibility study that would provide a long term, sustainable supply of water to Rio Bosque.

Contact: Rudy Valdez, rvaldez@epwu.org

Mr. John Balliew presented information regarding the provision of a long-term, sustainable supply of water to the Rio Bosque. He explained that the EPWU-PSB will continue working with TCEQ on the various permitting and pilot plant aspects. Mr. Balliew then elaborated on the two water types for the Rio Bosque:

1. Effluent – The effluent water, as it comes out of the plant, is specific for two discharge points; the Riverside Drain and Riverside Canal. The EPWU-PSB cannot just directly divert effluent water onto the Rio Bosque because that is not a permitted discharge point.
2. Reclaimed – The reclaimed water is *effluent water with additional treatment and disinfection* and is permitted for a wide variety of uses, including the Rio Bosque.

Any request for reclaimed water must be economically feasible and constructible, the EPWU-PSB would extend the reclaimed water service up to the boundary of the user; the user would then be fitted and pay for a meter and charged accordingly. For the Rio Bosque, the estimated cost for reclaimed water would be \$440,000.00 from the Bustamante pump station close to the farthest edge of the Rio Bosque.

Mr. Von Finger suggested that, following the PSB's Strategic Planning meeting to be held October 11th, the PSB return to OSAB with an update on the status of the long term and sustainable water supply to the Rio Bosque. Following the update, the OSAB could then make a recommendation to the City Council.

NO ACTION WAS TAKEN.

5. Discussion and Action: Update on the continued maintenance of the Crossroads Wetland Project located at Doniphan and Mesa in the Upper Valley.

Contact: Rudy Valdez, rvaldez@epwu.org

Mr. von Finger explained the El Paso/Trans-Pecos Audubon Society brought this matter to his attention.

Mr. Eddie Chew, President, El Paso/Trans-Pecos Audubon Society, gave background information regarding the removal of the fence, at the request of City Council Representative Niland, surrounding the Crossroads Wetland.

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Tolbert and UNANIMOUSLY CARRIED THAT THE BOARD RECOMMEND TO CITY COUNCIL THAT THE EL PASO/TRANS-PECOS AUDUBON SOCIETY BE INVOLVED WITH THE DESIGN OF THIS POND AND THAT THE PRESERVATION OF THE WILDLIFE VALUES BE TAKEN INTO CONSIDERATION DURING THE DESIGN PROCESS.

Following the vote, Mr. von Finger recommended to Mr. Chew that the Audubon Society schedule an appointment to meet with City Council Representative Niland to discuss the proposed design of the pond.

Ms. Cuellar noted that City staff would notify Mr. Chew of the date this recommendation would be presented to Council.

- 6. Discussion and Action:** Revisit the subject of land managed by the PSB located south of the Northeast Master Plan and clarify past Board action taken on June 6, 2012.
Contact: Rudy Valdez, rvaldez@epwu.org

Chairman Wakeem explained the reasons why he wanted to have this item revisited by the Board.

Ms. Cuellar provided the Board with legal advice regarding how to proceed with this issue.

MOTION:

Motion made by Mr. Tolbert, seconded by Mr. von Finger and UNANIMOUSLY CARRIED THAT THE OSAB RECOMMENDS TO THE CITY COUNCIL THAT THE SUBJECT PROPERTY BE DOWNZONED TO NOS (NATURAL OPEN SPACE) FROM PMD (PLANNED MOUNTAIN DEVELOPMENT).

- 7. Discussion and Update:** Ethics Training.
Contact: Elizabeth Gibson, gibsonoek@elpasotexas.gov

Ms. Gibson reminded Board Members that effective January 1, 2012 all Board Members must complete Ethics Training by December 31, 2012.

- 8. Discussion and Action:** An ordinance amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code, to establish a procedure for allowing outside agencies to appear before the Open Space Advisory Board.
Contact: Elizabeth Gibson, gibsonnek@elpasotexas.gov

Ms. Cuellar provided the Board with a description of the proposed ordinance which would amend Title 2 (Administration and Personnel), Chapter 2.22 (Open Space Advisory Board), Section 2.22.050 - Board duties.

MOTION:

*Motion made by Mr. von Finger, seconded by Mr. Quintaa and **UNANIMOUSLY CARRIED TO RECOMMEND TO THE CITY COUNCIL THAT IT APPROVE THE ORDINANCE.***

9. Discussion and Update: Open Space Master Plan – Project 2(a).

Contact: Marci Tuck, tuckmj@elpasotexas.gov

Ms. Tuck gave a presentation regarding Open Space Master Plan – Project 2(a).

Mr. von Finger commented on the benefits of recreating the ~~Rio Bosque~~ “Bosque” Linear Park, specifically planting Cottonwood trees; thus restoring the Cottonwood Bosque. He asked how the OSAB would proceed to work with the PSB to make it happen.

Ms. Cuellar provided the Board with legal advice regarding how to proceed.

Chairman Wakeem suggested Staff place an item on the November 7th OSAB agenda to discuss the feasibility of replanting the Rio Bosque.

10. Discussion and Action: Rezoning consideration for EPWU-PSB land to URD (Urban Reserve District) and clarify past Board action taken on March 28, 2012.

Contact: Charlie Wakeem, charliewak@sbcglobal.net

Chairman Wakeem explained reasons why he wanted to have this item revisited by the Board. Additionally, Chairman Wakeem provided a presentation clarifying his recommendation that OSAB move to recommend to City Council that areas classified as O-5 on the Future Land Use Map be downzoned to URD, while areas classified as O-2 be downzoned to NOS.

MOTION:

*Motion made by Mr. von Finger, seconded by Mr. Tolbert and **UNANIMOUSLY CARRIED TO RECOMMEND TO THE CITY COUNCIL THAT THE O-2 SECTOR ~~ZONING~~ IN THE FLUM BE DOWNZONED TO NOS AND THAT THE O-5 ~~ZONING~~ SECTOR IN THE FLUM BE DOWNZONED TO URD.***

11. Discussion and Action: An ordinance amending Title 19 (Subdivisions), Chapter 19.03 (Preliminary Plat) Section 19.03.04 (Criteria for Approval), and Chapter 19.05 (Development Plats) Section 19.05.010 (Purpose and Effect), and Chapter 19.50 (Definitions) Section 19.50.030 (Definitions) and Chapter 19.08 (Construction Plans and Management) Section 19.08.010 (Subdivision Improvement Plans), and Chapter 19.10 (Dedication, Construction Requirements and City Participation) Section 19.10.050 (Roadway Participation Policies), and Chapter 19.20, (Parks and Open Space) Section 19.20.060 (Exclusions from Dedication Requirement) of the El Paso City Code to amend the criteria for approval, to add an exception, to add a definition for conservation covenant, stormwater open space and utility green space, to amend phasing plans for subdivision improvements, to amend the roadway

participation policies and to add an exclusion for parkland dedication. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. Contact: Kimberly Forsyth, forsythkl@elpasotexas.gov

Ms. Forsyth presented the proposed amendments to Title 19.

Regarding the proposed definition for “Conservation covenant”, Ms. Cuellar noted this **last** sentence would be stricken from the ordinance.

Regarding the proposed definition of “Utility Green Space”, Chairman Wakeem asked Staff to clarifying the meaning of “large areas”.

Ms. Cuellar responded Staff would clarify the meaning of “large areas”.

NO FURTHER DISCUSSION.

12. Discussion and Action: An ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), 20.10 (Supplemental Use Regulations), and Appendix A (Table of Permissible Uses) of the El Paso City Code, to add a definition for “conservation covenant”, “stormwater open space” and “utility green space” and to add standards for the use of utility green space. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Contact: Kimberly Forsyth, forsythkl@elpasotexas.gov

Ms. Forsyth elaborated on the proposed changes for Title 20.

Regarding C, on page 3 of the Title 20 amendment, “notwithstanding the allowable uses “... Ms. Adatao suggested adding “where applicable” to the end of the sentence.

NO FURTHER DISCUSSION.

13. Discussion and Action: An ordinance amending Title 21 (Smart Code), Chapter 21.30 (New Community Plans), Section 21.30.100 (Environmental Standards) and Chapter 21.70 (Definitions) of the El Paso City Code, to add a new designation of utility green space specific to Transect Zone 1 and to add new definitions for the terms “conservation covenant” and “utility green space”; the penalty being as provided in Chapter 21.60 (Enforcement and Penalty) of the El Paso City Code.

Contact: Kimberly Forsyth, forsythkl@elpasotexas.gov

Ms. Forsyth presented the proposed changes to Title 21.

AMENDMENT CHANGES

Chairman Wakeem listed the following amendment changes proposed by the OSAB:

1. Delete the last sentence in Section 19.50 (Definitions) “Conservation covenant;
2. Utility Green Space – define “large areas” in all ordinances.
3. Add “where applicable” following “notwithstanding allowable uses” in the Title 20 amendment.

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Tolbert and UNANIMOUSLY CARRIED TO ACCEPT THESE CHANGES AND RECOMMEND TO THE CITY COUNCIL THAT THE ORDINANCES AMENDING TITLES 19, 20, AND 21 BE APPROVED WITH THE DISCUSSED CHANGES.

Item 14. was moved to the forefront per item 3.b. Changes to the Agenda motion. (see page 2)

14. Presentation and Discussion: Northwest Masterplan update.

Contact: Carlos Gallinar, gallinarrc@elpasotexas.gov

Mr. Gallinar indicated that the EPWU-PSB has contracted with Crabtree Engineering to look at the Green LID Technologies that may be employed in the Northwest Masterplan. Once Staff receives deliverables from Crabtree Engineering, Staff will begin working with Dover-Kohl to finalize the Regulating Plan and complete all required survey work

NO ACTION WAS TAKEN.

15. Discussion and Action: Items for Future Agendas.

Chair Wakeem requested:

1. Brief/Update on PSB priority list;
2. Brief/Update on quarterly subdivision report;
3. Open Space Master Plan - Rio Bosque feasibility study be placed on the November 7th agenda following the PSB strategic planning meeting on October 11th.

Mr. von Finger requested:

1. TxDOT brief the OSAB on the widening of I-10 and the Border Highway West Extension projects.
Ms. Gibson indicated that she is in the process of identifying a contact at the City to address the Board regarding these topics.
2. Brief/Update on Cement Lake Acquisition.
Ms. Cuellar cautioned the Board Members to veer away from discussions regarding acting on negotiations.

Mr. Tolbert requested:

1. Information on public access to the Palisades.
Mr. Tolbert noted a locked gate currently prevents the Palisades' use as a public open space.

NO FURTHER COMMENT.

16. Adjournment

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Tolbert and UNANIMOUSLY CARRIED TO ADJOURN. Meeting adjourned at 3:15 pm.