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## ADVISORY BOARD MINUTES

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### CITY DEVELOPMENT DEPARTMENT

Wednesday, November 7, 2012, 1:30 P.M.  
8<sup>th</sup> Floor Conference Room  
City Hall Building, 2 Civic Center Plaza

**Members Present: 7**

*Katrina M. Martich, James H. Tolbert, Richard Teschner, Andres Quintana, Bill G. Addington, Kevin T. von Finger, Chairman Charlie Wakeem*

**Members Absent: 2**

*Joseph Nester, Lois A. Balin*

**Vacancies: 0**

**Planning Staff:**

*David Coronado, City Development Program Manager; Elizabeth Gibson, Senior Planner; Harrison Plourde, Planner*

**Others Present:**

*Karla Nieman, Assistant City Attorney, City Attorney's Office; Kareem Dallo, Engineering Division Manager, Land Management; Marcia Tuck, Parks & Recreation, Open Space, Trails and Parks Coordinator; Rudy Valdez, EPWU-PSB; Lupe Cuellar, Attorney, EPWU-PSB; Trish Tanner, Jobe Materials*

**1. Meeting Called to Order**

*Chair Wakeem called the meeting to order at 1:33 pm.*

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

*None.*

**3. Discussion and Action**

- a. Approval of Minutes: October 10, 2012

Chair Wakeem asked if Board Members had any additions, corrections and/or revisions for the October 10, 2012 meeting. There were none.

**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Teschner and **UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR OCTOBER 10, 2012.***

b. Changes to the Agenda

*None.*

- 4. Discussion and Action:** The Texas Department of Transportation Loop 375 Border Highway West Extension Project and its potential impact on Cement Lake.  
Contact: Katrina Martich, [kmartich@martichps.com](mailto:kmartich@martichps.com)

Ms. Martich described the four preliminary design alternatives for the TxDOT Loop 375 Border Highway West Extension Project selected and detailed in the Draft Environmental Impact Statement (DEIS), noting that the primary alignment in each scenario avoids passing through Cement Lake.

Following detailed discussion regarding each alternative and its impact to the surrounding environment, Ms. Martich noted that she had been unable to find within the EIS any reference to Cement Lake. As a result, she indicated that it may be worth recommending that Council provide TxDOT with a precautionary statement regarding the proximity of the Lake to the project, particularly with reference to the project's drainage design. The statement, if made prior to the November 26<sup>th</sup> public comment deadline, would then be included in the final EIS.

**1<sup>st</sup> MOTION:**

*Motion made by Ms. Martich, seconded by Mr. Teschner that the OSAB recommend to City Council that they comment on the DEIS for Border Highway 375 Extension with regards to the value and priority of protecting Cement Lake for the City of El Paso.*

**AMENDMENT TO THE MOTION:**

*As an amendment, Mr. Addington requested that the Resolution language include a wish for protection of the waters that feed Cement Lake.*

Ms. Martich agreed and added that would include the water source, water quality and the Lake itself.

**ACCEPTED AMENDMENT TO THE MOTION:**

*Ms. Martich and Mr. Teschner accepted Mr. Addington's amendment.*

**MOTION:**

*Motion made by Ms. Martich, seconded by Mr. Teschner AND UNANIMOUSLY CARRIED THAT THE OSAB RECOMMEND TO CITY COUNCIL THAT THEY COMMENT ON THE DEIS FOR BORDER HIGHWAY 375 EXTENSION WITH REGARD TO THE VALUE AND PRIORITY OF PROTECTING CEMENT LAKE FOR THE CITY OF EL PASO, INCLUDING THE WATER SOURCE AND WATER QUALITY OF CEMENT LAKE.*

- 5. Discussion and Action:** A lease to Jobe Materials, LP as agent for the Texas General Land Office of the State Relinquishment Land Act (RLA), for sand and gravel mining of approximately 640 acres of land located in the Hillside Development Area and owned by the Public Service Board. Contact: Rudy Valdez, [rvaldez@epwu.org](mailto:rvaldez@epwu.org)

Before Mr. Valdez gave his presentation, Chairman Wakeem explained that the OSAB does not have any purview over legal issues; rather, the task of the OSAB is to review the lease with regard to its impact on the Hillside Development Area and to plans for the surrounding areas, including the land located in the Northeast Master Plan. Chairman Wakeem explained that he requested the item be placed on the OSAB agenda primarily because the issue may come before the City Council, and should this occur, Chairman Wakeem would like the OSAB to be prepared to make a recommendation.

Mr. Rudy Valdez, EPWU-PSB, presented various maps of the area to the OSAB. Mr. Valdez explained the properties being included in the lease are located within State Relinquishment Lands, per the State Relinquishment Land Act passed by the Texas Legislature in 1931. The subject property is approximately 647 acres, approximately 90 acres of which are located within the boundary of the Northeast Master Plan. Furthermore, existing within the proposed quarry site property is an 84 acre archeological site.

Chairman Wakeem then provided the OSAB with several additional slides. He explained that the intent of these slides is to show what impact the proposed quarry would have on planning and development in the area. He noted that there are arroyos on the arroyo inventory located within the subject property, and one FEMA flow path. Chairman Wakeem voiced a concern regarding how the quarry, located near future residential areas as planned for in the Northeast Master Plan, would impact the value of the land included within the boundary of this Master Plan for both the City of El Paso and the EPWU-PSB.

Following some discussion with legal counsel regarding the authority of the PSB and the City Council over the subject property, as well as further discussion on the impact of the proposed quarry to developments and open space within the area, the following motions were made:

**1<sup>st</sup> MOTION:**

*Motion made by Chairman Wakeem, seconded by Mr. von Finger AND UNANIMOUSLY CARRIED THAT THE OSAB HAS THE FOLLOWING CONCERNS REGARDING THE PROPOSED QUARRY SITE:*

- 1. The Archeological site;*
- 2. Arroyos that run through the subject property, particularly FEMA 11;*
- 3. The negative impact on the value of property located within the Northeast Master Plan;*
- 4. Dust and noise impacting future development;*
- 5. Current zoning is contrary to the proposed use of the land;*
- 6. Proposed use of the land is contrary to the Future Land Use Map;*

Mr. Wakeem clarified that the concerns voiced in this motion would only be provided to the City Council in the event that the GLO lease agreement of the subject property comes before Council.

**2<sup>nd</sup> MOTION: (ultimately withdrawn)**

*Motion made by Mr. von Finger, seconded by Mr. Teschner THAT THE CITY ESTABLISH A MECHANISM TO COORDINATE WITH THE GLO PRIOR TO THIS TYPE OF LEASE TO AVOID CONFLICTS WITH CITY OF EL PASO AND EPWU-PSB LAND USE PLANNING.*

Following legal counsel regarding the purview of OSAB Mr. von Finger withdrew his motion; additionally, Mr. Teschner withdrew his second to Mr. von Finger's motion. The motion was withdrawn. Mr. von Finger, however, requested that OSAB be briefed at a future meeting on the lease process for both RLA lands, as well as non-RLA lands managed by the PSB that may be leased to the GLO or an agent of the GLO.

- 6. Discussion and Information:** Administrative policy establishing a procedure for allowing outside agencies to appear before the Open Space Advisory Board.  
Contact: Elizabeth Gibson, [gibsonnek@elpasotexas.gov](mailto:gibsonnek@elpasotexas.gov)

Ms. Gibson gave a presentation regarding an internal policy that would guide the OSAB in requesting information from outside agencies.

*No questions from the Board Members.*

**ITEMS FOR FUTURE AGENDAS**

Chair Wakeem requested the following items:

1. Revisit the OSAB recommendation that several pieces of property managed by the PSB and located in the Northwest and Northeast planning areas be downzoned from their current zoning district to the NOS (Natural Open Space) District.
2. Review the OSAB 2013 schedule;
3. Working session to discuss open space acquisition opportunities and funds set aside for such opportunities by the recently approved Quality of Life Bond.
4. Brief on the Northeast GLO quarry survey, if available.

Ms. Gibson requested the following item:

1. An update on improvements to the Palisades.

Mr. Tolbert requested the following item:

1. Update on the Rio Bosque and the transfer of the land to the PSB.

Ms. Martich requested the following item:

1. The GLO lands and the leasing process for such lands.

*Prior to adjourning, Mr. Tolbert requested Staff email all presentations from today's meeting to the OSAB.*

**7. Adjournment**

**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Teschner and UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 3:18 P.M.*