

Open Space Open Space



ADVISORY BOARD MINUTES

PLANNING AND INSPECTIONS DEPARTMENT – PLANNING DIVISION

Wednesday, December 10th, 2014, 3:00 P.M.
City 3 Building, 801 Texas Avenue
Basement, Trost Conference Room

Members Present: 7

Vice-Chairman Joseph Nester, Richard Teschner, Lois Balin, Maria Teran, Jim Tolbert, Patricia White, Charlie Wakeem

Members Absent: 2

Chairwoman Katrina Martich, Edward Beck

Vacancies: 0

Planning and Inspections Department – Planning Division Staff:

Harrison Plourde, Planner

Others Present:

Karla Nieman, Assistant City Attorney, City Attorney's Office; Marcia Tuck, Open Space, Trails and Parks Coordinator, Parks & Recreation Department; Guillermo (Memo) Sotomayor, Real Estate Manager, Economic & International Development; Ellen A. Smyth, Director, Environmental Services; Miguel Parra, Engineering Division Manager, Environmental Services; Vernon L. Greggerson, Environmental Engineer, Environmental Services; Marilyn Guida, member of the public; Scott Cutler, Franklin Mountains Wilderness Coalition; Marshall Carter-Tripp, Palisades Neighborhood Association; Carol Miller, President, Upper Valley Neighborhood Association

1. Meeting Called to Order

Vice-Chairman Nester called the meeting to order.

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

OPEN SPACE MASTER PLAN – TRAIL LINKAGE IDENTIFICATION/IMPLEMENTATION

- Ms. Marilyn Guida, member of the public, commented on and asked questions regarding the Open Space Master Plan map, particularly in the Northeast area, where she resides regarding trail linkage identification and implementation.

For example, the Open Space Master Plan map currently shows trail linkage around the edge, due to a stormwater channel, of the current construction of a Sam's Club located at the corner of Gateway Boulevard North and Diana Drive.

Ms. Guida remembered City Council approving the rezoning for the Sam's Club construction with the condition that there be a 20' landscape buffer along the adjacent apartment zoning area; however, there was no mention of the trail.

Ms. Guida wondered, where in the process, does anyone:

- a. look at the Open Space Master Plan;
- b. notice that a certain location is designated a trail linkage;
- c. notify City Council of the Open Space Master Plan;
- d. does City Council want to entertain ensuring the trail linkage comes to fruition

Ms. Guida was concerned the trail linkage could not be implemented due to the system as described by Staff.

The following City staff commented on/responded to Ms. Guida's comments and questions:

1. Ms. Karla Nieman, Assistant City Attorney
2. Ms. Marci Tuck, Parks & Recreation Department
3. Mr. Harrison Plourde, Planner

Vice-Chairman Nester and Board Member Teschner commented.

FOR THE RECORD

Dr. Teschner requested, for the record, Staff provide answers to the following:

1. whether the land designated for the trail, that strip of land right by the stormwater channel, has been resolved; and
2. did they need to rezone it to provide the buffer or not

10% STORMWATER OPEN SPACE FUNDING

2. Mr. Scott Cutler, Franklin Mountains Wilderness Coalition, commented on the 10% Stormwater, Open Space funding monies. Mr. Cutler understood those monies were to be set aside, as part of the stormwater fee initiated by the EPWU-PSB and the city to preserve arroyos that would help stormwater function of the city in the future by not having to have infrastructure built that would deteriorate, require more maintenance and costs, etc.

Mr. Cutler was concerned when Mayor Leeser proposed using the 10% Stormwater monies to be allocated for infrastructure repair of the stormwater system rather than keeping that money allocated as a very important function of keeping that land as natural conduits for stormwater runoff that require no city funding to maintain.

Mr. Cutler strongly urged, should this issue come up again, the idea that this money has a very vital function for the city. The monies should be kept allocated only for purchasing open space that serves stormwater function and not be directed into some other use that the city sees fit.

Mr. Cutler thought, in the long term, it has greater implications for keeping the tax rate down for the public by maintaining these open spaces, than does allocating the monies for something else, and delaying the purchase of these lands, as was proposed, by removing that funding for two years.

The following City staff responded to Mr. Cutler's comments:

4. Ms. Karla Nieman, Assistant City Attorney, informed Mr. Cutler of the City of El Paso, City Council, Legislative Review Committee agendas/meetings.
5. Mr. Harrison Plourde, Planner, noted that Staff would notify Board Members when the "Discussion and action on amending the Municipal Drainage Utility System Ordinance to allocate for the next two Public Service Board Fiscal Years, the ten percent (10%) "Green Projects" fund of the System's annual drainage utility fee revenues to construction projects which will address flood control drainage projects" item is on the Legislative Review Committee/City Council agenda, again.
6. Ms. Marci Tuck, Parks & Recreation Department

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

The following members of the public commented:

1. Ms. Marilyn Guida asked if Staff would notify the public when the agenda item is posted
2. Ms. Marshall Carter-Tripp explained agendas are posted on the city website every Thursday.

3. Discussion and Action

- a. Approval of Minutes: November 12th, 2014

Vice-Chairman Nester asked Board Members if they had any additions/corrections.

MOTION:

Motion made by Ms. Teran, seconded by Ms. Balin AND UNANIMOUSLY CARRIED TO APPROVE.

ABSTAIN: *Vice-Chairman Nester and Ms. White*

- b. Approval of the 2015 meeting schedule

Mr. Plourde distributed copies of the 2015 OSAB meeting schedule to the Board.

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

MOTION:

Motion made by Mr. Wakeem, seconded by Mr. Tolbert AND UNANIMOUSLY CARRIED TO APPROVE THE SCHEDULE.

After the vote, Ms. White noted the meeting in June was scheduled on Tuesday; however, June 10th is a Wednesday.

Mr. Plourde clarified all OSAB meetings occur on Wednesdays.

Vice-Chairman Nester corrected the typo for the June meeting should be *Wednesday*.

c. Changes to the Agenda.

Vice-Chairman Nester requested postponing item 6 to the next meeting as the Chairwoman and Mr. Coronado were not in attendance today:

Item 6. Discussion and Information: Review of the Open Space Master Plan “Implementation Plan for Open Space Preservation” – Regulation Methods.

Vice-Chairman Nester and Board Members Teschner and Wakeem commented.

MOTION:

Motion made by Mr. Tolbert, seconded by Ms. Teran AND UNANIMOUSLY CARRIED TO POSTPONE ITEM 6 TO THE NEXT MEETING.

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

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

The following City staff commented:

1. Mr. Guillermo (Memo) Sotomayor, Economic & International Department, updated Board Members regarding the approximate 10 acres of open space commonly known as the *Palisades land donation*.
2. Ms. Marcia Tuck, Parks & Recreation Department, gave a presentation about the Open Space Land Acquisition using bond funds.
3. Ms. Karla Nieman, Assistant City Attorney

PUBLIC COMMENT

1. Ms. Marilyn Guida
2. Ms. Marshall Carter-Tripp

NO ACTION WAS TAKEN.

5. Discussion and Information: The Open Space Advisory Board will receive an update and deliberate regarding the Northwest Multi-Service Center expansion, located adjacent to the Keystone Heritage Park. Contact: Miguel Parra, parramx@elpasotexas.gov

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

The following City staff commented:

1. Mr. Miguel Parra, Environmental Services, updated Board Members regarding the proposed two acre Master Planned location of the new Northwest Multi-Service Center, Citizen Collection Station and any other potential city facilities.
2. Ms. Marci Tuck, Parks & Recreation
3. Mr. Vernon Greggerson, Environmental Services, responded to comments/questions from the Board and members of the public.

PUBLIC COMMENT

1. Ms. Carol Miller, President, Upper Valley Neighborhood Association, requested the *Final Master Plan* contain/maintain existing trails/trailways, bicycle paths, trees, etc.

The following City staff commented: *(continued)*

4. Ms. Ellen Smyth, Director, Environmental Services, explained St. Jude church owns that land and will remain in its natural state.

PUBLIC COMMENT – CONTINUED

2. Ms. Marilyn Guida, member of the public, noted a very important archaeological site is located very close to this property, near the dam. Any amount of grading may uncover more of where ancient people lived. At the very least, she recommended the city hire archaeologists to be on-site when the grading occurs, to be able to identify if any signs of prehistoric life are exposed, and what to do about it if there happen to be signs of prehistoric life.

NO ACTION WAS TAKEN.

6. **Discussion and Information:** Review of the *Open Space Master Plan “Implementation Plan for Open Space Preservation” – Regulation Methods.*
Contact: David A. Coronado, coronadoda@elpasotexas.gov

Vice-Chairman Nester requested postponing item 6 to the next meeting due to the absence of the Chairwoman and Mr. Coronado:

Item 6. Discussion and Information: Review of the Open Space Master Plan “Implementation Plan for Open Space Preservation” – Regulation Methods.

Vice-Chairman Nester and Board Members Teschner and Wakeem commented.

MOTION:

Motion made by Mr. Tolbert, seconded by Ms. Teran AND UNANIMOUSLY CARRIED TO POSTPONE ITEM 6 TO THE NEXT MEETING.

7. **Discussion:** Items for Future Agendas.
 - **6. Discussion and Information:** Review of the *Open Space Master Plan “Implementation Plan for Open Space Preservation” – Incentives and Conservation Methods.*
Contact: David A. Coronado, coronadoda@elpasotexas.gov
 - **Action:** Staff notify OSAB regarding Legislative Review Committee, stormwater meeting.
 - Mr. Tolbert requested **Discussion and Action:** To rescind the recommendation to City Council to divert the ten percent green projects fund, for the next two public service board fiscal years, starting in March, 2015, to fund up to \$3.2 million for new construction projects to mitigate public safety concerns caused by flooding as identified by the Public Service Board. Contact: Board Member Jim Tolbert
(motion language approved by OSAB at 11.12.2014 meeting)
 - **FOR THE RECORD (PUBLIC COMMENT)**
Dr. Teschner requested, for the record, Staff provide answers to the following:
 1. whether the land designated for the trail, that strip of land right by the stormwater channel, has been resolved; and
 2. did they need to rezone it to provide the buffer or not

- **Discussion and Action:** Report from EPWU-PSB staff regarding future plans for the eastern property around the Rio Bosque Wetlands.
- **Discussion and Action:** Report from EPWU-PSB staff on future plans for the entire Rio Bosque Park.

The following City staff commented:

1. Ms. Karla Nieman, Assistant City Attorney, explained the OSAB's authority to request city staff present information before the Board. She recommended that Planning & Inspections staff communicate with EPWU-PSB staff and if those properties are being considered for purposes of the 10%, then EPWU-PSB staff would present that information to the Board or discuss what purview the OSAB does have over that land.
2. Mr. Harrison Plourde explained how agendas are prepared and worded.

The following Board Members commented:

1. Vice-Chairman Nester understood the OSAB's purview is very limited. He understood the opportunity is to have 1. Information and 2. Dialogue as to what can be around Bosque to try and influence the future of development or lack thereof.
2. Board Member Teschner referred to agenda **Item 4. Discussion and Update:** Status of the 2012 Quality of Life Bond Open Space Acquisition Priority List and explained his initial request was simply, could someone please acquire this information. He did not necessarily want someone from EPWU-PSB; however, if that is what it would take to acquire the information, fine, then they should come. If not, could someone on city staff phone or otherwise contact the EPWU-PSB and get the information so that we can have it.
3. Board Member Wakeem noticed all items on today's agenda were either "Discussion and Information" or "Discussion and Update". He would like to see if there is any possibility of action on any items, whether there is an action taken or not, it should be posted as "Discussion and Action" which allows the Board flexibility.
4. Board Members Tolbert and Teschner asked staff who makes that decision whether or not agenda items are posted as "Action" items.
5. Board Member Wakeem asked if Mr. Coronado reviews the agenda with Chairwoman Martich. Mr. Wakeem felt that if there is any potential for possible action, it should be posted as "Discussion and Action" so that the Board is not handcuffed.
6. Administrative Request – Board Member Teschner noted Chairwoman Martich is frequently absent; therefore, could the agenda be discussed with both Chairwoman Martich and Vice-Chairman Nester.
7. Board Member Tolbert requested a *Discussion and Action* item rescinding our recommendation taking some of the stormwater fee for flood control per the Mayor's proposal. Board Member White noted the item should be posted for "Action".

MOTION:

Motion made by Mr. Tolbert, seconded by Dr. Teschner TO POST A "DISCUSSION AND ACTION" ITEM RESCINDING OUR RECOMMENDATION TAKING SOME OF THE STORMWATER FEE FOR FLOOD CONTROL PER THE MAYOR'S PROPOSAL.

The following Board Members commented: *(continued)*

8. Board Member Tolbert referred to the trail linkage comments from Ms. Guida. He was unsure how to address or discuss that. It would be nice to look at those plans and at least get up to speed on that trail system and what happened/is happening to it.

Mr. Plourde responded staff would research the rezoning case and present that information at the next meeting.

Ms. Guida noted that she thinks it is the process that is the issue and to look at that as an example there may be other examples. But if the process basically says the parcel has to be big enough for a subdivision or some other level of plan development then the portion of the plan that has to do with linkages is out the window. She does not want to put all the emphasis on that one example; additionally, it would be useful to see what happened in that case.

Mr. Plourde assured Ms. Guida staff would research and present that information at the next meeting.

RECOGNITION

Prior to adjourning, Board Members wished Ms. Balin a very Happy Birthday.

8. Adjournment

MOTION:

Motion made by Dr. Teschner, and seconded by Ms. White AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING.