Agenda item 2a

ENVIRONMENTAL BOARD MEETING MINUTES WEDNESDAY AUGUST 4, 2010

The Environmental Board convened in a public hearing meeting on Wednesday, August 4, 2010, City Council Chambers, at 301 W. Second Street, Austin, Texas 78701

Board Members in Attendance:
Robin Gary, Mary Gay Maxwell, Phil Moncada, Mary Ann Neely, John Beall, & James Schissler

Staff in Attendance:
Pat Murphy, Nancy McClintock, Alexander Webb, Ingrid McDonald, David Johns, Chris Herrington, Jean Drew, Brad Jackson, Chuck Lesniak, Erin Wood, Matt Holland, Robbie Botto, John Gleason, and Austan Librach.

CALL TO ORDER

Meeting called to order at 6:10 p.m.

1. CITIZEN COMMUNICATIONS: GENERAL

Speaker should sign up to speak prior to the meeting called to order; you will receive a three-minute allotment to address your concerns regarding items not posted on the agenda.

- **Sharon Blythe signed up to speak in opposition to the Jollyville Transmission Mains and related geotechnical boring along Spicewood Springs Road. Sharon Blythe provided the board a presentation detailing a hybrid West of 620 Route for the Jollyville Transmission Mains. Elton Prewitt donated his time to Sharon Blythe. Kerza Prewitt donated her time to Sharon Blythe.**
- **Elton Prewitt signed up to speak in opposition to the Jollyville Transmission Mains and related geotechnical boring along Spicewood Springs Road.**
- **Kerza Prewitt signed up to speak in opposition to the Jollyville Transmission Mains and related geotechnical boring along Spicewood Springs Road**
- **James Nash signed up to speak in support of the Tarlton 360 Project.**
- **David Steinuedell signed up to speak on item #5 in support of the Tarlton 360 Project but was not present to speak at the time the item came before the board.**

- **David Alsmeyer signed up to speak on item #5 in support of the Tarlton 360 Project but was not present to speak at the time the item came before the board.**

2. APPROVAL OF MINUTES AND ACTION ITEMS

Approve the minutes of the Environmental Board regular meeting June 16, 2010.

The minutes for the Environmental Board regular meeting on July 21, 2010 approved on Board member Phil Moncada's motion, and Board member Mary Ann Neely's second. Board member Bob Anderson was absent. [Vote 6-0]

3. BOARD BUSINESS ACTION ITEMS

a. Approve revised bylaws relating to officer terms as directed by City Council.

The revised Bylaws for the Environmental Board were approved on Board member Mary Ann Neely's motion, and Board member James Schissler's second. Board member Bob Anderson was absent. [Vote 6-0]

b. Nominations and Election of Officers.

This Item was postponed with no objection by the Environmental Board until August 18, 2010.

c. Resolution regarding analysis of the 620 alternate route for the Jollyville Transmission Mains for the Water Treatment Plant #4.

This Item was postponed with no objection by the Environmental Board until August 18, 2010.

4. STAFF BRIEFINGS AND POSSIBLE ACTIONS

a. Briefing on the Bull Creek District Park-Chris Herrington and John Gleason

Item was conducted as posted.

b. Briefing on the Plug in Electric Vehicles-Austan Librach, Austin Energy

Item was conducted as posted.

c. Review and Approval of Interlocal Agreement Between City of Austin, Lower Colorado River Authority, and the Barton Springs/Edwards Aquifer Conservation District for Stoneledge Quarry Recharge Enhancement Project. - David Johns, Watershed Protection Department

RECOMMENDATION TO PROCEED APPROVED: [VOTE 4-0]

Motioned by Board member Phil Moncada and seconded by Board member Mary Ann Neely. Board members James Schessler and Robin Gary recused from this item due to a potential conflict of interest, Board member Bob Anderson was absent. See attached motion.

5. PUBLIC HEARINGS

a. **Name: Tarlton 360 Townhomes SPC-2010-0071C.MGA**
Applicant: CVRI Loop 360 LP
Location: 2500-2530 Walsh Tarlton

Staff Person: Sue Welch, Planning and Development Review Department, Pat Murphy, Watershed Protection Department, Matt Hollon, Watershed Protection Department
Request: Courtesy review by the Environmental Board – No environmental variances requested; Redevelopment Exception in the Barton Springs Zone (City Code Section 25-8-27) requires City Council approval because proposes more than 25 dwelling units.
Watershed: Barton Creek (SOS) Drinking water Protection Zone
Recommendation: Consider and make a recommendation regarding use of the redevelopment exception.

RECOMMENDATION APPROVED: [VOTE 5-0]
Motioned by Board member Phil Moncada and seconded by Board member Robin Gary. . Board member Bob Anderson was absent. Board member James Schissler recused from this item due to a potential conflict of interest. See attached motion.

b. Tarlton 360 Townhomes Service Extension Request Water #2900 and Wastewater #2901-Robbie Botto, Watershed Protection Department

REQUEST APPROVED: [VOTE 5-0]
Motioned by Board member Phil Moncada and seconded by Board member John Beall. Board member James Schissler recused from this item due to a potential conflict of interest See attached motion.

6. **10 MINUTES OF CONTINUING EDUCATION**
Trends and issues related to watersheds. Matt Hollon, Watershed Protection Department
Item was conducted as posted.

7. **OLD BUSINESS**

a. Update on the Joint Environmental/Parks Board Subcommittee –Mary Gay Maxwell, Jon Beall & Mary Ann Neely
Board member Mary Ann Neely reported on this item.
b. Urban Growth Policy subcommittee – Phil Moncada, Chair, Mary Gay Maxwell, & James Schissler, P. E.
Board member Phil Moncada reported on this item and will report to full Board on 8/18/10.
c. Water Treatment Plant #4 subcommittee – Mary Gay Maxwell, Chair, Jon Beall &Mary Ann Neely
Mary Gay Maxwell reported on this item.
d. Development Subcommittee – Bob Anderson, Chair, Mary Gay Maxwell & Mary Ann Neely.
No report this week.

e. Water Quality Regulations subcommittee – Mary Ann Neely, Chair, Robin Gary and Phil Moncada
No report this week

8. **NEW BUSINESS - Future agenda items:**

9. **ADJOURNMENT**
The meeting adjourned at 10:00 p.m.

ENVIRONMENTAL BOARD MOTION EB080410-3a

Date: August 4, 2010

Subject: Amendment and Adoption of the Environmental Board Bylaws

Motioned By: Mary Ann Neely Seconded by: James Schissler, P. E.

The amended Bylaws for the Environmental Board were approved. on Board member Mary Ann Neely's motion, and Board member James Schissler' second.

Vote: 6-0-0-1

For: Beall, Gary, Maxwell, Moncada, Neely and Schissler

Against:

Abstain:

Absent: Anderson

Approved By:

Mary Gay Maxwell
Environmental Chair

STANDARD CITY BOARD BYLAWS

AMENDED BYLAWS OF THE ENVIRONMENTAL BOARD

ARTICLE 1. NAME.

The name of the board is Environmental Board

ARTICLE 2. PURPOSE AND DUTIES.

The purpose and duties of the board need to come directly from Section 2-1-144 of the City Code. See City Code, Sections 2-1-144 below.

(A) review and analyze the policies relating to the environmental quality of the city, to act as an advisory board to the city council, the city manager, and the department in their efforts to oversee the protection and integrity of the natural environment, promote growth management and land use planning, minimize degradation of water resources, protect down stream areas, and promote recreation opportunities and environmental awareness.

(B) assist the city council, the city manager, and the department in studying, promoting and enforcing environmental protection policies to assure the health, safety, welfare and quality of life of all citizens within the City's incorporated boundaries as well as those within its extraterritorial jurisdiction where the boundaries apply.

(C) advise the city council, the city manager, and the department concerning policies, projects, and programs that affect the quality of life or have the potential to affect the environment, including those that relate to or affect:

(1) water quality:
- (a) watershed protection;
- (b) urban runoff;
- (c) innovative wastewater treatment;
- (d) regional wastewater treatment;
- (e) improvement and protection of the Colorado River and the Edwards Aquifer; and
- (f) wastewater irrigation;

(2) growth management and land use planning:
- (a) municipal utility district review;
- (b) capital improvement project review; and
- (c) the comprehensive plan;

(3) construction controls for erosion and sedimentation;
(4) City environmental policies regarding monitoring and enforcement;

(5) solid waste disposal plan alternatives;

(6) watershed protection:
(a) flood control;
(b) erosion control;
(c) water quality; and
(d) utility management;

(7) roadway planning;

(8) beautification;

(9) recreation resources;

(10) public education on environmental matters;

(11) hazardous waste materials management;

(12) revegetation and landscaping;

(13) air quality; and

(14) noise abatement;

(D) The board shall:

(1) review all variances to requirements for water quality related to environmentally sensitive areas;

(2) review the monitoring of storm water runoff in developed and undeveloped areas;

(3) review the efficiency of existing and proposed structural and nonstructural controls;

(4) periodically review the effectiveness of Chapter 25-4 (Subdivision);

(5) review waste treatment permits within the city's extraterritorial jurisdiction;

(6) review programs and policies for flood control, erosion control, and water quality;

(7) review capital improvement projects;

(8) review municipal utility district proposals and amendments;

(9) review roadway plan amendments; and

(10) recommend urban runoff standards;

(E) Recommend and initiate, with the advice and consent of the city council, specific project studies concerning any of the matters described in Subsections (H) and (I) Ordinance No. 20071129-011, or any other related environmental issue.

(F) Make reports and recommendations for standards and criteria concerning any of the matters described in Subsections (H) and (I) Ordinance No. 20071129-011, or any other related environmental issue.

(G) Promote close cooperation between the City and all private citizens, institutions, and agencies interested in or conducting natural resource and environmental activities, so that all similar activities within the city may be coordinated to secure the greatest public welfare.

ARTICLE 3. MEMBERSHIP.

(A) The board is composed of seven members appointed by the city council.

(B) A member serves at the pleasure of the city council.

(C) Board members serve for a term of three years beginning August 1st on the year of appointment

(D) An individual board member may not act in an official capacity except through the action of the board.

(E) A board member who is absent for three consecutive regular meetings or one-third of all regular meetings in a twelve month time period automatically vacates the member's position. This does not apply to an absence due to illness or injury if the member notifies the staff liaison of the reason for the absence no later than the next meeting of the board.

(F) At each meeting, each board member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest.

(G) A member who seeks to resign from the board shall submit a written resignation to the chair of the board, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

(A) The officers of the board shall consist of a chair, vice-chair and secretary.

(B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after August 1st. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.

(C) The term of office shall be one year, beginning September 1 and ending August 31. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than three consecutive one-year terms. A person who has served as an officer in a designated position of a board for three consecutive

terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office.

(D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

(A) The chair shall preside at board meetings, appoint all committees, and represent the board at ceremonial functions.

(B) In the absence of the chair, the vice-chair shall perform all duties of the chair, in the absence of the chair and the vice –chair, the secretary shall perform all duties of the chair..

ARTICLE 6. AGENDAS.

(A) Two or more board members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting.

(B) The staff liaison shall prepare and distribute the agenda to the board members not less than 72 hours before the meeting.

(C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

(A) The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(B) Board meetings shall be governed by Robert's Rules of Order.

(C) The board may not conduct a closed meeting without the approval of the city attorney.

(D) The regular meeting of the board shall be held on the first and third Wednesday of each month at 6:00 p.m., at 301 West Second Street (City Hall) unless otherwise determined by the board. If the regular meeting day is a holiday, the meeting will be held on the following Wednesday of the month.

(E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. A notice of a special meeting must be in writing and sent to all members at least three days before the meeting.

(F) Four members constitute a quorum.

(G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.

(H) To be effective, a board action must be adopted by affirmative vote of not less than the four members.

(I) The chair has the same voting privilege as any other member.

(J) The board shall allow citizens to address the board on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.

(K) The staff liaison shall prepare the board minutes. The minutes of each board meeting must include the vote of each member on each item before the board and indicate whether a member is absent or failed to vote on an item.

(L) The Watershed Protection Department shall retain all official board documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).

(M) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.

ARTICLE 8. COMMITTEES.

(A) Each standing or special committee must be established by an affirmative vote of the board. Each committee shall consist of at least three board members appointed by the chair. A staff member shall be assigned to each committee by the director of the Watershed Protection Department.

(B) The board chair shall appoint a committee member as the committee chair, with the member's consent.

(C) A majority of the total number of appointed committee members constitutes a quorum.

(D) Each standing committee shall meet on a regularly scheduled basis at least quarterly.

(E) Each standing committee shall make an annual report to the board at the January board meeting.

(F) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the board in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of order which the board or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.

The bylaws were approved by the Environmental Board at their meeting held on August 4, 2010.

_____ _____

Executive or Staff Liaison Title - Executive or Staff Liaison

ENVIRONMENTAL BOARD MOTION 080410-4c

Date: August 4, 2010

Subject: Interlocal Agreement between the City of Austin, Lower Colorado River Authority, and the Barton Springs Edwards Aquifer Conservation District for the Stoneledge Quarry Recharge Enhancement Project.

Motioned By: Phil Moncada Seconded by: Mary Ann Neely

Recommendation

To recommend that the City of Austin move forward with the Interlocal Agreement regarding the Stoneledge Quarry Recharge Enhancement Project with no Environmental Board conditions.

The supplemental groundwater will enhance the complex Barton Springs segment of the Edwards Aquifer and provide additional flows by diverting floodwater from Little Bear Creek into Stoneledge Quarry bringing the area a long term benefit.

Vote 4-0-2-1

For: Moncada, Beall, Maxwell, and Neely

Against:

Abstain: Gary and Schissler

Absent: Anderson

Approved By:

Mary Gay Maxwell
Environmental Board Chair

ENVIRONMENTAL BOARD MOTION 080410-5a

Date: August 4, 2010

Subject: Tarlton 360 Townhomes SPC-2010-0071C.MGA.

Motioned By: Phil Moncada Seconded by: Robin Gary

Recommendation

Recommend conditional approval and support of the Tarlton 360 Townhomes project allowed by the redevelopment exception to the SOS ordinance in the Barton Springs Zone (25-8-27). There are no Environmental Board conditions.

Support is based on staff's recommendation that the water quality ponds will be retrofitted to enhance and provide a higher level of pollutant removal using retention/ irrigation and that the owner will also provide $410,525 into the Barton Springs Zone mitigation fund. Finally, redeveloping this site reuses existing development, preserves green space, increases the tax base, and is the first redevelopment case that has neighborhood support.

Vote 5-0-1-1

For: Moncada, Beall, Maxwell, Gary, and Neely

Against:

Abstain: Schissler

Absent: Anderson

Approved By:

Mary Gay Maxwell
Environmental Board Chair

ENVIRONMENTAL BOARD MOTION 080410-5b

Date: August 4, 2010

Subject: Tarlton 360 Townhomes Service Extension Request 2900 and 2901

Motioned By: Phil Moncada Seconded by: John Beall

Recommendation

Recommend the conditional approval to Service Extension Requests for both water and wastewater with no Environmental Board conditions.

Service Extension Requests will upsize existing 6" force main but wastewater service will be for project site only. The City of Austin will acquire mitigation land in the Barton Springs Zone.

Vote 5-0-1-1

For: Moncada, Beall, Maxwell, Gary, and Neely

Against:

Abstain: Schissler

Absent: Anderson

Approved By:

Mary Gay Maxwell
Environmental Board Chair