



ENVIRONMENTAL BOARD MOTION EB0400208-A2b

Date: April 2, 2008

Subject: Adoption of the 2008 Environmental Board Bylaws

Motioned By: Phil Moncada

Seconded by: Dr. Mary Gay Maxwell

The Environmental Board rescinded previous motion of February 23, 2008, and Adopted the 2008 Boards and Commission Standard Bylaws, (un-amended). See attached.

Rationale: The Environmental Board cannot amend or modify the 2008 Standard Bylaws, unless accompanied by a business justification and submitted through the process.

Vote: 6-0-0-1-0

For: Ahart, Anderson, Beall, Maxwell, Moncada and Neely.


Against:

Abstain:

Absent: Dupnik

Recused:

Approved By:


Dave Anderson, P. E., CFM
Environmental Chair

**BYLAWS OF THE
Environmental Board**

ARTICLE 1. NAME.

The name of the board is the Environmental Board.

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the Environmental Board is to:

- (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. 20071129-001, 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. 20071129-001, 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, and upon receipt to the staff liaison, and 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, a vice-chair, and a secretary.
- (B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after August 1st.
- (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. An officer may be reelected for not more than one additional one-year term.
- (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.
- (C) The absence of the chair and vice chair, the secretary shall perform all duties. The secretary shall be responsible for ensuring meetings are held in accordance with Roberts Rules of Order.

ARTICLE 6. AGENDAS.

- (A) Two or more board members may place an item on the agenda by written request to the staff liaison at least five (5) 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 Wednesdays of each month at 6:00 p.m., City Hall Council Chambers. If the regular meeting day is a holiday, the meeting will be rescheduled.
- (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 and Development Review 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 committee shall consist of at least three board members appointed by the chair and a staff member appointed by the director of the Watershed Protection and Development Review Department. The staff member is an ex-officio, non-voting member of the committee.
- (B) The board chair shall appoint a committee member as the committee chair, with the member's consent. The board chair shall be an ex-officio, non-voting member of all standing committees.
- (C) Each standing committee shall meet on a regularly scheduled basis at least quarterly.

- (D) Each standing committee shall make an annual report to the board at the January board meeting.
- (E) The chair may, with the board's approval, appoint special committees. The chair shall provide board members with prior notice of intent to appoint a special committee.
- (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.



ENVIRONMENTAL BOARD MOTION 040208-B3

Date: April 02, 2008

Subject: Enclave at Westgate C8-07-0048.1b-Consent Agenda

Motioned By: Dave Anderson, P. E.

Seconded by: Phil Moncada

Recommendation

The Environmental Board recommended the following case be approved by consent, with no staff conditions and no board conditions listed for the Enclave at Westgate

Vote 7-0-0-0-0

For: Anderson, Maxwell, Moncada, Neely, Ahart, Dupnik and Beall

Against:

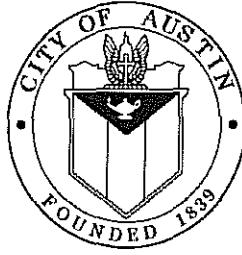
Abstain:

Absent:

Recused:

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 040208-B2

Date: April 2, 2008

Subject: Enclave at Gracywoods Block A, Lot 5

Motioned By: Phil Moncada

Seconded by: Mary Ann Neely

Recommendation

The Environmental Board recommends denial of the appeal related to protected tree removal. (Land Development Code 25-8-624 (A)(2) Appeal of the denial of a protected tree removal request).

Staff Conditions:

None.

Board Conditions:

None.

Rationale

There is a staff recommendation to deny the appeal, there is no mitigation being offered. No Board of Adjustment variance has been applied for to encroach on the front yard set back that could redesign the home around existing trees. Therefore Environmental Board believes that the lot is build able with alternative designs.

Vote 6-0-0-1-0

For: Ahart, Anderson, Beall, Maxwell, Moncada and Neely


Against:

Abstain:

Absent: Dupnik

Recused:

Approved By


Dave Anderson P.E., CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 040208-B4

Date: April 02, 2008

Subject: Concordia University SP-2007-0232 CCR1

Motioned By: Phil Moncada

Seconded by: Dr. Mary Gay Maxwell

Recommendation

The Environmental Board recommends conditional approval of a variance request to Lake Austin Ordinance Section 9-10-409(a)(b) - To exceed the four foot cut/fill limits;

Staff Conditions:

1. Provide an IPM plan for the maintenance of the ball field.
2. Utilize all Hill Country native species for landscaping and tree replacement.
3. Provide twice the amount of private common open space than required by code.
4. A professional geologist must monitor the pond and lift station excavations.

Rationale

The findings of fact have been met, and Concordia University is providing excellent backup material along with community and environmental benefits (such as an environmental science curriculum).

Vote 6-0-0-1-0

For: Ahart, Anderson, Beall, Maxwell, Moncada and Neely

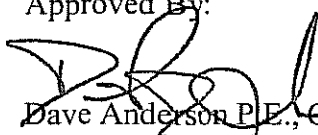
Against:

Abstain:

Absent: Dupnik

Recused:

Approved By:


Dave Anderson P.E., CFM, E.
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 040208-C1

Date: April 2, 2008

Subject: City of Jonestown (ETJ) Extra Territorial Jurisdiction Release

Motioned By: Phil Moncada

Seconded by: Mary Ann Neely

Recommendation

The Environmental Board recommends that City Council release to the city of Jonestown approximately 239 acres from the city of Austin's Extra Territorial Jurisdiction.

Rationale

The interlocal agreement will comply with the 2006 Lower Colorado River Authority's Highland Lakes Watershed Ordinance and the 2006 LCRA Water Quality Management Technical Manual. The LCRA's Highland Lakes Watershed Ordinance meets or exceeds the City of Austin's Water Supply Rural Watershed requirements found in Land Development Code Section 30-5 for residential lots in the 2008 Jonestown Release areas and Trail End. Further rationale can be found in the attached document.

Vote 6-0-0-1-0

For: Ahart, Anderson, Beall, Maxwell, Moncada, and Neely

Against:

Abstain:

Absent: Dupnik

Recused:

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair



MEMORANDUM

TO: Dave Anderson, P.E.
Chairman
City of Austin Environmental Board

FROM: Robert B. Botto, AICP
Environmental Planner
Watershed Protection and Development Review Department

DATE: March 27, 2008

SUBJECT: City of Jonestown/Trails End Subdivision ETJ Release

The City of Jonestown has requested the release of approximately 239 acres from the City of Austin's ETJ. The request is for ETJ located in western Travis County near Lake Travis and one its tributaries, Lime Creek. Trails End Road divides the release area from the north to the south toward Lake Travis.

Development in this part of Austin's five-mile ETJ must comply with the Water Supply Rural Watershed requirements and other water quality requirements found in Chapter 30-5 of the city's Land Development Code. Staff evaluates ETJ Release requests using the council adopted Policy for Extraterritorial Jurisdiction (ETJ) Adjustments (10/02/07).

Watershed Protection staff have been working with representatives from the Trails End Subdivision, which is part of the release area, and the City of Jonestown to develop the final terms of the release. Because the City of Jonestown is located near Lake Travis, these terms were based on a previously approved ETJ release for the City of Lago Vista. The terms outlined below are supported by staff and have been agreed to by the applicant and the City of Jonestown. They will be found in both the Interlocal Cooperation Agreement with Jonestown and a restrictive covenant for the Trails End Subdivision. The interlocal and the restrictive covenant will subject development to these terms and determine how the Trails End Subdivision and the remaining parcels in the release area, outside the subdivision, will be developed.

Water Quality Related Terms of the Jonestown/Trails End Subdivision ETJ Release:

(1) Lake Travis Critical Water Quality Zone (LTCWQZ). A critical water quality zone shall be established along and parallel to the shoreline of Lake Travis. For Lake Travis this coincides with

the 681-foot contour line. The width of the critical water quality zone, measured horizontally inland, is 100 feet, or for a detached single-family residence, 75 feet.

Development within the LTCWQZ development is prohibited, except that a boat dock, pier, wharf, or marina and necessary access and appurtenances are allowed. Within the LTCWQZ, approval by Jonestown or an agency designated by the Jonestown City Council of chemicals used to treat building materials that will be submerged in water is required before a permit may be issued or a site plan released.

(2) Development shall comply with the 2006 LCRA Highland Lakes Watershed Ordinance, as amended from time to time, and the 2006 LCRA Water Quality Management Technical Manual, as amended from time to time.

(3) Land used for the irrigation of wastewater effluent from a wastewater treatment facility shall be located above the 710-foot contour line.

(4) Impervious cover will be limited to twenty percent (20%) of the total site area over the Property for any lot developed with any retail, condominiums, apartments or office commercial uses; provided that Jonestown may approve impervious cover up to twenty five percent (25%) of the total site area for those lots that are connected to a wastewater treatment facility. Total site area includes only those portions of a site that lie above the 681-foot contour line above mean sea level, as established by the United States Geological Survey in effect as of the date hereof.

(5) For residential lots in the 2008 Jonestown Release Area, density shall be subject to the following requirements:

(a) A minimum average lot size of one acre shall be maintained on all lots that are served by on-site septic systems.

(b) Density of lots served by on-site septic systems may not exceed one single-family unit per acre, provided that a minimum of 40% of the total site area is open space.

(c) Jonestown may approve density not to exceed 1.5 single family units per acre for lots that are connected to a wastewater treatment facility, provided that a minimum of 40% of the total site area is open space.

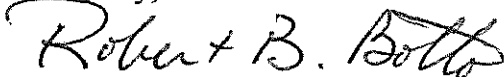
(d) Jonestown may approve additional density not to exceed 2 single family units per acre for lots that are connected to a wastewater treatment facility and for which a minimum of 40% of the total site area is open space according to the following requirements:

1. One additional single family unit for every two acres of land dedicated for irrigation of wastewater effluent;
2. One additional single family unit for each acre of land permanently preserved by instrument acceptable to Jonestown as undeveloped open space;
3. One additional single family unit for each living unit equivalent (LUE) of wastewater treatment capacity in excess of that required to serve the development that is used to disconnect existing on-site septic systems.

- (6) Cut and fill is limited to four feet (4') maximum, provided that cut and fill over four feet (4') shall be permitted if the cut/fill slope is structurally engineered by a licensed structural engineer or terraced to control erosion and sedimentation.
- (7) Development is prohibited on a slope with a gradient that exceeds thirty-five percent (35%). This prohibition does not apply to a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a pedestrian facility.
- (8) Detention of the 2-year storm for erosion control or, as an alternative, non-erosive conveyance of storm water to Lake Travis, will be provided as required under City of Austin Land Development Code Chapter 30-4 (drainage) and the City of Austin Drainage Criteria Manual.
- (9) A building envelope that encompasses the limits of building disturbances will be established and required for residential construction on any lot.
- (10) All of the 100-year flood plain located within the 2008 Jonestown Release Area shall be dedicated to Jonestown as a drainage easement in accordance with the City of Jonestown's development rules. For the purpose of this paragraph, the 100-year floodplain shall be determined based on fully developed conditions.
- (11) Jonestown shall provide an annual status report to the Director of the City of Austin Watershed Protection and Development Review Department of the options used by developers to obtain additional density, which report shall include the following: (a) developments that have connected to a wastewater treatment facility, (b) the number of septic systems that have been disconnected in the Release Area, (c) the number of acres dedicated for irrigation of wastewater effluent, and (d) the number of acres permanently preserved for open space.

Please do not hesitate to contact either myself at 974-2187 or Pat Murphy at 974-2821 with your questions or comments.

Sincerely,



Robert B. Botto, AICP

Environmental Planner

Watershed Protection and Development Review Department