

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: **Parks and Recreation**

AGENDA DATE: **February 9, 2010**

CONTACT PERSON/PHONE: **Shamori Whitt, Open Space, Trails & Parks Coordinator (541-4020)**

DISTRICT(S) AFFECTED: **All**

SUBJECT:

Discussion and action at the request of the Open Space Advisory Board regarding recommendations pertaining to the General Land Office (GLO) that would require the GLO to consult with the City of El Paso prior to any land transactions within the city limits and ETJ.

BACKGROUND / DISCUSSION:

PRIOR COUNCIL ACTION:

No.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Open Space Advisory Board – December 28, 2009

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

DRAFT

To: State of Texas General Land Office
(For: Texas State Representative Joe Moody, District 78)

The City of El Paso's Open Space Plan was approved by the El Paso City Council on March 13, 2007. The highest priority project in that master plan is the Mountain to River Trail. The trail is El Paso's only arroyo/riparian corridor (FEMA Arroyo 41-A) that is uninterrupted from the Franklin Mountains to the Rio Grande.

Over twenty years ago, the City of El Paso also created a zoning district – the Planned Mountain Development (PMD) – which is within the city's Mountain Development Area (MDA). Since the districts within the Mountain Development Area are the lands that are nearest the Franklin Mountains, the PMD imposes very strict development regulations. The City of El Paso's Open Space Advisory Board is tasked by City Council with oversight of the Mountain Development Area and the Open Space Plan.

The portion of land that contains the Mountain to River Trail and that also borders on the Franklin Mountains State Park is a 480 acre parcel overseen for the People of the State of Texas by the Texas General Land Office (GLO). Sadly, the GLO leased mineral rights on this parcel to Jobe Materials, L.P. on May 3, 2005. The entire parcel is zoned PMD. The southern portion of the 480 acre parcel contains two major FEMA flowpath arroyos, FEMA 42 & FEMA 41A. The Open Space Plan recognizes these arroyos as ecologically sensitive areas and worthy of preservation. FEMA arroyo 41A is the Mountain to River Trail corridor which begins at the Tom Mays Unit of the Franklin Mountain State Park, passes through the southern tip of the GLO property, and continues its way westward.

The Open Space Advisory Board of the City of El Paso recognizes that state agencies are exempt from city plans and ordinances. However, the Board also recognizes that the State of Texas should cooperate with municipalities to manage responsible land use within their jurisdictional boundaries. The Board has identified the Mountain to River Trail and other major FEMA flowpath arroyos as major ecologically sensitive areas. The Board recognizes that the Franklin Mountains State Park is an important natural asset to the City of El Paso and the State of Texas. The Board is concerned that a quarry next to the Franklin Mountains State Park will harm the scenic and aesthetic beauty of the state park. Therefore, the Board believes that a quarry on this parcel is the worst possible land use for this property. Finally, the Board recommends that, henceforth, the General Land Office consult with any city of this State before leasing any land or transacting any sales within a city's limits and extraterritorial jurisdiction.

Sincerely,

Charlie Wakeem
Chairman
City of El Paso Open Space Advisory Board