

CITY OF EL PASO, TEXAS  
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: City Attorney's Office

AGENDA DATE: Introduction - August 30, 2011  
Public Hearing - September 20, 2011

CONTACT PERSON/PHONE: Charlie McNabb, City Attorney

DISTRICT(S) AFFECTED: All

**SUBJECT:**

An Ordinance to preserve in its natural state and in perpetuity acreage legally described as Parcel 1, Nellie D. Mundy Survey 246, City of El Paso, El Paso County Texas; Parcel 2, a portion of S. J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County Texas and Parcel 3 a portion of S. J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County Texas.

**BACKGROUND / DISCUSSION:**

On August 16, the City Clerk certified a petition submitted to the City under the provisions of Section 3.11 of the El Paso City Charter. Under Section 3.11, if five percent of the voters who voted in the last general City election sign a petition setting forth the precise content of an ordinance desired by those signing the petition, then Council must place that ordinance on the City Council agenda at a meeting to be held within 30 working days of City Clerk's receipt of the petition.

**PRIOR COUNCIL ACTION:** Has the Council previously considered this item or a closely related one? If so, when? No

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_  
Charlie McNabb, City Attorney

**FINANCE:** (if required)

APPROVED FOR AGENDA:

CITY MANAGER: \_\_\_\_\_

DATE: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO PRESERVE IN ITS NATURAL STATE AND IN PERPETUITY ACREAGE LEGALLY DESCRIBED AS PARCEL 1, NELLIE D. MUNDY SURVEY 246, CITY OF EL PASO, EL PASO COUNTY TEXAS; PARCEL 2, A PORTION OF S.J. LARKIN SURVEY, ABSTRACT 10070, TRACT 1, CITY OF EL PASO, EL PASO COUNTY TEXAS AND PARCEL 3 A PORTION OF S.J. LARKIN SURVEY, ABSTRACT 10070, TRACT 1-A, CITY OF EL PASO, EL PASO COUNTY TEXAS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

The City of El Paso shall preserve, in its natural state and in perpetuity, all of the acreage in the land legally described as “Parcel 1 – Nellie D. Mundy Survey 246, City of El Paso, El Paso County Texas, and Parcel 2 - a portion of S.J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County Texas, and Parcel 3 – a portion of S.J. Larkin Survey, Abstract 10070, Tract 1-A, City of El Paso, El Paso County Texas.” The City shall take all steps necessary to preserve this land and to prevent it from being developed with either private development or major public roadways. (This land is also known as “the West Transmountain Scenic Corridor.”),

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook, Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charlie McNabb, City Attorney

Source: Initiative Petition

ORDINANCE NO. \_\_\_\_\_