



LEGISLATIVE REVIEW COMMITTEE
Meeting Action Report

Committee: Environmental Services

Members of the Environmental Services LRC:

Representative Susie Byrd
Representative Emma Acosta
Representative Dr. Michiel Noe
Representative Courtney Niland

Staff Assignee: Ellen A. Smyth, Director, Environmental Services

Date of Meeting: November 28, 2011

1. Discussion and action on citation power for the Code Compliance Inspectors.

[Environmental Services, Ellen A Smyth, (915) 621-6700]

Summary:

The LRC reviewed the proposed revisions to Chapter 12 as it relates to citation powers for Code Inspectors for parking violations.

Action Taken:

The LRC voted to support the proposed changes.

Disposition:

City staff will present proposed changes to the City Council.

2. Discussion and update on a proposal from GCI Energy for El Paso Waste to Energy Plant. (Environmental Services, Ellen Smyth, (915-621-6719)

Summary:

The LRC was provided an overview by GCI Energy of the proposed waste to energy plant at the McCombs Landfill.

Action Taken:

The LRC supported the GCI Energy project and requested cost analysis, land costs, impacts to the Ft Bliss waste to energy project, and a complete summary of best practices.

Disposition:

City staff will bring item to the LRC with all the items as requested by the Committee.

3. Discussion and action on an Illegally Dumped Tire Coupon Program. (Environmental Services, Ellen Smyth, P.E., (915) 621-6719).

Summary:

The LRC reviewed a proposal for a Tire Coupon Program to legally dispose of tires as an option for those residents that are currently not eligible to use the Citizen Collection Stations or for illegal dumping cleanup events.

Action Taken:

The LRC voted to support the program.

Disposition:

City staff will present program to the Legal Department and will bring to the full Council upon Legal's review.

4. Discussion and action to combine the Animal Welfare Advisory Committee and the Animal Shelter Advisory Committee. (Environmental Services, Ellen Smyth, P.E., (915) 621-6719).

Summary:

The LRC reviewed the proposed changes to the Animal Welfare Advisory Committee and the Animal Shelter Advisory Committee as it related to consolidate both Committees.

Action Taken:

The LRC voted to support proposed changes to the City Ordinance.

Disposition:

City staff will present changes for Legal review and will bring to the full Council.

5. Discussion and update on the Animal Services' Dangerous Animal Response Team (Environmental Services, Kurt Fenstermacher & Dr. Bernie Page (915) 621-6700)

Summary:

Item was deleted.

Action Taken:

No action taken

Disposition:

City staff will bring item to the Committee when information is available.

Submitted by:

City Representative Susie Byrd, District 2
Chair, Environmental Services LRC

Ellen A. Smyth, P.E.
Director, Environmental Services

Legislative Review Committee
Environmental Services
November 28, 2011

Attendees:

Representative Susie Byrd
Representative Emma Acosta
Representative Courtney Niland
Representative Dr. Michiel Noe
John Garza, ESD
Kurt Fenstermacher, ESD
Josette Flores, Attorney
Marty Howell, ESD
Valerie Joosten, ESD
Ruben Aldape, GCI Energy
Eduardo Orozco, GCI Energy
Paul Perez, citizen

Debbie Strom, ESD
Miguel Parra, ESD
William Stern, ESD
Eloisa Portillo-Morales, ESD
Tammy Fonce, ESD
Elaine Hengen, Attorney

#1 Call to order and establish quorum.

The meeting of the Environmental Services Legislative Review Committee was called to order by the Chair Representative Byrd at 9:30 a.m., and a quorum was established.

#2. Discussion and action on approval of Minutes for the Environmental Services Legislative Review Committee meeting of October 20, 2011.

Motion was made by Representative Dr. Noe and seconded by Representative Niland. Motion passes unanimously.

#3. Discussion and action on citation power for the Code Compliance Inspectors. [Environmental Services, Ellen A Smyth, (915) 621-6700]

Mr. Fenstermacher stated that on December 6, 2011, an ordinance is being introduced that will make changes to Chapter 12 which will allow Code Compliance Inspectors to issue parking tickets. Representative Dr. Noe inquired if the ticket writer could contest the ticket in court. Ms. Hengen remarked that the ticket can be appealed and that this would not require a Code Inspector to appear in court because this is a civil offense that's brought before a Hearing Officer.

Motion was made by Representative Dr. Noe and seconded by Representative Acosta to support the proposed changes to Title 12.

#4. Discussion and update on a proposal from GGI Energy for El Paso Waste to Energy Plant. (Environmental Services, Ellen Smyth, (915-621-6719))

Mr. Howell stated that during the last LRC meeting, the proposal from GGI Energy was discussed as a potential small-scale Waste to Energy pilot project converting waste into diesel fuel. GGI Energy is providing an update on the presentation from the previous LRC.

Mr. Howell made a brief report on the current talks with Ft. Bliss on the waste to energy plant to be located on Federal land. Fort Bliss is currently reviewing submittals received from a recent Request for Information and will provide the City with a technical white paper on the various technologies.

Mr. Aldape from GCI Energy presented on the proposed waste to energy plant to be located at the McCombs Landfill. The energy plant will require 300 tons of daily waste to produce diesel fuel. The plant requires 4 acres of land, a 40 year land lease with a 20 year waste supply agreement. It is a gasification plant using pyrolysis

Representative Dr. Noe asked how much water would be used in the process. Mr. Orozco explained that the desired moisture content of the waste stream (30% optimum) would be sufficient to run the process and that no off-site water would be needed. Representative Dr. Noe also inquired whether toxic waste would be produced and stored on site. The waste from the process is not toxic and would be re-used in the process. Remaining waste residue would be properly managed for off-site disposal and/or sold as a byproduct.

Representative Niland inquired if a land appraisal had been performed as landfill space is very valuable. Representative Niland also inquired whether the production of electricity was an option. Mr. Aldape explained why it would not be cost effective to produce electricity.

Discussion was held on the City's cost for using the waste to energy plant. Representative Niland requested an option B to not charge tipping fees and asked for consideration of all costs and benefits including the 20% discount in the diesel fuel cost, mileage and fuel savings from sending waste to McCombs, permit fees, savings from State disposal fees, savings from extended life of landfill, and landfill valuation. Representative Niland also asked for a summary of best practices and comparison to other cities that have implemented waste to energy projects. Representative Byrd remarked that the Committee liked the concept but there were other economic issues that needed to be identified such as land cost, impacts to the Ft. Bliss waste to energy project, and a full evaluation of costs and benefits.

Motion was made by Representative Dr. Noe and seconded by Representative Acosta to pursue the concept and to provide a thorough cost analysis, and other factors as requested by the LRC.

#5. Discussion and action on an Illegally Dumped Tire Coupon Program.
(Environmental Services, Ellen Smyth, P.E., (915) 621-6719).

Ms. Joosten presented a tire coupon pilot program as an option for residents that are currently not eligible to use the Citizen Collection Stations. The intent is to help address the issue of illegally dumped tires. The coupons would be distributed to Mayor and Council and Keep El Paso Beautiful to be distributed or utilized at their discretion. The coupons can be taken to the CCS or to Tres Pesetas, the City's scrap tire contractor. Representative Acosta remarked that this is not the solution for the illegal dumping problem as the primary violators are the tire generators. Representative Acosta inquired if there were any methods in place to monitor small tire businesses for the disposal of used tires. Representative Niland stated that there needs to be a long term solution.

Mr. Fenstermacher remarked that ESD staff is exploring a manifest systems that is being used in other Texas cities and will be briefing the LRC on such a program in the very near future. Ms. Flores remarked that the City Attorney's office has not reviewed the program and should do so before implementation.

Discussion followed on the current tire disposal operation. Representative Niland stated that other end use of the tires should be explored such as rubberized asphalt, playground flooring, etc. Brief discussion followed on these types of projects that the City has used and the result of using tire products.

Representative Acosta inquired why ESD had not explored the option of shredding tires and finding an end-use market. Representative Dr. Noe remarked that the City should not be in competition with the private sector.

Motion was made by Representative Acosta and seconded by Representative Dr. Noe to support the program and to bring to the full Council after Legal reviews.

#6. Discussion and action to combine the Animal Welfare Advisory Committee and the Animal Shelter Advisory Committee. (Environmental Services, Ellen Smyth, P.E., (915) 621-6719).

Mr. Fenstermacher provided a brief description on the function of the Committees. The Animal Shelter Advisory Committee is required by State law, and the Animal Welfare Advisory Committee was created to address the animal care issues after the City/County Health District merged. Mr. Fenstermacher stated that some of the members sit on both Committees and that the members are in agreement to consolidate.

Representative Byrd inquired about the creation of a feral cat program. Mr. Fenstermacher stated that this is currently under evaluation.

Motion made by Representative Acosta and seconded by Representative Dr. Noe to proceed upon review by the City Attorney's office to develop a plan to consolidate the two committees.

#7. Discussion and update on the Animal Services' Dangerous Animal Response Team (Environmental Services, Kurt Fenstermacher & Dr. Bernie Page (915) 621-6700)

Motion made by Representative Niland and seconded by Representative Dr. Noe to delete item from the agenda. Motion carried unanimously.

#8. Public comment.

Mr. Perez remarked on the Waste to Energy proposal. Mr. Perez also suggested that the City could establish an incentive program to reduce illegal dumping of tires by paying citizens a nominal amount per each tire turned in for proper disposal.

#9. Set next meeting.

#10. Adjournment.

Motion made by Representative Dr. Noe and seconded by Representative Acosta to adjourn the meeting at 11:20 a.m.

Note taken by Gloria Duran, Office Manager, ESD