

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

DEPARTMENT: Environmental Services

AGENDA DATE: February 9, 2010

CONTACT PERSON NAME AND PHONE NUMBER: Ellen A. Smyth, P.E., Director, (915) 621-6719

DISTRICT(S) AFFECTED: All

SUBJECT:

Formal Report of the Environmental Services Legislative Review Committee, Representative Susie Byrd, Chair.

BACKGROUND / DISCUSSION:

The Environmental Services LRC met on January 14, 2010. Members present were Representative Susie Byrd, Chair, Representative Emma Acosta and Representative Rachel Quintana. The following items were discussed and a formal report has been submitted

- 1) Discussion and action on a proposal for an Incentive Based Recycling Program – RecycleBank. (Ellen Smyth, Director, (915) 621-6719)
- 2) Discussion and action to provide direction regarding possible items for either the City's 2010 Federal Legislative Agenda or the City's 2011 State Legislative Agenda. (Sylvia Firth, City Attorney, (915) 541-4550)
- 3) Discussion on update on proposed implementation of new collection routes for the City's residential trash and recycling. (Kurt Fenstermacher, Assistant Director, (915) 621-6892)

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

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



DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager



**LEGISLATIVE REVIEW COMMITTEE
Meeting Action Report**

Committee: Environmental Services

Members: City Representative Susie Byrd (Chair)
City Representative Rachel Quintana
City Representative Emma Acosta

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

Date of Meeting: January 14, 2010

I. Discussion and action on a proposal for an Incentive Based Recycling Program – RecycleBank.

Summary:

The proposal presented to the LRC was an incentive based recycling program for households to obtain reward points for recycling. The program would enhance the promotional efforts of recycling by households using the internet or phone service to sign up for the program and claim rewards based on the amount of recyclable material generated from the household. The cost of the program is estimated to be \$.50 monthly per household. No public comment.

Action Taken:

The LRC voted for staff to further research the program and provide a detailed cost analysis before it goes to full Council. LRC vote was 2-1; Representative Quintana did not support the program

Disposition:

The item will be brought to Committee within 60 days.

II. Discussion and action to provide direction regarding possible items for either the City's 2010 Federal Legislative Agenda or the City's 2011 State Legislative Agenda.

Summary:

This proposed additions to the State and Federal Legislative agenda included deputizing Code Compliance inspectors to allow for greater enforcement authority (issue citations such as parking in cul-de-sac, easements, sidewalks, etc., tires, liens, demolition of unsafe dwellings) and endorsing the Texas Solar Wildcatting roadmap which includes a provision to allow thirty party ownership of solar power systems (as used in typical power purchase agreements). No public comments.

Action Taken:

The LRC voted to support the proposed State and Federal Initiatives as presented by City staff by a vote of 3-0.

Disposition:

This proposed changes will be brought to full Council when staff has finalized.

III. Discussion on update on proposed implementation of new collection routes for the City's residential trash and recycling.

Summary:

This proposed implementation of the new garbage collection routes will take effect the week of February 2, 2010. This will impact approximately 75% of the customers. Flyers have been distributed to the affected area. No public comments were presented.

Action Taken:

None.

Disposition:

No action required

IV. Discussion and action on LRC direction regarding clean up requirements of vacant lots larger than 2 acres, Chapter 9.04.360. (John Garza, Assistant Director, (915) 621-6835)

Action Taken:

None – Item was postponed for the next LRC meeting.

V. Discussion and action on proposed revisions to Chapter 9.04 (Solid Waste Management) to impose flow control and provide for franchise agreements with private haulers. (Ellen A. Smyth, Director, (915) 621-6719)

Action Taken:

None – Item was postponed for the next LRC meeting.

SUBMITTED BY:

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

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

Environmental Services Legislative Review Committee
Thursday, January 14, 2010
2nd Floor, Council Chambers, City Hall

Attendees:

Representative Susannah Byrd
Representative Rachel Quintana
Representative Emma Acosta
Pat Adatao, Deputy City Manager
Taylor Moreno, City Manager's Office
Judy Kennedy, Recycle Bank
George Wayne, Waste Connections
Richard Munzinger, Scott Hulse
Ellen Smyth, ESD

John Garza, ESD
Tammy Fonce, ESD
Miguel Parra, ESD
Richard Adams, ESD
Juan Cruz, ESD
Marty Howell, ESD
Valerie Joosten, ESD
Gloria Duran, ESD
Martha Y. Guevara, ESD

Absent:

Representative Ann Morgan Lilly

#1. Call to order and establish quorum

The meeting of the Environmental Services Legislative Review Committees was called to order by the Chair Representative Byrd at 2:00 p.m., and a quorum was established.

#2. Discussion and action on the approval of Legislative Review Committee Minutes of November 12, 2009.

Motion made by Representative Acosta and seconded by Representation Quintana to approve the LRC minutes as presented. Motion passes unanimously to approve the minutes.

#3. Discussion and action on a proposal for an Incentive Based Recycling Program – RecycleBank.

Ms. Judy Kennedy from Recycle Bank presented a Powerpoint presentation on an incentive based recycling program that tries to get more households to recycle by issuing reward points that can be spent at department stores, grocery stores, pharmacies, restaurants, etc. In addition to the regular City recycling efforts, by having a RecycleBank account customer can add reward points to their account every time they put recyclables on by using a Zonar system.. Approximately 90% of customers come to RecycleBank online, the other 10% use a 1-800 number. Discussion followed on the internet usage. If you prefer not to spend your reward points, they can be donate to the Green Schools Program which is donating cash to schools. The RecycleBank program will cost about \$0.50 per household each month. Representative Byrd asks in terms of cost to the City, how much is the annual cost? Ellen Smyth replied approximately \$1 million. Representative Byrd, how much is spent on marketing right now? Ellen Smyth

stated that there a budget of approximately \$250,000 that is returned from the Friedman Recycling Program. Representative Byrd, asked if the cost of this program outweighed by the benefits? Ellen Smyth responded "yes." Representative Byrd asked if ESD had talked to any other city that is already participating in this program. Ellen Smyth said no that they wanted to run this through LRC Committee first to see if you thought it was a good idea. Representative Acosta asked if ESD had the equipment on their trucks that could do this already. Ellen Smyth replied that ESD has installed a Zonar GPS System on some of our trucks, and will have it installed soon on all 68 trucks that do the trash and recycling collection. Ellen Smyth stated that the goal is for the benefits of the RecycleBank program to eventually offset the program cost of \$1M. Representative Acosta expressed concern that there was a shortfall this year and rates were increased, and how was the department planning to make a \$750,000 shortfall? Representative Acosta further stated that she was concerned that implementing this program will eventually increase constituent's trash collection bill and whether it will eventually increase recycling in general. Discussion followed on the present recycling returns and participation.

Motion made by Representative Byrd and seconded by Representative Acosta to research the program before it goes to whole Council and to report back to the LRC within 60 days. Representative Quintana voted against RecycleBank Program.

#4. Discussion and action to provide direction regarding possible items for either the City's 2010 Federal Legislative Agenda or the City's 2011 State Legislative Agenda.

Taylor Moreno discussed items on the Federal and State agenda, and recommended support to full funding of the Energy Efficiency and Conservation Program. Representative Byrd said there was no further discussion needed on this since it will continue to be supported. Taylor Moreno then reviewed the State initiatives that were not completed in the last session and which need direction such as liens. Representative Byrd then asked Taylor Moreno if she had information on issues that needed research that were supposed to be done by Taylor Moreno's office such as the issue of trying to deputize inspectors so that they could issue citations to people parking on easements, on sidewalks, etc. things that would normally be taken care of by the Police Department and which they don't have time nor the staff to do this. Since no other cities has such a program perhaps it must be made an El Paso specific issue. Marty Howell brought up an issue that LRC had asked last year about. He spoke on an issue in Las Cruces that El Paso Electric had opposed somebody doing a neighborhood based net metering system, El Paso Electric was opposing a third party provider, someone other than the utility and the city coming in and building a system and then selling power. Marty Howell would like for the LRC to consider endorsing the Texas Solar Wildcatting roadmap that was given to LRC to allow third party ownership of portable tank systems and the reason why that is important is because if the City puts in a system we have to pay the whole freight on that, but if a third party puts the system in they can take advantage of federal and other tax incentives and it can drop the price of that system by almost 40%.

Motion made by Representative Byrd and passed unanimously to forward items brought up by Taylor Moreno and Marty Howell to council.

#5. Discussion on update on proposed implementation of new collection routes for the City's residential trash and recycling.

Ellen Smyth, ESD is handing out door knob hangers for the new day of trash collection. 75% of collection days will change. Representative Quintana asked when the new collection days will be implemented. Ellen Smyth, on February 2, 2010 and advertisement of new collection days is already on Channel 15.

As per Representative Byrd to postpone items #6 and #7 for the next LRC.

#6. Discussion and action on LRC direction regarding clean up requirements of vacant lots larger than 2 acres, Chapter 9.04.360.

Item was not tabled for next the LRC meeting.

#7. Discussion and action on proposed revisions to Chapter 9.04 (Solid Waste Management) to impose flow control and provide for franchise agreements with private waste haulers.

Item was not tabled for the next LRC meeting.

#8. Public comment.

#9. Set next meeting.

#10. Adjournment.

MOTION was made by Rep. Byrd and seconded by Rep. Acosta and Rep. Quintana to adjourn the meeting.

The meeting ended at 2:45 p.m.

Notes taken by Martha Y. Guevara, Secretary, ESD.



ESD Legislative Review

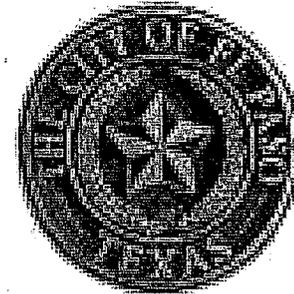
January 14, 2010

Agenda Item #3

RecycleBank[®]

**RecycleBank
Rewards**

El Paso



SAVE MONEY: avoid disposal and sell recyclables

ECONOMIC DEVELOPMENT: drive spending to local businesses

BUILD COMMUNITY: government, citizens, corporations & local businesses work together to preserve our environment





RECYCLE

RECORD

REWARD

Toss all of your recyclables into your recycling cart.

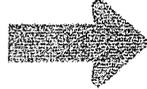
The amount you recycle is converted into RecycleBank Points.

Redeem Points for rewards from hundreds of local and national businesses.

RecycleBank®



WELCOME TO RECYCLEBANK.COM



SIGN IN or Register [UK Members > Click Here](#)

Resources Saved: **2,908,763** **194,305,413**
Sponsored by Coca-Cola

RecycleBank®

MY ACCOUNT EARN POINTS GET REWARDS HOW IT WORKS RECYCLING LIVE GREEN ABOUT US CONTACT US September 21 2009



REWARDS FOR RECYCLING

You can receive the RecycleBank curbside service via your city or hauler.

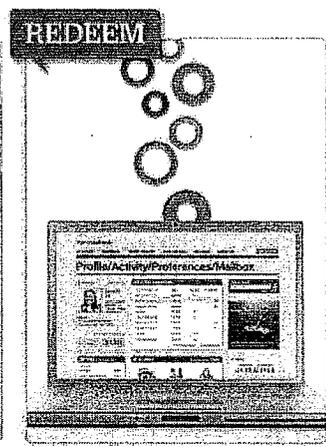
Please [click here](#) to view a list of our local, regional and national stores where you can spend your RecycleBank Points.

Other ways to Earn:

- Curbside
- eWaste
- Economy



We record the amount you recycle.



You redeem the points you earn in your account.

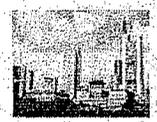


You use your points for rewards at over 2400 retailers.

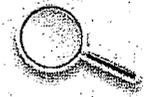


Coca-Cola
LIVE POSITIVELY™
www.livepositively.com

Featured Partner
Join us in our commitment to make a positive difference in the world by rethinking the way we live and work.



Cities and Businesses
Interested in partnering with RecycleBank?



Have Questions?
Do you have questions about RecycleBank? About your account? Get answers!

HOUSEHOLDS TRACK RECYCLING AND POINTS

Welcome, JaneSmith 45,870 250 [VIEW CART](#) [Log Out](#)

Resources Saved:
3,115 521 Skipped by Cash-Data

RecycleBank®
Thanks You for Recycling

MY ACCOUNT
EARN POINTS
GET REWARDS
HOW IT WORKS
RECYCLING
LIVE GREEN
ABOUT US
CONTACT US
JUNE 27, 2008

Profile/Activity/Preferences/Mailbox

PROFILE [Edit Profile](#)

JaneSmith

ACCOUNT NUMBER:
5645A89

BARCODE / SERIAL#:
0015645A89

ADDRESS:

[Add Household Accounts](#)

TOTAL POINTS: 487

INBOX 5 new messages

SUBJECT	
Coca-Cola Gift Card	09/25
Thanks for contacting us!	09/30
The Village Green	10/03
You have redeemed!	10/15
Dale and Thomas \$20 Online Gift Card	
The Village Green	

[All Messages](#)

RECENT TRANSACTIONS

TRANSACTION TYPE	DATE	EARNED	REDEEMED
Curbside Recycling	08/25/08	110	
Transfer: user@host.com	09/17/08		50
Petco \$20 Gift Card	09/25/08		100
Kiosk Recycling	10/15/08	100	
Curbside Recycling	10/29/08	90	
Target.com 10% Off	11/15/08		50
Target.com 10% Off	11/15/08		50

[View Pickup Detail](#) [All Transactions](#)

SIGN UP FOR THE ECONOMY™ VISA CARD. EARN MORE POINTS.

WE SUGGEST Official Food Sponsor

\$6 off \$50 or more
Bed Bath and Beyond

[Terms](#)

Free Salad Dressing
Kraft

[Terms](#)

\$3 off \$50 or more
Target.com

[Terms](#)

[Shop from a variety of 5000 rewards...](#)

PROMO CODE

Enter it here GO

[What's This?](#)

WAYS YOU EARN

Kashless.org

Because you're broke...

[Learn More About More Ways to Earn](#)

LOCAL PROGRAM INFORMATION VIEW

MY IMPACT

TREES SAVED OIL SAVED (GAL)

▲1,115/▲7,521

MY TOTAL RECYCLING WEIGHS AS MUCH AS:

A BABY GRAND PIANO

REDEEM NOW
I WANT THIS

OTHER FEATURES OF RECYCLEBANK.COM

Welcome, JaneSmith | \$45,870 | 250 NEW LIQ | Log Out

Resources Saved: 3,115 | 521

RecycleBank® | Thanks You for Recycling

MY ACCOUNT | EARN POINTS | GET REWARDS | HOW IT WORKS | RECYCLING | LIVE GREEN | ABOUT US | CONTACT US

Get Rewards

CATEGORIES | ALL REWARDS

Filter Rewards List

- 100 Sweepstakes
- Apparel
- Automotive
- Beauty & Health
- Beer & Wine
- Donations
- Electronics
- Entertainment
- Flowers
- Gifts
- Grocery & Food
- Beverage
- Bread & Biscuits
- Cereal & Breakfast
- Condiments
- Dairy
- Eco-Friendly
- Gift-Shopping Bags
- Frozen Foods
- Fruit & Vegetables
- Household Cleaning
- Local Meats
- Milk & Dairy
- Other
- Gifts

SPECIALS OF THE MONTH / Grocery & Food

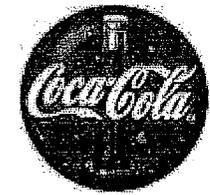
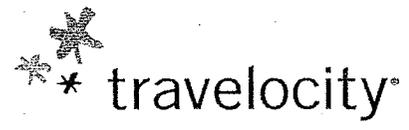
- 30% off online Ghirardelli Choc...
- Free Breakfast... HAPPYBABY
- \$1 off one Hoosier Tea
- Free GOLEAR ha... Kashi
- \$29 off \$100 Omaha Steaks
- \$5 off \$20 or Pealed Snac
- Alderfer
- ALPO
- 20% off Minnim... smoked meat
- Buy 2 cans, get 2 free
- CADRISSIN
- BARBARA

Earn points by recycling e-waste

Earn points trading on Kashless and partner websites

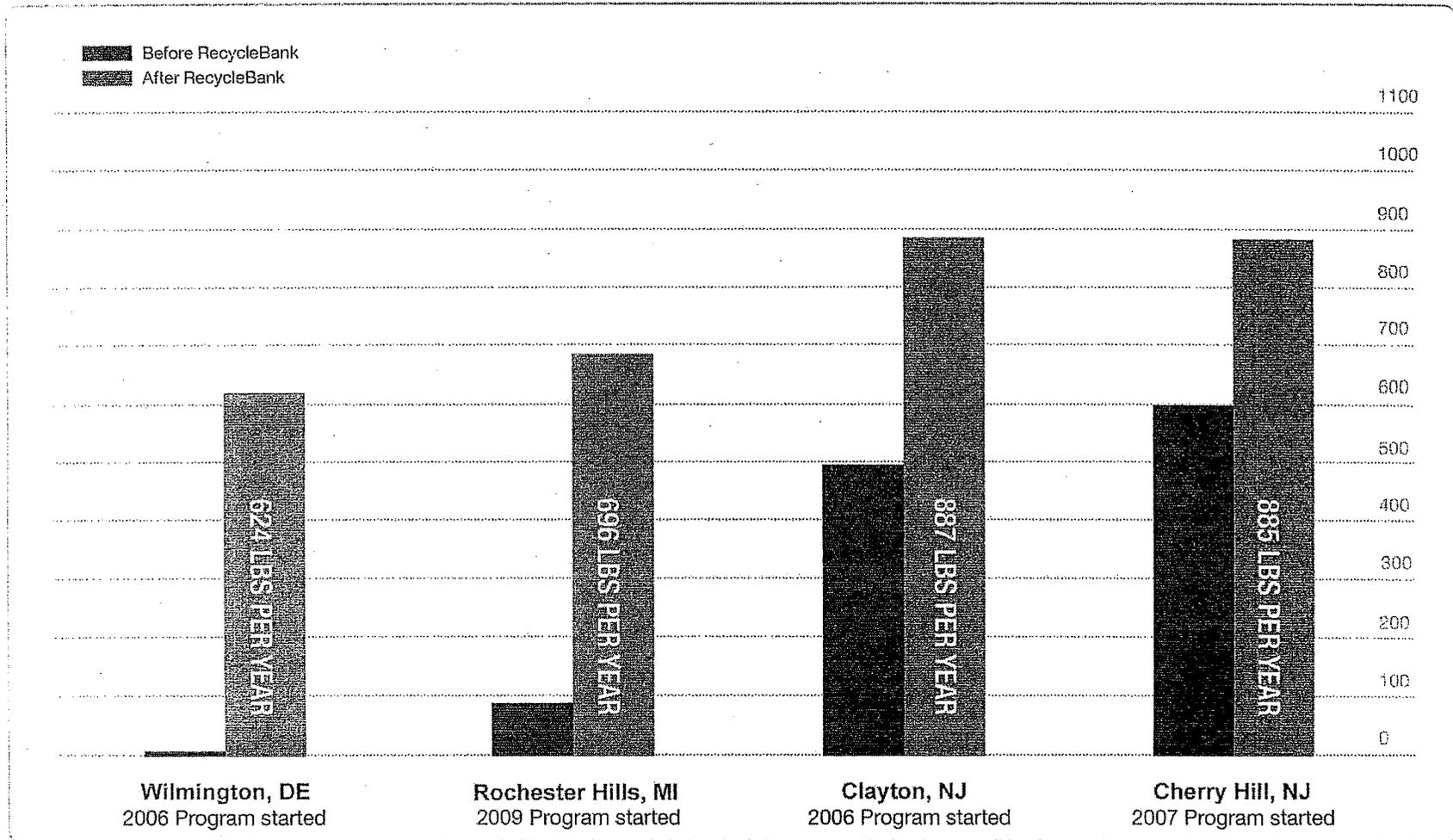
Donate points to your favorite local school via the Green Schools Program

A SMALL SAMPLE OF OUR DIVERSE REWARD OFFERINGS



“RecycleBank helps us connect with our customers in a unique and meaningful way.”
Jeff Hennion, CMO, Dick's Sporting Goods

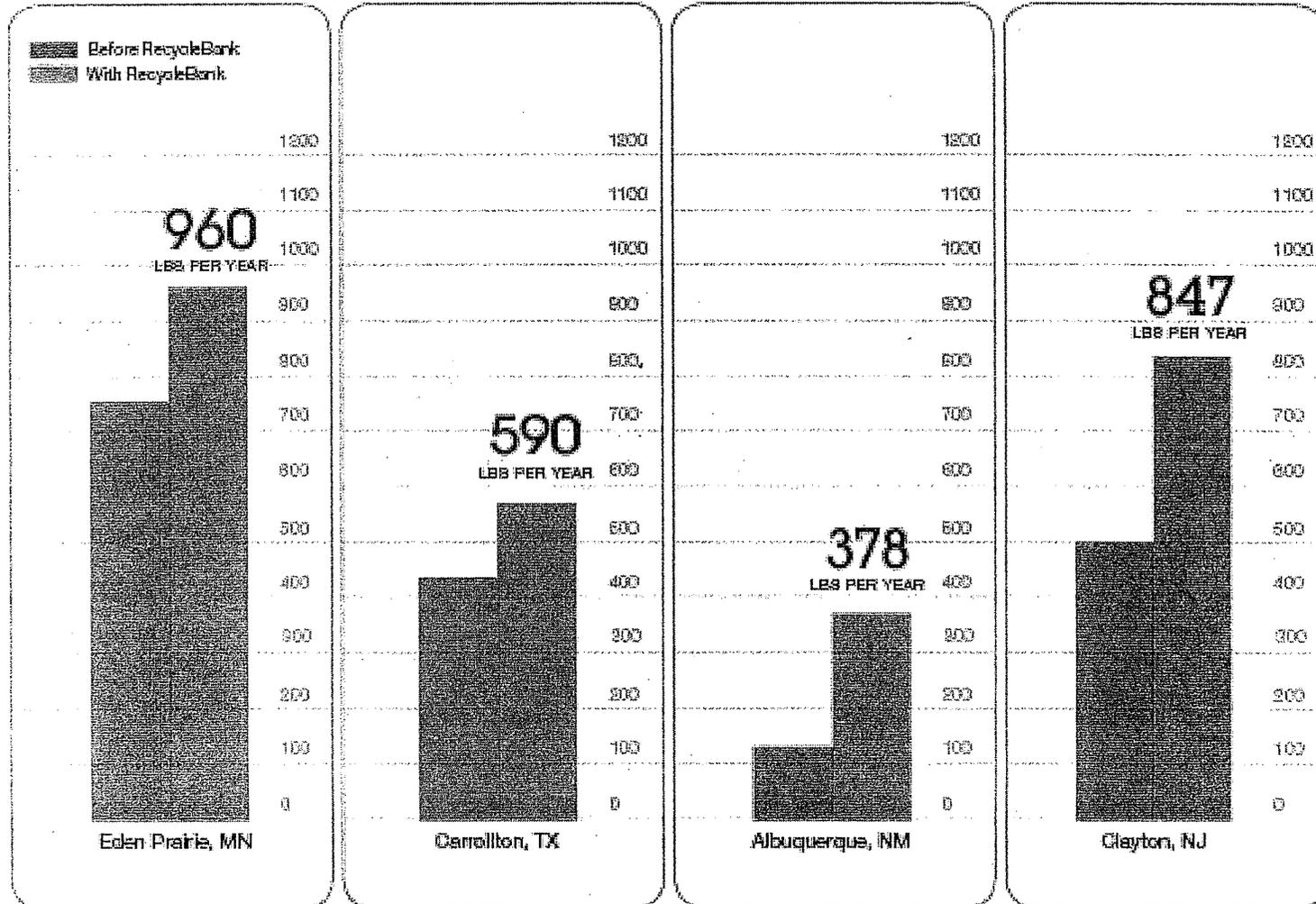
RECYCLEBANK INCREASES RECYCLING



Average recycling per household (metal, paper, glass, plastic)

0709

EXISTING SINGLE STREAM PROGRAM RESULTS



02/09

EVERY CITIZEN IS REWARDED

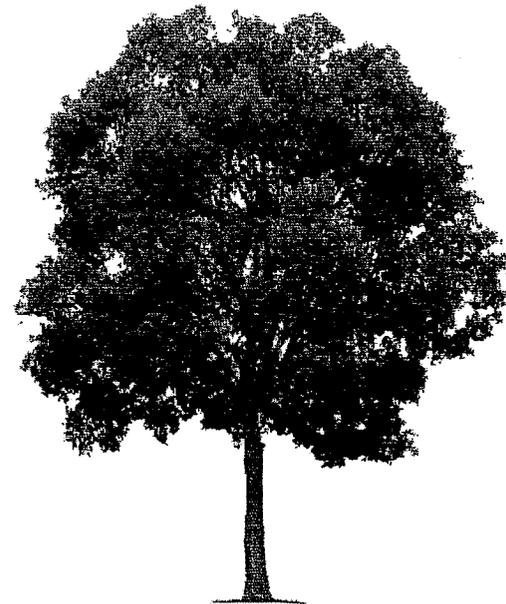
Local Economic Development

- Each home can earn hundreds of dollars worth of rewards per year
- Average household earns \$20 a month or \$240 a year
- On average, over half of all rewards are redeemed at local and regional businesses

Environmental Savings

In one year a household can save:

- 10 trees
- 721 gallons of oil
- 4,536 gallons of water



PROGRAM INFRASTRUCTURE & COSTS

50 cents per home a month

Use your GPS equipment for the technology



DISCUSSION AND Q & A

**Program promotes social and environmental
responsibility
while rewarding households**





ESD Legislative Review

January 14, 2010

Agenda Item #4

S E R V I C E S O L U T I O N S S U C C E S S



City of El Paso

FY 2010 Priority Federal Legislative Initiatives



APPROPRIATION OF FUNDS FOR ENERGY EFFICIENCY AND CONSERVATION PROGRAM (EECBG)

The City of El Paso supports full funding of the EECBG, which was enacted in the Energy Independence and Security Act of 2007. The grant program will enable cities and counties throughout the U.S. to undertake locally based energy efficiency, conservation and production initiatives such as fuel conservation programs, alternative fuels development, building retrofits for increased energy efficiency, planning and zoning adjustments and alternative energy programs. The law authorizes \$2 billion annually in Block Grant funding.

Funding was approved through the American Reinvestment and Recovery Act.



AMENDMENT TO THE AGENDA

Empowering Local Government Climate
Action Blueprint Resolution considered by
City Council on December 8, 2009

S E R V I C E S O L U T I O N S S U C C E S S



City of El Paso

State Legislative Priority Initiatives



ENVIRONMENTAL

Support renewable energy tax credits that complement federal renewable energy tax credits.

Support changes in the Public Utility Commission requirements to simplify the procedure for El Paso Electric to pay Renewable Energy Credits to individuals who are pushing power back onto the grid with renewable energy projects.

Support measures to enhance the use of solar energy "buy back" programs in the State of Texas.

Support measures to continue to increase the use of crumb rubber and shredded tire pieces in highway construction.



ENVIRONMENTAL (cont.)

Support legislation that would require tire dealers and any facility that sells new & used tires to "render a tire unusable" by poking a 1/2 inch hole in the tire, if the tread on that tire does not meet safety standards (i.e., pass annual State inspection).

Support legislation that allows a deposit/refund to be collected for the purposes of recycling glass bottles.

✓ Support measures in the legislature that will advance clean energy solutions by creating incentives and rebates to encourage installation of solar panels and energy efficiency measures in Texas homes and businesses. *HB 1937 (Villareal/Seliger) energy efficient public improvements and assessments.*

SERVICE SOLUTIONS SUCCESS



State Legislative Statements of Support and Opposition



GENERAL GOVERNMENT

Support the passage of legislation that would enhance the ability of cities to expeditiously enforce and collect on liens for work done in connection with the demolition of unsafe structures, environmental clean-up and other expenses incurred to remedy nuisances or to safeguard the health and safety of the public.

SERVICE SOLUTIONS SUCCESS



Environmental Legislative Agenda

City of El Paso Environmental LRC

January 14, 2010

Agenda Item #4



Legislative Agenda

- Energy/Climate
- Development/Transportation
- Recycling



Energy and Climate - Federal

- DOE Energy Efficiency & Conservation Block Grant program
- EPA Climate Showcase Communities program
- USDA Urban Forestry Program
- Climate Communities “Blueprint”



Energy and Climate - State

- Revise efficiency goal to 1% reduction in overall use per year
- Create statewide water, gas and electricity efficiency agency
- Target of 5,000 mw of non-wind renewable energy by 2025
- Require simple net metering procedures



Development/Transportation

- Federal
 - HUD/DOT Sustainable Communities Initiative
 - DOE Clean Cities program
 - Local transit/rail/TOD funding in carbon legislation

Proposed State Legislative Agenda Issues

Clean Energy

Clean energy is one of the most promising new industries in the 21st century—with great economic and great environmental benefits. Renewable energy can power the nation, create thousands of jobs, and renew Texas' role as the energy capital of the world. The actions of the 76th Texas Legislature helped create a boom for wind energy that has pumped billions into the economy. In 2009, the time has come again for Texas to be bold. The challenge: To become the leader in other renewable energy technologies, Texas must create the same type of conditions that jumpstarted the wind industry.

Recommendations:

- Diversify our renewable energy mix: establish an additional goal of developing 4000 megawatts of non-wind renewable energy technologies, such as utility-scale solar farms, geothermal and biomass facilities, by 2020.
- Remove barriers for solar: prohibit homeowners associations from blocking solar installations and ensure utilities offer consumers a fair price for surplus generation.

Details in pdf attachment "Wildcatting the Sun"

Energy Efficiency

Energy efficiency programs aren't just the "right" thing to do—they're the smart energy choice. Since 1999, market-based energy efficiency programs have helped to lower peak demand for electricity—even as the state has continued to grow. Energy efficiency is the cheapest, quickest and cleanest way for Texas to meet its power needs, especially when combined with controlling and lowering customer demand. Studies have found that energy efficiency programs have far greater potential impact than originally believed. The challenge: To enact goals and programs on a scope that the full potential of energy efficiency for Texas will be realized.

Recommendations:

- Raise energy efficiency goal: utility-funded incentive programs should be set at 1% of peak demand and energy use by 2015.
- Building codes: Raise statewide building codes from 2001 to 2009 IECC. (*details contained in attached pdf file: 2009-iecc-code-facts*)
- Loans for efficiency: Increase the Texas LOANStar program from \$100 to \$300 million, require energy audits of all large publicly-owned buildings and initiate a state-funded loan program for electric cooperatives and municipality-owned utilities.

Electronic Waste & Recycling

Recycling is a critical energy-saving and resource conservation strategy. In 2007, producer takeback legislation passed unanimously for computers, placing Texas among fifteen states to have enacted computer takeback laws. However, this law limits both the products covered and the consumers it serves. The challenge: To improve upon the foundation of producer takeback legislation passed in 2007.

Recommendations:

- Expand electronic recycling to include televisions, computer keyboards and mice.