

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

DEPARTMENT: Environmental Services

AGENDA DATE: June 15, 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 May 6, 2010. Members present were Representative Susie Byrd, Chair, Representative Ann Morgan Lilly, and Representative Emma Acosta. The following items were discussed and a formal report has been submitted,

1. Discussion and action on tire disposal options and other potential projects that support sustainability. (Ellen Smyth, Director, (915) 621-6719)
2. Discussion and action on Section 20.02.1136 to discuss flea market vendors. (Ellen Smyth, Director, (915) 621-6719)

PRIOR COUNCIL ACTION:

n/a

AMOUNT AND SOURCE OF FUNDING:

n/a

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

Environmental Services Legislative Review Committee
Thursday, May 6, 2010
2nd Floor, Council Chambers, City Hall

Attendees:

Representative Emma Acosta
Representative Susannah Byrd
Representative Ann Morgan Lilly
Ellen Smyth, ESD
John Neal,
Josette Flores, City Attorney
Susan Babenco, Tres Pesetas
Barbara Waters, Tres Pesetas
John Waters, Tres Pesetas
Pam Aguirre, TCEQ
Ron Martin, Martin Tire
Mark Schwartz, Martin Tire
Carlos Sandoval, Bronco Flea Market
Ray Reich, LSMI

George Bernal, LSMI
Patricia Manzano, La Llanta .
Jorge Lopez, La Llanta
John Garza, ESS
John Garza, ESD
Miguel Parra, ESD
Karl Rimkus, ESD
Marty Howell, ESD
Tammy Fonce, ESD
Valerie Joosten, ESD
Elda Rodriguez-Hefner, ESD
Gloria Duran, ESD
Martha Y. Guevara, ESD

Absent:

Representative Rachel Quintana

#1. Call to order and establish quorum.

The meeting of the Environmental Services Legislative Review Committee was called to order by Representative Byrd at 10:05 a.m. and a quorum was established.

#2. Discussion and action on the approval of Legislative Review Committee Minutes of February 25, 2010.

Motion made by Representative Byrd and seconded by Representative Lilly to approve the LRC minutes as presented. Motion passes unanimously to approve the minutes.

#3. Discussion and action on tire disposal options and other potential projects that support sustainability.

Mr. Karl Rimkus presented a power point presentation on the pros and cons of scrap tire disposal and recycling efforts. Several options were discussed, i.e., split, quarter or shred tires for disposal directly into City Landfill or a monofill dedicated for this type of waste, crumb tires for rubberized asphalt or concrete and other viable options. Brief discussion was held on the use of tires for highway projects that's being done in the state of Arizona. Representative Byrd would like to see the City follow the more stringent Texas disposal standards in comparison to New Mexico's less stringent tire disposal standard. Ms. Aguirre remarked that there is not a high volume of used tires to justify private ventures and briefly discussed the Salamanca Plant in Chihuahua. Representative Byrd remarked

there needs to be more dialogue with potential partners. Representative Acosta spoke about past efforts on tire recycling and working with private sectors. Representative Byrd asked staff to research legislative issues for the State Legislative agenda. Representative Byrd remarked that perhaps there is a local option we could look at and then look at putting together a Request for Proposal (RFP) that would accomplish what is needed such as converting tires into something we can reuse, such as creating a market for street paving.

Public comment was received from Mr. John Waters from Tres Pesetas. Mr. Waters spoke about the supply of crumb rubber in the current market and the success of using tires as a fuel source in cement plants.

Mr. Marty Howell talked about other options in addition to the tires as sustainability plan goals such as the City purchasing hybrid vehicles, building high efficiency buildings, solar power systems, composting and purchasing products with a minimum recycled content. Representative Acosta asked Mr. Howell to work closely with the Purchasing Department to incorporate environmental criteria in future procurement packages.

Motion made by Representative Byrd and seconded by Representative Acosta for the LRC to recommend to the City Manger to establish a team of representatives from different departments that would work with the Purchasing Department to establish alternatives and costs to be able to achieve sustainability goals, work with the private sector to explore recycling alternatives, and to explore the creation of an end-use market for scrap tires. Motion passes unanimously.

#4. Discussion and action on Section 20.02.1136 to discuss flea market vendors.

Ms. Ellen Smyth stated that at the last LRC meeting, staff was asked to look at options to revise the current ordinance and to meet with the stakeholders. Ms. Josette Flores stated that the proposed amendments to Title 5 were the removal of dollar amounts from the fee section, clarification of the license requirements for failure to make required reports, requirements for a separate license for each separate space rented, display of the license at the actual rented space, and record keeping requirements for flea market operators. Representative Byrd remarked that she would like to have open air markets as opposed to flea markets because she considers open air markets as something that would compliment a neighborhood. Mr. Aaron Shelton from the Police Department remarked that they support changes to the current flea market regulation as flea markets are a magnet for criminal activities. Representative Byrd asked the Police Department to provide statistics at the next meeting. Mr. Sandoval, Bronco Flea Market disagreed with the Police Department's comments. Mr. Sandoval further stated that flea markets are being treated differently and the proposed amendments were not discussed at a previous meeting held with Ms. Smyth. Mr. Sandoval also questioned whether the flea market operators have the authority to enforce the City Code.

Motion made to support the proposed amendments to the ordinance, to have stakeholder's meetings, and to bring to full Council at a later date.

#5. Item #5 was deleted from agenda.

Motion made to delete item #5.

#6. Public comment.

#7. Set next meeting.

#8. Adjournment.

MOTION was made by Representative Byrd and seconded by Representative Lilly to adjourn the meeting.

The meeting ended at 11:27 a.m.

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