

**CITY OF EL PASO, TEXAS  
REQUEST FOR COUNCIL ACTION (RCA)**

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**DEPARTMENT:** Environmental Services  
**AGENDA DATE:** July 18, 2006  
**CONTACT PERSON/PHONE:** Ellen A. Smyth, P.E., (915) 621-6719  
**DISTRICT (S) AFFECTED:** All Districts

**SUBJECT:**

Approve a Resolution with Texas Department of Criminal Justice

**BACKGROUND / DISCUSSION:**

The purpose is to use probationers to clean up illegal dumping sites including rail lines of the Union Pacific Railway, and dispose of such waste at the Clint Landfill.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

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

**LEGAL:** (if required) Josette Flores

**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:** \_\_\_\_\_

## **RESOLUTION**

**WHEREAS**, illegal dumping constitutes a health and safety risk for the residents of the City of El Paso, and is a violation of Chapter 9.04.340 of the City Code; and

**WHEREAS**, in addition to the debris being visible to the public and unsightly, its accumulation welcomes further dumping; and

**WHEREAS**, the City of El Paso (the "City") is committed to reducing incidents of illegal dumping; and

**WHEREAS**, the area surrounding certain parts of the rail lines of the Union Pacific Railway and other sites located within the City limits have been repeatedly subjected to illegal dumping of debris by unknown individuals; and

**WHEREAS**, Keep El Paso Beautiful is tasked with establishing new partnerships between the City and other entities for various programs and is also responsible for encouraging and supporting beautification and improvement projects throughout the City; and

**WHEREAS**, Keep El Paso Beautiful has coordinated certain partnerships which encourage and support beautification and improvement projects as further described in this resolution, and

**WHEREAS**, the West Texas Community Supervision and Corrections Department of the TEXAS DEPARTMENT OF CRIMINAL JUSTICE has agreed to provide probationers to clean, from time to time, illegally dumped debris within the City limits, as necessary; and

**WHEREAS**, Union Pacific Railway and other partners in these clean-up projects have agreed to provide gloves, vests, ear plugs, safety glasses, trash bags and water to all probationers participating in the clean-up efforts, as well as transport the debris collected by the probationers from the illegal dump sites to the City's landfill located at 2300 Darrington Road, Clint, Texas (the "Clint landfill"); and

**WHEREAS**, Union Pacific Railway and other partners in these clean-up projects agree to not include debris and waste generated by the Union Pacific Railway or the other partners in the material that they transport in conjunction with the herein referenced clean-up projects to the Clint landfill; and

**WHEREAS**, Union Pacific Railway and other partners in these clean-up projects will ensure that reasonable care is taken to prevent the deposit of hazardous materials, or other materials which are not permitted in the landfill, into the landfill; and

**WHEREAS**, the City's participation in these clean-up projects is limited to accepting the debris and waste collected by the probationers and transported by Union Pacific Railway or other project partners to the Clint landfill and paying the City's standard landfill fee in exchange for the collection and transportation efforts of the project partners;

**WHEREAS**, the removal of this illegally dumped debris from the dumpsites is in the best interest of the citizens of El Paso, and the City's participation described herein achieves the public purpose of enhanced health and safety and environmental security,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the City Manager be authorized to approve the City's limited participation in illegal dumping clean-up projects which shall consist solely of accepting at the Clint landfill, and paying the City's standard landfill fee for the waste and debris cleaned-up from the sites, which waste and debris shall be collected by probationers from the West Texas Community Supervision and Corrections Department of the TEXAS DEPARTMENT OF CRIMINAL JUSTICE and shall be transported by the Union Pacific Railway and other clean-up project partners to the Clint landfill.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

CITY OF EL PASO

\_\_\_\_\_  
John Cook  
Mayor

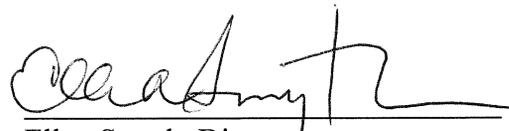
ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Josette Flores  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Ellen Smyth, Director  
Environmental Services Department