

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

DEPARTMENT: Environmental Services

AGENDA DATE: CCA Introduction July 12, 2011; Public Hearing July 19, 2011

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

DISTRICT(S) AFFECTED: Citywide

SUBJECT: ORDINANCE

An ordinance amending Ordinance No. 017519, Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) to amend the effective date of the Flow Control requirements; the penalty being as provided in Section 9.04.630 of the El Paso City Code.

BACKGROUND / DISCUSSION:

The Environmental Services Department is requesting an amendment to Title 9.04 to defer the effective date of the requirement to deliver solid waste only to designated facilities owned or operated by the City of El Paso (also known as "flow control") from September 1, 2011 to September 1, 2014. Flow control is one of the necessary elements for a successful waste-to-energy joint project with Fort Bliss. The soonest such a project could kick off would be 2014.

PRIOR COUNCIL ACTION:

August 24, 2010; December 21, 2010; March 29, 2011

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

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

ORDINANCE _____

AN ORDINANCE AMENDING ORDINANCE NO. 017519, TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT) TO AMEND THE EFFECTIVE DATE OF THE FLOW CONTROL REQUIREMENTS; THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE

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

Section 1. That Section 1 to Ordinance No. 017519 be amended to read as follows:

Section 3. The provisions of this Chapter shall be effective on September 1, 2010, with the following exceptions:

- A. Requirements to deliver Solid Waste to a Designated Municipal Solid Waste Facility shall take effect on September 1, 2014;
- B. Requirements for a Hauler franchise agreement shall take effect on September 1, 2011.
- C. Requirements for a Hauler Permit shall take effect on September 1, 2011.

Section 2. Except as herein amended Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) and Ordinance Nos. 017519 shall remain in full force and effect.

(signatures follow on next page)

PASSED AND APPROVED this _____ day of _____, 2011.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Josette Flores
Assistant City Attorney

APPROVED AS TO CONTENT:



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