

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

DEPARTMENT: Environmental Services Department
AGENDA DATE: 8/10/10 – Regular Agenda
CONTACT PERSON/PHONE: Ellen Smyth, 621-6719
DISTRICT(S) AFFECTED: Citywide

SUBJECT: ORDINANCE

Discussion and action on final policy direction regarding implementation of flow control and/or franchise agreements within the Corporate Limits of El Paso, and including the following associated terms:

1A.1 Settlement Offer and Agreement with Waste Connections, Inc. (related to the April 27, 2004 Solid Waste Disposal and Operating Agreement) and related documents

Ordinance Redraft, Title 9.04 (Solid Waste Management):

- 1A2a. Flow control, franchise and other provisions
- 1.A2b. Proposed Franchise Agreement
- 1.A2c. Proposed Franchise Fees;
- 1.A2d. Proposed Hauler Permit & Agreement;
- 1.A2e. Proposed Waste Sharing Agreement.

BACKGROUND / DISCUSSION:

On June 22, 2010 the City Council conducted a Public Hearing to discuss changes to Title 9 which included flow control and franchising requirements.

On June 18 2010, Waste Connections of Texas, L.L.C. make a final offer to Mayor John Cook which set forth an alternative to flow control:

- 1) El Paso Disposal guarantees disposal of 75,000 tons per year at the Clint Landfill at \$26.00 per ton (gross) which will generate approximately \$2 million annually
- 2) The City shall have the right to dispose of its residential waste, convenience station waste, or ther City solid waste at the Camino Real Landfill or High Desert Landfill at a rate of \$19.00 per ton plus tax.
- 3) El Paso Disposal will amend its current Agreement with the City to allow for the implementation of a Franchise Fee provided; however, it applies equally to all waste haulers, and
- 4) El Paso Disposal will pay the City the annual sum of \$2,250,000 to help fund the City's sustainability initiatives

PRIOR COUNCIL ACTION:

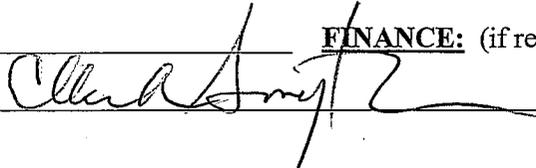
June 22, 2010

AMOUNT AND SOURCE OF FUNDING: N/A

BOARD / COMMISSION ACTION: N/A

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

LEGAL: (if required) _____ **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: _____