

ORDINANCE No. 118058

MC

COUNCIL BILL No. 11156

Law Department

The City of Seattle--Le

AN ORDINANCE relating to the Engineering Department, authorizing the Director of Engineering to execute a two-year grant agreement between the City of Seattle Solid Waste Utility and the Washington Department of Ecology under the Coordinated Prevention Grant Program; and authorizing the acceptance of the grant funds when received

REPORT OF C

INDEXED

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____ report that we have considered the same and respectfully

COMPTROLLER FILE No. _____

Introduced: MAR 1 1 1996	By: Amundson Padeler
Referred: MAR 1 1 1996	To: Utilities TRANSPORTATION
Referred:	To:
Referred:	To:
Reported: MAR 2 5 1996	Second Reading: MAR 2 3 1996
Third Reading: MAR 2 5 1996	Signed: MAR 2 5 1996
Presented to Mayor: MAR 2 6 1996	Approved: APR 3 1996
Returned to City Clerk: APR 3 1996	Published: Little
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

Full Council vote

Committee C

ORDINANCE 118058

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AN ORDINANCE relating to the Engineering Department; authorizing the Director of Engineering to execute a two-year grant agreement between the City of Seattle Solid Waste Utility and the Washington Department of Ecology under the Coordinated Prevention Grant Program; and authorizing the acceptance of the grant funds when received.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Engineering is hereby authorized to accept grant funds from the Washington Department of Ecology under the Coordinated Prevention Grant Program to help implement programs that are outlined in the City's Comprehensive Solid Waste Management Plan. The two-year grant agreement shall be substantially in the form attached to this ordinance as Attachment 1. The grant funds, in the approximate amount of Seven Hundred Two Thousand Nine Hundred Thirteen Dollars (\$702,913), when received, are hereby accepted and shall be deposited in the Solid Waste Utility fund to support existing appropriations. Any moneys remaining in the grant after December 31, 1996 shall automatically be carried over into 1997.

Section 2. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

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Passed by the City Council the 25 day of March, 1996, and
signed by me in open session in authentication of its passage this 25 day of
March, 1996.

Jan Drago
President _____ of the City Council

Approved by me this 3 day of April, 1996.

Norman B. Rice
Norman B. Rice, Mayor

Filed by me this 3 day of April, 1996.

Jessie E. Pappan
City Clerk

(Seal)

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ATTACHMENT 1

Grant No. G9600224
Coordinated Prevention Grant
Agreement with the Seattle Solid Waste Utility

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
AND
SEATTLE SOLID WASTE UTILITY

This is a binding agreement entered into by and between the state of Washington Department of Ecology, hereinafter referred to as the DEPARTMENT, and the Seattle Solid Waste Utility, hereinafter referred to as the RECIPIENT, to carry out the activities described herein.

RECIPIENT ADDRESS	505 Dexter Horton Building 710 Second Avenue Seattle, WA 98104-1713
RECIPIENT REPRESENTATIVE	Nancy G'aiser, Director
RECIPIENT TELEPHONE NUMBER FAX	(206) 684-464. (206) 684-852
RECIPIENT PROJECT COORDINATOR	Melina Thung
DEPARTMENT PROJECT OFFICER	Diane Christel, (360) 407-6062
DEPARTMENT FAX	(360) 407-7157
REGIONAL DEPARTMENT REPRESENTATIVE	Peter Christiansen, (206) 649-7076
FUNDING SOURCE	Local Toxics Control Account
MAXIMUM ELIGIBLE COST	\$1,171,522
STATE GRANT SHARE	\$ 702,913
LOCAL SHARE	\$ 468,609
STATE MAXIMUM GRANT PERCENT	60%
FEDERAL TAX IDENTIFICATION NO.	91-6001275W

For the purpose of this agreement, the RECIPIENT will be allowed to match the DEPARTMENT share with cash and interlocal in-kind costs in accordance with pre-application instructions.

The effective date of this grant is January 1, 1996. Any work performed prior to the effective date of this agreement without prior written authorization and specified in the Scope of Work will be at the sole expense and risk of the RECIPIENT.

This agreement shall expire no later than December 31, 1997.

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SCOPE OF WORK

The task(s) set forth below summarize the RECIPIENT's goals, activities, budget(s) and schedule(s) and expected outcomes.

Recipient Responsibilities: The RECIPIENT is responsible for implementing activities identified in the Solid Waste Management Plan (SWMP), the Moderate Risk Waste Plan (MRWP) and/or the Hazardous Waste Management Plan (HWMP).

1. **PROJECT TASK: (WRRRA) BUSINESS AND INDUSTRY RECYCLING VENTURE**

Maximum Eligible Cost: \$360,000

Schedule: January 1, 1996 to December 31, 1997

Goal Statement:

The goal of the Business and Industry Recycling Venture is to reach as many businesses in Seattle as possible with the recycling, waste prevention, and buy recycled message.

Project Description:

The RECIPIENT shall continue to manage an existing joint venture with the Greater Seattle Chamber of Commerce to maintain the Business and Industry Recycling Venture (BIRV). The BIRV's mission is to increase commercial sector recycling levels through the provision of education, outreach, and technical assistance.

BIRV staff shall continue to provide assistance to businesses with a variety of waste reduction and recycling issues, such as identifying ways to reduce office waste, procuring recycling collection services, setting up recycling collection points, and purchasing recycled content materials. During this grant period, the BIRV will also focus on reducing the construction, demolition, and land clearing debris waste stream. The following technical and educational assistance shall be provided by BIRV staff:

- a. Continue to provide quick assistance through the telephone "hotline;"
- b. Maintain a database of local recycling services and reuse opportunities;
- c. Promote recycling in ethnically diverse communities through targeted outreach programs;
- d. Continue to implement a campaign to encourage cardboard recycling and reuse;
- e. Continue to produce and publish the quarterly newsletter "Recycleletter" and expand mailing lists;
- f. Recruit businesses to join Green Works;

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- g. Recruit new members for the Buy Recycled Alliance;
- h. Work with Tradec to put on the annual Buy Recycled Trade Show for local businesses;
- i. Develop waste prevention strategies for businesses and work with the Solid Waste Utility's "Less is More" grant recipients to promote waste prevention; and
- j. Provide technical assistance to contractors to reduce and recycle construction and demolition debris and develop information packets for distribution.

Expected Outcomes/Impacts:

On an annual basis, the project is expected to result in the following:

- Provide assistance over the hotline to some 1,200 callers.
- Assist 440 businesses through the targeted outreach program.
- Reduce the amount of cardboard in the commercial waste stream.
- Send the *Recycler* to 8,000 businesses.
- Recruit 40 businesses to join Green Works and 50 businesses to join the Buy Recycled Alliance.
- Attract 200 to 300 business people to the Buy Recycled Luncheon and expose thousands to recycled products at the Business-to-Business Trade Show.
- Provide technical assistance on 12 construction sites regarding construction, demolition, and land clearing debris waste prevention, recycling and recycled products.

Overall, the efforts of the BIRV are expected to increase the diversion rate in the commercial sector, however, the diversion level is not quantifiable.

2. **PROJECT TASK: (WRRR) BACKYARD COMPOSTING PROGRAM**

Maximum Eligible Cost: \$700,000

Schedule: January 1, 1996 to December 31, 1997

Goal Statement:

The goal of the Backyard Composting Program is to prevent yard waste and food waste from entering the curbside collection program by encouraging residents to compost at home and grasscycle.

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Project Description:

The RECIPIENT shall continue to administer an existing consultant contract to accomplish the following tasks on a yearly basis:

- Educate and distribute approximately 2,000 food waste composters and 1,000 yard waste composters at educational workshops around the city.
- Maintain four (4) yard waste demonstration sites in the city: the Seattle Tilth Garden, El Centro de la Raza on Beacon Hill, South Seattle Community College Arboretum, and the city's North Recycling and Disposal Station.
- Recruit, train, and provide supervised outreach to a minimum of 25 Master Composter volunteers. Each volunteer will develop a personal plan for community outreach.
- Update existing educational materials and create new promotional pieces.
- Staff a Compost Hotline 30 hours per week to answer questions about composting and take compost bin orders.

Residents shall be charged a nominal fee to help ensure that the food and yard waste composters will be utilized. Income received from the sale of the bins shall be listed as a credit on the voucher support (Form C2) when requesting reimbursement from the DEPARTMENT. The 60 percent share of grant funds shall be applied to the net costs after deducting the project income. (In accordance with the Administrative Requirements for Ecology Grants and Loans, WDOE 91-18, pages 74 & 75.)

Expected Outcomes/Impacts:

It is anticipated that 130 tons of yard waste and 191 tons of food waste will be diverted annually by use of the bins. The figures are based on an estimate that 260 pounds of yard waste is diverted per compost bin and 191 pounds of food waste is diverted per food composter.

3. **PROJECT TASK; (SWP) COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN - ENVIRONMENT IMPACT STATEMENT**

Maximum Eligible Cost: \$111,522

Schedule: January 1, 1996 to December 31, 1997

Goal Statement:

The goal of this project is to obtain a comprehensive and legally defensible assessment of the environmental impacts associated with the RECIPIENT's existing and future solid waste management system.

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Project Description:

The RECIPIENT shall hire a consulting firm to prepare an environmental impact statement (EIS) for the revisions to its 1989 Solid Waste Management Plan. The RECIPIENT shall manage the development of the EIS and administer all work under this contract.

The purpose of the EIS will be to assess potential environmental impacts related to existing and proposed solid waste management programs/projects in the revised plan.

The EIS shall contain an analysis of waste prevention, recycling, collection, transfer, processing, and disposal programs with respect to their impacts on the earth, air, water, traffic, noise, odor, land use, and public health.

The RECIPIENT shall submit copies of the draft EIS for public and decision maker review and comment. A copy of the final EIS shall be submitted to the DEPARTMENT.

Expected Outcomes/Impacts:

The project will result in the following:

- A comprehensive and legally defensible draft and final EIS.
- A document that can be used to minimize the adverse environmental impacts of the city's adopted Solid Waste Management Plan.
- A document that analyzes enough programmatic and project specific detail to minimize the need for extensive environmental review in the future.

CPG BUDGET

<u>Project Task</u>	<u>Maximum Eligible Cost</u>
1. Business & Industry Recycling Venture (WRRRA)	\$ 360,000
2. Backyard Composting Program (WRRRA)	700,000
3. Comprehensive Solid Waste Management Plan - Environment Impact Statement (SWP)	<u>111,522</u>
TOTAL	\$1,171,522

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FUND SOURCE

Total Eligible Cost		\$1,171,522
Fund	Fund Share (%)	Maximum Fund Amount
Local Toxics Control Account (LTCA)	60%	\$702,913
Match Requirement	Match Share (%)	Match Amount
Cash Match or Interlocal Costs	40%	\$468,609

ADDITIONAL BUDGET CONDITIONS

1. Overhead is eligible; the RECIPIENT may charge 25 percent of the RECIPIENT salaries and benefits applied directly to the project as overhead.
2. Interlocal costs are eligible; other in-kind contributions are not eligible.
3. The fiscal office will monitor expenditures at the task level. A letter amendment is required to redistribute costs among tasks. A formal amendment is required to increase state funding.
4. The maximum allowable amount from the LTCA is \$702,913.
5. All remaining costs will be paid by cash match and interlocal costs.

SPECIAL TERMS AND CONDITIONS

A. MINORITY AND WOMEN'S BUSINESS PARTICIPATION

The RECIPIENT agrees to utilize to the maximum extent possible, minority- and women-owned businesses in purchases and contracts initiated after the effective date of this agreement.

In the absence of more stringent goals established by the RECIPIENT's jurisdiction, the RECIPIENT agrees to utilize the DEPARTMENT's goals for minority- and women-owned business participation in all bid packages, request for proposals, and purchase orders. These goals are expressed as a percentage of the total dollars available for the purchase or contract and are as follows:

- Minority-owned business participation - 10%
- Women-owned business participation - 6%

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The RECIPIENT and ALL prospective bidders or persons submitting qualifications shall take the following steps in any procurement initiated after the effective date of this agreement:

1. Include qualified minority and women's businesses on solicitation lists.
2. Ensure that qualified minority and women's businesses are solicited whenever they are potential sources of services or supplies.
3. Divide the total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by qualified minority and women's businesses.
4. Establish delivery schedules, where requirements permit, which will encourage participation of qualified minority and women's businesses.
5. Use the services and assistance of the State Office of Minority and Women's Business Enterprises and the Office of Minority Business Enterprises of the U.S. Department of Commerce, as appropriate.

By signing this agreement, the RECIPIENT certifies that the above steps were/will be followed.

The RECIPIENT shall report to the DEPARTMENT at the time of submitting each invoice, on forms provided by the DEPARTMENT, payments made to qualified firms. The report will address:

1. Name and Federal Tax Identification number of qualified firms receiving funds under the voucher, including any sub and/or sub-subcontractors.
2. The total dollar amount paid to qualified firms under this invoice.

B. INTERLOCAL AGREEMENTS

If parties other than the RECIPIENT are contributing to the local share of project costs, memoranda of understanding or other written agreements confirming the contribution must be negotiated. These agreements must specify exact work to be accomplished and be signed by all parties contributing to the local match of this project. Copies of these agreements shall be submitted to the DEPARTMENT.

C. PROMOTIONAL AND EDUCATIONAL MATERIALS

A copy of all promotional and educational materials developed as part of this grant shall be submitted to the DEPARTMENT concurrent with public distribution. The DEPARTMENT shall have the right to use any printed materials developed as part of this project in any manner the DEPARTMENT deems appropriate. The Washington State Department of Ecology will be acknowledged for providing funding in

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D. PROCUREMENT AND CONTRACTS

1. The RECIPIENT shall provide written certification that they will follow their standard procurement procedures and/or applicable state law in awarding contracts; RECIPIENTS with no formal procurement procedures will be required to certify that they have complied with the "Standards for Competitive Solicitation," found in the Administrative Requirements for Ecology Grants and Loans, WDOE 91-18 (Revised July 1995).
2. Upon issuance, the RECIPIENT shall submit a copy of all requests for qualifications (RFQs), requests for proposals (RFPs), and bid documents relating to this grant agreement to the DEPARTMENT.
3. Prior to contract execution, the RECIPIENT shall submit a copy of the proposed contract to the DEPARTMENT for review and written comment. Following execution, the RECIPIENT shall submit a copy of the contract to the DEPARTMENT.

E. USE OF EXISTING CONTRACTS

The RECIPIENT may use existing contracts that conform to adopted procurement procedures and applicable state laws. The RECIPIENT shall notify the DEPARTMENT if it used contracts entered into prior to the execution of the grant agreement for performance of grant funded activities.

F. ENGINEERING PLANS AND SPECIFICATIONS

All engineering plans and specifications submitted for review shall be completed and stamped by an appropriate licensed professional engineer certifying that these design documents will provide for facilities conforming to requirements of the Minimum Functional Standards (Chapter 173-304 WAC), and to all other applicable federal, state, and local requirements, including evidence of SEPA compliance.

Before construction may begin, final design of the project must be reviewed and approved by the DEPARTMENT, and all appropriate permits for the facilities obtained. This includes, in the case of Solid Waste Handling Permits, the approval of a new or amended operations plan by the Jurisdictional Health Department and the DEPARTMENT before construction may begin.

G. SEPA COMPLIANCE

To ensure that environmental values are considered by the state and local government officials when making decisions, the RECIPIENT shall comply with the provisions of the State Environmental Policy Act (SEPA), Chapter 41.23C RCW, and the SEPA Rules, Chapter 197-11 WAC. Copies of the SEPA

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documents shall be sent to the DEPARTMENT's Environmental Review Section, the appropriate regional office, and the Waste Management Grants Section.

H. WETLANDS PROTECTION

To comply with the directive of Executive Order 90-04, Protection of Wetlands, all local governments are requested and encouraged to make all of their actions consistent with the intent of this executive order; specifically, (1) to avoid, to the extent possible, adverse impacts associated with the destruction or modification of wetlands, and (2) to avoid direct or indirect support of new construction in wetlands wherever there is a practical alternative.

I. FAILURE TO COMMENCE WORK

In the event the RECIPIENT fails to commence work on the project funded herein within six (6) months after the effective date of this grant, the DEPARTMENT reserves that right to terminate this grant.

J. DOCUMENT SUBMITTALS

Unless otherwise specified, at least three (3) copies of all documents prepared under this grant agreement shall be submitted by the RECIPIENT to the Project Officer. The Project Officer will forward one (1) copy to the appropriate regional office of the DEPARTMENT.

K. PROJECT INCOME

Any project income directly generated as a result of the activities funded by this grant shall be reported as a credit against the expenses of that activity as required by the DEPARTMENT's Administrative Requirements for Ecology Grants and Loans, WDOE 91-18 (Revised July 1995).

L. GRANT PROJECT REPORTING

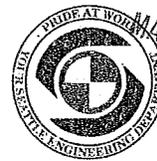
Quarterly progress reports shall be prepared by the RECIPIENT and submitted to the Project Officer of the DEPARTMENT. These reports shall include, but not be limited to, the following information:

1. Information at the subtask level as appropriate.
2. Accomplishments for the reporting period.

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Seattle
Engineering Department

John D. Okamoto, Director
Norman B. Rice, Mayor



RECEIVED OMP
MAR 04 1996

March 4, 1996

Honorable Norman B. Rice
Mayor, City of Seattle
600 Municipal Building
Seattle, Washington 98104

Attention: Tom Tierney, Director
Office of Management and Planning

Dear Mayor Rice:

REQUEST. We request City Council adoption of the attached ordinance. This ordinance authorizes the Director of Engineering to execute an agreement between the City of Seattle Solid Waste Utility and the Washington Department of Ecology for the Coordinated Prevention Grant Program. It also authorizes acceptance of the grant funds when received to support existing appropriations.

BACKGROUND. The Coordinated Prevention Grant (CPG) is a source of funding that the Department of Ecology provides to local governments on a biennial basis. Local governments are eligible to apply for and receive these grants if they have the authority and responsibility for local hazardous waste and/or solid waste planning. The grants are intended to help local governments implement the projects outlined in their comprehensive waste management plans. The money for the grants come from the Local Toxics Control Account.

Every two years, the total grant amount available is apportioned out to eligible counties and cities. In applying for the funding, the Utility must provide a description of the programs that would be funded and the dollar amount requested for each program. This biennium, we have requested funding for the Backyard Composting Program, the Business and Industry Recycling Venture and the Comprehensive Waste Management Plan's Environmental Impact Statement.

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Seattle Engineering Department, Room 400, Seattle Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104-1879 (206) 684-5000 VTDD (206) 233-1088

Honorable Norman B. Rice
March 4, 1996
Page 2

FUNDING. For the 1996-97 cycle, the Solid Waste Utility will receive a total of \$702,913 from Ecology. We receive the money from Ecology on a quarterly, reimbursable basis. In turn, we must provide a 40% match (or \$486,609). This matching portion is already part of our budget. Furthermore, in developing the Utility's budget and rates, we incorporate the amount which we expect to receive from the CPG program. As a result, the funding from Ecology has no net impact on our rates this year. If we turn down the grant, we would lose the CPG funds for next year. This would require us to cut the programs supported by the funds, and/or raise rates to provide additional local support.

Sincerely,



JOHN D. OKAMOTO, Director
Seattle Engineering Department

Attachment

cc: Office of Management and Planning
Nick Pealy, SED/SWU
Melina Thung, SED/SWU

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TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director
Norman B. Rice, Mayor

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MAR 4 PM 4:51

SEATTLE CITY ATTORNEY

96-046
#96r-007



March 4, 1996

The Honorable Mark Sidran
City Attorney
City of Seattle

Norman B. Rice
3/5/96

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT:

Engineering

SUBJECT:

AN ORDINANCE relating to the Engineering Department; authorizing the Director of Engineering to execute a two-year grant agreement between the City of Seattle Solid Waste Utility and the Washington Department of Ecology under the Coordinated Prevention Grant Program; and authorizing the acceptance of the grant funds when received.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Kris Castleman at 4-8367.

Sincerely,

Norman B. Rice
Mayor

by

Kris Castleman for
Tom Tierney

Enclosure

legis:castle2

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STATE OF WASHINGTON - KING COUNTY

66676
City of Seattle, City Clerk

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No. ORDINANCE 11

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on March 25, 1996, and published here by title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 884-8344.

ORDINANCE NO. 118058

AN ORDINANCE relating to the Engineering Department, authorizing the Director of Engineering to execute a two-year grant agreement between the City of Seattle Solid Waste Utility and the Washington Department of Ecology under the Coordinated Prevention Grant Program; and authorizing the acceptance of the grant funds when received.

ORDINANCE NO. 118059

AN ORDINANCE relating to the Water Department, authorizing the issuance of requests for proposals ("RFPs") for consultant services to assist the Department in conducting facilities planning for the Cedar River treatment improvements, performing environmental assessments and environmental impact statement preparation for the new Cedar treatment plant, and developing a master plan for the Landburg diversion facilities; authorizing the Water Department to negotiate contracts with the successful RFP proposer; authorizing the Water Department to enter into the negotiated contracts; and adopting a work program and schedule for carrying out the facilities planning phase of the Cedar program.

ORDINANCE NO. 118060

AN ORDINANCE relating to the funding for a Program and Funding Study in the Department of Construction and Land Use; increasing the 1996 expenditure allowance of the Department of Construction and Land Use and decreasing a corresponding allowance of the Department of Finance General.

ORDINANCE NO. 118061

AN ORDINANCE relating to the Department of Administrative Services, accepting property located at 709 Fifth Avenue, commonly known as Ke, Tower, for general municipal purposes.

ORDINANCE NO. 118062

AN ORDINANCE relating to the 1995 budget, authorizing the carry forward of certain unexpended appropriations to the 1996 budget of various departments for both capital and non-capital purposes, and abandoning certain unspent 1995 appropriations; all by a three-fourths vote of the City Council.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, April 11, 1996. 4/11(66676)

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CTOI: 118058-118062

was published on

04/11/96

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

Subscribed and sworn to before me on

04/11/96

Notary Public for the State of Washington, residing in Seattle

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