

***City Council Memorandum***

To: Mayor Hicks & City Council Members
From: Paige Marschall Bigler, Recreation Programming Specialist
Date: November 28, 2016
Item: 2017 Community Funding Recycling Grant Application

Council Action Requested: It is recommended that the City Council take action authorizing the submittal of the attached 2017 Dakota County Funding Recycling Grant Application and JPA.

Background Information: Each year the City receives funding from Dakota County to assist with the promotion and administration of the recycling program. The administration of this program rest with the Parks and Recreation Department.

Financial Impact: The expected grant dollars for 2017 will be \$26,000

Advisory Commission Discussion: N/A

Council Committee Discussion: N/A

Attachments:

- 2017 Community Funding Recycling Grant Application
- 2017 Joint Powers Agreement (JPA)



Dakota County, Physical Development Division
 Environmental Resources Department
 Jenny Kedward, 952-891-7043, jenny.kedward@co.dakota.mn.us
 Application process: Joan Cooksey, 952-891-7965,
~~joan.kowski@co.dakota.mn.us~~
joan.cooksey@co.dakota.mn.us

Hastings

2017 Dakota County Community Funding Application Packet

Application Packet and JPA Submittal Date: [REDACTED], 2016
 Funding Period: January 1, 2017 - December 31, 2017
 2017 ANNUAL REPORT DUE DATE February 15, 2018

Submit completed Application Packet by:

1. Uploading to the Dakota County Local Solid Waste Staff (LSWS) SharePoint web site
 URL: <https://extranet.co.dakota.mn.us/sites/lsws>
2. Sending electronically to jenny.kedward@co.dakota.mn.us
3. Mail to:
 Jenny Kedward
 Dakota County Physical Development Division
 14955 Galaxie Avenue
 Apple Valley, MN 55124

Main Contact for Municipality

Designated Liaison:	<u>Paige Marschall Bigler</u>	Title:	<u>Recreation Program Specialist</u>
E-mail:	<u>pmarschall@hastingsmn.gov</u>	Phone:	<u>651-480-6182</u>
Mailing Address:	<u>920 10th Street West</u>	City/State/Zip:	<u>Hastings, MN 55033</u>

Secondary Contact for Municipality

Designated Back-up:	<u>Phil Vargas</u>	Title:	<u>Sports and Rec Coordinator</u>
E-mail:	<u>pvargas@hastingsmn.gov</u>	Phone:	<u>651-480-6181</u>

Communications contact

Name:	<u>Lee Stoffel</u>	Title:	<u>Communications Coordinator</u>
E-mail:	<u>lstoffel@hastingsmn.gov</u>	Phone:	<u>651-480-2344</u>

Municipality: City Of Hastings

Funding Year: 2017

List of documents and information required as part of the Joint Powers Agreement for Community Funding.

1. Copy of the Official Resolution or Minutes of the Proceedings

Attach an official action from the governing body (e.g., City Council or Commission) requesting the funding allocation OR a certified copy of the official proceedings of the governing body approving the funding allocation.

2. Work Plan

Complete the Work Plan that includes activities, timeline, deliverables, and anticipated measurements.

3. Requested Budget

Attach an itemized budget in Part V using the fund request below.

	<i>Fund Request</i>	<i>County Fund Eligibility</i>
Admin, Outreach/Education, Priority Issue	\$26,000.00	Filled in by County
Waste Tire Activities (RSWC Only)		Filled in by County
TOTAL	\$26,000.00	Filled in by County

4. Compliance with Public Entity Laws

<i>Attach appropriate documentation</i>	Yes	No*
MN Stat. §115A.552 (community recycling programs in place)	X	
MN Stat. §115A.552 (residents/businesses have the opportunity to recycle) PROVIDE CODE LANGUAGE	X	
MN Stat. §115A.151 (internal recycling programs for facilities under the municipality's control) PROVIDE COPY OF HAULER CONTRACT	X	
MN Stat. §473.848 and §115A.471 (management of solid waste collected under contract from municipal operations)	X	

*If no, identify the timeline and steps being taken to obtain compliance.

5. This work plan incorporates recommendations from the annual Scorecard submitted to the Municipality by County staff.

I certify that this 2017 Community Funding Application Packet was prepared under my direction or supervision, and that the information is true, accurate, and complete to the best of my knowledge. I certify that a 2017 Annual Report demonstrating compliance with this application will be submitted to the Department by February 15, 2018.

Paige Marschall Bigler
 Name of person completing document

Paige Marschall Bigler
 Signature (electronic signature acceptable)

Recreation Programming Specialist
 Title

10/11/16
 Date

2017 Work Plan/Annual Report

I. Administration

Local Solid Waste Staff (LSWS) Meetings

GOAL: Open communications to share activities and results between County and Municipal staff. The designated Municipality Liaison must plan to attend at least **FOUR** out of the six LSWS meetings per year. Prior to each meeting and regardless of attendance, a report must be submitted identifying completed work plan progress and measurements. **NOTE:** newly-assigned Liaisons must attend a Dakota County Master Recycler Composter class.

REPORT: When submitting the Annual Report, check each box next to the meetings attended.

REPORT: 2017 Dates and reports								
	Attended	Submitted report		Attended	Submitted report		Attended	Submitted report
January 12	<input type="checkbox"/>	<input type="checkbox"/>	May 11	<input type="checkbox"/>	<input type="checkbox"/>	September 14	<input type="checkbox"/>	<input type="checkbox"/>
March 9	<input type="checkbox"/>	<input type="checkbox"/>	July 13	<input type="checkbox"/>	<input type="checkbox"/>	November 9	<input type="checkbox"/>	<input type="checkbox"/>

II. Municipal Facility Recycling Program

Internal Recycling Rates

GOAL: Demonstrate compliance with MN Stat §115A.151 to ensure recycling program for facilities under the municipality's control meet best management practices.

REPORT: At the end of 2017, waste diversion tons will be required for report submission. Work with County staff to measure and report waste diversion weights for municipality-controlled facilities and public areas.

City-operated Facility <ul style="list-style-type: none"> • Buildings • Parks • Community centers 	Best Management Practices Mark X if completed See JPA 7.2 a.	2017 REPORT (in cooperation with Dakota County)		
		Annual recycling weight (tons)	Annual waste processing weight (tons)	Recycling rate*
Joint Maintenance Facility	X			
Hastings City Hall	X			
Hastings Family Aquatic Center	X			
Hastings Civic Arena	X			
C.P. Adams Park	X			
Cannon Park	Only Trash			
Cari Park	Only trash			
Conzemius Park	Only trash			
Crestview Park	X			
Dakota Hills Park	Only trash			
Eagle Bluffs Park	X			
Featherstone P.B.	X			
Greten Park	X			

Jaycee Park	X			
Lake Isabel Park	X			
Lake Rebecca Park	X			
LeDuc Historic Site	X			
Levee Park	X			
Lions Park	Only trash at entrance			
Old Mill park	X			
Oliver's Grove Park	X			
Pioneer Park	Only trash at entrance			
Pleasant Park	X			
Riverwood Park	X			
Roadside Park	X			
South Pines Park	Only Trash			
Sunny Acres Park	Only Trash at entrance			
Tierney Park	X			
Tuttle Park	X			
Vermillion Falls Park	Only trash at entrance			
Veteran's Athletic Complex	X			
Wallin Park	X			
Westwood Park	Only Trash			
Wilson Park	X			

*Recycling rate = recycling weight / (recycling weight + waste weight)

NOTE: to add more rows, click in the last box in the table and hit the TAB key

Internal Recycling Education and Activities

GOAL: Promote recycling to all staff in the municipality's administrative buildings and promote organics recycling to applicable staff to help reach recycling rate goal.

REPORT: Update narrative to explain what occurred for employee education.

How do you plan to educate employees within your government offices and buildings about recycling?

2017 PLAN:

- I plan to connect with employees at the Joint Maintenance Facility, Hastings City Hall, and Hastings Civic Arena to make sure labels and bins are *following the best management practices; paired and labeled*. In 2015-2016 I went around to each building to label the trash and recycling bins in employee's offices/desk space as well as lounge space. For 2017, I will inventory employees desk space where there trash and recycling are to make sure the layout still follows the best management practices.
- I plan to offer the Technotrash Service for employees to recycle their unused and out of date technology items at Hastings City Hall.

- I plan to utilize print from Dakota County to promote recycling in City buildings including City Hall, and the Joint Maintenance Facility with the use of posters

REPORT:

III. Waste Abatement Activities and Planning

GOAL: Increase residential waste reduction, reuse, and recycling in Dakota County.

REPORT: Update the table with actual measurements when submitting the annual report. Update the event/activity narrative with activity outcomes and describe efforts completed waste planning narrative.

Collection Events and Activities

List the event or activity, date conducted, attendees to an event, weight or volume of material collected). Activities that are not associated with a date should be described in the narrative question. **NOTE:** mattresses, bicycles, and carpet must be reused or recycled if collected. **NOTE:** submit invoices to demonstrate costs for material recycling (mattresses, bicycles, and carpet) and for the shred event.

Collection Event/activity Name	Date of activity	2017 REPORT: Actual Metric (tons and attendees)
Paper shredding event (required)	April 2017 (part of Annual HHW)	*I will submit invoice
Youth Green Team Paper Recycling	On-going 2017	
CFL Drop-Off at City Hall	On-Going	
Annual Household Hazardous Waste Day Clean-Up (Mattresses, Bicycles, and Carpet have to have a separate vendor for 2017)	April/May 2017	*I will submit invoice from contractors for carpet, bicycles, and mattresses in the spring.

NOTE: to add another row, click in the last box of the table and press TAB.

Describe other waste abatement activities and/or program development conducted by municipality.

2017 PLAN:

- Our City hauler, Tennis Sanitation, includes recycling linens and textiles curbside. This programs will continue for 2017.
- During the spring HHW day clean-up we will work to keep bulky items out of the landfill (mattresses, appliances, furniture and carpet) Working with the County to find vendors that will except these items! In 2016 we did not connect with Vendors to collect these items due to the cost, for 2017 we will pay for the bulky items to be diverted out of the landfill with the community funding provided.

REPORT:

Community festivals/events

Community festivals and events are defined as special events at a non-residential location that draw large crowds of people for multiple hours.

What mechanism will be applied at community events/festivals within the municipality for recycling best management practices? Describe both the mechanism (i.e., systemic changes) and outreach provided to event/festival organizers and vendors.

2017 PLAN: During programs and events I will be in attendance for all listed below and will have the opportunity to connect with attendees to provide accurate information and data pertaining to the topic.

REPORT:

List community events/festivals that municipality will assist in 2017.

Name of Event	Date(s) of event	Recycling, Organics, or both?	Will you need County resources? (E.G., X-frames, bags)	Event location	2017 REPORT	
					Weights (recycling, organics, trash), lbs	Waste diversion rate* (%)
Birding Day Festival	April 2017	Organics	Yes, organics bin example, info about barrels, signage, what is organics, etc.	Carpenter St. Croix Valley Nature Center		
Parks and trail Clean-Up	May 2017	Recycling	Clear recycling Bags	Vermillion Falls Park, Hastings, MN		
Arbor Day Celebration	May 2016	Composting; Recycling	Yes, composting information related to nature/trees and the importance	Park location: TBD		
America Recycling Day Event	November 15, 2017	Recycling; Shredding Paper	TBD (potentially need DC interns/staff for help running event)	Public Works building		

*Waste diversion rate = (recycling weight + organics weight) / (recycling weight + organics weight + trash weight)

IV. Outreach and Education*Website content*

GOAL: Local collection information and consistent recycling and waste abatement messaging throughout the County.

- I verify that all information on the municipal website regarding solid waste reduction, reuse, recycling, organics diversion and household hazardous waste links to applicable County webpages.

Required Communication

GOAL: Inform residents about curbside recycling opportunities, household hazardous waste services at The Recycling Zone, and food waste prevention. Each municipality is required to:

All municipalities: Include two articles in city newsletters on curbside recycling and The Recycling Zone residential services.

Large municipalities (Rural Solid Waste Commission and communities with over 1,000 households):

- Complete at least ONE of the following for recycling and/or household hazardous waste:
 - Send an additional direct mailer to residents
 - Coordinate a large event to celebrate recycling (e.g., Earth Day or America Recycles Day Celebration)
 - Conduct at least two booths or presentations at large community events (e.g., school assembly, Pollution Prevention Day, Farmer's Market)
- Include food waste prevention in a direct mailer to residents (newsletter articles can count)
- Schedule a presentation for food waste prevention

For RSWC only: Provide education and outreach to rural Dakota County residents about waste tire management activities.

Check or highlight the articles you will use in city newsletters:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Curbside recycling | <input type="checkbox"/> Fix-It Clinics |
| <input type="checkbox"/> Master Recycler/Composter classes | <input type="checkbox"/> Fluorescent light recycling |
| <input checked="" type="checkbox"/> The Recycling Zone | <input checked="" type="checkbox"/> Food waste prevention |
| <input type="checkbox"/> Backyard composting | <input type="checkbox"/> Recycling Association of Minnesota compost bin sale (1 st quarter) |
| <input type="checkbox"/> Electronics recycling | |
| <input checked="" type="checkbox"/> Public space recycling | |

Are there additional toolkits/topics you would like County staff to provide?

- A toolkit geared for specifically to recycling in the parks

Are there additional print or electronic pieces you would like County staff to develop? If so, when would you like each piece?

- Print & Electronic pieces on recycling at events and programs outdoors in parks (specifically social media post examples to outreach as a part of monthly outreach)
- I would like to see developed in the spring of 2016 (end of April or beginning of May)

List social media that the city uses, if any, including the audience.

- City of Hastings Facebook Page – City of Hastings – 4,645 followers
- City of Hastings Twitter Page – CityHastingsMN – 1,008 followers

REPORT: Update the table with actual measurement when submitting the annual report. Provide any additional activities related to residential recycling education and outreach

Outreach mechanism and topic	Date or season	2017 REPORT: Actual Metric <ul style="list-style-type: none"> Date of activity Number of residents reached
<i>Example: City newsletter-recycle everywhere in the home</i>	<i>Spring</i>	<i>Spring newsletter (April), 13,853 residents</i>
Post social media messages – Twitter & Facebook - Composting, recycle in parks, MRC, Recycling zone, food waste, fix-it clinics, etc.	Monthly posts,	
Promote recycling at Annual Parks and Trails Clean-Up - Prevention Pollution Recycling	Spring 2017	
Newsletter Page feature – Curbside recycling, the recycling zone, fluorescent light bulb recycling, public space recycling	Winter 2017 Spring 2017 Fall 2017	
Increase Education and Recycling at River town Days - Recycling promotion	July 2017	
Arbor Day Celebration - Composting; Recycling	May 2017	
Birding Day Festival Public Space Recycling (recycling at parks programs and events)	April 2017	
2017 Solid Waste Guide	January 2017	

NOTE: to add another row, click in the last box of the table and press TAB

V. Priority Issue: Organics Recycling

GOAL: To increase awareness of organics recycling for residents; decrease the amount of food thrown away in households; and, increase the recycling rate with organics collection.

Based on 2016 work plan results, what municipality-wide organics diversion for residents will be implemented?

2017 PLAN:

I connected with Tennis Sanitation on their timeline to offer an organics program, and they currently do not have a framework or developed plan to offer organics for 2016 or 2017. They are willing to work with the City of Hastings for a potential pilot program for a drop-site location for residents to bring their organics. Discussion on the cost, frequency of pick up, pick up location and more would need to be discussed further.

REPORT:

Describe additional planning efforts to implement municipality-wide organics diversion for residents.

2017 PLAN:

A Conversation with our City Hauler, Tennis Sanitation on the timeline for organics diversion and pick-up for residents.

REPORT:

Based on 2016 work plan results, what municipal buildings will you start collecting organics recycling?

2017 PLAN:

Internally I can plan to have a waste sort audit come for our municipal buildings, specifically starting with City Hall and/or the joint Maintenance facility (parks office)

REPORT:

VI. 2017 Community Funding Budget and Expense Form

Municipalities must submit an attached a budget sheet. Municipality contributions are not mandatory but help the Department identify needs for this program. Funding from budgets MAY be carried over to the next year for specific projects.

2017 BUDGET (attach)

- **Attached as an excel spreadsheet**

Include itemized Administrative expenses. Include total itemized expenses to accomplish the required tasks within each category: Municipal Facility Recycling, Outreach and Education, Waste Abatement Activities and Planning, and Priority Issue.

REPORT: Submit a completed budget sheet with actual expenses.

Total percent FTE for your municipality to coordinate this program: 15 %

2017 Recycling Budget -Financial Tracking

Voucher Date	Vendor Nam	Invoice #	Description	Account #	Invoice Total	Acct. Total	2017 Budget
		101-401-5001-6217					
			Other General Supplies: (Banners, Earth Day T-shirts, bags, etc.)			\$0.00	\$6,500.00
			<i>(Priority Issue, Organics Pilot Program & municipal facility recycling)</i>				
		101-401-5001-6322					
			Postage: (solid waste guides; recycling mailers)			\$0.00	\$3,350.00
		101-401-5001-6324					
			Mileage: (Meetings, etc.)			\$0.00	\$179.20
		101-401-5001-6325					
			Transportation and Parking:			\$0.00	\$0.00
		101-401-5001-6334					
			General Notices & Public Info: (solid waste guide, spring clean-up, community guide, newsletters, dasher boards.) (Outreach, Education & Waste Abatement Activities and Planning)			\$0.00	\$4,700.00
		101-401-5001-6450					
			Miscellaneous: (Paper Shredding for HHW spring clean up, etc.)			\$0.00	\$1,000.00
			Salary (Salary) (Administrative expense)			\$0.00	\$10,271.00
			TOTAL PAID:			\$0.00	\$26,000

code: 101-401-5001-5351

**JOINT POWERS AGREEMENT TEMPLATE
BETWEEN THE COUNTY OF DAKOTA AND
THE CITY OF HASTINGS
FOR 2017 WASTE ABATEMENT COMMUNITY FUNDING**

This Agreement is between Dakota County (County) and the City of Hastings (Municipality).

WHEREAS, Minn. Stat. § 471.59 authorizes local governmental units to jointly or cooperatively exercise any power common to the contracting parties; and

WHEREAS, the County of Dakota (County) and the Municipality are governmental units as that term is defined in Minn. Stat. § 471.59; and

WHEREAS, metropolitan counties are responsible for waste management policy and programs (Minn. Stat. §115A.551); and

WHEREAS, counties may require local cities and townships to develop and implement programs, practices, or methods designed to meet waste abatement goals (Minn. Stat. §115A.551); and

WHEREAS, Dakota County Solid Waste Ordinance 110 requires each municipality in the County to have a solid waste abatement program that is consistent with the Dakota County Solid Waste Master Plan (Master Plan); and

WHEREAS; by Resolution 12-154 (March 27, 2012), the Master Plan (Master Plan) was adopted by the County Board of Commissioners, and was subsequently approved by the Minnesota Pollution Control Agency on May 24, 2012; and

WHEREAS, the Master Plan includes multiple strategies to enhance and leverage resources to help the County meet waste management objectives; and

WHEREAS, the Master Plan supports performance-based funding for municipalities to develop and implement waste abatement programs, education, and outreach; and

WHEREAS, community funding activity amounts are established by the County Board each year as part of the Environmental Resources Department (Department) budget; and

WHEREAS, by Board Resolution #16-423 the County Board approved funding for 2017 community funding program (Program) as presented to the Physical Development Committee of the Whole on August 16, 2016, contingent upon the availability of funds and subject to funding levels approved by the County Board as part of the 2017 budget; and

WHEREAS, the Program continues responsibilities for municipalities to communicate County messages for proper waste management and to promote The Recycling Zone services; to plan and implement recycling and organics diversion practices; and to sustain recycling at municipal buildings, parks, and events/festivals; and

WHEREAS, new Program responsibilities for municipalities include hosting a residential shredded paper event, ensuring materials collected at community cleanup days are reused or recycled, and focusing on food waste prevention as a component of the organics diversion priority strategy; and

WHEREAS, County responsibilities include providing technical assistance, container labels, and waste educational messages and images; maintaining waste management information on the County website; hosting Master Recycler/Composter classes; and providing best practice strategies and resources for waste diversion measurement, events/festivals, and the food waste prevention and organics diversion priority issue; and

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WHEREAS, separate Joint Powers Agreements with municipalities identify municipality and County responsibilities and fund allocations.

NOW, THEREFORE, in consideration of the mutual promises and benefits that the County and Municipality shall derive from this Agreement, the County and Municipality hereby enter into this Agreement for the purposes stated herein.

**SECTION 1
PURPOSE**

The purpose of this Agreement is to provide for cooperation and funding between the County and the Municipality for the implementation and operation of a local comprehensive landfill abatement program by the Municipality in accordance with this Joint Powers Agreement and the 2017 Dakota County Community Funding Application Packet (attached and incorporated herein as Exhibit 1) that is submitted by the Municipality.

**SECTION 2
PARTIES**

The parties to this Agreement are the County of Dakota, Minnesota and the City of Hastings (Municipality).

**SECTION 3
TERM**

Notwithstanding the dates of the signatures of the parties, this Agreement shall be in effect January 1, 2017, and shall continue in effect until December 31, 2017, or until termination in accordance with the provisions herein. This Agreement may be amended in accordance with Section 12 and incorporation of subsequent years' approved funding application packet.

**SECTION 4
COOPERATION**

The County and the Municipality agree to cooperate and use their reasonable efforts to ensure prompt implementation of the various provisions of this Agreement and to, in good faith, undertake resolution of any dispute in an equitable and timely manner.

**SECTION 5
PROGRAM**

5.1 PROGRAM PURPOSE. The Dakota County Board of Commissioners adopted the 2012-2030 Solid Waste Master Plan (Master Plan) on March 27, 2012, as required, to implement the Minnesota Pollution Control Agency's (MPCA) 2010-2030 Metropolitan Solid Waste Management Policy Plan. The Master Plan identifies performance-based funding for municipalities to develop and implement waste abatement programs, education, and outreach. The Community Funding Program purpose includes: ensure that residents and businesses have the opportunity to recycle; and to develop, implement, and maintain projects, programs, practices, and methods to meet waste abatement objectives. The Community Funding Program supports the County's efforts for broad-based education and implementation of local programs and projects for waste reduction, reuse, recycling, hazardous waste management, and organics diversion.

5.2 ELIGIBILITY. Eligible municipalities include all cities in Dakota County and the Rural Solid Waste Commission (RSWC) representing the 13 townships, and six small cities in rural Dakota County.

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5.3 ANNUAL APPLICATION, WORK PLAN AND BUDGET. Annually, each municipality shall submit an Application Packet that includes the annual work plan and budget breakdown for each funding activity to the County by the due date specified in writing by the County and on forms provided by County staff.

5.4 IMPLEMENTATION. The Municipality shall develop, implement, and operate a local comprehensive landfill abatement program that complies with the Master Plan, Dakota County Solid Waste Ordinance 110 and Exhibit 1.

5.5 RECYCLING. Municipalities must ensure the opportunity to recycle exists for all municipal employees, residents and businesses, including at municipality-controlled public areas such as parks, community centers, and city-sponsored events/festivals; must develop and implement programs to increase residential recycling and organics diversion; and must continue planning to implement community-wide organics diversion.

5.6 PRIORITY ISSUE PROGRAM. County staff, with input from municipalities, develops a Priority Issue Program to accomplish during the multi-year Master Plan reporting cycle. The 2017-2020 Priority Issue is organics diversion. The 2017 year Priority Issue focus is on residential food waste prevention education, implementing organics diversion from 2016 planning results including (if applicable) implementation of organics diversion within municipally-owned/operated buildings, and continued progression for organics best practices and diversion at public events. The Priority Issue is subject to change pending Legislation or County strategic planning.

5.7 PERFORMANCE. County staff will evaluate the Municipality's performance on a quarterly basis pursuant to responsibilities set forth in Section 7 and Exhibit 1. County staff will notify the Municipality in writing if a Recycling Improvement Plan is needed. Within 30 days of notification, the Municipality shall submit a Recycling Improvement Plan signed by the Municipality's authorized representative. The Recycling Improvement Plan must be negotiated with County staff and specify Municipality activities and a timeframe to achieve compliance.

5.8 ANNUAL REPORT. By February 15, 2018, the Municipality shall submit its Annual Report for the year 2017, on the form prescribed by County staff. The Annual Report must be signed by the authorized representative for this JPA or their successor in office.

5.9 AUDIT. County staff may audit one or more buildings operated by the Municipality through a waste sort or other means of waste assessment. This data will be used by the Municipality and County to gauge the success of the internal waste management program, which will influence the work plan.

SECTION 6 FUNDING

6.1 FUNDING AMOUNT. Communities receive performance-based funding in part from pass-through grants from the State. Funding amounts are contingent upon available State and County funds, and reflect the funding levels presented to the County Board as part of the annual budget. The 2017 funding for the Municipality shall be in the total amount not to exceed Twenty Seven Thousand Dollars and Zero Cents (\$27,000.00) as set forth in Exhibit 1.

6.2 FUNDING PAYMENT. Contingent upon approval by County staff of the Municipality's Annual Report for the funding year 2016, the County will pay the Municipality the funding amount set forth in paragraph 6.1 above for 2017. Payment will be made in one installment within 30 days of receipt of the Annual Report. Municipalities with a complete work plan and an approved Annual Report receive 100% payment for eligible expenses.

6.3 ELIGIBLE EXPENSES. Municipalities may use allocated funds only on eligible items as described below. Eligible expenses are for recycling projects/programs and education and outreach; priority issue activities; and include:

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6.3.1 Administration and Internal Recycling

- a) Salary and benefits of personnel, both full-time and temporary, and consultant services while working directly on the planning, implementing, and promoting of eligible activities.
- b) Matching funds for other related grants consistent with this program (except for MPCA grants).
- c) Subscriptions, memberships, and training (not including out-of-state travel or lodging) necessary for eligible activities.
- d) Data collection and evaluation for effectiveness, efficiency, and responsiveness of landfill abatement activities.
- e) Oversight of Municipality solid waste policy, ordinance and contracts related to landfill diversion.

6.3.2 Outreach and Education

- a) Production and dissemination of education information to increase awareness and participation in recycling programs.
- b) Promotional items (bags, water bottles, t-shirts, etc.) with County staff-approved message and logo.
- c) Education materials for municipal employees, such as signs, trainings and mass communication.

6.3.3 Waste Abatement Activities and Planning

- a) Advertising to promote municipality-run clean-ups that accept recyclable or reusable materials.
- b) Collection mattresses, bicycles, and carpet for reuse or recycling.
- c) Compostable bags and products that are needed to ensure a community event/festival collects organic materials.
- d) Design and implementation of projects and programs to enhance residential, park and public area recycling.

6.3.4 Priority Issue: Organics Recycling

- a) Advertising (print, online, TV, radio) for residential food waste prevention.
- b) Props and other accessories to help educate residents directly (e.g., materials for booths)
- c) Printing of educational materials related to organics diversion and food waste education.
- d) Items necessary to conduct a food waste prevention pilot project for residents including giveaways.
- e) Collection and hauling services related to organics material management at community events/festivals conducted in partnership with the Municipality to implement best management practices.

6.3.4 Non-eligible expenses include:

- a) Expenses related to non-waste abatement waste issues (e.g., energy, water)
- b) Waste collection, transportation or management (i.e., reuse, recycle, disposal), except as provided for in Section 6.3.3(e)
- c) Food or refreshments, unless approved by County staff as compliant with Dakota County Policy 1560.
- d) Payment for collection and management of items that are banned from the landfill (e.g. appliances, hazardous waste, electronics).

Other expenses may be eligible with prior written approval from County staff. Questions about an eligible expense should be directed to County staff.

6.4 FUNDING PAYMENT ADJUSTMENTS. The Dakota County Environmental Resources Director (Director) shall have the authority to approve modifications to the Funding Amount as requested by the Municipality in the Application Packet, as long as the amount payable under this Agreement does not exceed the amount approved by the Dakota County Board of Commissioners and so long as the proposed modifications are consistent with Exhibit 1. The Municipality must expend the community fund by the end of the calendar year, unless prior written approval is received from the Director. Municipalities must return unspent funds (the difference between the amount of funds provided and the amount a Municipality reports as expended), must return funds if expenditures or activities are determined by County staff as not consistent with Exhibit 1, and must return funds if County staff determines

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performance has not been remedied as identified in the Recycling Improvement Plan pursuant to Section 5.7. If the Municipality fails to fulfill responsibilities, the County may choose to implement activities in the municipality and may recover costs in accordance with Dakota County Solid Waste Ordinance 110.

SECTION 7 RESPONSIBILITIES OF THE PARTIES

The Municipality shall fulfill the following responsibilities under this Agreement:

7.1 Administration. Designate a Municipality Liaison responsible for Program planning, implementation, measurement, and reporting. At minimum:

- a. Ensure Liaison attends at least four out of the six Liaison/County staff meetings each year.
- b. Provide measures and reports of completed responsibilities for each of the six Liaison/County staff meetings.
- c. Ensure newly-assigned Liaisons attend the Dakota County Master Recycler/Composter class.
- d. Develop and submit an Annual Application Packet and Annual Report on forms created by County staff.

7.2 Municipal Facilities Recycling Program. The Municipality must ensure that facilities under its control, from which municipal solid waste is collected, also collects at least three recyclable materials. At minimum:

- a. Recycling collection at municipality-controlled buildings and public areas including municipal parks and community centers, and municipality-sponsored events/festivals meets best management practices, including:
 - i. Containers are strategically located to service employees and visitors in all facilities under the municipality's control.
 - ii. Color-coded labels must be visible on the top and sides of all recycling, organics, and trash containers.
 - iii. All new exterior container lids or openings must be blue for recycling and green for organics.
 - iv. All new internal recycling lids must have Saturn (round/slit) openings and be no-touch lids for trash and organics. New internal containers and lids must be blue for recycling and green for organics, and grey or black for trash.
 - v. All trash containers are paired with recycling containers. If organics collection, organics containers must be strategically located and part of a trash and recycling waste station.
 - vi. Exceptions to best management practices for new purchases must be justified and approved by County staff.
- b. All Municipal employees are educated about recycling, including organics diversion if collected.
- c. Work with County staff to measure and report waste diversion weights for municipality-controlled facilities and public areas.

7.3 Residential Recycling Program. The Municipality must ensure the opportunity to recycle exists for residents (single family and multi-unit dwellings). At minimum:

- a. Develop and implement projects and programs to increase residential waste reduction, reuse, and recycling, including:
 - i. Host at least one collection event for residential paper to be shredded and recycled.
 - ii. Modify existing collection events (e.g., cleanup days) to ensure collected mattresses, bicycles, and carpet are reused as a first choice or recycled.
 - iii. Measure and report waste collection weights from each collection event (e.g., cleanup days).
- b. Establish a mechanism for recycling best management practices to be applied at community events/festivals within the municipality.
- c. Provide event/festival organizers and vendors with low-waste recommendations and resources.

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7.4 Residential Education and Outreach. Provide education and outreach to all existing and new residents about recycling, household hazardous waste, and food waste prevention. At minimum:

- a. Use County-staff developed resources for all residential education and outreach.
- b. Include at least two articles in municipal newsletters
- c. Use social media, if available, to send timely waste management messages to residents
- d. Complete at least ONE of the following for recycling and/or household hazardous waste:
 - Send an additional direct mailer to residents
 - Coordinate a large event (e.g., Earth Day or America Recycles Day Celebration)
 - Conduct at least two booths or presentations at large community events (e.g., school assembly, Pollution Prevention Day, Farmer's Market)
- e. Submit all outreach materials to County staff before publication. Allow at least three business days for review.
- f. Provide funding source credit on all print materials: Partially funded by the Minnesota Pollution Control Agency and Dakota County.
- g. Provide information on the Municipality's website for solid waste collection requirements within Municipality boundaries and direct links to the Dakota County website to ensure residents have access to both solid and hazardous waste management information.

7.5 Priority Issue: Organics diversion. Implement and continue planning for community-wide organics diversion. At minimum:

- a. Implement 2016 planning results for municipality-wide organics diversion for residents (e.g., drop sites, education and outreach).
- b. Include food waste prevention in a direct mailer to residents.
- c. Schedule at least one food waste prevention presentation for residents at which County staff will speak.
- d. If applicable, implement organics diversion at municipality-owned/operated buildings.
- e. Provide direct links from the Municipality website to the Dakota County website information for organics and for food waste prevention.
- f. Continue to implement organics best practices and diversion at public events.

The County, through its Environmental Resources Department, shall fulfill the following responsibilities under this Agreement:

- a. Administration:
 - i. Manage allocation and recovery of allocated funds.
 - ii. Develop and provide annual templates for the Application Packet and completed Performance Scorecards for each municipality.
 - iii. Host six Liaison/County staff meetings each year.
 - iv. Provide technical assistance for each municipality to apply, plan for, measure, and report on work efforts.
 - v. Monitor and manage performance and compliance with this JPA.
- b. Education and Outreach
 - i. Provide County staff-developed resources, including articles, images, social media posts, and education kits for solid waste management, household hazardous waste, organics, and food waste prevention.
 - ii. Provide color-coded trash, recycling, and organics labels.
 - iii. Develop and maintain solid and hazardous waste information on the County website.
 - iv. Host at least one Master Recycling Composter session each year.
- c. Projects and Programs
 - i. Develop and provide best practices for solid waste management, including terminology for organics and food waste prevention.
 - ii. Provide effective strategies, resources, and support for Municipality to implement the priority issue.
 - iii. Provide resources and support to Municipality for waste diversion measurements (e.g., contracted audit).
 - iv. Develop and provide low- and no-waste resources for event/festival organizers and vendors.

**SECTION 8
PROPERTY**

Upon termination of this Agreement, any containers, labels and/or necessary infrastructure purchased by the County and provided to the Municipality shall be the sole property of the Municipality.

**SECTION 9
INDEMNIFICATION**

9.1 IN GENERAL. Each party to this Agreement shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party, its officers, employees or agents.

9.2 LIMITATIONS. The provisions of Minn. Stat. § 471.59, the Municipal Tort Claims Act, Minn. Stat. ch. 466 and other applicable laws govern liability of the County and the Municipality

9.3 SURVIVORSHIP. The provisions of this Section shall survive the expiration or termination of this Agreement.

**SECTION 10
AUTHORIZED REPRESENTATIVES AND LIAISONS**

10.1 AUTHORIZED REPRESENTATIVES: The following named persons are designated the Authorized Representatives of the parties for purposes of this Agreement. These persons have authority to bind the party they represent and to consent to modifications, except that the authorized representative shall have only the authority specifically or generally granted by their respective governing boards. Notice required to be provided pursuant to this Agreement shall be provided to the following named persons and addresses unless otherwise stated in this Agreement, or in a modification of this Agreement.

TO THE COUNTY

Georg T. Fischer, Director
Environmental Resources Department Director
Western Service Center
14955 Galaxie Avenue
Apple Valley, MN 55124

TO THE MUNICIPALITY

Paul Hicks, Mayor (or successor)
Hastings City Hall
101 4th Street East
Hastings, MN 55033

In addition, notification to the County regarding termination under Section 11 of this Agreement by the other party shall be provided to the Office of the Dakota County Attorney, Civil Division, 1560 Highway 55, Hastings, MN 55033.

10.2 LIAISONS. To assist the parties in the day-to-day performance of this Agreement, to ensure compliance, and provide ongoing consultation, a liaison shall be designated by the County and the Municipality. The County and the Municipality shall keep each other continually informed, in writing, of any change in the designated liaison. At the time of execution of this Agreement, the following persons are the designated liaisons:

County Liaison:

Jenny Kedward
Telephone: (952) 891-7043
Email: jenny.kedward@co.dakota.mn.us

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Municipality Liaison:

Paige Marschall
Telephone: 651-480-6182
Email: pmarschall@hastingsmn.gov**SECTION 11
TERMINATION**

11.1 IN GENERAL. Either party may terminate this Agreement for cause by giving seven days' written notice or without cause by giving thirty (30) days' written notice, of its intent to terminate, to the other party. Such notice to terminate for cause shall specify the circumstances warranting termination of the Agreement. Cause shall mean a material breach of this Agreement and any supplemental agreements or amendments thereto. Notice of Termination shall be made by certified mail or personal delivery to the authorized representative of the other party. Termination of this Agreement shall not discharge any liability, responsibility or right of any party, which arises from the performance of or failure to adequately perform the terms of this Agreement prior to the effective date of termination.

11.2 TERMINATION BY COUNTY FOR LACK OF FUNDING. Notwithstanding any provision of this Agreement to the contrary, the County may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, Minnesota Agencies, or other funding source, or if its funding cannot be continued at a level sufficient to allow payment of the amounts due under this Agreement. Written notice of termination sent by the County to the Municipality by email or facsimile is sufficient notice under this section. The County is not obligated to pay for any services that are provided after written notice of termination for lack of funding. The County will not be assessed any penalty or damages if the Agreement is terminated due to lack of funding.

**SECTION 12
MODIFICATIONS**

Any alterations, variations, modifications, or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing, approved by the parties' respective Boards, and signed by the Authorized Representatives of the County and the Municipality.

**SECTION 13
MINNESOTA LAW TO GOVERN**

This Agreement shall be governed by and construed in accordance with the substantive and procedural laws of the State of Minnesota, without giving effect to the principles of conflict of laws. All proceedings related to this Agreement shall be venued in the County of Dakota, State of Minnesota.

**SECTION 14
MERGER**

This Agreement is the final expression of the Agreement of the parties and the complete and exclusive statement of the terms agreed upon and shall supersede all prior negotiations, understandings, or agreements.

**SECTION 15
SEVERABILITY**

The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts that are void, invalid or otherwise unenforceable shall substantially impair the value of the entire Agreement with respect to either party.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) indicated below.

COUNTY OF DAKOTA COUNTY

Georg Fischer, Director
Environmental Resources Department
Date of Signature: _____

CITY OF HASTINGS

_____, Mayor
Paul Hicks

Date of Signature: _____

Attest _____ (title)

Date of Signature: _____

APPROVED AS TO FORM:
/s/Helen R. Brosnahan 11/28/16
Assistant County Attorney/Date
KS-16-362-003

County Board Res. No. 16-423