

A. LOUIS ZUNGUZE
DIRECTOR

BRENT B. WILDE
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION
DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

COUNCIL TRANSMITTAL

TO: Rocky J. Fluhart, Chief Administrative Officer *RF* **DATE:** September 28, 2005
FROM: Louis Zunguze, Community Development Director *Bulder For Louis Zunguze*
SUBJECT: U.S. Environmental Protection Agency, Pollution Prevention Grant
STAFF CONTACTS: Sherrie Collins at 535-6150 or sherrie.collins@slc.gov
ACTION REQUIRED: Adoption of Resolution by City Council
DOCUMENT TYPE: Resolution
BUDGET IMPACT: \$25,000 Grant Revenue

DISCUSSION: The Mayor's Office applied for and received a \$25,000 grant from the U.S. Environmental Protection Agency to help defray costs associated with the SLC Green Environment and Economic Business Program. Partnering with the Art's Organization, the City will offer courses educating approximately 40 business and individuals on environmental, ecologic, economic, and energy conservation strategies. Courses include Sustainability of Life, Toxins, Toxic Free Alternative, Green Building, Waste Reduction, Pre-cycling and Recycling, Energy, Architecture, Land and Water Resources, Impact Free Nutrition, and Water Conservation.

Of this funding, \$7,686 will be used to contract with the Art's Organization, and additional \$12,600 will be used in an advertising campaign and the remaining \$4,714 will be used for class materials.

PUBLIC PROCESS: These awards/grants require no public process other than Council adoption by Resolution and Public Hearing pertaining to the budget opening.

RELEVANT ORDINANCES: None

RESOLUTION NO. _____ OF 2005

AUTHORIZING SALT LAKE CITY TO ACCEPT
THE U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION PREVENTION GRANT

WHEREAS, Title 11, Chapter 13 Utah Code Ann., as amended, allows public entities to enter into cooperative agreements to provide joint undertakings and services; and

WHEREAS, the attached grant Award has been prepared to accomplish said purposes;

THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah:

1. It does hereby authorize and approve of SALT LAKE CITY CORPORATION accepting the \$25,000.00 of grant funding as described in Exhibit "A" attached hereto, to expend for the purposes of:

Implementing the Pollution Prevention and Environmental Action through the Community Education Program, by partnering with outside consultant to provide courses to approximately 40 business and individuals on environmental, ecologic, economic and energy conservation strategies.

2. Ross C. Anderson, Mayor of Salt Lake City, Utah, is hereby authorized to receive said grant awards and contributions and execute any and all subsequent agreements between the City and other entities resulting from the said Award on behalf of Salt Lake City Corporation, so long as such subsequent agreements do not depart substantively from the grant award approved herein.

Passed by the City Council of Salt Lake City, Utah, this day _____ day of _____, 2005.

Salt Lake City Council

By _____
Chairperson

ATTEST:

Approved as to Form:
Salt Lake City Attorney's Office
By: *W. Spindler*
Date: 9/28/2005



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 300
DENVER, COLORADO 80202-2466
<http://www.epa.gov/region08>

Ref: 8TMS-G

SEP 13 2005

REC'D SEP 19 2005

Ross C. Anderson, Mayor
Salt Lake City Corporation
451 South State Street, Room 445
Salt Lake City, UT 84111

Re: Pollution Prevention
X9 78356-01

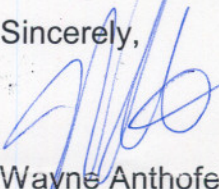
Dear Mayor Anderson:

We are pleased to inform you that we are approving your application for the Pollution Prevention in the amount of \$25,000. This award represents 100% of the amount requested in your FY 2005 application.

Please sign and date all copies of the enclosed award, retain the recipient copy for your files and return the EPA copy to the Grants, Audit and Procurement Program Office (8TMS-G).

If you have any questions regarding the administrative requirements, please contact Tempa Graves at (303) 312-6368 or via email at graves.tempa@epa.gov. If you have any questions regarding the technical requirements, contact Linda Walters at (303) 312-6385 or via email at walters.linda@epa.gov.

Sincerely,




Wayne Anthofer, Director
Grants, Audit & Procurement
Program Office

Enclosures

cc: Lisa Romney, SLCC
Linda Walters, 8P-P3T
Peter Puglisi, LVFC



Printed on Recycled Paper

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement	ASSISTANCE ID NO.			DATE OF AWARD SEP 06 2005	
		PRG	DOC ID	AMEND#		
		X9 - 97835601 - 0			MAILING DATE SEP 13 2005	
		TYPE OF ACTION New			PAYMENT METHOD: ACH	
RECIPIENT TYPE: Municipal		Send Payment Request to: Las Vegas Financial Center-LVFC				
RECIPIENT: Salt Lake City Corporation 451 South State Street, Room 445 Salt Lake City, UT 84111 EIN: 87-6000279		PAYEE: Salt Lake City Corporation 451 South State Street, Room 445 Salt Lake City, UT 84111				
PROJECT MANAGER Lisa Romney 451 South State Street, Room 445 Salt Lake City, UT 84111 E-Mail: lisa.romney@slcgov.com Phone: (801) 535-7939		EPA PROJECT OFFICER Linda Walters 999 18th Street, Suite 300, 8P-P3T Denver, CO 80202-2466 E-Mail: Walters.Linda@epa.gov Phone: 303-312-6385		EPA GRANT SPECIALIST Tempa Graves Grants; Audit & Procurement Program Office 8TMS-G E-Mail: Graves.Tempa@epa.gov Phone: 303-312-6368		
PROJECT TITLE AND DESCRIPTION Pollution Prevention and Environmental Action Through Community Education To build a partnership between the Salt Lake City Green Environmental and Economic Business Program and the Arts Organization to implement Pollution Prevention and Environmental Action through Community Education. This project will provide an opportunity for businesses and individuals to become educated on the environmental, ecologic, economic, and energy conservation strategies that lead to pollution prevention in their community.						
BUDGET PERIOD 09/06/2005 - 08/31/2006		PROJECT PERIOD 09/06/2005 - 08/31/2006		TOTAL BUDGET PERIOD COST \$26,320.00		
				TOTAL PROJECT PERIOD COST \$26,320.00		
NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.						
OFFER AND ACCEPTANCE						
The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>Salt Lake City Corporation</u> for <u>94.98</u> % of all approved costs incurred up to and not exceeding <u>\$25,000</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>06/27/2005</u> included herein by reference.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS Environmental Protection Agency, Region 8 999 18th Street, Suite 300 Denver, CO 80202-2466			ORGANIZATION / ADDRESS U.S. EPA, Region 8 Office of Partnerships and Regulatory Assistance 999 18th Street, Suite 300 Denver, CO 80202-2466			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE Wayne Anthofer, Director			DATE SEP 06 2005	
This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.						
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE		TYPED NAME AND TITLE Ross C. Anderson, Mayor			DATE	

APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date 9/28/2005
By [Signature]

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 25,000	\$ 25,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 1,320	\$ 1,320
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 26,320	\$ 26,320

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.717 - Source Reduction Assistance	FIFRA: Sec. 20	40 CFR PART 31

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	KPG086	0506	B	08K	502C95E	4183			25,000
									25,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$1,320
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$4,714
6. Contractual	\$7,686
7. Construction	\$0
8. Other	\$12,600
9. Total Direct Charges	\$26,320
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>5.02</u> % Federal <u>94.98</u> %.)	\$26,320
12. Total Approved Assistance Amount	\$25,000
13. Program Income	\$0

Administrative Conditions

1. The recipient will comply with the following: (1) all applicable provisions of 40 CFR Parts 29, 31, 34, and 35 (if applicable), OMB Circulars A-87, A-102, and A-133 and (2) any terms and conditions set forth in this assistance agreement or any assistance agreement.
2. The Project Work Plan is the work plan for this award. Performance will be evaluated consistent with the Policy on Performance Based Assistance dated May 31, 1985.
3. The recipient agrees to ensure that all requisitions for conference, meeting, convention, or training space funded in whole or in part with Federal funds comply with the Hotel and Motel Fire Safety Act of 1990.
4. The recipient must submit an annual Financial Status Report within 90 days after the grant year, and must submit a final report within 90 days after the expiration or termination of grant support in accordance with 40 CFR Part 31.41(b).
5. In accordance with OMB Circular A-21, A-87, or A-122, as appropriate, the recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient also agrees to provide the information mandated by EPA's annual appropriations acts for fiscal year 2000, 2001 and fiscal year 2002 (PL 106-74, §426, PL 106-377, §424 and PL 107-73, §424 respectively) which require as follows: 'A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.' The recipient may satisfy this certification requirement in any reasonable manner. The certification must be submitted to EPA after all grant funds have been expended.
6. In accordance with EPA Order 1000.25 and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. Please note that Section 901 of E.O. 13101, dated September 14, 1998, revoked E.O. 12873, *Federal Acquisition, Recycling, and Waste Prevention* in its entirety.

Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

7. Recipient shall fully comply with Subpart C of 40 CFR Part 32, entitled "Responsibilities of Participants Regarding Transactions." Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 40 CFR Part 32, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information required under 40 CFR 32.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at <http://epls.arnet.gov>.

8. In accordance with EPA's Program for Utilization of Small, Minority and Women's Business

Enterprises in procurement under assistance programs, the recipient agrees to:

(a) Accept the applicable FY 2003 "fair share" goals negotiated with EPA by the Utah Department of Environmental Quality as follows:

	WBE	WBE
Construction	4.0%	2.0%
Supplies	0.25%	0.25%
Services	0.5%	0.5%
Equipment	0.25%	0.25%

If the recipient does not want to rely on the applicable State's MBE/WBE goals, the recipient agrees to submit proposed MBE/WBE goals based on availability of qualified minority and women-owned businesses to do work in the relevant market for construction, services, supplies and equipment. "Fair share" objectives must be submitted to Marshall Pullman within 30 days of award and approved by EPA no later than 30 days thereafter.

- (b) Ensure to the fullest extent possible that at least the FY2003 "fair share" objective of Federal funds for prime contractors or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black colleges and universities.
- (c) Include in bid documents "fair share" objectives of 2003 fair share percentage [see a) above] and require all of its prime contractors to include in their bid documents for subcontracts the negotiated fair share percentages.
- (d) Follow the six affirmative steps stated in 40 CFR 30.44(b) 40 CFR 31.36(e), 35.3145(d), or 35.6580, as appropriate.
- (e) For assistance awards for continuing environmental programs and assistance awards with institutions of higher education, hospitals and other non-profit organizations, submit an EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" to the EPA Award Official by October 30 of each year. Other program reports must be submitted to the award official within 30 days of the end of the Federal fiscal quarter (January 30, April, July 30 and October 30).
- (f) In the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBEs, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective.

Programmatic Conditions

1. The recipient must submit a quarterly Performance/Progress Report within 30 days after the reporting period, and a final Report within 90 days after the expiration or termination of grant support in accordance with 40 CFR Part 31.40(b)(1), and shall contain information in accordance with 40 CFR Part 31.41(b)(2).