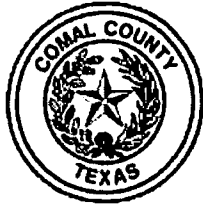


RESOLUTION 2009-40



STATE OF TEXAS § IN THE COMMISSIONERS COURT

COUNTY OF COMAL §

RESOLUTION OF COMAL COUNTY AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING ROBERT BOYD TO ACT ON BEHALF OF COMAL COUNTY IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED, COMAL COUNTY WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE ALAMO AREA COUNCIL OF GOVERNMENTS, THE TEXAS COMMISSION OF ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

WHEREAS, the Alamo Area Council of Governments (AACOG) is directed by the Texas Commission on Environmental Quality (TCEQ) to administer solid waste grant funds for implementation AACOG's adopted regional solid waste management plan; and

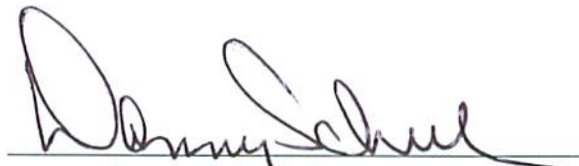
WHEREAS, Comal County in the State of Texas is qualified to apply for grant funds under the Request for Applications.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF COMAL COUNTY IN NEW BRAUNFELS, TEXAS THAT:

1. Comal County Commissioners Court authorizes the filing of a grant application with AACOG for a Regional Solid Waste Grants Program grant;
2. Assistant County Engineer, Robert Boyd, is authorized to request grant funding under the AACOGs' Request for Applications of the Regional Solid Waste Grants Program and act on behalf of Comal County in all matters related to the grant application and any subsequent grant contract and grant project that may result.
3. If the project is funded, Comal County will comply with the grant requirements of the AACOG, Texas Commission on Environmental Quality and the State of Texas.

4. If the project is funded, the grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.
5. If the project is funded, activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.


PASSED AND ADOPTED by Comal County Commissioners' Court in New Braunfels, Texas on this the, 10th day of September, 2009.



 Danny Scheel, County Judge




 Donna Eccleston
 Commissioner, Pct. #1



 Jay Millikin
 Commissioner, Pct. #2

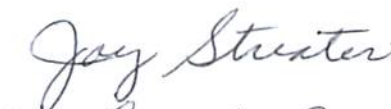
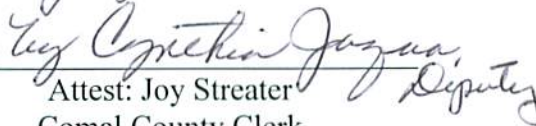


 Gregory Parker
 Commissioner, Pct. #3



 Jan Kennady
 Commissioner, Pct. #4





 Attest: Joy Streater
 Comal County Clerk

**ALAMO AREA COUNCIL OF GOVERNMENTS
IN COOPERATION WITH THE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ISSUES THE FY 2010 REGIONAL SOLID WASTE GRANTS
APPLICATION FORM**

FORM 1. APPLICATION INFORMATION AND SIGNATURE PAGE

Please Type or Legibly Print the Application. Typing is Preferred

Applicant: Comal County	Phone/Fax: (830) 608-2090 / (830) 608-2009
Address: 195 David Jonas Drive New Braunfels, TX 78132	Email: boydro@co.comal.tx.us
Contact Person: Robert Boyd, P.E.	Date Submitted: 9/11/09

Project Category

<input type="checkbox"/> Local Enforcement	Grant Request: \$ 149,750
<input type="checkbox"/> Litter and Illegal Dumping Cleanup and Community Collection Events	Applicant Share: \$
<input checked="" type="checkbox"/> Source Reduction and Recycling	Applicant Match: \$ 250
<input type="checkbox"/> Citizens' Collection Stations and "Small" Registered Transfer Stations	In-Kind (Optional): \$ 40,500
<input type="checkbox"/> Household Hazardous Waste (HHW) Management	Total Project Amount: \$ 190,500
<input type="checkbox"/> Technical Studies	Estimated Project Timeframe: 6 mos
<input type="checkbox"/> Educational and Training Projects	
<input type="checkbox"/> Local Solid Waste Management Plans	
<input type="checkbox"/> Other	

Signature

By the following signature, the Applicant certifies it has reviewed the certifications, assurances, and deliverables included in this application; that all certifications are true and correct; that assurances have been reviewed and understood; and that all required deliverables are included with this application.	
Signature 	Title: Assistant Engineer
Typed/Printed Name: Robert Boyd	Date Signed: 8/28/09


For Use by AACOG

Date application was received: _____
Does the application meet all of the required criteria: _____ Yes _____ No
Is this application administratively complete: _____ Yes _____ No

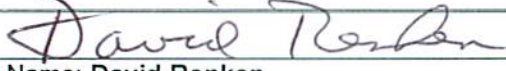
FORM 2. Authorized Representatives

The Applicant hereby designates the individual(s) named below as the person or persons authorized to receive direction from AACOG, to manage the work being performed, and to act on behalf of the Applicant for the purposes shown:

1. **Authorized Project Representative.** The following person is authorized to receive direction, manage work performed, sign required reports, and otherwise act on behalf of the Applicant.

Signature:	
Typed/Printed Name:	Robert Boyd
Title:	Assistant Engineer
Entity:	Comal County
Address (No P.O. Boxes):	195 David Jonas Drive
City, State, Zip Code:	New Braunfels, Texas 78132
Telephone Number:	(830) 608-2090
FAX Number:	(830) 608-2009
Email Address:	boydro@co.comal.tx.us
Date:	8/28/09

2. **Authorized Financial Representative.** In addition to the authorized project representative, the following person is authorized to act on behalf of the Applicant in all financial and fiscal matters, including signing financial reports and requests for reimbursement.

Signature:	
Typed/Printed Name:	David Renken
Title:	County Auditor
Date:	8/27/09

FORM 3. Certifications and Assurances

Certifications

To receive grant funds under this program, the proposed project must conform to the provisions set forth in the Request for Applications (RFA). The following certifications are intended to help AACOG ensure these provisions are met. By signing this Application, the person acting on behalf of the Applicant makes the certifications listed below.

1. Authority to Sign Application

The person signing this Application hereby certifies he/she is the official contact regarding this Application and has authority from the Applicant to sign the Application and that such authority will bind the Applicant in subsequent agreements.

2. Application Contains No False Statements

Applicant certifies this Application has no false statements and the Applicant understands that signing this Application with a false statement is a material breach of contract that shall void the submitted Application and any resulting contracts. The Applicant understands AACOG will not accept any amendment, revision, addition or alteration to this Applicant after the final date and time for submission.

3. Governmental Status

Applicant certifies that it is located in the State of Texas and fits within one of the governmental classifications listed below, as determined under state law:

- a. City
- b. County
- c. Public school or school district (not including Universities or post secondary educational institutions)
- d. Other general and special law district with the authority and responsibility for water quality protection or municipal solid waste management, including river authorities
- e. Council of Governments

4. Solid Waste Fee Payments

Applicant certifies it is not delinquent in payment of solid waste disposal fees owed the State of Texas.

5. Debarment from State Contracts

Applicant certifies it is not barred from participation in state contracts by the Texas Building and Procurement Commission (TBPC), under the provisions of §2155.077, Government Code, and 1 TAC §113.02, TBPC Regulations.

6. Conformance to Standards

The Applicant certifies, to the best of its knowledge and ability, that the proposed

project, including all activities in the proposed Scope of Work and the proposed expenditures, conforms to the eligible standards for the category of project for which submitted, and allowable expense and funding standards as set forth in the Request for Applications.

7. Consideration of Private Industry

The following certification only applies if the project is under one of the following grant categories:

- a. Source Reduction and Recycling
- b. Citizens' Collection Stations and "Small" Registered Transfer Stations
- c. A demonstration project under the Educational and Training Projects category

Applicant certifies it has notified private service providers in accordance with the requirements set forth in the Request for Applications and the instructions provided with this application form. Applicant further certifies, to the best of its knowledge and ability (after completing Form 5), that the proposed project will promote cooperation between public and private entities, is not otherwise readily available, and will not create a competitive advantage over a private industry that provides recycling or solid waste services.

8. Consistency with Regional Solid Waste Management Plan

Applicant certifies, to the best of its knowledge and ability, that the proposed project is consistent with applicable goals, objectives, and recommendations of the adopted regional solid waste management plan of AACOG.

9. Technical Feasibility

Applicant certifies it has carefully reviewed its Scope of Work and, to the best of its knowledge and ability, all activities are technically feasible and can be satisfactorily completed within the grant period as set forth in the Request for Applications.

10. Costs Reasonable and Necessary

Applicant certifies, to the best of its knowledge and ability, that the proposed project activities in the Scope of Work and the expenses outline in the budget are reasonable and necessary to accomplish the project objectives, and that the proposed expenses are consistent with the costs of comparable goods and services.

11. Certification by Law Enforcement Programs

If the Applicant is a law enforcement entity regulated by Chapter 1701, Texas Occupation Code, the Applicant certifies it is in compliance with all rules on Law Enforcement Standards and Education, or the Commission on Law Enforcement Officer Standards and Education certifies that the requesting agency is in the process of achieving compliance with such rules.

If funding is to be used for salaries of local enforcement officers, the applicant certifies at least one of the officers has attended or will attend, within the term of

funding, the TCEQ's Criminal Environmental Law Enforcement Training or equivalent training.

Assurances

If the application is approved for funding, the grant funds will be awarded through a contract between the Applicant and AACOG. The grant contract will contain a number of standards, requirements, and processes that must be complied with as a condition of receiving grant funds. To ensure an understanding by the Applicant of some of the main conditions to be included in the contract; the Applicant shall review the following assurances. By signing this Application, the person acting on behalf of the Applicant indicates an understanding of these conditions and provides assurances that these and other conditions set forth in the grant contract will be adhered to if funding is awarded.

- 1. Compliance with Standard Pertaining to Real Property and Equipment**
Applicant provides assurances that, if funded, the Applicant will comply with the contract provisions pertaining to title to and management of real property and equipment as required by the Uniform Grant Management Standards. The contract will contain obligations and conditions regarding use of equipment and/or facilities (the "property") acquired under the agreement. Included in the provisions are obligations to provide adequate maintenance and conduct physical property inventories; restrictions and conditions on the use, replacement, sale, or transfer of the property; and obligations to continue to adhere to the provisions that grant funds not be used to create a competitive advantage over private industry in the use or transfer of the property.
- 2. Participation in TCEQ Recycling Surveys and Reporting**
Applicant provides assurances that, if funded, the Applicant will respond to annual recycling program surveys and/or other requests from AACOG or the Texas Commission on Environmental Quality for information on municipal solid waste management activities.
- 3. Compliance with Progress and Results Reporting Requirements**
Applicant provides assurances that, if funded, the Applicant will comply with requirements for reporting on the progress of the project tasks and deliverables; documenting results of the project and providing those results to the COG on a schedule established by the COG; continue to document the results of the project activities for the life of the project; and provide the COG with a follow-up results report approximately one year after the end of the grant term.
- 4. Financial Management**
Applicant provides assurances that, if funded, the Applicant will comply with contract provisions and requirements necessary to ensure expenses are reasonable and necessary, and to adhere to financial administration and reimbursement procedures and provide financial reports on a schedule established by AACOG.
- 5. Compliance with Americans with Disabilities Act**
Applicant provides assurances that, if funded, the Applicant will comply with all the applicable requirements of the Americans with Disabilities Act of 1990, 42

U.S.C. §12131 et seq., as well as state and federal standards relating to non-discrimination which include, but are not limited to, those listed in the Uniform Grant Management Standards.

6. Compliance with the Single Audit Act

Applicant provides assurances that, if funded, the Applicant will comply with the Single Audit Provisions of the Uniform Grant Management Standards (UGMS), prepared by the Governor's Office under §§783.001 et seq., Texas Government Code, and 1 TAC §§5.141 et seq., Governor's Office Regulations. Provisions of the Single Audit Circular in Part IV of the UGMS apply to all recipients of funding under this grant.

7. Compliance with Program and Fiscal Monitoring

Applicant provides assurances that, if funded, the Applicant will comply with program and fiscal monitoring provisions of the contract, including: providing additional reports or information as may be requested to adequately track the progress of the project and allowing site visits to evaluate progress of the project and view any grant-funded equipment or facility.

RESOLUTION 2009-40



STATE OF TEXAS § IN THE COMMISSIONERS COURT

COUNTY OF COMAL §

RESOLUTION OF COMAL COUNTY AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING ROBERT BOYD TO ACT ON BEHALF OF COMAL COUNTY IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED, COMAL COUNTY WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE ALAMO AREA COUNCIL OF GOVERNMENTS, THE TEXAS COMMISSION OF ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

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WHEREAS, Comal County in the State of Texas is qualified to apply for grant funds under the Request for Applications.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF COMAL COUNTY IN NEW BRAUNFELS, TEXAS THAT:

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PASSED AND ADOPTED by Comal County Commissioners' Court in New Braunfels, Texas on this the, 10th day of September, 2009.

Danny Scheel, County Judge

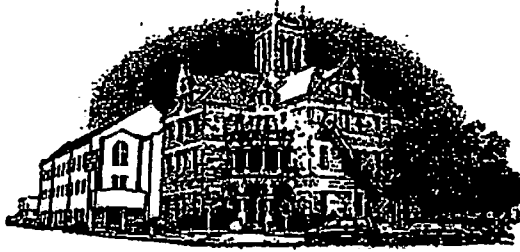
Donna Eccleston
Commissioner, Pct. #1

Jay Millikin
Commissioner, Pct. #2

Gregory Parker
Commissioner, Pct. #3

Jan Kennady
Commissioner, Pct. #4

Attest: Joy Streater
Comal County Clerk



Comal County

OFFICE OF COMAL COUNTY ENGINEER

July 31, 2009

Glass Master Recyclers
142 Trade Center Dr.
New Braunfels, TX 78130

Re: AACOG Solid Waste Reduction Grant within Comal County, Texas

To Whom It May Concern:

Comal County is proposing to apply for a grant through the Alamo Area Council of Governments' Regional Solid Waste Reduction Grants Program. One of the goals of the grant is to promote cooperation between public and private entities. As such, we are sending you this letter to provide you with project details and provide an opportunity for you to comment on our proposed grant application.

If selected, Comal County is proposing to purchase a rear-loading, self-compacting recycle truck. It will be used to enhance Comal County's current Rural Recycling Center by providing another truck that can be used at the various Comal County rural recycling pick-up spots.

If you would like to provide comments or have any questions about the grant application, please contact our office prior to August 13, 2009.

Sincerely,

Robert Boyd, P.E.
Comal County Assistant Engineer



Comal County

OFFICE OF COMAL COUNTY ENGINEER

July 31, 2009

Kaderlie Materials
8200 IH-35
New Braunfels, TX 78130

Re: AACOG Solid Waste Reduction Grant within Comal County, Texas

To Whom It May Concern:

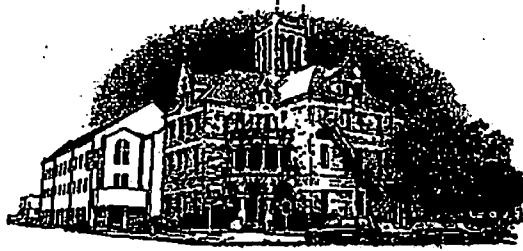
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If you would like to provide comments or have any questions about the grant application, please contact our office by August 13, 2009.

Sincerely,

Robert Boyd, P.E.
Comal County Assistant Engineer



Comal County

OFFICE OF COMAL COUNTY ENGINEER

July 31, 2009

Take It Away
20475 Highway 46 West, Suite 202
Spring Branch, TX 78070

Re: AACOG Solid Waste Reduction Grant within Comal County, Texas

To Whom It May Concern:

Comal County is proposing to apply for a grant through the Alamo Area Council of Governments' Regional Solid Waste Reduction Grants Program. One of the goals of the grant is to promote cooperation between public and private entities. As such, we are sending you this letter to provide you with project details and provide an opportunity for you to comment on our proposed grant application.

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If you would like to provide comments or have any questions about the grant application, please contact our office prior to August 13, 2009.

Sincerely,

Robert Boyd, P.E.
Comal County Assistant Engineer

FORM 6. GRANT BUDGET SUMMARY

Please provide the following breakdown of the total amount of grant funding being requested:

<u>Budget Category</u>	<u>Funding Amount</u>
1. Personnel/Salaries	
2. Fringe Benefits	
3. Travel	
4. Supplies	
5. Equipment	\$149,750
6. Construction	
7. Contractual	
8. Other	
9. Total Direct Charges (<i>sum of 1 – 8</i>)	\$149,750
10. Indirect Charges	
11. Total (<i>sum of 9 – 10</i>)	\$149,750

12. Fringe Benefit Rate:	%	
13. Indirect Cost Rate:	%	

Identify, in detail, each budget category to which your indirect cost rate applies and explain any special conditions under which the rate will be applied:

FORM 6a: Detailed Matching Funds/In-Kind Services

This budget form should be completed if the Applicant is providing any level of matching funds or in-kind services directly related to the proposed project.

Matching Funds: **\$250**

In the space below, please explain in detail the application of any matching funds to be provided by the Applicant, as directly related to the proposed project:

Comal County will pay for the fuel for the new recycling truck up to \$250.

In-Kind Services: **\$ 40,500** (monetary equivalent)

In the space below, please explain in detail the application of any in-kind services to be provided by the Applicant, as directly related to the proposed project:

Comal County has one employee that will drive this rural recycling truck. The total salary and benefits for this employee is \$40,500.

What is the TOTAL COST of the proposed project, considering the total grant funding requested, any matching funds being provided by the Applicant, and the monetary equivalent of any in-kind services being provided by the Applicant:

\$190,500

FORM 6b: Detailed Personnel/Salaries Expenses

Applies only if funding a local enforcement officer.

For each employee to be funded wholly or in part by this grant, complete one of the lines in the table below. Please refer to the definitions provided in the instructions in completing this sheet. If funds are awarded, changes to grant-funded positions must be approved in advance by AACOG.

- *Function* (only those responsible directly related to solid waste management)
- *Status* (full-time or part-time, permanent or temporary)
- *Salary* (regular monthly salary)
- *FTE* (full-time equivalency dedicated to the function)

Position Title	Function	FTE	Status	Salary
N/A: Equipment Expenses Only				
TOTAL (Must equal Line 1 of the Overall Budget Summary)		\$		

FORM 6c: Detailed Travel Expenses

This budget form provides a more detailed breakdown of the total expenses for travel indicated on Line 3 of the Overall Budget Summary.

Please describe the types of routine in-region travel expenses expected and purpose for the travel.

Routine In-Region Travel	Purpose of Travel	Estimated Cost
N/A: Equipment Expenses Only		
		\$
		\$
		\$
		\$

All travel expenses and other non-routine travel, such as out-of-region travel to special training or events must be pre-approved by AACOG. Complete the following information for all requested non-routine travel. If those details are not presently known, AACOG will need to approve those travel costs before the travel occurs. Out-of-state travel is generally not approved. No out-of-state travel will be funded.

Non-Routine Travel Expenses

Date(s)	Purpose & Destination	Person(s)	Estimated Cost
N/A: Equipment Expenses Only			
TOTAL TRAVEL EXPENSES			
<i>(Must equal Line 3 of the Overall Budget Summary)</i>			

FORM 6d: Detailed Supply Expenses

This budget form provides a more detailed breakdown of the total expenses for supplies indicated on Line 4 of the Overall Budget Summary.

Supplies are non-construction-related goods and materials having a unit acquisition cost (including freight) of less than \$1,000. Such expenditures shall generally relate to the routine purchase of office supplies (paper, pencils, staplers, etc.) or other goods which are consumed by the grant recipient in a relatively short period of time.

Please list the general types of supplies you expect to purchase with grant funding.

General Types of Supplies	Estimated Cost
General office/desk supplies	\$ N/A
Other supplies (<i>explain below</i>):	\$ N/A
TOTAL (<i>Must equal Line 4 of the Overall Budget Summary</i>)	\$ N/A

FORM 6e: Detailed Equipment Expenses

All equipment purchases must be listed here~~pre-approved by the AACOG~~. If the specific details of an equipment purchase are known, show all detail for that equipment on the list below. If the specific details of the equipment costs are not known at this time, list the general details on this form. The specific details of the equipment will then need to be provided to and approved by ~~the AACOG~~ before the costs are incurred.

Expenses included under the Equipment expense category should be for non-~~construction~~-construction-related, tangible, personal property having a unit acquisition cost of \$5,000 or more (including freight and set up costs).

Equipment (Show description, type, model, etc.)	Unit Cost	No. of Units	Total Cost
Heil PT-1000 Rear Loading Recycle Truck	\$150,000	1	\$150,000
TOTAL <i>(Must equal Line 5 of the Overall Budget Summary)</i>	\$ 150,000		

Please justify all equipment requested. Include why you need it, where it will be kept, how it will be used, and who and how it will be maintained. Remember, no replacements will be funded. If previously granted a vehicle, explain why another is being requested. Provide an estimated usage figure (ex. 90% of the week). If awarded, a detailed log of usage will be requested/required.

FORM 6f: Detailed Construction Expenses

All construction projects must be pre-approved by AACOG. If the specific details of the construction costs are not known at this time, list the general details on this form. The specific details of the construction will then need to be provided to and approved by AACOG before the costs are incurred. For any subcontracted activities, the request for approval will need to include evidence that the contract price is reasonable and necessary. As applicable under state law and regulations for the activity or service being contracted for, this evidence may take the form of bid tab sheets or other form of evaluation of competitive price offers or competitive proposals, and/or a cost analysis of price analysis under the UGMS.

Types of Construction	Subcontracted Yes/No	Estimated Cost
N/A: Equipment Expenses		
		\$
		\$
		\$
		\$
TOTAL <i>(Must equal Line 6 of the Overall Budget Summary)</i>		\$ N/A

FORM 6g: Detailed Contractual Expenses

All contractual expenses must be pre-approved by AACOG. If the specific details of contractual costs are not known at this time, list the general details on this form. The more specific details of the contractual costs will then need to be provided to and approved by AACOG before the costs are incurred. The request for approval will need to include evidence that the contract price is reasonable and necessary. As applicable under state law and regulations for the activity or service being contracted for, this evidence may take the form of bid tab sheets or other form of evaluation of competitive price offers or competitive proposals, and/or a cost analysis of price analysis under the UGMS. In addition, the subcontract scope of work must be approved by AACOG before work begins.

Purpose	Contractor(s)	Contract Amount
N/A: Equipment Expenses		
TOTAL <i>(Must equal Line 7 of the Overall Budget Summary)</i>		\$ N/A

FORM 6h: Detailed Other Expenses

This budget form provides a more detailed breakdown of the total other expenses indicated on Line 8 of the Overall Budget Summary. *Please note that the final totals are at the bottom of the next page.*

Basic Other Expenses

Please identify the basic "Other" category expenses you expect to incur for the project.

Basic Other Expenses	Estimated Cost
Books and reference materials	\$ N/A
Postage, telephone, FAX, utilities	\$ N/A
Printing/reproduction	\$ N/A
Promotional Items	\$ N/A
Advertising/public notices	\$ N/A
Registration fees for training (if approved)	\$ N/A
Repair and Maintenance	\$ N/A
Basic office furnishings	\$ N/A
Space and equipment rentals	\$ N/A
Signage	\$ N/A

Additional Other Expenses

The specific details of additional "Other" category expenses, not included on the list of basic "Other" expenses, must be pre-approved by AACOG. If the specific details of the additional "Other" expenses are not available at this time, list the general details on this form. The more specific details will then need to be provided to and approved by AACOG before the costs are incurred.

Additional Other Expenses	Unit Cost	No. of Units	Total Cost
Computer hardware not listed under the Equipment category (<i>itemize each expense below including description, type, model, etc.</i>):	N/A	N/A	N/A
Computer software (<i>itemize each expense below including description, type, model, etc.</i>):	N/A	N/A	N/A
Additional Other expenses (<i>itemized each expense below including description, type, model, promotional items, etc.</i>):	N/A	N/A	N/A
TOTAL OTHER EXPENSES (<i>Must equal Line 8 of the Overall Budget Summary</i>)	\$ N/A		

FORM 7: Project Summary

The project summary consisting of Forms 7a-g below should be completed to the best of your ability. Note that the project summary is based in the Request for Application. Please refer to the specific questions listed in the scoring criteria when completing the project summary. Be brief.

FORM 7a: Project Impact

Underline the population category that applies to your project.

0 – 100,000

100,000 – 500,000

500,000 – 1 million

Over 1 million

FORM 7b: Regional Coordinated Effort

Does your project involve 2 or more entities?

Yes No

List other participating entities (other entity may be a local government, non-profit organization, school district, and/or private company. Two departments in the same jurisdiction will not qualify as a joint project. If this project is selected, a resolution or appropriate statement of commitment from each partner will be expected by September 25, 2009 by 10:00 a.m.).

Other Participating Entities

City of New Braunfels (Interlocal Agreement Attached)

**Interlocal Cooperation Agreement
By and Between
The City of New Braunfels and Comal County
Regarding Green Waste Recycling Program**

RECEIVED
AUG 27 2009
COUNTY ENGINEER

**I.
Parties**

This Interlocal Cooperation Agreement ("Agreement") is entered into by and between the City of New Braunfels ("City") and Comal County, Texas ("County") under the authority of Chapter 791 of the Texas Government Code and becomes effective upon execution by all of the parties.

**II.
Purpose**

The purpose of this Agreement is to increase the efficient and effective use of taxpayer dollars through a consolidated green waste recycling program between the City and the County.

**III.
Agreement**

NOW, THEREFORE, for and in consideration of the premises and the mutual promises, covenants, and agreements set forth in this Agreement, the City and the County agree as follows:

**A.
Definitions**

"Green Waste" means and includes cuttings and trimming from trees shrubs, plants, grass cuttings, or removed or discarded branches, shrubs, plants, leaves and other forms of organic waste generated from landscapes or gardens and does not include solid waste.

**B.
County**

1. The County will administer a Green Waste Recycling Program out of current revenues of the County.
2. The County agrees to permit the City and New Braunfels Utilities ("NBU") vehicles to drop off Green Waste at the Comal County Rural Recycling Facility at no charge.

**C.
City**

1. Contractors employed by the City or NBU will be required to pay the appropriate drop off fees.
2. The City or NBU may submit a request for reimbursement from the County for fees paid by their contractors for City or NBU projects within Comal County.

**IV.
Term**

This Agreement shall remain in full force and effect for a period of two (2) years to begin on the date of the last signature to this Agreement. The County shall not be obligated to fund the Green Waste Recycling Program. In the event that the County discontinues its Green Waste Recycling Program, this Agreement shall terminate.

**V.
Notice**

The designated representatives of the Parties shall be the following, who shall be fully authorized by their respective governmental entities to receive notification required under this Agreement and to take

any action delegated to a designated representative under this Agreement. All notices required under this Agreement shall be given by regular mail or certified mail addressed as follows:

County: County Judge
Comal County Commissioners Court
199 Main Plaza
New Braunfels, TX 78130

City: City Manager
City of New Braunfels
424 South Castell Ave.
New Braunfels, TX 78130

RECEIVED
AUG 27 2009
COUNTY ENGINEER

**VI.
Hold-Harmless**

County and City agree that both County and City, each through the public officials, employees, and agents, shall each be responsible for their own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any sovereign or governmental immunity available to either County or City under Texas law and without waiving any available defenses under Texas law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.

**VII.
Venue**

This agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with the laws of the State of Texas, without regard to its conflict of laws principles. Exclusive venue shall be in a court of competent jurisdiction in Comal County, Texas.

**VIII.
Execution**

The County executes this Agreement by and through the County Judge acting under the authorization of the Commissioners Court of Comal County, Texas. City executes this Agreement by and through the City Manager acting under the authorization of the City. This Agreement shall not become effective until executed by all parties.

COUNTY OF COMAL, TEXAS

CITY OF NEW BRAUNFELS, TEXAS

EXECUTED on this the 20th day of August, 2009.

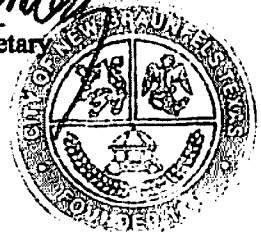
EXECUTED on this the 26 day of August, 2009.

By: [Signature]
DANNY SCHEEL
Comal County Judge

By: [Signature]
MICHAEL MORRISON,
City Manager of New Braunfels

Attest: [Signature]
Jay Streater, Comal County Clerk

Attest: [Signature]
Michael Resendez, City Secretary



CITY OF N.B.
LEGAL
ACW

7c: Local Effort and Match Directly Related to Project

Total Grant Funds Requested: **\$149,750**

7(c)(1): Cash Match – Not Required. If offered, must be spent FIRST

Total Cash Match: **\$250**

7(c)(2): In-kind Match Directly Related to Project

Total In-kind Match

\$40,500

Comal County has an employee that drives the rural recycling trucks. The total salary and benefits for this employee is \$40,500.

7d: Project Description

Please limit your project description to two (2) pages. Use no smaller than a 10-point font.

Comal County Rural Recycling Recycle Truck

The Comal County Rural Recycling Center (CCRRC) converted to a single-stream recycling center in 2007. The conversion has been extremely popular, and the amount of recycled materials that have been diverted from the landfill has increased substantially since we made the conversion. We have been using some older model used garbage trucks that we acquired from the City of New Braunfels in 2007 to collect and transport the recycled materials to the single stream recycle center in San Antonio. However, the success of the program has triggered a need for a new collection truck that can be used to collect and transport the recycled materials.

The objective/goal of this project is to enhance our current program by utilizing a technologically advanced collection truck to pick up recycled materials at our multiple pick-up spots throughout the County.

The objective will be measured by the amount of material that is recycled. Each time Comal County takes a truck full of recyclable materials to Greenstar, where the single stream processing occurs, they receive a receipt for the amount of recyclables that are processed. Therefore, the amount of material that is recycled will be very easy to monitor through the receipt processing that occurs at Greenstar.

The project will impact all of Comal County, approximately 567 square miles.

The specific waste stream targeted by the project will be glass, tin, aluminum, cardboard, plastic and paper.

7e: Work Program

1. List and describe all the major tasks involved in the proposed project.
2. Identify the responsible parties for accomplishing each step or task.
3. Provide a timeframe for each task. **Remember, start date will be when contracts are fully executed.**
4. If the proposed project includes equipment, please describe how the equipment identified is appropriate for the work proposed.

Please Use the Following Format

Project Purpose and Goal Statement: Please state your purpose and goal. Then outline your tasks using the listing below. **Failure to do so will render your application INCOMPLETE.**

Project Purpose and Goal Statement: This collection truck will be used to enhance the existing rural recycling program by providing a reliable loader at our rural recycling pick-up spots and a dependable transport for the recycled materials to be taken from the pick-up spots to the single stream recycle center in San Antonio.

5. **Task: Purchase Collection Truck**
 - a. **Execute Contract**
 - **Timeframe: Within 1 month of receipt**
 - **Responsible Entity: Grantee, AACOG**
 - b. **Send Specifications to the Comal County Purchasing Office**
 - **Timeframe: 1 week**
 - **Responsible Entity: Comal County Engineer's Office**
 - c. **Purchase Collection Truck**
 - **Timeframe: 3 months**
 - **Responsible Entity: Comal County Purchasing Office**

7f: Project Cost Evaluation

1. Requesting: Salaries Yes No Not Applicable
2. Requesting: Operational Expenses Yes No Not Applicable
3. If the project is on going, how will it be funded after the grant period ends.

This is a one time request for a truck. The Comal County Rural Recycling Center is an on-going operation, and as such, the maintenance of the truck will be handled by the Rural Recycling Center.

4. Target population to be served by Project **78,021**.
List community or communities that will benefit from the project.
New Braunfels Bulverde Canyon Lake Sattler
Garden Ridge Cibilo Schertz Seguin
San Antonio Comal County
5. Cost per impacted capita **\$0.41**.
Please explain calculations.
Example: 13,924 population ÷ \$178,145 (grant total) = \$12.80
78,021 population ÷ \$149,750 (grant total) = \$0.52
6. Amount to be processed, if applicable: **1,245 tons**
Please explain your calculations.
Example: 100 lbs. X 1,375 households (30% participation) = 137,500 lbs. = 68.75 tons
Jan. 2009 – June 2009: 622.42 tons processed
Recycled over the course of the year: 1,244.85 tons ~ 1,245 tons
7. Cost per ton processed, if applicable: _____.
Please explain your calculations.
Example: \$30,382 (disposal cost) ÷ by tons = \$441.92 tons.

OR
8. Landfill costs saved, if applicable: **\$31,125**
Example: 70 tons recycled X \$15/ton tip fee = \$1,050
1,245 tons recycled x \$25/ton tip fee = \$31,125

OR
9. Cleanup costs saved. (Use this one for Local Enforcement. The cost would be the cost saved by the community for cleanup if the "dumper" is pursued for cleanup.)
Please explain calculations.
Example: 10 tons x \$15/ton tip fee = \$150 saved by community.

7g: Contribution of AACOG's Goals

AACOG Goals Addressed by the Project

There are four goals that have been established by AACOG in creating the FY 2010 Regional Solid Waste Grants Program. These goals are as follows:

- 1. Provide for recovery of material resources by emphasizing reuse, reduction (waste minimization) and recycling.**
- 2. Improve the recovery of landscape resources by halting illegal dumping.**
- 3. Maintain proper and safe disposal of remaining waste with adequate landfill capacities and promotion of the development of alternative technologies which are economically feasible.**
- 4. To utilize both public and private financial resources to achieve optimum results in the best practices of integrated solid waste management in the AACOG region.**

This project addresses goals 1 and 4 in the following ways:

Goal 1:

The Comal County Rural Recycling Center (CCRRC) has provided for recovery of material resources by emphasizing reuse, reduction and recycling in the past. This project is an innovative measure to increase citizen participation in recycling through convenience (multiple rural recycling pick-up spots) and novelty (single stream recycling vs. separation). When recycling is single stream, it enables people to recycle more because it reduces the amount of time that is necessary to separate the recyclables into various recycle types (i.e. aluminum, plastic, glass, cardboard, etc.) This project will promote multi-family housing recycling programs throughout the region by increasing drop-off opportunities (multiple rural recycling pick-up spots). This project will increase commercial recycling efforts in business and government by promoting paper recycling (single stream recycling trucks). Finally this project will develop better information systems for tracking reuse, recycling and source reduction efforts by receiving load tickets from Greenstar for the tonnage of recyclable materials that Comal County provides.

Quantitatively Measured with Respect to the Goal

This goal will be measured by the amount of recycled material that is transported and processed to Greenstar.

Continuing to Achieve Goals after Funding

The new recycle truck will be maintained by the Comal County Road Department Heavy Duty Mechanics. By keeping it on a strict annual maintenance and preventative maintenance schedule, the new truck can be utilized in the CCRRC operations for years to come.

Goal 4:

The Comal County Rural Recycling Center (CCRRC) has utilized both public and private financial resources to achieve optimum results in the best practices of integrated solid waste management in the AACOG region. Although the market for recycled materials has gone down, the common thought is that the market will rebound. When that occurs, the generation of funds dedicated to solid waste management will come from the selling of commodities to Greenstar in that rebounded market. In addition, this proposed project will support the region's goals for diversion, waste minimization, cessation of illegal dumping, and proper handling of bulk waste. Finally, this project will promote the public-private partnership in enhancing this existing program. The public funds will come from the execution of the program by Comal County and the private funds will come from the processing of the recyclable materials by Greenstar.

Quantitatively Measured with Respect to the Goal

This goal will be measured by the amount of recycled material that is transported and processed to Greenstar.

Continuing to Achieve Goals after Funding

At this point, Comal County has developed a working relationship with Greenstar and it appears that we will continue to utilize the single stream processing of recyclable materials. As this continues, the partnership between Comal County and Greenstar will continue to be developed to achieve optimum results.

T

PLACEMENT OF CONCERN ON COMMISSIONERS' COURT AGENDA

IN ORDER TO ENSURE THAT AN ITEM IS LISTED ON THE AGENDA AS REQUIRED BY THE OPEN MEETINGS ACT, THE FOLLOWING PROCEDURES SHALL BE FOLLOWED:

The person (petitioner) requesting placement of his/her concern on the agenda will complete this form and present it to the Commissioner having primary interest or whose Precinct may be involved/affected no later than noon (12:00p) of the fourth working day (usually Friday) prior to the date of the Commissioners' Court meeting when the item is to be considered. Items not acted upon/disapproved by a Commissioner may be submitted to the County Judge for further consideration. All related information which is used by Commissioners Court shall be attached to form at the time of initial submission. Unsigned and/or undated requests cannot be considered.

From: (Petitioner)

THOMAS H. HORNSETH, COUNTY ENGINEER

To: (Commissioner/County Judge)

COUNTY JUDGE DANNY SCHEEL

PETITIONER WOULD LIKE THE FOLLOWING ITEM LISTED ON THE (CHECK APPROPRIATE BOX):

WORKSHOP AGENDA (When consensus or direction is needed; and/or information to be presented.)
Note wording for agenda:

Item #5

ACTION AGENDA (When formal approval/authorization is needed.) Note wording for agenda:

Approve Resolution 2009-40 pertaining to Alamo Area Council of Governments' (AACOG) Solid Waste Grant Application and authorize Assistant County Engineer, Robert Boyd, to act on behalf of Comal County in all matters related to application.

Date action is needed: September 10, 2009

NOTE: Contract, lease, and/or policy has been reviewed by the County Attorney and comments dated _____ are attached. Affected Department Heads were notified on _____.

IF REQUESTED ACTION INVOLVES ANY NEED FOR IMMEDIATE OR FUTURE FUNDING, COMPLETE THE FOLLOWING:

Funds are already budgeted, but a line item transfer is necessary. A budget amendment request has been signed by the County Auditor and is attached. Note amount and specify department and line item.

Funds are not budgeted. A budget amendment request has been signed by the County Auditor and is attached. Specify amount and any authority (order, policy, statute) that may apply regarding your request.

Signature of Petitioner:



Date:

Sept. 2, 2009

Signature of County Judge/Commissioner:

Date: