

RESOLUTION NO. 64 - 2016

Moved by: Walt Maj

A Resolution authorizing the mayor to execute the Intergovernmental Cooperation Agreement between the City of Harrisburg and the Harrisburg School District for a cooperative project to develop and operate an organic waste composting facility on current school district land for educational and operation purposes.

WHEREAS, the City of Harrisburg desires to provide yard waste and brush management and processing/composting services to the residents of the City of Harrisburg; and

WHEREAS, the Harrisburg School District has indicated a desire to undertake a new recycling and waste minimization program within its schools, and a significant proportion of current HSD waste could be of organic nature and potentially compostable; and

WHEREAS, the Harrisburg School District owns a vacant 42 +/- acre site in Susquehanna Township that appears to be potentially suitable for siting a yard waste and organics processing/composting facility serving the needs of the City of Harrisburg and the Harrisburg School District; and

WHEREAS, the Harrisburg School District desires that the City of Harrisburg promote yard and organic waste processing services and incorporate ideas for Training and Education at this site to educate the citizens and school students regarding the benefits and career potential of promoting and operating such services; and

WHEREAS, the City of Harrisburg and the Harrisburg School District desire to enter into an intergovernmental cooperation agreement to memorialize the terms and conditions of the City's use of this site to develop and operate a yard waste, brush, and organics waste processing/composting facility,

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF HARRISBURG, that the proposed undertaking for a composting facility is hereby endorsed and approved.

BE IT FURTHER RESOLVED, that the Mayor, Controller, Public Works Director and all other appropriate City officials are authorized and directed to execute an agreement to carry out the necessary and appropriate steps to formalize this understanding.

I second this resolution Paul J.

YEAS		NAYS
<input checked="" type="checkbox"/>	MR. ALLATT	
<input checked="" type="checkbox"/>	MR. BALTIMORE	Absent
<input checked="" type="checkbox"/>	MS. DANIELS	
<input checked="" type="checkbox"/>	MS. HODGES	
<input checked="" type="checkbox"/>	MR. JOHNSON	
<input checked="" type="checkbox"/>	MR. MAJORS	
<input checked="" type="checkbox"/>	MS. WILLIAMS	
Yeas	5	
Nays	1	

Passed by City Council September 28, 2016

Wanda R. D. Williams

President of City Council

Attest

[Signature]

City Clerk

INTERGOVERNMENTAL COOPERATION AGREEMENT
[FORM OF]

THIS AGREEMENT, made and concluded this _____ day of _____ ,
in the year two thousand and sixteen (2016), by and between the CITY OF HARRISBURG, a municipal corporation of the Commonwealth of Pennsylvania, with its principal office located at 10 North Second Street, Harrisburg, PA 17101 (Dauphin County), hereinafter referred to as "CITY", and the HARRISBURG SCHOOL DISTRICT, a third class school district of the Commonwealth of Pennsylvania, with its principal office located at 1601 State Street, Harrisburg, PA 17103 (Dauphin County), hereinafter referred to as "SCHOOL DISTRICT", pursuant to law (53 Pa.C.S.A. section 2301 et seq.) and to the provisions and requirements of the Resolution No. ____ - 2016 of the CITY and Resolution _____ of the SCHOOL DISTRICT.

WITNESSETH, that the parties, CITY and SCHOOL DISTRICT, to these presents, each in consideration of the agreements on the part of the other herein contained, have agreed, and hereby do agree, the CITY for itself, its successors and assigns, and the SCHOOL DISTRICT for itself, its successors and assigns as follows:

1. The CITY intends to provide yard waste, brush and organics processing/composting services to the citizens of the CITY (and potentially to other local municipalities) at a 42-acre site (approximate) currently owned by the SCHOOL DISTRICT and located off of Stanley Road near 17th Street, north of Arsenal Boulevard.

2. The CITY is willing to incorporate the concepts for processing SCHOOL DISTRICT segregated food waste and related organics at this facility, in a manner permitted for such a facility, and in incorporating procedures for processing of food waste from SCHOOL DISTRICT in the initial or future operations of this organics processing/composting facility.

3. The SCHOOL DISTRICT and the CITY recognize the educational value of such an operation, and each supports the inclusion of opportunities and programs for training and educational opportunities at this facility.

4. The CITY desires to move forward with its efforts to create a waste diversion location for yard waste, brush and other such organic materials, and intends to proceed with site permitting and site planning on this basis. After the initial yard waste diversion and processing/composting program is established, the CITY shall begin efforts to expand the yard waste processing/composting to include other organic wastes

processing and composting. It is anticipated that a pilot program of expanded organic waste processing will include material from SCHOOL DISTRICT'S cafeterias. Success of the initial pilot SCHOOL DISTRICT food waste and related organics diversion program could potentially allow for consideration of expanding the food waste diversion program to additional SCHOOL DISTRICT schools/buildings.

5. Organics waste collection service frequency and schedule shall be established and adjusted by mutual agreement, with the volume, weight and storage requirements of organics material generated being primary considerations.

6. The CITY'S Solid Waste Division will provide advice and assistance to the SCHOOL DISTRICT in establishing internal collection procedures, storage locations, container requirements, and staff time.

7. The SCHOOL DISTRICT agrees to foster and promote direct student involvement in the internal collections of organics material. Additionally, the CITY shall grant access to the site for use by the SCHOOL DISTRICT to provide education and demonstration programs that involve the use of decomposed organics, related agricultural uses and other related training and education opportunities.

8. The CITY and the SCHOOL DISTRICT also agree to coordinate educational and career-training opportunities of City-based non-profits that support urban farming and gardening, and to rely on such groups to help provide actual training curriculum and training staff.

9. In addition to other provisions herein stated, the CITY will provide and service the yard waste, brush and organic waste processing/composting facilities, and will obtain and maintain appropriate permits at the site owned by the SCHOOL DISTRICT. The CITY shall have access and full control of the site owned by the SCHOOL DISTRICT for these intended and related uses.

10. The term of this Agreement shall be for ten (10) years unless extended by mutual agreement under conditions and terms as determined.

11. No fees shall be shared between the parties for use of the land or creation of a yard and organics waste processing site. It is intended that the SCHOOL DISTRICT shall provide the land and the CITY shall provide the capital funding for site permitting and site development, as well as labor for operations of the waste processing. Each party shall be responsible to create and operate its own training and education programs.

12. To insure safety, regulatory compliance and operational integrity, the CITY shall maintain ultimate and complete operational control of site activities, training functions, and waste deliveries.

13. This Agreement may be amended and/or modified only in writing upon consent of both parties.

14. The CITY and the SCHOOL DISTRICT agree to indemnify each other for any and all claims which may arise from this Agreement which are brought or claimed by third party entities.

15. The SCHOOL DISTRICT agrees to give reasonable access to its schools to the CITY and its employees in order to perform the organics collection services set forth herein.

WHEREFORE, the parties hereto intending to be legally bound hereto set their hands and seals this _____ day of _____, 2016.

CITY OF HARRISBURG

HARRISBURG SCHOOL DISTRICT

By: _____

By: _____

Title: _____

Title: _____

By: _____

Title: _____

INTER

OFFICE

MEMO

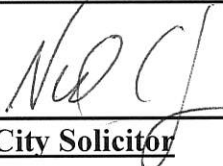
To: HARRISBURG CITY COUNCIL
From: Kirk Petroski, City Clerk
LEGISLATIVE APPROVAL FORM

Date: _____

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2016 RESOLUTION NO. 64-2016

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

 Date 9/12/16
City Solicitor Date

Requested by Department/Bureau: Mayor

Department/Bureau Contact Person: Cathy Hall

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by:  Date: 9/12/16