

# Mayor and Council Communication

DATE: 06/13/23

M&C FILE NUMBER: M&C 23-0486

LOG NAME: 23TCEQ WHOLE AIR MONITORING CONTRACT FY24 AMENDMENT 2

**SUBJECT**

(ALL) Authorize Execution of Second Amendment to the Texas Commission on Environmental Quality Federally Funded Grant Agreement in an Amount Not to Exceed \$380,006.00 for Whole Air Monitoring Operations and Adopt Appropriation Ordinance

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize the execution of a second amendment to the Texas Commission on Environmental Quality federally funded grant agreement for the purpose of Whole Air Monitoring Operations in an amount not to exceed \$380,006.00 for a twelve-month term beginning on September 1, 2023 and expiring on August 31, 2024; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Operating Federal Fund, subject to receipt of the grant, in the amount of \$380,006.00, for the purpose of Whole Air Monitoring Operations.

**DISCUSSION:**

The City of Fort Worth (City) operates a comprehensive air quality program under four separate-but-related contracts with the Texas Commission on Environmental Quality (TCEQ). This overall program benefits the City by ensuring facilities are in compliance with air quality regulations and by supporting reliable data collection for air pollutants. Of the four contracts, this contract is fully funded by the Department of Homeland Security (DHS) and administered by TCEQ. There are no local matching funds required for this grant contract. DHS Funds have been received annually by the City for its Whole Air Monitoring Program in cooperation with TCEQ to maintain and operate various whole air monitoring stations.

The contract specifically supports air monitoring operations for early detection of bioterrorism attacks within the City of Fort Worth and Tarrant County. If executed, this contract will require the City of Fort Worth to operate local air pollution monitors including retrieving the sampling filters and data, sending filters and data for analysis, and performing regular audit and maintenance activities on the equipment under the terms of the contract. The Department of Homeland Security provides all air monitoring equipment, parts, and supplies for the proper operation of the air monitoring samplers. The contract period will start September 1, 2023 and run through August 31, 2024, with a maximum amount of \$380,006.00 for reimbursement of expenses to the City. This contract may be renewed for two additional one-year periods in accordance with the contract.

DOCUMENT	M&C No.	Approval Date	Grant Amount	Total
Initial Contract: Project #103407 (FY22)	21-0314	05/04/2021	\$500,000.00	\$500,000.00
Amendment 1 (FY23)	22-0506	06/28/2022	\$380,006.00	\$380,006.00
Amendment 2 (FY24)	Pending	Pending	\$380,006.00	\$380,006.00
			<b>TOTAL:</b>	\$1,260,012.00

No City funds will be expended before the contract amendment is approved. Upon approval and acceptance of the grant and execution of the contract, City funds will be expended before receipt of grant funds. Indirect cost will be applied at a rate of 10.00 percent in accordance with the terms of the TCEQ grant agreement.

Whole Air grant funds support the following nine employee positions of Code Compliance Department, Environmental Quality Division:

- Environmental Supervisor: 25% FTE for \$22,764.93 in the Air Quality Section.
- Senior Environmental Specialist: 55% FTE for \$44,160.82 in the Air Quality Section.
- Environmental Specialist: 95% FTE for \$49,400.00 in the Air Quality Section.
- Environmental Specialist: 95% FTE for \$49,400.00 in the Air Quality Section.
- Senior Environmental Specialist: 10% FTE for \$6,859.02 in the Air Quality Section.

- Grants Accountant: 5% FTE for \$3,803.28 in the Financial Management Department, Grants Team.

Positions listed above are subject to grant funding availability. This grant has been awarded to the City annually for over two decades in partnership with the TCEQ and the DHS. Although unlikely, in the event of a grant award being decreased or eliminated, Code Compliance would review programs and services funded by the grants and determine a level of service and staffing that aligns with the available funding. Alternatives to consider may include staff and program reductions or eliminations. Sustainment of these positions may include transfer to general fund or identification of other sources of funding that can be secured.

This agreement will serve ALL COUNCIL DISTRICTS.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: TCEQ

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, in the Grants Operating Federal Fund. The Code Compliance Department (and Financial Management Services) will be responsible for the collection and deposit of funds due to the City. Prior to an expenditure being incurred, the Code Compliance Department has the responsibility to validate the availability of funds. This is a reimbursement grant.

**Submitted for City Manager's Office by:** Valerie Washington 6199

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