

# Mayor and Council Communication

**DATE:** 04/26/22

**M&C FILE NUMBER:** M&C 22-0308

**LOG NAME:** 19LEAD-BASED PAINT HAZARD CONTROL PROGRAM DONATION

## **SUBJECT**

(ALL) Authorize Acceptance of a Total of \$80,000.00 in Donations from Flipnmove Productions, Inc. to the City of Fort Worth Lead-Based Paint Hazard Control Program, Authorize Related Agreements and Commitments with GTO1 Construction Corporation, Certify that Activities are Consistent with the Consolidated Plan, and Adopt Attached Appropriation Ordinance

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize acceptance of \$80,000.00 from Flipnmove Productions, Inc. for the purpose of assisting the City of Fort Worth Lead-Based Paint Hazard Control Program;
  2. Authorize the City Manager or his designee to amend or extend agreements and commitments for GTO1 Construction Corporation as may be necessary and appropriate within the scope of the program and in compliance with applicable laws and regulations;
  3. Certify that the activities to be funded with the donated funds are consistent with the City's Consolidated Plan and approved budgets; and
  4. Adopt the attached ordinance increasing estimated receipts and appropriations in the Grants Operating Federal fund, subject to receipt of the grant, in the amount of \$80,000.00, for the purpose of funding assistance to the City of Fort Worth Lead-Based Paint Hazard Control Program.
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## **DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to accept and appropriate a private contribution of \$80,000.00 from Flipnmove Productions, Inc. (Company) to contribute to the City of Fort Worth Lead-Based Paint Hazard Control Program ("Lead Safe Program"). Flipnmove Productions, Inc. is a television production company, based in Hollywood, California, that produces home improvement shows.

The donation is the result of a settlement between the Company and the U.S. Environmental Protection Agency (EPA) whereby the Company agreed to assist in addressing lead hazards in eight (8) housing units inhabited by low to moderate income individuals within Fort Worth city limits. The Company was cited in an EPA action after a contractor failed to use EPA-approved lead-based paint removal techniques, and failed to properly dispose of lead-based paint during the filming of a show.

This donation will assist the City's Lead-Safe Program in extending lead-based paint removal services to low-to moderate-income individuals in targeted households built prior to 1978, where children under the age of six either reside or visit for a significant amount of time throughout the year. The City's Lead Safe Program has operated since 2002.

As part of the City's commitment to spend the donated funds, the Company requests that the work be completed by September 30, 2022, that the work is performed by a lead testing and abatement contractor certified or licensed by the State of Texas, and that the City provide a written report within 30 days of completion of the project that includes details of work completed and ensures that the work is performed in accordance with 40 C.F.R. § 745.83. These requests by the Company are in alignment with the City's existing Lead Safe Program and will not result in an increase to program costs or staff time.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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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 deposited to and available in the Grants Operating Federal Fund as appropriated. The Neighborhood Services Department (and Financial Management Services) is responsible for the collection and deposit of funds due to the City. Prior to expenditures being incurred, the Neighborhood Services Department has the responsibility of verifying the availability of funds.

**Submitted for City Manager's Office by:** Fernando Costa 6122

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