

Mayor and Council Communication

DATE: 06/13/23

M&C FILE NUMBER: M&C 23-0484

LOG NAME: 23TCEQ PM 10 CONTRACT FY2023/FY2024

SUBJECT

(ALL) Authorize Execution of First Amendment of the Intergovernmental Cooperative Reimbursement Contract with the Texas Commission on Environmental Quality in an Amount Not to Exceed \$124,800.00 for Air Pollution Control Services for a Two-Year Term Beginning September 1, 2023, Authorize Cash Match of \$61,468.66 for the Two-Year Term and Adopt Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of first amendment of the Intergovernmental Cooperative Reimbursement Contract with the Texas Commission on Environmental Quality in an amount not to exceed \$124,800.00 for air pollution control services for the two-year term starting September 1, 2023 and running through August 31, 2025;
2. Authorize cash match from the City's Environmental Protection Fund of \$61,468.66 for the two-year term;
3. Apply an indirect cost rate of 10.00 percent in accordance with the terms of the Texas Commission on Environmental Quality Grant Agreement; and
4. 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 \$186,268.66, for the purpose of funding ambient 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 that facilities are in compliance with air quality regulations and by supporting reliable data collection for air pollutants. Of the four contracts, this contract is partially funded by the US Environmental Protection Agency (US EPA) through its Section 105 Grant Program, administered by the TCEQ. The City of Fort Worth provides 33% matching funds. EPA Section 105 Grant Funds have been received annually by the City for its Air Pollution Control Program in cooperation with TCEQ to maintain and operate various ambient air monitoring stations. The City of Fort Worth provides 33% matching funds of the overall total of \$186,268.66.

This contract specifically supports a portion of a regional ambient air pollution monitoring network. This includes daily monitoring of ozone, oxides of nitrogen, carbon monoxide, solar radiation, and meteorological data. If executed, this contract will continue to require the City of Fort Worth to operate local Continuous Air Monitoring Stations including an air pollutant monitor and calibrator operation and performing regular audit and maintenance activities on the equipment. The TCEQ provides all air monitoring equipment, parts, and supplies for the proper operation of the air monitoring samplers. The contract period will begin on September 1, 2023 and run through August 31, 2025, with a maximum amount of \$124,800.00 for reimbursement of expenses to the City.

Document	M&C No.	Approval Date	Grant Amount	Matching Funds	Total
Initial Contract: (24-month contract period: FY22 & FY23)	M&C 21-0856	11/09/21	\$124,800.00	\$61,468.66	\$186,268.66
Amendment #1: (24-month contract period: FY24 & FY25)	PENDING	PENDING	\$124,800.00	\$61,468.66	\$186,268.66
				TOTAL:	\$372,537.32

This grant covers the operation and maintenance of four Continuous Air Monitoring Stations as follows:

SITE NAME	CAMS #	LOCATION	CONTAMINANT DETECTION	CYCLE
Keller	CAMS 0017	10230 Alta Vista Road, Fort Worth, Texas	Ozone	Continuous
			Solar Radiation	Continuous
			Met Data	Continuous
Arlington Municipal Airport	CAMS 0061	5504 South Collins Street, Arlington, Texas	Oxides of Nitrogen	Continuous
			Ozone	Continuous
			Solar Radiation	Continuous
			Met Data	Continuous
Eagle Mountain Lake	CAMS 0075	14290 Morris Dido Newark Road, Eagle Mountain, Texas	Ozone	Continuous
			Solar Radiation	Continuous
			Met Data	Continuous
Fort Worth California Parkway North	CAMS 1053	1198 California Parkway North, Fort Worth	CO	Continuous
			Oxides of Nitrogen	Continuous
			Met Data	Continuous

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.

TCEQ PM 10 grant funds support the following five employee positions of Code Compliance Department, Environmental Quality Division:

- Environmental Supervisor: 20% FTE for \$18,211.94 in the Air Quality Section.
- Senior Environmental Specialist: 25% FTE for \$20,073.10 in the Air Quality Section.
- Environmental Specialist: 50% FTE for \$30,430.89 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. 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

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.

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