

Mayor and Council Communication

DATE: 06/13/23

M&C FILE NUMBER: M&C 23-0485

LOG NAME: 23TCEQ PM 2.5 CONTRACT FY2024

SUBJECT

(ALL) Authorize Execution of First Amendment of the Texas Commission on Environmental Quality Federally Funded Grant Agreement in an Amount Not to Exceed \$64,451.21 for Ambient Air Monitoring Operations and Adopt Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of first amendment of the Texas Commission on Environmental Quality federally funded grant agreement for ambient air monitoring operations with a maximum amount of \$64,451.21 for a one-year term beginning September 1, 2023 and expiring August 31, 2024;
2. Apply an indirect cost rate of 10.00 percent in accordance with the terms of the Texas Commission on Environmental Quality Grant Agreement; and
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Operating Federal Fund, subject to the receipt of the grant, in the amount of \$64,451.21, 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 fully funded by the US Environmental Protection Agency (US EPA) through its Section 103 Grant Program, administered by the TCEQ. There are no local matching funds required for this grant contract. EPA Section 103 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.

This contract specifically supports a portion of a regional ambient air pollution monitoring network. This includes daily monitoring of ozone, oxides of nitrogen, and particulate matter. If executed, this contract will continue to require the City of Fort Worth to operate local Continuous Air Monitoring Stations including 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 start September 1, 2023 and run through August 31, 2024, with a maximum amount of \$64,451.21 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 (FY23) | M&C 22-0507 | 06/28/22 | \$64,451.21 | \$64,451.21 |
| Amendment 1 (FY24) | PENDING | PENDING | \$64,451.21 | \$64,451.21 |
| | | | TOTAL: | \$128,902.42 |

In 1998, the United States Environmental Protection Agency (USEPA) revised its measurement standards for particulate matter (PM) emissions in to the atmosphere. Since Fiscal Year 1999-2000, the TCEQ has contracted with the City for operation and maintenance of the monitoring equipment provided by the TCEQ for four continuous air monitoring stations. The location of each station is as follows:

| STATION | ADDRESS | EQUIPMENT |
|---------|---------|-----------|
|---------|---------|-----------|

| | | |
|--------------------------|-------------------------------|-------------------|
| Eagle Mountain Lake | 14290 Morris Dido Newark Road | 1 NOx Monitor |
| California Parkway North | 1198 California Parkway North | 2 PM 2.5 Monitors |
| Haws Athletic Center | 600 Congress Street | 1 PM 2.5 Monitor |
| Keller | 10218 Alta Vista Road | 1 NOx Monitor |

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

- Environmental Supervisor: 10% FTE for \$9,105.97 in the Air Quality Section.
- Senior Environmental Specialist: 20% FTE for \$16,058.48 in the Air Quality Section.
- Environmental Specialist: 50% FTE for \$30,430.89 in the Air Quality Section.
- Senior Environmental Specialist: 5% FTE for \$3,429.51 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. 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.

The above monitors benefit 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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