

# Mayor and Council Communication

DATE: 08/09/22

M&C FILE NUMBER: M&C 22-0579

LOG NAME: 23TCEQ FY2023 AIR QUALITY COMPLIANCE INVESTIGATIONS GRANT

**SUBJECT**

(ALL) Authorize Execution of a Texas Commission on Environmental Quality Federally Funded Grant Agreement for the Purpose of Performing Air Quality Compliance Inspections and Investigations within the City of Fort Worth in an Amount Not to Exceed \$1,626,165.00 for a Five-Year Period Beginning September 1, 2022, Authorize Acceptance of the Grant, and Adopt Appropriation Ordinance

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize the execution of the Texas Commission on Environmental Quality federally-funded grant agreement for the purpose of performing air quality compliance inspections and investigations within the City of Fort Worth in an amount not to exceed \$1,626,165.00 for the five-year period beginning September 1, 2022 through August 31, 2027;
2. Apply an indirect cost rate of up to 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 State Fund, subject to receipt of the grant, in the amount of \$2,427,115.00 for the purpose of funding air quality compliance inspections and investigations.

**DISCUSSION:**

The City of Fort Worth 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 partially funded by the United States Environmental Protection Agency and the TCEQ, with matching funds required of the City of Fort Worth. The grant specifically supports air quality compliance investigations and inspections performed within the City of Fort Worth jurisdictional boundaries.

Since Fiscal Year 1991, the City of Fort Worth has entered into annual cooperative agreements with the TCEQ for the City to perform the aforementioned investigations and inspections within the City of Fort Worth. The services provided include: complaint investigation; air permit review and comment; annual investigation of major air pollutant sources; biennial/triennial investigation of gasoline dispensing facilities; and recurrent investigation of all other TCEQ-permitted and regulated air pollutant emission sources.

The City must provide matching funds of \$800,950.00 (33%) beginning in Fiscal Year 2023 and consisting of five equal, annual installments of \$160,190.00 out of the Environmental Protection Fund operating budget. Funding for the first installment of the cash match has been built into the FY2023 Environmental Protection Fund operating budget through the budget development process. The cash match will also be built into the upcoming FY2024-FY2027 Environmental Protection Fund operating budgets for the remaining four installments through the budget development process.

DOCUMENT	M&C No.	Approval Date	Grant Amount	Cash Match Amount	Total
Initial Contract	PENDING	PENDING	\$1,626,165.00	\$800,950.00	\$2,427,115.00
				<b>TOTAL:</b>	\$2,427,115.00

Indirect costs will be applied at a rate up to 10.00 percent in accordance with the terms of the TCEQ grant agreement.

This project is located in 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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