

AN ORDINANCE **2008-08-07-0650**

**APPROVING THREE CONTRACT AMENDMENTS WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PROVIDING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S PUBLIC CENTER FOR ENVIRONMENTAL HEALTH THE AMOUNTS OF \$103,000.00 FOR SEVEN AIR MONITORS, \$42,098.68 FOR AN AIR MONITORING STATION AT LAKE CALAVERAS, \$286,000.00 FOR THE OPERATION AND MAINTENANCE OF AIR QUALITY MONITORS IN THE LOCAL AREA, AND EXTENDING THE TERM OF EACH CONTRACT TO AUGUST 31, 2009.**

\* \* \* \* \*

**WHEREAS**, the Public Center for Environmental Health (PCEH) was established to protect the environment of residents in San Antonio.

**WHEREAS**, since air quality has a potential health impact, air monitoring and follow up measures to address the problems identified are important public health efforts.

**WHEREAS**, the Texas Commission on Environmental Quality (TCEQ), an agency of the State of Texas, has contracted with the City of San Antonio for PCEH to manage two local air monitoring efforts.

**WHEREAS**, through one contract PCEH operates and maintains various air quality monitors.

**WHEREAS**, two other contracts from TCEQ support work by PCEH to operate and maintain air particulate matter monitors that measure small air particles known to trigger asthma and other respiratory illnesses in children; and

**WHEREAS**, PCEH processes, catalogs and delivers all samples collected seven days a week to the San Antonio Metropolitan Health District (SAMHD) Laboratory for analysis; and

**WHEREAS**, current contracts end on August 31, 2008 the TCEQ wishes for the PCEH to continue these services through August 31, 2009; and

**WHEREAS**, to accomplish this, TCEQ has offered a contract amendment in the amount of \$103,000.00 for operation and maintenance of six particulate matter monitors in San Antonio, a contract amendment of \$42,098.68 for a continuous air monitoring station and particulate matter monitor at Lake Calaveras, and contract amendment of \$286,000.00 for air quality monitors located throughout San Antonio; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager or her designee, or the Director of the City of San Antonio Metropolitan Health District or his designee, is authorized to execute three contract amendments with the Texas Commission on Environmental Quality providing the San Antonio Metropolitan Health District's Public Center for Environmental Health the amounts of \$103,000.00 for seven air monitors, \$42,098.68 for an air monitoring station at Lake Calaveras, \$286,000.00 for the operation and maintenance of air quality monitors in the local area, and extending the term of each contract to August 31, 2009. A copy of the contract amendments are attached hereto and incorporated herein for all purposes as **Attachments I, II and III.**

**SECTION 2.** For contract #582-8-72698, Fund 2600836001 entitled "Air Monitoring Grant" and IO 136000000393 are hereby designated for use in the accounting for the fiscal transaction of this contract from the TCEQ, for a sum not to exceed \$103,000.00 to be appropriated in said fund. A revised budget for this contract which is attached hereto and incorporated herein for all purposes as **Attachment IV** is approved and adopted for entry on the City books.

**SECTION 3.** For contract #582-6-72649, Fund 2600836003 entitled "Air Monitors Lake Calaveras" and IO 136000000395 are hereby designated for use in the accounting for the fiscal transaction of this contract from the TCEQ, for a sum not to exceed \$42,098.68 to be appropriated in said fund. A revised budget for this contract which is attached hereto and incorporated herein for all purposes as **Attachment V** is approved and adopted for entry on the City books.

**SECTION 4.** For contract #582-7-72672, Fund 2600836004 entitled "TCEQ Biowatch - 08-09" and IO 136000000394 are hereby designated for use in the accounting for the fiscal transaction of this contract from the TCEQ, for a sum not to exceed \$286,000.00 to be appropriated in said fund. A revised budget for this contract which is attached hereto and incorporated herein for all purposes as **Attachment VI** is approved and adopted for entry on the City books.

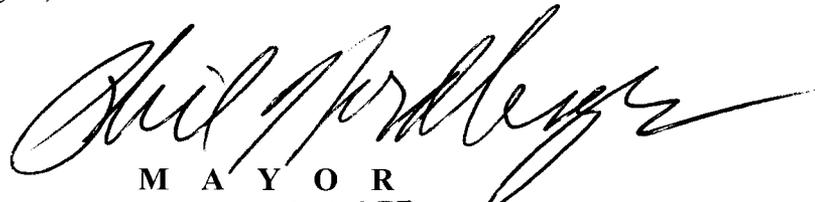
**SECTION 5.** The proposed personnel complement of eight (8) positions, included in the attached budgets which are attached hereto and incorporated as **Attachments IV, V and VI**, are hereby approved.

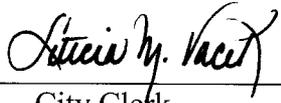
**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

MH/mgc  
08/07/08  
Item #22

**SECTION 7.** This ordinance shall be effective on and after August 17, 2008.

PASSED AND APPROVED this 7<sup>th</sup> day of August, 2008.

  
M A Y O R  
PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney  
for

<b>Agenda Item:</b>	22						
<b>Date:</b>	08/07/2008						
<b>Time:</b>	04:49:43 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance approving three contract amendments with the Texas Commission on Environmental Quality providing the San Antonio Metropolitan Health District's Public Center for Environmental Health the amounts of \$103,000.00 for seven air monitors, \$42,098.68 for an air monitoring station at Lake Calaveras, \$286,000.00 for the operation and maintenance of air quality monitors in the local area, and extending the term of each contract to August 31, 2009. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3	x					
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				x
John G. Clamp	District 10		x				



**CITY OF SAN ANTONIO**  
**Request for Council Action**

Agenda Item # 22  
Council Meeting Date: 8/7/2008  
RFCA Tracking No: R-3606

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**DEPARTMENT:** Health Department

**DEPARTMENT HEAD:** Fernando Guerra MD

**COUNCIL DISTRICT(S) IMPACTED:**  
City Wide

**SUBJECT:**  
Three contract amendments for air quality monitoring

**SUMMARY:**

This ordinance authorizes the execution of three contract amendments with the Texas Commission on Environmental Quality (TCEQ) for the San Antonio Metropolitan Health District's Public Center for Environmental Health (PCEH) to continue the operation and maintenance of various air monitors and air samplers in the San Antonio area.

Contract #582-8-72698 provides \$103,000.00 for six (6) 2.5-micron particulate matter (PM) air monitors and one (1) 10-micron particulate matter (PM) monitor; contract amendment #582-6-72649 provides \$42,098.68 for an air monitoring station at Lake Calaveras; and contract amendment #582-7-72672 provides \$286,000.00 for the operation and maintenance of several air quality monitors in the local area.

In addition, this ordinance authorizes the Director of Health to initiate, negotiate and execute any and all necessary documents and grant contracts to effectuate the application and acceptance of the referenced grants. The Director of Health is further authorized to execute contract amendments pertaining to these contracts to include a) carry-over funds when ascertained and approved by the funding agency through a revised notice of award, b) budget adjustments, funding terms and personnel complements authorized by the funding agency up to 10% of the total dollar amount of the budget, c) modifications to the performance measures authorized by the funding agency and listed in the contracts so long as the terms of the amendment stay within the general parameters of the grant's intention, and d) changes in state or federal regulations mandated by the funding agency. The contract amendments will extend from September 1, 2008 through August 31, 2009.

**BACKGROUND INFORMATION:**

The Public Center for Environmental Health (PCEH) was established to protect the environment of residents in San Antonio. Since air quality has a potential health impact, air monitoring and follow up measures to address the problems identified are important public health efforts. The Texas Commission on Environmental Quality (TCEQ), an agency of the State of Texas, has contracted with the City of San Antonio for PCEH to manage two local air monitoring efforts. Through one contract PCEH operates and maintains various air quality monitors. Two other contracts from

TCEQ support work by PCEH to operate and maintain air particulate matter monitors that measure small air particles known to trigger asthma and other respiratory illnesses in children. PCEH processes, catalogs and delivers all samples collected seven (7) days a week to the SAMHD Laboratory for analysis.

Current contracts end on August 31, 2008 and TCEQ wishes for the Public Center for Environmental Health to continue these services through August 31, 2009. To accomplish this, TCEQ has offered a contract amendment in the amount of \$103,000.00 for operation and maintenance of six particulate matter monitors in San Antonio, a contract amendment of \$42,098.68 for a continuous air monitoring station and particulate matter monitor at Lake Calaveras, and contract amendment of \$286,000.00 for air quality monitors located throughout San Antonio.

Eight (8) full-time employees work in the program and will be assigned to this effort as needed.

**ISSUE:**

Air quality is an important local priority because of its impact on the health and the economy of the San Antonio region. Through the support of TCEQ, PCEH can provide air quality sampling and monitoring at no cost to the City. Data from this effort will allow the SAMHD and other City departments to address potential health impacts to at-risk populations such as children, the elderly and other members of the community.

**ALTERNATIVES:**

If the City does not renew or extend the contracts as proposed, TCEQ will find another entity to provide the service in the next grant year. However, interposing an outside contractor in this process could delay the City's access to timely air quality information and hamper its ability to act promptly to protect the health of its residents.

**FISCAL IMPACT:**

This ordinance authorizes three (3) contract amendments as follows:

Contract amendment #582-8-72698 provides \$103,000.00

Contract amendment #582-7-72649 provides \$42,098.68

Contract amendment #582-6-72672 provides \$286,000.00

Funding for the three contract amendments when all documents are executed will total \$431,098.68.

This ordinance will place no demand on the City General Fund.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing acceptance of funds with Texas Commission on Environmental Quality (TCEQ) to continue supporting the Public Center for

Environmental Health (PCEH) in operating and maintaining air monitors and samplers in the San Antonio area. Staff further recommends authorizing the Director of Health to execute the three contract amendments totaling \$431,098.68.

**ATTACHMENT(S):**

File Description	File Name
<a href="#">Attachment #1 - #582-8-72698</a>	TCEQ Contract Amd #2 - 2009 - RFCA.pdf
<a href="#">Attachment #2 - #582-7-72649</a>	TCEQ Contract Amd #4 - 2009 - RFCA.pdf
<a href="#">Attachment #3- #582-6-72672</a>	TCEQ 582-7-72672 - Amendment #4 - rfca.pdf
<a href="#">Attachment #4 - #582-8-72698 - Budget</a>	TCEQ 582-8-72698 Budget - 2009 - FINAL.pdf
<a href="#">Attachment #5 - #582-7-72649 - Budget</a>	TCEQ 582-6-72649 Budget - 2009 RFCA.pdf
<a href="#">Attachment #6 - #582-6-72672 - Budget</a>	TCEQ 582-7-72672 Budget 2009 RFCA.pdf
<a href="#">Voting Results</a>	
<a href="#">Ordinance/Supplemental Documents</a>	200808070650.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Bryan Alsip Assistant Director Health Department

**APPROVED FOR COUNCIL CONSIDERATION:**

Frances A. Gonzalez Assistant City Manager