



Travis County Commissioners Court Agenda Request

Meeting Date: August 19, 2014

Prepared By: Adele Noel **Phone #:** (512) 854-7211

Division Director/Manager: Jon White/Thomas Weber - NREQ

Department Head:  Steven M. Manilla, P.E., County Executive-TNR

Sponsoring Court Member: County Judge Samuel T. Biscoe

AGENDA LANGUAGE: Consider and take appropriate action to use the Local Initiative Project Grant Contract No. 582-14-40117 to continue the Counterfeit Motor Vehicle Inspection Program.

BACKGROUND/SUMMARY OF REQUEST:

In 2007, the 80th Texas Legislature, passed Senate Bill 12, amending the Texas Health and Safety Code, Chapter 382 to add Section 382.220 titled, Use of Funding for Local Initiative Projects (LIP). This section authorizes the expenditure of accumulated funds on clean air projects by counties participating in Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP).

In 2009, the 81st Legislature amended the requirements for the LIP program, through HB 1796 by:

- authorizing additional expenditure of accumulated funds on clean air projects,
- restricting local county governments from purchasing vehicles to replace their fleet; and
- allowing the TCEQ to reduce the matching requirement contribution to less than 50% for the development and implementation of projects proposing to reduce the occurrence of counterfeit state inspection stickers.

In 2011, the 82nd Legislature drastically reduced appropriation levels for LIP grants as a part of overall reductions to LIRAP. The lower funding levels remain in place for FY 2015; \$18,017 in funds passed through from the Texas Commission on Environmental Quality (TCEQ). Today's request proposes a project to utilize available FY 2015 grant funding for an existing LIP project to address motor vehicle emissions inspection requirements.

STAFF RECOMMENDATIONS:

TNR recommends approval. The project will reimburse the county for the salaries of law enforcement officers who participate in the Counterfeit Motor Vehicle Inspection

Program (CMVIP). Officers will have 24-hour access to a database to investigate vehicle records of potential offenders. An officer can enter a license plate number or vehicle identification number into the North Central Texas Council of Governments Emissions Database (NED) to verify the validity of the emissions certificate and vehicle registration. If the emissions certificate is a fake or counterfeit certificate, a citation is issued. The officer will also verify registration. Affected vehicle owners are provided information about the Drive A Clean Machine Program to assist in bringing their vehicles into compliance.

Travis County has successfully expended these grant funds for this project for the past several years. During the last reporting period, between March 1 through May 31, 2014, the Sheriff's office and constables from Precinct One and Three have participated in the program and have issued more than 2,000 citations.

ISSUES AND OPPORTUNITIES:

The current National Ambient Air Quality Standard (NAAQS) for ozone is 75 parts per billion. Addressing the quality of emissions from vehicles is one of the primary strategies for addressing ozone in Travis County, considering that the majority of nitrogen oxides (precursors to ozone formation) result from on-road mobile sources like passenger vehicles.

FISCAL IMPACT AND SOURCE OF FUNDING:

There will be no negative impact on Travis County's budget.

ATTACHMENTS/EXHIBITS:

Proposal Form

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steve Manilla	County Executive	TNR	(512) 854-9429

CC:

Jon White	Division Director NREQ	TNR	(512) 854 7212
Thomas Weber	Env. Proj. Mgr	TNR	(512) 854 4629
Adele Noel	Air Quality Proj. Mgr	TNR	(512) 854 7211

Local Initiative Project (LIP) Proposal Form FY 2014

County: Travis County	Date Submitted: August 21, 2014
County Contact Person: Adele Noel	
Title: Air Quality Project Manager	
Phone Number: 512 854 7211	
Email Address: adele.noel@co.travis.tx.us	

Brief Project Title: Counterfeit Motor Vehicle Inspection Project.		
Brief Project Description: An officer will enter a license plate number or vehicle identification number into the North Central Texas Council of Governments Emissions Database (NED) to verify the validity of the emissions certificate and vehicle registration. If the emissions certificate is a fake or counterfeit certificate, a citation is issued.		
TCEQ Grant Funding Requested	Local Matching Funding	Total Project Funding
\$ <u>18,017</u>	\$ <u>18,017</u>	\$ <u>26,034</u>
Project Dates: September 1, 2014 – August 31, 2015 Proposed Start Date: September 1, 2015 End Date: February 28, 2015 (Project must be closed by the end of the fiscal year in which it	If contracting with another entity, list: Name of Entity: Contact Person: Phone Number:	

was approved.)

Email Address:

Project Budget

BUDGET ITEM	TCEQ FUNDING AMOUNT	LOCAL MATCHING AMOUNT	TOTAL FOR BUDGET ITEM
Personnel / Salaries <i>List of personnel; number of hours to be worked; hourly, monthly, or annual salary charged to grant</i>	See attached documents		
Fringe Benefits <i>Type of benefits included; percentage and amount of benefits paid per individual</i>	Health insurance, sick leave, and vacation leave, which equals to 33% or more of each officers pay		
Travel <i>Type of travel; estimated travel, lodging, cost of meals, and parking expenses</i>	n/a		
Supplies <i>Type, brand, and quantity of items purchased</i>	n/a		
Equipment <i>Type, brand, and quantity of equipment purchased; explanation of need; explanation of lifespan; salvage value of equipment; how equipment will be disposed of</i>	n/a		
Construction <i>Type, timeframe, and location of construction; who will perform the work; blueprint of construction plans</i>	n/a		
Contractual <i>Type, timeframe, and location of contractual activities; who will perform contractual activity</i>	n/a		
Other <i>All other items and reason/use</i>	n/a		
Indirect Costs (Costs not directly attributable to a cost object/budget item) <i>Fixed cost; variable cost; type of cost</i>	n/a		
TOTAL FUNDING	\$18,017	\$18,017	\$36,034
PERCENT CONTRIBUTION	<u>50</u> %	<u>50</u> %	100%

Project Description

Provide a detailed description of the proposed project, including:

1. What is the project goal?

The goal of the program is to improve air quality and meet the U.S. Environmental Protection Agency air quality standard; as well as to raise public awareness and increase public safety. Counterfeit, fictitious and fraudulently issued inspection certificates are an environmental and safety problem. Vehicles that are not properly inspected for safety and emissions may be at a higher risk for traffic accidents and emit more pollution.

2. Why is this project necessary and a good use of funds?

For Central Texas, the majority of nitrogen oxides (precursors to ozone formation) result from on-road mobile sources like passenger vehicles. Addressing emissions from vehicles is one of the primary strategies for reducing ozone in Central Texas. The design value for ozone in Central Texas is 74ppb. The standard is currently 75ppm but EPA is considering lowering it in December to anywhere between 60-70ppb.

3. Who will benefit (directly or indirectly) from the project? The residents of Central Texas will directly benefit from this program by enjoying cleaner air. Studies have shown that reducing harmful air pollutants results in fewer premature deaths and illnesses and people experience longer lives, better quality of life, lower medical expenses, fewer school absences, and better worker productivity.

4. What will the funds be used for?

The funds will be used to pay the salaries of law enforcement officers who participate in the Counterfeit Motor Vehicle Inspection Program (CMVIP). Officers will have 24-hour access to a database to investigate vehicle records of potential offenders. An officer can enter a license plate number or vehicle identification number into the North Central Texas Council of Governments Emissions Database (NED) to verify the validity of the emissions certificate and vehicle registration. If the emissions certificate is a fake or counterfeit certificate, a citation is issued. The officer will also verify registration. Affected vehicle owners are provided information about the Drive A Clean Machine Program to assist in bringing their vehicles into compliance.

5. What are the measurements of success on a quarterly, annual, and long term (5 year) basis? An increase in the number of vehicles that pass an emissions test.

4.6

N/A

Where will equipment be stored and how often will it be used?

5.2

What is the target emitting source or sources?

Vehicles with counterfeit, expired, fictitious, or no emissions certificate.

6.8

What technologies or methods will be implemented to reduce emissions?

Information about Drive a Clean Machine program may be given to violators at the time of a citation or warning. The fee associated with a citation for driving with an expired, fictitious or counterfeit emission certificate may be reduced if the vehicle is brought into compliance within 10 days of the citation. Failure to bring a vehicle into compliance and/or pay the fine will result in increased fines and possible warrant being issued.

7.9

Explain the anticipated air quality benefits to the county/region.

EPA estimates that 90% of pollution caused by dirty automobiles is emitted from 10% of vehicles on the roads. Bringing these dirty vehicles into compliance with emission standards will improve air quality in Central Texas.

8.10

Describe how the air quality benefits or emission reductions are enforceable, permanent, and quantifiable, if available. Provide verifiable documentation or research data.

A person who receives a citation for driving a vehicle with an expired, fictitious or counterfeit emission certificate is fined \$169. Failure to pay the fine within 30 days could result in a warrant being issued for the offender and an increase in fines.

County LIP Certification

Travis County makes the following certifications regarding the projects included with the accompanying Project Summaries:

1. The projects were selected in accordance with the procedures set forth in the grant agreement with Texas Commission on Environmental Quality (TCEQ);
2. The project proposals have been fully evaluated and determined to fit within the minimum criteria and standards established by the TCEQ for this program, as well as more specific standards established for the project categories by the County;
3. The project proposals are consistent with and directly support implementation of the Texas Health and Safety Code, 382.220;
4. The governing body of Travis County officially approved the selection and scope of work of this project on August 19, 2014 and has authorized the person signing this proposal to make the preceding certifications and act on behalf of Travis County.
5. This is to certify that I have reviewed the proposed LIP project/budget and to the best of my knowledge, all costs and expenses are applicable as listed. The project will be conducted in accordance with the standards and reporting requirements listed in the LIP contract between the TCEQ and the County. Non-substantive changes may be made to this project for clarification purposes or refinement so long as the project goal(s) and funding amounts do not change.

Authorized Signature: _____

Type/Printed Name: _____

Type/Printed Title: _____

Date: _____

Instructions

This document provides the forms necessary for Participating Counties to submit local initiative projects for funding to the TCEQ. These forms must be used by the County to submit projects to the TCEQ for review and approval.

Eligible Projects

A project must be implemented in consultation with the TCEQ. Projects eligible for funding may include projects to:

- (1) expand and enhance the AirCheckTexas Repair and Replacement Assistance Program;
- (2) develop and implement programs or systems that remotely determine vehicle emissions and notify the vehicle's operator;
- (3) develop and implement projects to implement the TCEQ's Smoking Vehicle Program;
- (4) develop and implement projects in coordination with the director of Department of Public Safety for coordinating with local law enforcement officials to reduce the use of counterfeit registration insignia and vehicle inspection reports by providing local law enforcement officials with funds to identify vehicles with counterfeit registration insignia and vehicle inspection reports and to carry out appropriate actions;
- (5) develop and implement programs to enhance transportation system improvements; and
- (6) develop and implement new air control strategies designed to assist local areas in complying with state and federal air quality rules and regulations.

Project Proposal Summary Form

The Project Proposal Summary Form should be used by the County to provide the TCEQ detailed information on each proposal for which funding is being requested. This form outlines the format for the County to provide the necessary information concerning each project selected. Budget figures must be exact on all pages of the proposal.

The TCEQ will review the project proposal and notify the County of any project or project components that the TCEQ determines may not meet project eligibility criteria under the terms of the grant agreement, or for which there may be a question about the project. The County is required to respond to any request from the TCEQ for additional information concerning a project.

The County may not proceed with a project until notified that it may do so by the TCEQ. Any modification, after the TCEQ approval, to a project budget or to project activities must be approved in writing by the TCEQ. The County may rescind the proposal at any time during the review of the project.

Certification Form

The Certification Form serves as written certification by the County that the project was reviewed for eligibility and found to meet the minimum criteria. It must be submitted with the Project Proposal Summary Form.

NAME	SALARY	DEPARTMENT
Anthony McCauley	\$77,406.58	Sheriff
(Roger) Darold Templeton	\$77,406.58	Sheriff
John (Harvey) Williams	\$77,406.58	Sheriff
Leonard Flores	\$77,406.58	Sheriff
Lawrence Martin	\$66,410.66	Sheriff
Martin Shepherd	\$74,552.82	Sheriff
Ricky Lane	\$69,636.53	Sheriff
Robert Phillips	\$72,876.75	Sheriff
Ronald Grimes	53,164.59	Pct. 1
Joseph Jiles	54,440.67	Pct. 1
Sheila Robinson	49,686.62	Pct. 1
Carl Kearney	54,440.67	Pct. 1
Tonya Nixon	57,084.98	Pct. 1
Paul Secrest	49,686.62	Pct. 1
Gregory Thornton	54,440.67	Pct. 1
Charisa Perez	49,686.62	Pct. 1
Jesse Villalovos	66,154.61	Pct. 1
Dereck Williams	55,747.33	Pct. 1
Dwayne Shaw	49,686.62	Pct. 1
Lewis Reese	49,686.62	Pct. 1
John Sisson	77,739.58	Pct. 1
Richard Furs	57,084.98	Pct. 1
Michael Schnautz	\$58,455.28	Pct.3
Todd Sumrall	\$58,455.28	Pct. 3
Al Aranda	\$49,686.62	Pct.3
D'Anna Turnell	\$55,747.33	Pct. 3