Legislation Text

File #: 20-56, **Version:** 1

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	January 22, 2020
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Department of Equipment and Fleet Management
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize the **(1)** acceptance of a grant from the Texas Commission on Environmental Quality through the Texas Volkswagen Environmental Mitigation Program (Contract No. 582-20-11995-VW) to purchase replacement vehicles and equipment to reduce nitrogen oxides emissions in the amount of $67,168 for the period January 22, 2020 through January 21, 2022; **(2)** establishment of appropriations in an amount not to exceed $67,168 in the Volkswagen Environmental Mitigation Program Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $67,168 in the Volkswagen Environmental Mitigation Program Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $67,168 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

The Department of Equipment and Fleet Management applied for funding under two separate applications from the Texas Volkswagen Environmental Mitigation Program. This $67,168 grant award represents the final review and approval for one of the two applications submitted by the City of Dallas and will support the replacement of one sweeper truck in the Department of Public Works.

The City has been notified by the Texas Commission on Environmental Quality (TCEQ) that its remaining application for $726,654 (11 replacement vehicles) is still under consideration with anticipated award notifications in mid-late 2020. The total combined application funding request was $793,822 for 12 replacement vehicle projects.

The grant funds derive from a settlement agreement in the litigation between the United States Environmental Protection Agency (EPA), the State of California, and Volkswagen (VW) and its related entities. The EPA and the State of California filed suit in the U.S. District Court for the Northern District of California against VW alleging that VW violated provisions of the federal Clean Air Act. The suit alleged that approximately 590,000 light-duty 2.0-liter and 3.0-liter diesel vehicles manufactured by VW and its subsidiaries contain emission defeat devices. These devices cause the emissions control system of those vehicles to perform differently during emissions testing compared to

performance during normal vehicle operation and use. The subject vehicles emit nitrogen oxides (NOx) at a level above required standards during normal vehicle operation and use.

The grants are being awarded in three distinct groups: (1) school-shuttle-transit buses, (2) refuse vehicles, and (3) the anticipated third group is light-medium duty vehicles. The application period for the first two groups is already open and the third group is pending announcement of the application period.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Fund	FY 2020	Future Years
Texas Commission on Environmental Quality Grant Funds	$67,168.00	$0.00

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