

CITY COUNCIL AGENDA ITEM COVER SHEET MEMO

FOR AGENDA REGULAR SESSION-WORK SESSION - DATE: 1/10/13

ACTION REQUESTED BY: Natural Resources

SUBJECT MATTER: Air Program Grant

EXACT WORDING FOR THE AGENDA: "Resolution Authorizing the Mayor to apply for and execute an FY '2013 EPA Air Grant in an amount up to \$100,000 in federal funding to support the City's Air Pollution Control Program."

ORDINANCE RESOLUTION X MOTION

(IF AMENDMENT, STATE TITLE AND NUMBER AND DATE OF ORIGINAL)

ITEM TO BE CONSIDERED FOR:

INTRODUCTION ONLY ACTION X DISCUSSION

UNANIMOUS CONSENT REQUIRED? YES NO X

BRIEFLY STATE WHY THE ACTION IS REQUESTED; WHY IT IS RECOMMENDED OR NOT RECOMMENDED; WHAT COUNCIL ACTION WILL PROVIDE, ALLOW, OR ACCOMPLISH; ANY ASSOCIATED COST; BUDGETED (?); AND ANY OTHER INFORMATION THAT YOU THINK MIGHT BE HELPFUL.

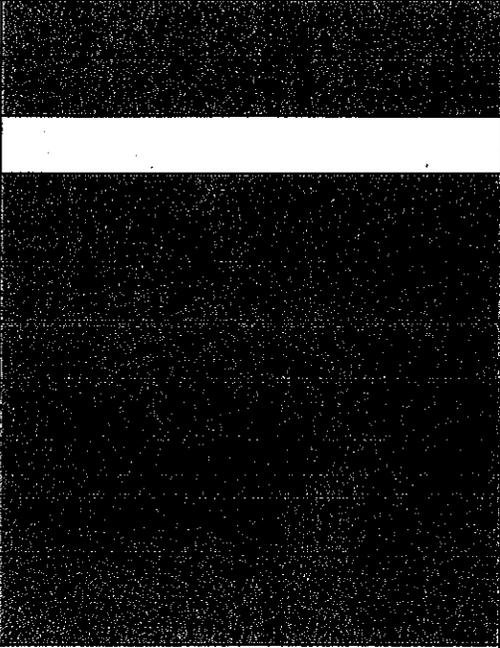
Authorizes Application and Acceptance of a Continuing Environmental Program Assistance Grant for Monitoring Fine Particulate in Huntsville. Funding would be provided by EPA under Section 103 of the Clean Air Act.

MAYOR RECOMMENDS OR CONCURS? YES X NO N/A

SIGNATURE: [Signature] DATE: 1/2/13
Department Head

**CITY OF HUNTSVILLE  
ROUTING SLIP FOR  
CONTRACTS AND AGREEMENTS**

Originating Department Natural Resources  
 Contract/ Agreement Air Program Grant  
 Contract/Agreement Amount \$100,000.00  
 Account Number 01-5259-3098-2103

DEPARTMENT	SIGNATURE	DATE
1) Originating	<i>James Price</i>	12/26/12
2) Finance <i>EC</i>	<i>[Signature]</i>	12/28/12
3) Legal	<i>Mary Cates</i>	12/28/12
4) Originating:		
5) Copy Distribution		
a. Mayor's Office (9)		
b. Clerk-Treasurer (original +2)		
c. Legal (1)		
d. Procurement (1)		
6) Council Action		
7) Clerk-Treasurer		
a. Mayor's Signature		
b. Council President's Signature		
8) Originating ③		
9) Clerk-Treasurer		

- ① Prepare Revised Draft
- ② Discussed at Department Head Meeting
- ③ Acquire Needed Signatures

Note: Processing is facilitated if outside signatures are obtained before council action

**RESOLUTION NO. \_\_\_\_\_**

**BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, that the Mayor is hereby authorized, requested, and directed, on behalf of the City of Huntsville, Alabama, to apply for a U. S. Environmental Protection Agency FY '2013 Air Programs Grant in an amount up to \$100,000 said grant application being attached hereto and identified as "Application for Federal Assistance between the City of Huntsville and U.S. Environmental Protection Agency," consisting of 12 pages and the first page, together with the signature of the City Council President, or President Pro tem, and the date of January 10, 2013 on the margin of the first page, and an executed copy of said document being permanently kept on file in the office of the City Clerk-Treasurer of the City of Huntsville.

**BE IT FURTHER RESOLVED** that there is no matching fund requirement under this Grant which may be awarded to the City pursuant to such application.

**BE IT FURTHER RESOLVED** that in the event that such grant is awarded, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested, and directed, on behalf of the City of Huntsville, Alabama, to enter into such grant agreement with the Environment Protection Agency and to submit such supporting and collateral materials as required.

**ADOPTED** this the 10<sup>th</sup> day of January, 2013.

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President of the City Council of the  
City of Huntsville, Alabama

**APPROVED** this the 10<sup>th</sup> day of January, 2013.

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Mayor of the City of Huntsville, Alabama



BUDGET INFORMATION - Non-Construction Programs OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. PM 2.5 Monitoring Network	66-034	\$	\$	\$ 100,000	\$	\$ 100,000
2.						
3.						
4.						
5. TOTALS				\$ 100,000	\$	\$ 100,000

SECTION B - BUDGET CATEGORIES

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$ 75,758	\$	\$	\$	\$ 75,758
b. Fringe Benefits	\$ 24,242				\$ 24,242
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
l. Total Direct Charges (sum of 6a - 6h)	\$ 100,000				\$ 100,000
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	\$ 100,000				\$ 100,000
7. Program Income	\$	\$	\$	\$	0.00

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.	\$	\$	\$	\$	
9.					
10.					
11.					
12. TOTAL (sum of lines 8 and 11)	\$	\$	\$	\$	

SECTION D - FORECASTED CASH NEEDS					
	(Total for 1st Year)	FUTURE FUNDING PERIODS (Years)			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$	\$	\$	\$	\$
14. Non-Federal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCED BUDGET PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16.	\$	\$	\$	\$	\$
17.					
18.					
19.					
20. TOTALS (sum of lines 16 - 19)	\$	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	
22. Indirect Charges:	
23. Remarks:	

**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 795), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provision of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a-7), the Copeland Act (40 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S. C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

<p>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <p>Tommy Battle</p>	<p>TITLE</p> <p>Mayor</p>
<p>APPLICANT ORGANIZATION</p> <p>City of Huntsville, Alabama</p>	<p>DATE SUBMITTED</p> <p>January 10, 2013</p>

# OBJECT CLASS CATEGORIES WORKSHEET

[NOTE: Please indicate any pre-award costs with a star (\*).]

**a. PERSONNEL**

POSITION TITLE	NUMBER	ANNUAL SALARY	WORK YEARS	AMOUNT
<b>Director</b>	1	113,526	.03	3,406
<b>Deputy Director</b>	1	89,190	.02	1,497
<b>Environmental Specialist III</b>	1	73,465	.39	28,651
<b>Environmental Technician</b>	1	51,875	.79	40,981
<b>Secretary</b>	1	40,768	.03	1,223
<b>a. PERSONNEL TOTAL</b>	<b>5</b>	<b>368,824</b>	<b>1.26</b>	<b>75,758</b>

**b. FRINGE BENEFITS**

BASE	75,758
RATE	0.32
<b>b. FRINGE BENEFITS TOTAL</b>	<b>24,242</b>

**c. TRAVEL**

<p><b>Explain:</b></p> <hr/> <hr/> <hr/> <hr/>
<b>c. TRAVEL TOTAL:</b>

## OBJECT CLASS CATEGORIES WORKSHEET

**d. EQUIPMENT:**

Tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. Applicant's definition of equipment may be used provided the definition at least includes all items previously defined above.

ITEM	NUMBER	COST PER UNIT	TOTAL
<b>d. EQUIPMENT TOTAL:</b>			

**e. SUPPLIES**

<b>List supplies by groups, as appropriate:</b>	
<b>e. SUPPLIES</b>	

## OBJECT CLASS CATEGORIES

**f. CONTRACTUAL**

List each planned contract or type of service to be procured. Agreements/contracts with other governmental agencies (state, local or Federal) should be listed under category h. OTHER.	
<b>f. CONTRACTUAL TOTAL</b>	

**g. CONSTRUCTION (N/A)**

**h. OTHER**

Other: Explain by major categories.	

<b>i. TOTAL DIRECT COSTS:</b> (Sum of categories A through H)	<b>\$ 100,000</b>
<b>j. INDIRECT COSTS:</b> (RATE:      %)	
<b>k. TOTAL PROPOSED COSTS:</b>	<b>\$ 100,000</b>
<b>FEDERAL FUNDS REQUESTED:</b> <u>100 %</u>	
<b>RECIPIENT SHARE OF TOTAL PROPOSED COSTS:</b> <u>  0 %</u>	

## KEY CONTACTS

### AGENCY/ORGANIZATION DIRECTOR

(Individual who is authorized to sign the assistance agreement application and award acceptance.)

**NAME:** Tommy Battle  
**TITLE:** Mayor – City of Huntsville  
**ADDRESS:** P. O. Box 308  
Huntsville, Alabama 35804-0308  
**TELEPHONE:** (256) 427-5000

### PROGRAM/PROJECT DIRECTOR

(Technical program director or person responsible for the project as a contact person in Block #5 of the application.)

**NAME:** Daniel E. Shea  
**TITLE:** Director – Division of Natural Resources  
**ADDRESS:** P. O. Box 308  
Huntsville, Alabama 35804-0308  
**TELEPHONE:** (256) 427-5750

### FINANCE DIRECTOR

(Individual responsible for maintaining the accounting and financial management system supporting expenditures, preparing the financial reports, etc.)

**NAME:** Randy Taylor  
**TITLE:** Finance Director  
**ADDRESS:** P. O. Box 308  
Huntsville, Alabama 35804-0308  
**TELEPHONE:** (256) 427-5063



# U.S. Environmental Protection Agency

## CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/ proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Tommy Battle - Mayor

TYPED NAME & TITLE OF AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED REPRESENTATIVE

January 10, 2013

DATE

\_\_\_\_\_ I am unable to certify to the above statements. My explanation is attached.

**Preaward Compliance Review Report for  
All Applicants and Recipients Requesting EPA Financial Assistance**

Note: Read instructions on other side before completing form.

I. Applicant/Recipient (Name, Address, State, Zip Code). <b>City of Huntsville - Division of Natural Resources; P.O. Box 308, Huntsville, AL</b>	DUNS No. <b>072093727</b>
II. Is the applicant currently receiving EPA assistance? <b>Yes</b>	
III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) <b>See Attachment Prepared by City Attorney's Office</b>	
IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) <b>See Attachment Prepared by City Attorney's Office</b>	
V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3)) <b>See Attachment Prepared by City Attorney's Office</b>	
VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below. a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b). b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies.	
VII.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95) ✓ a. Do the methods of notice accommodate those with impaired vision or hearing? ✓ b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? ✓ c. Does the notice identify a designated civil rights coordinator? ✓	
VIII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a)) <b>Yes</b>	
IX.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166) <b>No</b>	
X.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator. <b>Reference attachment</b>	
XI.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures. <b>www.huntsvilleal.gov/ada/</b>	
<p align="center"><b>For the Applicant/Recipient</b></p> <p>I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.</p>	
A. Signature of Authorized Official	B. Title of Authorized Official <b>Mayor, City of Huntsville</b>
C. Date <b>1/10/13</b>	
<p align="center"><b>For the U.S. Environmental Protection Agency</b></p> <p>I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.</p>	
A. Signature of Authorized EPA Official	B. Title of Authorized EPA Official
C. Date	

See \*\* note on reverse side.