

**AMENDMENT No. 1
INTERLOCAL COOPERATION AGREEMENT
BETWEEN
UNIVERSITY OF NORTH TEXAS
AND
THE CITY OF CORPUS CHRISTI**

INTERLOCAL COOPERATION AGREEMENT between University of North Texas ("UNT") and the City of Corpus Christi ("City"),

WHEREAS, the City entered into a Grant Agreement for Air Quality Planning ("Grant") with the Texas Commission on Environmental Quality ("TCEQ"), Contract No. 582-11-11223 for air quality planning activities in areas considered to be near non-attainment for the ozone standard under the Federal Clean Air Act Amendments of 1990, which activities may include without limitation identifying, inventorying, and modification and quantification of potential pollution reduction through voluntary control, and which activities will be consistent with TCEQ monitoring, inventory and modeling approaches and infrastructure, and conduct air quality planning activities in the Coastal Bend;

WHEREAS, an element in the City's proposal for the Grant was UNT's proposed "Corpus Christi Ozone Near Non-Attainment Area Assessment and Planning Study," which study is being prepared by UNT, as a continuation of the City's Regional Air Quality Committee's Air Quality Assessment and Planning Program;

WHEREAS, TCEQ requested the City to submit a proposal for additional funding, TCEQ stated that the preferred activity to be funded by the additional would be additional air quality monitoring and modeling effort as set forth by UNT's "Corpus Christi Ozone Near Non-Attainment Area Assessment and Planning Study";

WHEREAS, the supplemental funding contract between TCEQ and City provides funding for UNT's "Corpus Christi Ozone Near Non-Attainment Area Assessment and Planning Study," in cooperation with its partners which TCEQ has extended into biennium 2012-2013.

NOW, THEREFORE, the parties agree to the amendment of Section 5. Price and Payment as follows:

Section 5. Price and Payment, Paragraph 1 is revised to read:

As compensation for the performance of the agreement, the City agrees to reimburse UNT on a cost-reimbursement basis an additional amount of Seventy Thousand Dollars (\$70,000.00) in a restated amount up to Three Hundred Twenty Nine Thousand Dollars (\$329,000.00) ~~Two Hundred Fifty Nine Thousand Dollars (\$259,000.00)~~ for expenses authorized under the Grant as approved by TCEQ. UNT agrees to expend the additional funds under the budget detailed in Exhibit 2, Amended Work Plan, which is attached to and incorporated into this agreement by reference.

Section 5. Price and Payment paragraph a is revised to read:

- a. This agreement is funded exclusively from funds made available to the City by the Grant. The City's obligation is limited by the provisions of the Grant. The City is not liable to make payment to UNT, if funding is not available from TCEQ through the Grant. Payments may not exceed Three Hundred Twenty Nine Thousand Dollars (\$329,000.00) ~~Two Hundred Fifty Nine Thousand Dollars (\$259,000.00)~~ from the execution of this Agreement August 31, 2012 to August 31, 2014.

All other terms and conditions of the originally authorized December 14, 2010, as amended, between the City and UNT shall remain in effect.

CITY OF CORPUS CHRISTI

UNIVERSITY OF NORTH TEXAS

By: _____
Oscar Martinez Date
City Manager

By: Vish Prasad
Vice President of Research Date
Dr. Vish Prasad OK 3/14/2012
Vice President for Research
Printed Name _____

ATTEST:

Armando Chapa Date
City Secretary

APPROVED AS TO FORM: The _____ day of _____ 2011

Veronica Ocanas Date
Assistant City Attorney

Pete Anaya, P.E. Date
Director of Planning/Environmental Services

GRANT AGREEMENT BETWEEN THE CITY OF CORPUS CHRISTI AND THE UNIVERSITY OF NORTH TEXAS (UNT)
AMENDED WORK PLAN

TASK 1: Update Conceptual Model through the 2010 Ozone Season

The title of Task 1 is changed to "Update Conceptual Model through the 2011 Ozone Season"

The first paragraph of Task 1 is changed to read: "The Performing Party, subcontracting to the University of North Texas, shall identify necessary and sufficient conditions for high or exceeding ozone measurements in their program area (defined as the immediate metropolitan statistical area plus adjacent counties) of the ozone National Ambient Air Quality Standards (NAAQS). The Performing Party's analyses shall include any seasonal variations and use data through 2011 to the extent possible. In particular, the Performing Party's analyses conceptual model will include the following analyses:"

The deliverable of Task 1 is changed to read: "The Performing Party shall deliver an updated Conceptual Model containing analysis of monitoring and other data through 2011. The conceptual model shall be delivered to the TCEQ in a Microsoft Office Word and Adobe Acrobat Reader (*.pdf) format. Accompanying data and other supporting material shall be provided in a mutually agreeable electronic format."

The deliverable date for Task 1 is changed to June 15, 2012.

The cost of Task 1 is changed to: \$22,000

TASK 2: Ambient Monitoring Projects

The deliverable date for Task 2.1 is changed to read "Continuously between September 1, 2010, and November 1, 2010, and April 1, 2011, and November 1, 2011, and April 1, 2012 and August 31, 2012."

The cost of Task 2.1 is changed to: \$156,000 (See below for details)

Monitoring Project: Continue Ambient Air Monitoring Projects through August 31, 2012

- 2.1 The Performing Party shall continue to collect and deliver any routine, hourly ambient monitoring data to the TCEQ in Austin (through the LEADS). In order to provide accurate, quality assured data for modeling efforts and to track movement of pollutants, the Performing Party shall operate the ambient air monitoring sites as listed in *Table 1: Ambient Air Monitoring Sites to be Operated by the Grant Recipient*. The geographical location of the monitoring sites is shown in Figure 1.

Table 1. Ambient Air Monitoring Sites to be Operated by the Grant Recipient

LOCATION (ADDRESS)	EQUIPMENT (INSTRUMENTS)	START DATE	END DATE
Holly Road site (CAMS 660) - Water pumping station operated by the City of Corpus Christi located in the growing suburbs of the south side of the City.	Teledyne API 400E ozone analyzer, F460 wind sensors, Coastal environmental Atmospheric Temperature/Relative Humidity (AT/RH) sensor, Zeno 3200 datalogger, and Enfora wireless modem.	Effective Date April 1, 2012	November 1, 2011 August 31, 2012
Aransas Pass site (CAMS 659) - Wastewater treatment plant operated by City of Aransas Pass and in cooperation with the San Patricio Water District. A coastal location to the NE of Corpus Christi.	Teledyne API 400E ozone analyzer, RM young wind sensors, Coastal environmental Atmospheric Temperature/Relative Humidity (AT/RH) sensor, Zeno 3200 datalogger, and Enfora wireless modem.	Effective Date April 1, 2012	November 1, 2011 August 31, 2012
Violet site (CAMS 664) - Pumping station located west of Corpus Christi. Rural	Teledyne API 400E ozone analyzer, RM young wind sensors, Coastal environmental Atmospheric	Effective Date	November 1, 2011

The data will be transferred regularly to the TCEQ's Leading Environmental Analysis and Display System (LEADS) data system. These monitor sites are described as specified in Table. The Performing Party shall operate these four monitoring sites from April 1 until October 31. All routine monitoring data that will be sent to the TCEQ's on-line data display system or Texas Air Monitoring Information System will be collected using the TCEQ standard procedures, where they exist, as the minimum specification for the Work, unless otherwise agreed to ahead of time by the TCEQ. Existing standards or procedures are available from the Field Operations Support Division. This contractor-owned transfer standard will be calibrated according to TCEQ specifications, policies and procedures in the TCEQ's NAMS/SLAMS Network and U.S. Mexico Border Support Activities Quality Assurance Project Plan for Air Monitoring in Texas. These requirements are based on requirements found in the code of Federal Regulations (CFR) 40, Parts 50, 53, and 58. See URL <http://www.epa.gov/docs/epacfr40/chapt-I.info/subch-C.htm>

Deliverable: Ambient monitoring data collected at monitoring sites to be delivered to the TCEQ's LEADS.

Deliverable Date: Continuously between April 1, 2011 and November 1, 2011, and April 1, 2012 and August 31, 2012.

Cost: \$156,000.00

The amended work plan between the Texas Commission on Environmental Quality and the City of Corpus Christi is appended to this document.