

FORT BEND COUNTY FY 2010
DRAINAGE DISTRICT AGENDA REQUEST FORM

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: October 14, 2009	Submitted By: Mark Vogler
Court Agenda Date: October 20, 2009	Department: Drainage District
	Phone Number: 281/342-2863

SUMMARY OF ITEM:
Take all appropriate action to approve Interlocal Agreement between Fort Bend County Drainage District and Pecan Grove Municipal Utility District for maintenance of drainage channels through September 30, 2010.

RENEWAL AGREEMENT/APPOINTMENT YES NO
REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES NO

List Supporting Documents Attached:

FINANCIAL SUMMARY:

BUDGETED ITEM: YES NO

FUNDNG SOURCE: Accounting Unit: _____ Account Number: _____
Activity (If Applicable): _____

DESCRIPTION OF LAWSON ACCOUNT: _____

COUNTY JUDGE
RECEIVED
OCT 19 2009

Instructions to submit Agenda Request Form:

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

DISTRIBUTION:
Original Form Submitted with back up to County Judge's Office (✓ when completed)
If by E-Mail to ospindon@co.fort-bend.tx.us If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

<input type="checkbox"/> Auditor (281-341-3774)	<input type="checkbox"/> Comm. Pct. 1 (281-342-0587)
<input type="checkbox"/> Budget Officer (281-344-3954)	<input type="checkbox"/> Comm. Pct. 2 (281-403-8009)
<input type="checkbox"/> Facilities/Planning (281-633-7022)	<input type="checkbox"/> Comm. Pct. 3 (281-242-9060)
<input type="checkbox"/> Purchasing Agent (281-341-8642)	<input type="checkbox"/> Comm. Pct. 4 (281-980-9077)
<input type="checkbox"/> Information Technology (281-341-4526)	<input type="checkbox"/> County Clerk (281-341-8697)
<input type="checkbox"/> Other:	<input type="checkbox"/> County Atty (281-341-4557)

RECOMMENDATION / ACTION REQUESTED:

Take all appropriate action to approve Interlocal Agreement between Fort Bend County Drainage District and Pecan Grove Municipal Utility District for maintenance of drainage channels through September 30, 2010.

Special Handling Requested (specify): Return to Rose Ann Vargas, Drainage District after recording.

10-22-09 2 orig's →

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

INTERLOCAL AGREEMENT BETWEEN
THE FORT BEND COUNTY DRAINAGE DISTRICT AND
THE PECAN GROVE MUNICIPAL UTILITY DISTRICT

This interlocal agreement is entered into between the Fort Bend County Drainage District, hereinafter referred to as "Drainage District" and the Pecan Grove Municipal Utility District, hereinafter referred to as "M.U.D."

WHEREAS, the M.U.D. desires that the Drainage District assist in the maintenance of drainage channels dedicated by instrument to the M.U.D.; and

WHEREAS, the governing body of the M.U.D. has duly authorized this agreement; and

WHEREAS, the Drainage District desires to assist the M.U.D. in the maintenance of drainage channels dedicated by instrument to the M.U.D.; and

WHEREAS, the governing body of said Drainage District has duly authorized this agreement; and

WHEREAS, this agreement is made pursuant to and under the provisions of Chapter 791, Texas Government Code.

NOW, THEREFORE, the Drainage District and the M.U.D. mutually agree as follows:

1. The Drainage District may maintain drainage channels dedicated by instrument to the M.U.D. upon written notice by the President of the Board of Directors of the M.U.D. to the County Commissioner within whose precinct said drainage is located. Said maintenance shall be limited to control of vegetation by use of herbicides.

2. The letter from the President of the Board of Directors of the M.U.D. shall set forth the following:

- a. Describe in detail the drainage maintenance the M.U.D. desires the Drainage District's assistance on and describe in detail the work the M.U.D. desires the Drainage District to perform. The work to be performed shall be limited to the application of herbicides within channel banks. The targeted specimen must be identified by the M.U.D.

- b. The approximate time the M.U.D. desires the Drainage District to commence and the approximate time the M.U.D. desires the Drainage District to complete the work.
- c. That the M.U.D. has current revenue funds available to pay the Drainage District its cost for any and all materials used pursuant to the request.
- d. The M.U.D. agrees to pay any and all materials used by the Drainage District pertaining to the request within thirty (30) days after receipt of invoice.
- e. The M.U.D. agrees to provide at no cost to the Drainage District all water required for the maintenance activity.

3. Upon receipt of such written request, the County Commissioner, within whose precinct the said drainage is located, will review and consider the request and review same with the Manager of the Drainage District, and if equipment and manpower is available, and the use of same will not interfere or interrupt normal construction and maintenance of Fort Bend County drainage, the Drainage District may make arrangements to assist the M.U.D., provided, however, it is expressly understood and agreed between the parties that such assistance shall be at the sole discretion of the County and/or Drainage District.

4. Once the terms as provided in Paragraph 3 are consummated, the Drainage District agrees to furnish all necessary equipment and equipment operators necessary for the maintenance of drainage channels made the subject of such conditions.

5. It is expressly understood and agreed that this agreement may be terminated by either party upon thirty (30) days written notice.

6. It is expressly understood and agreed that this agreement is automatically terminated on the 30th day of September, 2010, and must be renewed annually thereafter.

7. It is expressly understood and agreed by the parties hereto that this agreement shall be effective October 1, 2009.

[EXECUTION PAGE FOLLOWS]

SIGNED this 25th day of August, 2009.

PECAN GROVE MUNICIPAL UTILITY DISTRICT



Joe Taylor
President, Board of Directors

ATTEST:

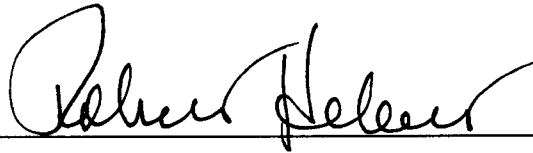


G. E. Kluppel
Secretary, Board of Directors



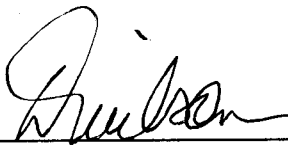
SIGNED this 20 day of October, 2009.

FORT BEND COUNTY DRAINAGE DISTRICT



By: _____
Name: Robert Hebert
Title: County Judge

ATTEST:



By: _____
Name: Dianne Wilson
Title: County Clerk