

**HOUSTON-GALVESTON AREA COUNCIL
INTERGOVERNMENTAL AGREEMENT FOR
VOLUNTARY MOBILE EMISSION REDUCTION PROGRAM**

This Intergovernmental Agreement is made and entered into this 23 day of April, 2009, by and between the Houston-Galveston Area Council, hereinafter referred to as H-GAC, having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027 and Fort Bend County, hereinafter referred to as the COUNTY, having its principal place of business at 301 Jackson St., Richmond, Texas 77469.

WITNESSETH:

WHEREAS, H-GAC has developed a plan for voluntary mobile emission reductions for the Houston-Galveston-Brazoria non-attainment area and seeks to enter into agreements with cooperating Local Governments to implement voluntary measures in accordance with this Agreement; and

WHEREAS, the COUNTY identified the need for and implemented various voluntary mobile emission reduction measures from 2001-2008 as described in the attached Exhibit A.

WHEREAS, the COUNTY desires to implement additional voluntary mobile emission reduction programs in accordance with the specifications of the Agreement;

NOW, THEREFORE, H-GAC and the COUNTY do hereby agree as follows:

1. The COUNTY warrants and assures H-GAC that it possesses adequate legal authority to enter into this Agreement. The COUNTY's Commissioners Court, has authorized the signatory official(s) to enter into this Agreement and bind the COUNTY to the terms of this Agreement and any subsequent amendments hereto.
2. The COUNTY agrees to conduct all activities under this Agreement in accordance with all applicable rules, regulations, directives, standards, ordinances and laws in effect or promulgated during the term of this Agreement.
3. The execution of this Agreement and the rendering of services prescribed by this Agreement do not change the independent status of H-GAC or the COUNTY. No provision of this Agreement or act of H-GAC in performance of the Agreement shall be construed as making the COUNTY the agent, servant or employee of H-GAC, the State of Texas or the United States Government. Employees of the COUNTY are subject to the exclusive control and supervision of the COUNTY.
4. The COUNTY and H-GAC acknowledge that the U. S. Environmental Protection Agency (EPA) has classified the Houston-Galveston-Brazoria Area under the Clean Air Act as a "Severe-17" nonattainment area for ozone. EPA's National Ambient Air Quality

Standards will result in significant emission reductions. This Agreement outlines further efforts that the COUNTY will voluntarily make in the Houston-Galveston-Brazoria Area to achieve reduction of emissions that will be granted as a SIP credit under the Voluntary Mobile Source Emission Reduction Program (“VMEP”).

5. The County understands that H-GAC has adopted a list of voluntary measures that the COUNTY can implement that will result in immediate and real emission reductions. The COUNTY agrees to implement the measures listed below:

A. Reduce Vehicle Emissions:

Accelerate fleet turnover by participating in the H-GAC Clean Vehicle Program or TERP.

- The COUNTY commits to accelerated turnover of at least five heavy-duty vehicles annually which meet the standard for replacement under one of aforementioned vehicle replacement programs.
- In addition the COUNTY will continue to seek other grant funds from all sources as they become available to pursue conversion of vehicles to more efficient and clean emission models.
- The COUNTY has worked with H-GAC and TCEQ since 2003 and will continue to participate in the Drive a Clean Machine Program to help remove smoking vehicles from our roadways.

Promote use of alternative fuels and vehicles.

- The COUNTY commits to use ultra-low sulfur diesel to power 150+ heavy-duty vehicles.
- The COUNTY will require that all new heavy-duty on-road and off-road equipment procurements include specifications for the highest tiered engine available at the time of purchase.
- The COUNTY will include specifications for hybrid or clean alternatively fueled vehicles that fit within the parameters of utilization and budgetary constraints.

Develop a fleet maintenance program that optimized emission reduction.

- The COUNTY will use fuels additives for all gasoline and diesel vehicles reducing the amount of carbon build up in the engines resulting in decrease carbon emissions.
- The COUNTY will use synthetic oil products which have been shown to increase gas mileage and extend the time between oil changes.

Develop more efficient work processes.

- COUNTY deputies will remain within their designated patrol areas during shifts when writing reports and utilize aircards in order to reduce drive time and fuel consumption for 75 vehicles.

- The COUNTY will open a Sheriff's substation in the northwest section of the county by the end of 2010 allowing 1/3 of these vehicles each shift to be located closer to their patrol area further reducing drive time and reducing vehicles miles approximately 1000 miles per day.
- The COUNTY will use new products to rejuvenate existing road surfaces instead of replacing the surfaces resulting in 50% increased efficiency in heavy-duty equipment utilization.

B. Alternative Commuting Strategies:

As funding permits, the COUNTY commits to the continuation of commuter services to the Greenway Plaza, and the Galleria areas of Houston resulting in a reduction of 90,000 constituent work trips annually consisting of an average commute length of 22 miles.

The COUNTY agrees to promote participation in H-GAC's internet based regional ride share program by providing information on the COUNTY's website about the regional vanpool programs. The COUNTY will conduct annual employee surveys for promotion and documentation of participation in the program with the goal of achieving participation of at least 10 county employees in the program per year.

The COUNTY will continue to work with other jurisdictions to develop circulator projects within the more densely populated areas for reduction of short-destination trips resulting in fewer vehicles on the road.

C. Corridor intersection improvements.

The COUNTY has and will continue to initiate various road improvement projects identified as providing overall improvement to the regional air quality by reducing traffic congestion and mobile source vehicle emissions. Details of these projects will be submitted for inclusion in the Regional Transportation Plan. Examples of roadway improvements that mitigate traffic congestion and reduce vehicle idling emissions are the use of separate turn bays and lanes at intersections and along corridors.

The COUNTY will install solar-powered school zone traffic signals on county roads that change timing to accommodate real-time conditions as funds become available.

The COUNTY will continue to add traffic signals on county roads utilizing vehicle detection (VIDS) cameras that adjust signal timing and phasing to accommodate real-time traffic conditions.

- D. Policy measures that improve air quality but are not eligible for emission reductions:

The COUNTY agrees to work with other jurisdictions for computerized timing of traffic signalization corridors as ongoing projects are completed and new signalizations are brought on line whenever possible.

The COUNTY will implement no idling instructional training for operators of light-duty and heavy-duty vehicles with the exception of law-enforcement patrol and emergency medical service vehicles.

The COUNTY through adoption of a Local Subdivision Regulations will encourage the development of multi-use communities with sufficient greenspace planning.

The COUNTY will continue to coordinate and fund projects with the Texas Department of Transportation to developed corridor improvements reducing stop and go progression and improve arterial speeds.

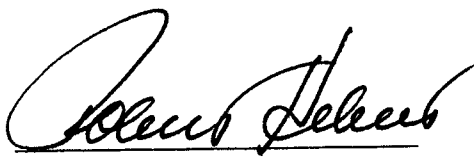
6. The parties understand and acknowledge that the COUNTY has the flexibility to utilize new technology or other methods not included in the project description to achieve the targeted emission reductions consistent with applicable federal and State laws and regulations.
7. The COUNTY, H-GAC, TCEQ, and EPA intend to consult and reasonably share information concerning implementation of this portion of the VMEP, concerning the status of the emissions reduction measures.
8. H-GAC and the COUNTY expect that the means necessary to implement voluntary measures or achieve targeted reductions are or will become available. The parties fully expect that the COUNTY will implement these measures expeditiously as practicable, but not later than 2015. The emission reduction identified by H-GAC through this Agreement will be submitted by H-GAC as support for the VMEP program and included in the State Implementation Plan for ozone attainment.
9. The COUNTY and H-GAC are committed to working together to ensure that the emission reduction measures described in this document are implemented
10. The COUNTY will use their best efforts to implement these voluntary emission reductions. In the event that any measure outlined in this Agreement cannot be implemented, the COUNTY may amend or terminate the voluntary commitments under this Agreement upon thirty days written notice.
11. H-GAC and the COUNTY agree to reasonably coordinate with one another concerning any communication or publicity regarding the contents of this Agreement.

Notices under this agreement shall be as follows:

To the County
Robert E. Hebert
County Judge
301 Jackson St.
Richmond, Texas 77469

To H-GAC
Jack Steele
Executive Director
P.O. Box 22777
Houston, Texas 77227-2777

IN WITNESS WHEREOF, the parties have executed this Agreement as of 28 the day of April, 2009.



Robert E. Hebert
County Judge



ATTEST:



Dianne Wilson

HOUSTON-GALVESTON AREA COUNCIL,
a political subdivision of the State of Texas



Jack Steele
Executive Director

5-13-09
Date

Fort Bend County
Voluntary Mobile Emission Reductions - 2001-2008
Exhibit A

Reduce Vehicle Emissions

Accelerated fleet turnover –the adoption of a policy in 2006 to require all new heavy-duty on-road and off-road equipment include specifications for the highest tiered engine available at the time of purchase has resulted in the purchase of 55 vehicles not covered under the TERP or another HGAC replacement program.

Promote use of alternative fuels to reduce emissions – the County has used ultra-low sulfur diesel to power over 150 heavy-duty vehicles since 2007.

Develop fleet maintenance program to optimize emission reduction - Since 2001, the County has used fuel additives for all gasoline and diesel vehicles reducing the amount of carbon build up in the engines resulting in decreased emissions.

Develop more efficient work processes –

- In 2008, 25 patrol vehicles began using air-cards to update mobile data computer information by broadband reducing the need to return to the main county facility reducing fuel consumption on these vehicles.
- In 2009, an additional 25 patrol vehicles began using the air-cards resulting in lower fuel consumption for a total of 50 vehicles.
- Beginning in 2008, new products for building roads have been used to rejuvenate existing surfaces instead of replacing the surfaces resulting in 50% increased efficiency in heavy-duty equipment utilization.

Alternative Commuting Strategies

Fort Bend County has received state and federal funds for a public transportation program since 2002. Each program or project outcome has been reported to the funding agency and there are no additional voluntary measures that can be documented from past efforts.

Corridor Intersection Improvements

- Fort Bend County’s aggressive growth has resulted in bond-funded toll roads and road improvement projects that increase capacity, but more importantly are designed to incorporate proper turn lanes and signalization systems that reduce traffic congestion and mobile source vehicle emissions by improving the flow of vehicles and reducing unnecessary idling.
- Since 2002 the County has installed 22 solar-powered school zone traffic signals on county roads that change timing to accommodate real-time conditions.
- The County currently has 11 traffic signals on county roads utilizing vehicle detection (VIDS) cameras that adjust signal timing and phasing to accommodate real-time traffic conditions.

**HOUSTON-GALVESTON AREA COUNCIL
CONTRACT/GRANT ACTION NOTICE**

CONTRACTOR* Fort Bend County

PROJECT TITLE VMEP agreement

START DATE _____ END DATE _____

CONTRACT NO. _____ TOTAL CONTRACT VALUE \$ _____

PROJECT NO. _____ FEDERAL \$ _____

CSJ NO. _____ IN-KIND MATCH \$ _____

LOCAL CASH MATCH \$ _____

ACTION REQUESTED:

X CONTRACT ESTABLISHMENT

_____ CONTRACT AMENDMENT MODIFICATION NO. _____

_____ Budget amendment

_____ Period extension

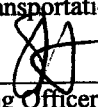
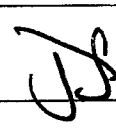
_____ Budget increase

_____ Other

_____ CONTRACT TERMINATION

This form transmits the attached contract agreement document(s) to the Executive Director for signatory approval, subject to the approvals required below.

APPROVALS:

Reviewed by:	Finance and Budget Committee	N/A
		Date
Approved by:	Board of Directors	N/A
		Date
Approved by:	_____	_____
	Program Manager	Date
Approved by:	_____	_____
	Deputy Director of Transportation	Date
Approved by:	_____	_____
	Director of Transportation Planning	Date
Approved by:		<u>5/12/09</u>
	Chief Operating Officer	Date
Approved by:	_____	_____
	Chief Financial Officer	Date
Approved by:		<u>5-13-09</u>
	Executive Director	Date