

AGENDA ITEM
150

FORT BEND COUNTY FY 2009
COMMISSIONERS COURT AGENDA REQUEST FORM
Return Completed Form to: Agenda Coordinator, County Judge's Office

Date Submitted: June 16, 2009

Submitted By: Ann Werlein
Department: County Judge
Telephone: 281-341-8634

Court Date: June 23, 2009

SUMMARY OF ITEM:

County Judge: Take all appropriate action to adopt Resolution supporting the County's application for the \$2,807,600 formula grant from the Recovery Act Energy Efficiency and Conservation Block Grants.

Agreement/Appointment: YES NO ✓

Reviewed by County Attorney's Office: YES ✓ NO

List Supporting Documents Attached: Resolution

FINANCIAL SUMMARY:

Budgeted Item: YES NO ✓

Funding Source: FY09

Requires Auditor to Certify Funds: YES NO ✓

Instructions for submitting an Agenda Request:

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms may be submitted by e-mail, fax, or inter-office mail, and all information must be provided by Wednesday at 2:00 p.m. to all departments listed below.
- Original back-up must be received in 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 the numbers below:

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

Recommendation:

6-25-09 copy received

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**RESOLUTION FOR RECOVERY ACT
ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS
FORMULA GRANTS**

WHEREAS, under the provisions of The American Recovery and Reinvestment Act of 2009, Public Law 111-5 appropriates funding for the Department of Energy (DOE) to issue/award formula-based grants to states, U.S. territories, units of local government, and Indian tribes under the Energy Efficiency and Conservation Block Grant (EECBG) Program. DOE’s authorization for this program is set forth in Title V, Subtitle E of the Energy Independence and Security Act (EISA) of 2007; and

WHEREAS, Fort Bend County for the purposes of the EECBG Program is eligible for direct formula funding from the DOE because the county population is at least 200,000 and is one of the 10 highest populated counties of the State of Texas and, therefore was awarded a grant in the amount of \$2,807,600; and

WHEREAS, Fort Bend County, Commissioners Court has agreed that submission of this grant application is in the best interests of the citizens of the county and in the event of loss or misuse of the funds, the County Commissioners assure that the funds will be returned to the Department of Energy; and

WHEREAS, Fort Bend County further agrees that in accordance with EISA Sec. 548(b), EECBG funds shall supplement (and not supplant) other federal funding provided under the State Energy Program or the Weatherization Assistance Program; and

WHEREAS, by passage of this resolution, Fort Bend County shall provide written assurance that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by the Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United States Code (Davis-Bacon Act); and

WHEREAS, Fort Bend County has determined that the enactment of this resolution serves a public purpose;

NOW, THEREFORE, BE IT RESOLVED BY COUNTY OF FORT BEND, TEXAS:

1. Fort Bend County, by action of Commissioners Court on June 9, 2009, designated the County Judge submit all documentation necessary to apply for and receive funding based on Title V, Subtitle E, Energy Efficiency and Conservation Block Grants, Sections 541(3)(A) or 541(3)(B) of EISA 2007, Public Law 110-140.

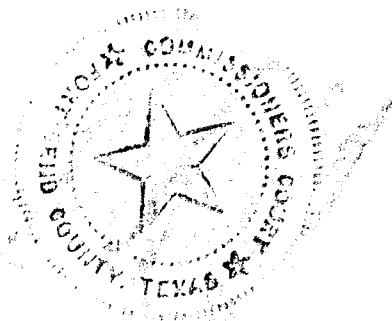
2. Fort Bend County will post this resolution on the County's website upon receipt of notification of the award from the DOE, certifying the following:

"With respect to funds made available to state or local governments for infrastructure investments under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, the County Judge as chief executive, certifies by acceptance of this award that the infrastructure investment has received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars.

In addition, Recipient shall provide an additional certification that includes a description of the investment, the estimated total cost, and the amount of covered funds to be used for posting on the Internet. A State or local agency may not receive infrastructure investment funding from funds made available by the Act unless this certification is made and posted."

3. Fort Bend County will submit to the DOE a proposed Energy Efficiency and Conservation Strategy as part of this grant application as a mechanism for meeting the goals of the EECBG Program to:
- A. reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities;
 - B. reduce the total energy use of the eligible entities; and
 - C. improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors.
4. Fort Bend County understands that the period of performance for these grants will be 36 months. In keeping with the agenda of the Recovery Act, and supporting the goal of immediate investment in the economy, entities are required to obligate/commit all funds within eighteen (18) months from the effective date of the award; and, in the event funds are not obligated/committed within eighteen (18) months, the DOE has the right to deobligate the funds and cancel the award.

APPROVED this 23 day of June, 2009.



ATTEST:

Dianne Wilson

Dianne Wilson, County Clerk

FORT BEND COUNTY

By:

Robert E. Hebert

Robert E. Hebert, County Judge

Date:

June 23, 2009