



Board Agenda Item 45

DATE: May 19, 2026

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Amended and Restated Cooperation and Indemnification Agreement
with City of Orange Cove

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute the Amended and Restated Cooperation and Indemnification Agreement with the City of Orange Cove in connection with the Sumner Avenue Sewer Trunk and Main Improvement Project.

There is no Net County Cost associated with the recommended action. Approval of the recommended action would authorize an amended and restated agreement with the City of Orange Cove (City) and facilitate the City's receipt of Economic Development Administration (EDA) grant funds to partially fund construction of the City's sewer trunk main and water main improvements necessary to serve a commercial project located at the northwest corner of Park Boulevard and Anchor Avenue, a portion of which is within the County's road right-of-way. This item is in District 4.

ALTERNATIVE ACTION(S):

Your Board can opt to reject the amended and restated agreement. Doing so may prevent the City from receiving reimbursement from EDA until a suitable agreement is approved, clarifying that the City is the sole EDA grant applicant and identifying the maintenance responsibilities of each agency's respective facilities.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Pursuant to the proposed amended agreement, all potential cost and liability will be the responsibility of the City. The County will have no obligation to reimburse the City for any costs incurred under the amended and restated agreement.

DISCUSSION:

On December 5, 2017, County entered into Agreement No. 17-626, which facilitated the City of Orange Cove's EDA grant application to fund construction of the City's sewer trunk main in Sumner Avenue/Park Boulevard to Anchor Avenue, a portion of which would be within County's road right-of-way. The City was awarded an EDA grant to partially fund the sewer trunk main and water main infrastructure improvements. Due to the age of the 2017 Agreement and the desire to make additional changes to the 2017 Agreement, County and City have determined that it is in their best interests to enter into the proposed amended restated agreement, which will supersede and replace the 2017 Agreement.

The amended and restated agreement specifically places the responsibility of repair and maintenance of the

sewer main on the City and removes the reference to County of Fresno being a co-applicant to the EDA grant, which was not the case. The amended and restated agreement also includes provisions for a water main, which was later added to the project.

Approval of the proposed amended and restated agreement will supersede and replace the 2017 Agreement and clarify the City's responsibilities for the operation, maintenance, repair, and replacement of the City-owned sewer and water facilities located within the County's road right-of-way.

OTHER REVIEWING AGENCIES:

The Amended and Reinstated Cooperation and Indemnification Agreement between the County of Fresno and City was prepared and coordinated between City and County staff. The Orange Cove City Council discussed and approved the Agreement at a public hearing on February 26, 2026.

REFERENCE MATERIAL:

BAI #55, December 5, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amended and Restated Cooperation and Indemnification Agreement

CAO ANALYST:

Maria Valencia