



Board Agenda Item 41

DATE: September 9, 2025

TO: Board of Supervisors

SUBMITTED BY: Joe Prado, Interim Director, Department of Public Health

SUBJECT: Memorandum of Understanding Between Fresno, Kings, Kern and Tulare Counties for Flood Emergency Response Grant Implementation

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a Memorandum of Understanding with the counties of Kings, Kern, and Tulare regarding the implementation of the Flood Emergency Response Grant, Agreement No. 4600016090 with the California Department of Water Resources (DWR), effective upon execution by all parties and ending three years after final payment under the DWR Agreement, estimated to be December 31, 2027, total not to exceed \$329,000.

Approval of the recommended action will allow Fresno County to distribute funds to the participating counties and carry out the responsibilities outlined in Resolution No. 24-387, including overseeing project implementation, monitoring subrecipient compliance, and ensuring timely reimbursement from DWR. The total award of \$500,000 includes \$171,000 retained by Fresno County for its Emergency Operations Center (EOC) project, and \$329,000 distributed to Tulare, Kings, and Kern Counties for their approved emergency preparedness activities.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended action, the Department will be unable to fulfill its responsibilities as the pass-through agency under the grant agreement with the DWR. As a result, the County will not be able to seek reimbursement on behalf of Kings, Kern, and Tulare Counties for costs incurred in the implementation of their approved projects, under the DWR agreement.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. All costs incurred by Fresno County and the participating counties in the implementation of the approved projects will be reimbursed by DWR in accordance with the terms of the grant agreement. Fresno County will retain \$171,000, while \$147,000 will be distributed to both Kings and Tulare Counties, and \$35,000 to Kern County. Sufficient appropriations and estimated revenues will be included in the Department's Org 5620 FY 2025-26 Recommended Budget and will be included in subsequent budget requests.

DISCUSSION:

On December 3, 2024, the Board approved Resolution No. 24-387, which authorized the acceptance of funding from DWR and designated the Fresno County Department of Public Health's Office of Emergency Services (OES) as the administrative lead for implementation of the Flood Emergency Response Grant, Agreement No. 4600016090 and coordination with Kings, Tulare, and Kern Counties. Under the DWR

Agreement No. 4600016090, a total of \$500,000 has been allocated to support regional emergency preparedness efforts, with \$171,000 retained by Fresno County for its own EOC enhancement project and \$329,000 designated for use by the other three counties to implement their respective emergency response projects.

To formalize roles and responsibilities among the participating counties, the Fresno County OES has developed a Memorandum of Understanding (MOU) outlining Fresno County's responsibilities as the pass-through agency and the obligations of Kings, Tulare, and Kern Counties as subrecipients. The MOU establishes a structure for fund distribution, performance monitoring, reporting, and compliance with state grant requirements. Each participating county submitted a project scope that aligns with the objectives of the DWR grant, including enhancements to EOC capabilities, communications infrastructure, flood response tools, and planning exercises. The MOU ensures all jurisdictions will implement their projects, adhere to grant requirements, and submit documentation necessary for reimbursement. The MOU includes a mutual indemnification clause, which ensures that each participating county agrees to hold the others harmless from liabilities arising from their own acts or omissions in the performance of duties under the agreement, which differs from the County's standard indemnification provision. The mutual hold harmless clause has been reviewed by Risk Management and deemed to be acceptable for this agreement between public entities.

REFERENCE MATERIAL:

BAI #62, December 3, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - MOU with Kings, Kern, and Tulare Counties

CAO ANALYST:

Ron Alexander