



# County of Fresno

Hall of Records, Rm. 301  
2281 Tulare Street  
Fresno, California  
93721-2198

## Legislation Text

**File #:** 16-1484, **Version:** 1

**DATE:** December 13, 2016  
**TO:** Board of Supervisors  
**SUBMITTED BY:** David Pomaville, Director, Department of Public Health  
**SUBJECT:** Amendment III to Revenue Agreement with the California Department of Public Health

### RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute Amendment III to revenue Agreement No. 14-602, a decrease of \$72,669, with the California Department of Public Health for Federal and State Public Health Emergency Preparedness and Hospital Preparedness Program Carry Forward funds, effective upon execution with no change to the term of July 1, 2014 through June 30, 2017 (\$4,585,540).**
- 2. Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Local Public Health Preparedness Org 1159 in the amount of \$262,369 to fund additional public health emergency and hospital preparedness program equipment and activities (4/5 vote).**
- 3. Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Department of Public Health Org 5620 in the amount of \$262,369 (4/5 vote).**

The California Department of Public Health (CDPH) allows counties to reallocate prior year (FY 2015-16) unspent Public Health Emergency Preparedness (PHEP) and Hospital Preparedness Program (HPP) monies as carry forward funds into the current year (FY 2016-17). Approval of the first recommended action will allow the County to expend uncommitted FY 2015-16 funds in FY 2016-17. The overall three-year grant will decrease in the amount of \$72,669. The carry forward total amount is \$341,377. Approval of the second and third recommended actions will increase FY 2016-17 appropriations and revenues in the amount of \$262,369 in the Local Public Health Preparedness Org 1159 and in the Department of Public Health Org 5620, respectively. The balance of \$79,008 is already included in the FY 2016-17 appropriations and estimated revenues for the Local Public Health Preparedness Org 1159 and the Department of Public Health Org 5620. The funds support the public health and hospital preparedness emergency response to bioterrorism, outbreaks of infectious disease and other public health threats and emergencies through the Department of Public Health, with no Net County Cost.

### ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, the Department would not be able to fund additional PHEP and HPP equipment and activities during FY 2016-17 with FY 2015-16 carry forward funds.

### FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The proposed revenue Amendment will decrease the PHEP and HPP three-year grant allocation by \$72,669; from \$4,658,209 to \$4,585,540. The FY 2016-17 allocation will increase in the amount of \$341,377 by reallocating the remaining

unspent FY 2015-16 PHEP and HPP revenue funds. Approval of the second recommended action will increase the FY 2016-17 appropriations and estimated revenues in the Local Public Health Preparedness Org 1159 in the amount of \$262,369, using carry forward funds from FY 2015-16, to fund an Operating Transfer Out to Department of Public Health Org 5620. Approval of the third recommended action will increase FY 2016-17 appropriations and estimated revenues as an Operating Transfer In from the Local Public Health Preparedness Org 1159, in the Department of Public Health Org 5620 in the amount of \$262,369 to fund additional PHEP and HPP equipment and activities. The balance of \$79,008 is already included in the Local Public Health Preparedness Fund Org 1159 and in the Department of Public Health Org 5620 FY 2016-17 Adopted Budgets. The recommended amendment allows full recovery of direct costs, but limits indirect cost recovery to 14.7%, the amount necessary to cover the related Department costs. The grant allocation is non-competitive and does not require matching funds.

#### DISCUSSION:

On September 30, 2014, your Board approved Agreement No. 14-602 with CDPH for public health and emergency preparedness response activities. On June 16, 2015, your Board approved Amendment I which increased total compensation by \$117,232. On May 24, 2016, your Board approved Amendment II which further increased the total compensation by \$32,253. The recommended Amendment III will decrease total compensation by \$72,669, and also allow \$341,377 in unspent FY 2015-16 funds to be carried forward for use in FY 2016-17.

PHEP funds are utilized to develop and refine written plans and operating procedures that support the public health emergency preparedness and response. The grant funds regional preparedness activities including trainings, drills, exercises, community outreach, reports and corrective action plans. Response activities addressing pandemic flu epidemics and other contagious diseases, alternate care sites, biological incidents, and advanced laboratory services are also funded. The HPP maintains and enhances local hospital, clinic, and long-term health care facility all-hazards event capabilities.

The carry forward funds will be used by PHEP and local HPP partners to complete program activities outlined in the agreement, including the purchase of the following emergency preparedness equipment:

- Public Health Lab (Lab) hood fan engineering and replacement costs;
- Replacement of Lab equipment tables, work stations and bio-safety hoods;
- Software for epidemiological surveillance;
- Flu and Zika Virus Disease media campaigns; and,
- Medical surge and infectious disease supplies.

During FY 2015-16 and the first quarter of FY 2016-17, the programs have:

- Planned and executed two flu vaccination exercises;
- Planned and executed a full-scale medical countermeasures exercise in conjunction with a variety of County departments and other agencies;
- Completed negotiations and entered into an agreement for health information exchange services;
- Completed an agreement for an open point of dispensing site; and,
- Conducted other activities related to emergency preparedness planning.

The existing agreement contains a dispute resolution procedure requiring both parties to first seek resolution of any dispute that may arise from the agreement. Additionally, the agreement contains an Indemnification Clause whereby the County indemnifies the State, including an Indemnification Clause specifically related to intellectual property. The State can terminate the Agreement without cause upon providing the County with 30 days advance written notice or immediately terminate the agreement for cause. The County can request to

terminate the agreement only if the State substantially fails to perform its responsibilities as provided for within the agreement.

With your Board's approval, the proposed Amendment III will allow the Department to utilize carry forward funding to continue program activities.

REFERENCE MATERIAL:

BAI # 49, May 24, 2016

BAI #64, June 16, 2015

BAI #37, September 30, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment III to Agreement No. 14-602 with CDPH

On file with Clerk - Budget Resolution (Org 1159)

On file with Clerk - Budget Resolution (Org 5620)

CAO ANALYST:

Sonia De La Rosa