



Health & Human Services Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: July 9, 2024 REVISED

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	Yes

CONTACT PERSON: Sabrina Bustamante PHONE: 559-624-8000

SUBJECT: Approve an agreement with the Tule River Tribe

REQUEST(S):

That the Board of Supervisors:

1. Approve an agreement with The Tule River Tribe for Disaster Related Services, effective from July 9, 2024, through July 8, 2027. There is no cost associated with this agreement.
2. Authorize the Chair of the Board to sign the agreement.

SUMMARY:

The Tule River Tribe (Tribe) and the County of Tulare (County) have collaborated and coordinated during local emergencies and continue to plan and prepare mutually for emergencies that may impact the County. Most recently, the Tribe and the County worked together to respond to the March 2023 Storms.

The proposed Mutual Aid Agreement is a post-incident agreement following the storms that can be submitted to the Federal Emergency Management Agency to reimburse costs of aid rendered by the Tribe during said storms, while also operating prospectively for emergencies. It clearly outlines the roles and responsibilities of both jurisdictions, provides guidance for the process of requesting aid and mobilization of resources during an emergency, and is intended to provide a mechanism for the two jurisdictions to respond timely and cohesively during an emergency.

The following terms deviate from the County boilerplate: 1) The Tribe does not waive its sovereign immunity and is not subject to the jurisdiction of federal or state courts; 2) The term of the agreement is three years from the date it is fully executed and automatically renews for successive three-year terms unless terminated with at least 30 calendar days written notice; 3) The jurisdiction rendering aid shall be indemnified, held harmless and

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defended for any and all claims and liabilities by third parties, including attorneys' fees. This includes employment-related claims by third parties, unless such claims are the result of gross negligence or willful misconduct by the jurisdiction rendering aid; and 4) The Agreement requires mutual liability between the County and the Tribe unless a claim is the result of gross negligence or willful misconduct.

FISCAL IMPACT/FINANCING:

There is no cost to enter into this agreement, nor are there any set recurring costs included. This agreement will likely reduce Net County Cost to the General Fund by providing collaborative efforts for some types of emergency assistance rendered by the County, many of which would be undertaken irrespective of revenue and unlikely to be otherwise recoverable. Costs incurred on behalf of the County under this agreement may also represent a savings to the County in the form of more efficient service delivery and may also be reimbursable under State or Federal disaster assistance programs in larger disasters.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Safety and Security element, with a goal to plan and provide coordinated emergency preparedness, response, recovery, and mitigation capabilities for both natural and man-made disasters. This agreement augments the County's existing capabilities and allows for new options in service delivery to maximize local expertise, resources, and funding by leveraging the benefits of a public-tribal partnership.

ADMINISTRATIVE SIGN-OFF:

/s/Anita Ortiz

Anita Ortiz

Associate Agency Director

Cc: County Administrative Office

Attachments: Mutual Aid Agreement