



# Fire Department COUNTY OF TULARE AGENDA ITEM

## BOARD OF SUPERVISORS

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** November 5, 2019 **REVISED**

|   |     |                                     |     |                                     |
|---|-----|-------------------------------------|-----|-------------------------------------|
| Public Hearing Required   | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Scheduled Public Hearing w/Clerk  | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Published Notice Required   | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Advertised Published Notice   | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Meet & Confer Required  | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Electronic file(s) has been sent  | Yes | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/>            |
| Budget Transfer (Aud 308) attached  | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Personnel Resolution attached   | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |

CONTACT PERSON: Annie Haynes    PHONE: (559) 802-9800

**SUBJECT:** Tulare/Kings County Regional Hazardous Materials Response Team

**REQUEST(S):**

That the Board of Supervisors:

1. Receive a presentation on the Tulare/Kings County Regional Hazardous Materials Program;
2. Approve the Memorandum of Understanding (MOU) with Kings County, Tulare County, City of Dinuba, City of Exeter, City of Farmersville, City of Hanford, City of Lemoore, City of Lindsay, City of Tulare, City of Visalia and City of Woodlake for the Tulare/Kings County Regional Hazmat Team for emergency hazmat responses, in an initial year amount of \$18,343.39 and subject to an increase or decrease amount in subsequent years, retroactively for the period of July 1, 2019 through June 30, 2024. This agreement is retroactive due to the ongoing lengthy negotiations with all participating agencies, and the time needed to process the agreement, prepare, and submit the agenda item, making it impracticable for the Board to take action prior to July 1, 2019;
3. Find that the Board had the authority to enter into this proposed agreement as of July 1, 2019 and that it was in the County's best interest to enter into the agreement on that date; and
4. Authorize the Chairman of the Board to sign two (2) copies of the Memorandum of Understanding.

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**DATE:** November 5, 2019

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**SUMMARY:**

Annually in California, there are over 1,300 transportation related accidents involving hazmat and more than 7,000 hazmat/oil spills. In the State of California, there are in excess of 144,000 businesses selling or using chemicals and approximately 150 chemical manufacturers, all of whom have an increased risk for hazmat incidents. To deal with the complexity of these events, hazmat teams continue to be formed around the State.

Locally, we have several Ag Production facilities and chemical storage facilities that pose challenges for Tulare County and our neighboring counties. We also have the potential for issues with railway transportation, field chemical applications and ethanol/flammable liquid storage facilities. The Occupational Safety and Health Administration (OSHA) has specific Hazardous Waste Operations and Emergency Response (Hazwoper) Regulations (29 CFR 1910.120 [Federal Regulation] and Title 8 CCR 5192 [California Regulation]) which include the three following activities:

1. Hazardous Waste Site Cleanup
2. Operation of treatment, storage, and disposal facilities
3. Emergency Response to hazmat releases

The purpose of forming a Tulare/Kings County Regional Hazmat Team is to supplement existing mutual aid agreements and to satisfy the statutory requirements for "Emergency Response to Hazmat Incidents." The MOU for the regional Hazmat Team is between Kings County, Tulare County, City of Dinuba, City of Exeter, City of Farmersville, City of Hanford, City of Lemoore, City of Lindsay, City of Tulare, City of Visalia and City of Woodlake. The City of Visalia, as the lead agency, will primarily be responsible for housing the Hazmat Team equipment, schedule training on a regional basis, conduct cost recovery efforts, and account for hazmat funding as specified in the agreement. Participating agencies will share the cost to maintain training and typing requirements for Visalia's Hazmat Team. Participating agencies will also provide operational and technical services at the scene of a hazmat incident within jurisdictional areas. The Tulare/Kings County Regional Hazmat Team provides an efficient and cost-effective method to provide these services.

Most of the aforementioned agencies have been in contract with Visalia's Hazmat Team over the past several years. The County has been in contract with the City of Visalia since 1995. As the principal agency, City of Visalia will continue to send annual invoices to the agency who has jurisdiction over the response area. This model is the safest and most efficient way to handle hazmat incidents within the County.

**FISCAL IMPACT/FINANCING:**

The MOU for the Tulare/Kings County Regional Hazmat Team is for the period of July 1, 2019 through June 30, 2024. The cost to operate the Tulare/Kings County Regional Hazmat Team is based upon the population of the agency. Each agency will receive an annual invoice showing the cost to maintain the Hazmat Team. The



**SUBJECT:** Tulare/Kings County Regional Hazardous Materials Response Team  
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cost will be proportionate to that agency's population (see chart below). The initial total cost of the Hazmat Team is \$72,562.22 and will increase at a rate of 2% annually each subsequent year for the period of the MOU. Of the initial total amount, Tulare County's share is \$18,343.39 for Fiscal Year 2019/20; this amount

| Agency        | Population | Percentage | Cost Share  |
|---------------|------------|------------|-------------|
| Tulare County | 144,741    | 25.3%      | \$18,343.39 |
| Kings County  | 69,348     | 12.1 %     | \$8,788.65  |
| Dinuba        | 25,328     | 4.4%       | \$3,209.88  |
| Exeter        | 11,002     | 1.9%       | \$1,394.31  |
| Farmersville  | 11,358     | 2.0%       | \$1,439.43  |
| Hanford       | 58,105     | 10.1%      | \$7,363.79  |
| Lindsay       | 13,358     | 2.3%       | \$1,692.89  |
| Lemoore       | 26,257     | 4.6%       | \$3,327.62  |
| Tulare        | 66,967     | 11.7%      | \$8,486.90  |
| Visalia       | 138,207    | 24.1%      | \$17,515.32 |
| Woodlake      | 7,891      | 1.4%       | \$1,000.05  |
| Total         | 531,984    | 100%       | \$72,562.22 |


was included in the FY 2019/20 Miscellaneous Administration adopted budget. The ongoing commitment (Net County Cost) for Tulare County Fire's share and annual increase of 2% will be funded by the General Fund and paid through the fire department's annual adopted budget.

It is important to note that the MOU creates a 5-year agreement between the aforementioned agencies with an option for any agency to voluntarily terminate with 180-days written notice to all involved agencies. Upon termination of an agency, any required contributions under the MOU that were paid in advance shall be prorated and potentially refunded based on the number of months during the applicable fiscal year. Any termination will cause the applicable cost share of the remaining participating agencies to increase, and if additional agencies join, corresponding proportionate costs will decrease for all agencies.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes the Safety and Security initiative, which calls for planning and providing coordinated emergency preparedness, response, recovery, and mitigation capabilities for both natural and manmade disasters. Providing a well trained and equipped Hazmat Team promotes the objective of providing coordinated emergency preparedness, response and recovery in Tulare County.

**ADMINISTRATIVE SIGN-OFF:**

  
\_\_\_\_\_  
Charlie Norman  
Fire Chief

cc: County Administrative Office

**SUBJECT:** Tulare/Kings County Regional Hazardous Materials Response Team  
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Attachment(s) Tulare/Kings County Regional Hazardous Materials Response  
PowerPoint  
Memorandum of Understanding

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF TULARE/KINGS )  
COUNTY REGIONAL HAZARDOUS )  
MATERIALS RESPONSE TEAM ) Resolution No. \_\_\_\_\_  
Agreement No. \_\_\_\_\_

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

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