



**RESOURCE
MANAGEMENT AGENCY
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: February 4, 2020 - **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 checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: 559-624-7010

SUBJECT: Approve Amendment to Agreement No. 29290 with the Department of Conservation

REQUEST(S):
That the Board of Supervisors:

1. Approve an Amendment to Agreement No. 29290 with the State of California Department of Conservation Transformative Climate Communities (TCC) Program for the Matheny Tract Climate Adaptation Plan, retroactive from July 31, 2019 to July 30, 2020; and
2. Find that the Board had authority to enter into the proposed agreement as of July 31, 2019, and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorize and direct the Chair of the Board to sign the Amendment.

SUMMARY:

In July 2019, the Department of Conservation Transformative Climate Communities (TCC) Program awarded Tulare County \$200,000 in grant funding to develop a Matheny Tract Climate Adaptation Plan. Grant Agreement No. 3019-703/Tulare County Agreement No. 29290 was approved on July 23, 2019 by Resolution No. 2019-0650.

The purpose of this grant is to help develop strategies to reduce carbon emissions, improve air quality, and build resilience in the face of a changing climate with a focus on low-income and disadvantaged communities.

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The Resource Management Agency has partnered with Leadership Counsel for Justice and Accountability, Health and Human Services Agency, and Tulare County Council of Governments to develop this plan. Work on the Climate Adaptation Plan began in August after the fully executed Grant Agreement was received.

The proposed amendment does not change the scope of work or award amount, but makes minor language and page number corrections. Changes include updating the cover page to indicate the start and end date of the agreement, correcting page numbers in the table of contents, and updating language in the Terms of Payment, including additional wording which clarifies that ten percent (10%) of each payment will be withheld and the payment term will be deleted in forty-five (45) days.

Deviations from County Protocol

This amendment has been reviewed by County Counsel and the following term deviates from County protocol as follows:

INDEMNIFICATION (Exhibit C, #6): Grantee agrees to indemnify, defend, and hold harmless the State of California, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all Grantees, partners, subcontractors, suppliers, laborers, and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Grant Agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by Grantee in the performance of this Grant Agreement.

FISCAL IMPACT/FINANCING:

There is no net County cost for this amendment.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Quality of Life – This grant activity will promote continued improvement of environmental quality, protection of important agricultural lands and operations and better services for county residents living in the affected communities.

Economic Well-Being – This grant activity will provide for new development opportunities along the highway corridor, and insure an efficient use of land and resources, and result in a timely issuance of building permits and approval of needed discretionary permits, thus providing for greater economic stability.

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

IN THE MATTER OF APPROVE) Resolution No. _____
AMENDMENT TO AGREEMENT NO. 29290) Agreement No. _____
WITH THE DEPARTMENT OF)
CONSERVATION)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD FEBRUARY 4, 2020,
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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The Board of Supervisors:

1. Approved an Amendment to Agreement No. 29290 with the State of California Department of Conservation Transformative Climate Communities (TCC) Program for the Matheny Tract Climate Adaptation Plan, retroactive from July 31, 2019 to July 30, 2020; and
2. Found that the Board had authority to enter into the proposed agreement as of July 31, 2019, and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorized and directed the Chair of the Board to sign the Amendment.