



**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:** July 14, 2020

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:** Joint Funding Agreement with the United States Geological Survey for the operation and maintenance of gaging stations

**REQUEST(S):**  
That the Board of Supervisors sitting as the Board of Supervisors of the Tulare County Flood Control District:

1. Approve the Joint Funding Agreement No. 20ZGJFA06700 with the United States Department of the Interior U.S. Geological Survey (“USGS”) for Water Resources Investigations in the amount of \$21,050, retroactive to November 1, 2019 through October 31, 2020. The request is retroactive because USGS’s agreement term began November 1, 2019 to October 31, 2020, but the agreement was not presented to the District for execution until May 17, 2020; and
2. Find that the Board had authority to enter into the proposed agreement as of November 1, 2019, and that it was in the District’s best interest to enter into the agreement on that date; and
3. Authorize the Chair to sign Joint Funding Agreement No. 20ZGJFA06700 with the United States Geological Survey.

**SUMMARY:**  
The Tulare County Flood Control District (District) has historically participated in a joint effort with the U.S. Geological Survey (USGS) for water resources investigations in Tulare County. The investigation currently include the operation and maintenance of stream gauging stations at the following locations:

1. Deer Creek near Fountain Springs; and
2. Lewis Creek near Strathmore

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Factual historical real time data on stream flows is provided by information acquired from USGS gauging stations. The District, or other agencies, and property owners use the information to help determine flood hazards and water resource information for downstream areas.

The agreement is required by the USGS to continue District participation in the operation and maintenance of the gauging stations on Deer Creek and Lewis Creek.

Paragraph 9 of this Agreement deviates from County Contract protocol as it specifies that interest, penalties, and administrative costs will be charged if payment is delayed beyond 60 days from the billing date pursuant to the Debt Collection Act of 1982 (codified at 31 USC 3717). This provision is standard in these stream gage agreements and a similar provision was agreed to between the District and USGS in Tulare County Agreement Nos. FC-104 and FC-102, which were the joint funding agreements between the County and USGS for these stream gages for Federal Fiscal Years 2018 and 2017, respectively. In Federal Fiscal Year 2019, the County of Tulare entered into a direct agreement with USGS under the same terms in TC Agreement No. 26076.

This agreement is retroactive because USGS delivered the final agreement to the District after to the commencement date for the agreement, which began on November 1, 2019, the first day of Federal Fiscal Year 2020.

**FISCAL IMPACT/FINANCING:**

There is No Net County Cost to the General Fund.

The agreement provides for the cost to be shared with USGS, with USGS paying \$7,950 and the Flood Control District paying \$21,050, which will be paid for using Flood Control District Funds. The total cost of the stream gauging program for the period of November 1, 2019 to October 31, 2020 was increased to \$29,000 from previous year's agreement, which totaled \$28,700.

Consistent with the previous USGS Agreement approved by your Board for Federal Fiscal Year 2019, this Agreement includes a US Treasury provision to charge interest on the County's portion of the funding if the County's payments are not paid on time. This Agreement is similar to the previous year's Agreements in that it provides for quarterly billings, instead of annual billings. As such, four payments are due per year and four opportunities exist for the County to accrue interest charges. The County has not had any problems meeting the USGS billing deadlines in the past, and staff does not anticipate any difficulty meeting these deadlines, even with increased billing frequency.

The District budget includes funds for this program in account number 771-771-2000-7407.

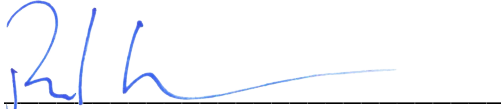
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**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

Strategic Initiative 1: Safety and Security includes the goal of providing adequate facility for the protection of the public. The action will aide in the protection with warning of approaching flood flow, and providing historic flow rates for design of system to manage potential flows.

**ADMINISTRATIVE SIGN-OFF:**



Reed Schenke  
Director

cc: County Administrative Office

Attachment(s) Joint Funding Agreement No. 20ZGJFA06700

**BEFORE THE BOARD OF SUPERVISORS  
SITTING AS THE FLOOD CONTROL DISTRICT  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF JOINT FUNDING )  
 AGREEMENT WITH THE UNITED STATES ) Resolution No. FC-\_\_\_\_\_  
 GEOLOGICAL SURVEY FOR THE ) Agreement No. FC-\_\_\_\_\_  
 OPERATION AND MAINTENANCE OF )  
 GAGING STATIONS )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
 SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
 BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 14, 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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2. Found that the Board had authority to enter into the proposed agreement as of November 1, 2019, and that it was in the District’s best interest to enter into the agreement on that date; and
3. Authorized the Chair to sign Joint Funding Agreement No. 20ZGJFA06700 with the United States Geological Survey.