

BOARD OF SUPERVISORS
200 W. 4TH STREET, 4TH FLOOR
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MEMBERS OF THE BOARD
JORDAN WAMHOFF
DAVID ROGERS
ROBERT L. POYTHRESS
LETICIA GONZALEZ
ROBERT MACAULAY

Karen Scrivner, Chief Clerk of the Board

ANY INDIVIDUAL WITH A DISABILITY MAY REQUEST SPECIAL ASSISTANCE BY CONTACTING THE CHIEF CLERK TO THE BOARD OF SUPERVISORS

AGENDA
for Regular Meeting of the
Madera County Board of Supervisors
Tuesday, November 7, 2023

MEETING LOCATION
Madera County Government Center
200 W. 4th Street, Madera CA 93637
Board of Supervisors Chambers

OR VIA ZOOM
<https://zoom.us/j/87581209579>
Meeting ID: 875.8120.9579

9:00 A.M. – Closed Session
10:00 A.M. – Public Session

Meetings of the Board of Supervisors shall convene in the Board of Supervisors Chambers, Madera County Government Center, 200 West 4th Street, Madera, California. The Board of Supervisors meets simultaneously as the Board of Supervisors, the Board of Directors of all Dependent Special Districts governed by the Board, the Board of Directors of County Groundwater Sustainability Agencies, the County Public Financing Authority, the Flood Control and Water Conservation Agency, and the Governing Body of each and every other public entity for which the Board of Supervisors serves as the Governing Body.

Supporting documents relating to the items on this agenda that are not listed as 'Closed Session' are available through the County of Madera website at www.maderacounty.com. These documents are also available at the Office of the Clerk of the Board of Supervisors, 200 West 4th Street, 4th Floor, Madera, CA 93637. Supporting documents relating to the items on this agenda that are not listed as 'Closed Session' may be submitted after the posting of the agenda and are available at the Office of the Clerk of the Board of Supervisors. Please visit the Office of the Clerk of the Board of Supervisors for updates.



9:00 A.M.

CALL TO ORDER

1. **ADDITIONS TO THE AGENDA:** Items identified after the preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Government Code Section 54954.2(b)(2)).

THE FOLLOWING ITEMS WILL BE DISCUSSED ON A NONAPPOINTMENT BASIS, NOT NECESSARILY IN THE ORDER LISTED

2. **CLOSED SESSION:**

- 2.a. **10145: Request for Closed Session:**

Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Roman Noriega, Human Resources Director; Joel Bugay, Assistant County Administrative Officer; and Susan Carter, Human Resources Manager

Employee Organization: ALL UNITS

Unrepresented Employees: All Classifications (Excluding Elected Officials)

- 2.b. **10190: Request for Closed Session:**

Government Code Section 54956.9 (d)(1)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of Case: In re: Madera Community Hospital, Debtor in Possession. (United States Bankruptcy Court, Eastern District of California, Fresno Division; Case Number 23-10457-A-11)

- 2.c. **10196: Request for Closed Session:**

Government Code Section 54956.9 (d)(1)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of Case: Madera Irrigation District and Madera Irrigation District Groundwater Sustainability Agency vs. Madera County Groundwater Sustainability Agency, Madera County Board of Supervisors, and County of Madera

(Madera County Superior Court Case Number MCV086277)

- 2.d. **10197: Request for Closed Session:**

Government Code Section 54956.9

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9 (Deciding Whether to Initiate Litigation)

One Case

- 2.e. **Report by County Counsel on Closed Session items.**

10:00 A.M.

OPEN AND CLOSE MEETING IN MEMORY OF:

3. INVOCATION AND PLEDGE OF ALLEGIANCE

- 4. PUBLIC COMMENT:** The first 15 minutes of each regular session are set aside for members of the public to address the Board on any matter under the jurisdiction of the Board, but not appearing on the agenda. The Board will not take action on any items presented under public comment. Speakers are limited to 3 minutes. Anyone addressing the Board is asked to print their name clearly on the "Speaker" sheet at the podium and state their name and county of residence for the record.

ALL MATTERS LISTED UNDER CONSENT CALENDAR ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION

5. CONSENT CALENDAR

A. APPROVAL OF MINUTES

1. Consideration of approval of the Regular Meeting Minutes for October 10, 2023.
2. Consideration of approval of the Regular Meeting Minutes for October 17, 2023.
3. Consideration of approval of the Special Meeting Minutes for October 24, 2023.

B. 10131: ANIMAL SERVICES DEPARTMENT

Consideration of approval of Receipt of Unanticipated Revenue No. 23-037 in the amount of \$10,000.00 derived from Animal Services Rabies/Spay/Neuter - Madera Animal Shelter Grants to Special Departmental Expense for Fiscal Year 2023-2024.

4 Votes Required

C. 10132: ANIMAL SERVICES DEPARTMENT

Consideration of approval of Receipt of Unanticipated Revenue No. 23-036 in the amount of \$110,000.00 derived from General Fund - Fund Balance to Animal Services - Rents/Leases-Co Vehicles for Fiscal Year 2023-2024.

4 Votes Required

D. 10096: AUDITOR/CONTROLLER DEPARTMENT

Consideration of entering into an Agreement with CliftonLarsonAllen, LP for auditing services to assist in the completion of County Annual Comprehensive Financial Reports in the amount of \$116,030.00 for Fiscal Year 2022-2023, \$121,840.00 for Fiscal Year 2023-2024, and \$127,930.00 for Fiscal Year 2024-2025 and authorize the Chairman to sign.

- E. 10160: BEHAVIORAL HEALTH SERVICES DEPARTMENT**
Consideration of entering into an Agreement with Psynergy Programs, Inc. in the amounts listed in Attachment I and Exhibit B for the provision of Adult Residential Facility and Outpatient Specialty Mental Health Services for Fiscal Year 2023-2024 and authorize the Chairman to sign.
- F. 10161: BEHAVIORAL HEALTH SERVICES DEPARTMENT**
Consideration of entering into an Agreement with Westcare California, Inc. in an amount not to exceed \$713,748.83 for Crisis Care Mobile Units for Fiscal Year 2023-2024 and authorize the Chairman to sign.
- G. 10162: BEHAVIORAL HEALTH SERVICES DEPARTMENT**
Consideration of entering into an Agreement with WestCare California, Inc. in an amount not to exceed \$696,000.00 for Crisis Psychiatric Response Services for Fiscal Year 2023-2024 and authorize the Chairman to sign.
- H. 10163: BEHAVIORAL HEALTH SERVICES DEPARTMENT**
Consideration of entering into an Agreement with WestCare California, Inc. in an amount not to exceed \$295,821.40 to provide mobile crisis outreach services for Fiscal Year 2023-2024 and authorize the Chairman to sign.
- I. 10164: BEHAVIORAL HEALTH SERVICES DEPARTMENT**
Consideration of entering into an Agreement with Alliance for Community Wellness in the amounts listed under Exhibit B for telehealth services for Fiscal Year 2023-2024 and authorize the Chairman to sign.
- J. 10166: BEHAVIORAL HEALTH SERVICES DEPARTMENT**
Consideration of entering into an Amendment to MCC No. 12550-23 with Vista Pacifica Enterprises, Inc. in the amounts listed under IMD Rates and Convalescent Rates for the provision of mental health residential care for Fiscal Year 2023-2024 and authorize the Chairman to sign.
- K. 9188: BOARD OF SUPERVISORS DEPARTMENT**
Consideration to reaffirm Resolution No. 2015-101 declaring a Local Emergency due to the tree mortality disaster that exists in the County and throughout the State.
- L. 10167: BOARD OF SUPERVISORS DEPARTMENT**
Proclamation declaring appreciation of Madera County ranchers and farmers for their dedication to food production, climate-smart agriculture, and the health and well-being of their community.
- M. 10184: BOARD OF SUPERVISORS DEPARTMENT**
Board of Supervisors Committee Memberships.
1. Consideration of approval to appoint Supervisor Robert Poythress as Delegate and Supervisor Robert Macaulay as Alternate to the Rural County Representatives of California (RCRC), Golden State Finance Authority (GSFA), and Golden State Connect Authority (GSCA) for 2024.

2. Consideration of approval to appoint Supervisor Robert Poythress as Delegate and Jared Carter, Deputy Public Works Director and Boom Phouthavong, Public Works Solid Waste Manager, as the 1st and 2nd Alternate designees to the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) for 2024.
3. Consideration of approval to direct the Clerk of the Board to provide confirmation of the county's appointments to RCRC.

**N. 10143: COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT/PLANNING DIVISION**

Consideration to adopt a Resolution authorizing Special Assessment on real property pursuant to Madera County Code Chapter 8.01 entitled Administrative Citations and Penalties.

**O. 10157: COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT/PLANNING DIVISION**

Consideration of approval for Receipt of Unanticipated Revenue No. 23-048 in the amount of \$1,187,928.00 derived from CED Planning - Miscellaneous State Revenue to Professional Services for Fiscal Year 2023-2024. **4 Votes Required**

P. 9197: COUNTY ADMINISTRATION DEPARTMENT

Consideration to reaffirm Resolution No. 2023-004 of the Board of Supervisors of Madera County ratifying and extending the Declaration of a Local Emergency (Closure of Madera Community Hospital).

Q. 10138: COUNTY ADMINISTRATION DEPARTMENT

Consideration of entering into an Agreement with Community Action Partnership of Madera County, Inc. for the administration of a Lived Experience Advisory Board for a term from November 1, 2023 to October 31, 2025 and authorize the Chairman to sign.

R. 10144: COUNTY ADMINISTRATION DEPARTMENT

Madera Rescue Mission Emergency Shelter.

1. Consideration of entering into an Agreement with the Madera Rescue Mission in the amount of \$71,328.00 per year for Triage Center Services from November 1, 2023 through December 31, 2025 and authorize the Chairman to sign.
2. Consideration of approval of Receipt of Unanticipated Revenue No. 23-047 in the amount of \$600,000.00 derived from FMCoC HHAP Grant - Miscellaneous Revenue to Professional & Specialized Services for Fiscal Year 2023-2024. **4 Votes Required**

- S. 10150: COUNTY ADMINISTRATION DEPARTMENT**
Consideration of entering into an Agreement with Community Action Partnership of Madera County, Inc. in an amount not to exceed \$188,084.00 for Community and Housing Outreach Services for Fiscal Years 2023-2025 and authorize the Chairman to sign.
- T. 10106: FIRE DEPARTMENT**
Volunteer Fire Assistance (VFA) Grant.
1. Consideration to adopt a Resolution approving the Grant Agreement with CalFire for an award under the Volunteer Fire Assistance Program.
 2. Consideration of entering into an Agreement with the Department of Forestry and Fire Protection (CAL FIRE) (Grant Agreement 7GF23313) for an award not to exceed \$20,000.00 and provide matching funds under the Volunteer Fire Assistance (VFA) grant program for Fiscal Year 2023-2024 and authorize the Fire Chief, Assistant Fire Chief, or their designee to sign.
- U. 10128: HUMAN RESOURCES DEPARTMENT**
Monthly report of employee transactions for the month of September 2023.
- V. 10148: HUMAN RESOURCES DEPARTMENT**
Consideration to adopt a Resolution fixing the employer contribution at an equal amount for employees and annuitants under the Public Employees' Medical and Hospital Care Act effective January 1, 2024.
- W. 10180: LIBRARY DEPARTMENT**
Consideration of approval of Receipt of Unanticipated Revenue No. 23-033 in the amount of \$9,008.00 derived from Library Administration - State Grant Revenues to Special Department Expenses for Fiscal Year 2023-2024.
4 Votes Required
- X. 9192: PUBLIC HEALTH DEPARTMENT**
Consideration to reaffirm the Declaration of a Local Health Emergency (Fork Fire) by the County Health Officer.
- Y. 10155: PUBLIC HEALTH DEPARTMENT**
Consideration of entering into an Agreement with California Department of Health Care Services (State Agreement No. 22-0053) to participate in the Rate Year 2022 Voluntary Rate Range Intergovernmental Transfer (IGT) program for local Medi-Cal managed care providers Blue Cross of California Partnership Plan (BCCPP) dba Anthem Blue Cross and CalViva Health for January 2022 through June 2025 and authorize the Chairman to sign.

Z. 10154: PUBLIC HEALTH DEPARTMENT

Consideration of entering into an Agreement with the California Department of Public Health (State Agreement No. 23-10263) to accept funding in an amount not to exceed \$1,020,984.00 for the enhancement of the Childhood Lead Poisoning Prevention Program for Fiscal Years 2023-2026 and authorize the Chairman to sign.

AA. 10140: PUBLIC WORKS DEPARTMENT/ENGINEERING SERVICES DIVISION

Consideration to adopt a Resolution accepting a Grant Deed to the County of Madera from Drew Christenson, Kyle Christenson, and Rene Christenson and authorizing the Chief of Development Services to accept said Grant Deed and any subsequent documents regarding (APN 064-120-025).

AB. 10141: PUBLIC WORKS DEPARTMENT/ENGINEERING SERVICES DIVISION

Consideration to adopt a Resolution approving project delivery schedules for the Congestion Mitigation and Air Quality Improvement Program and supporting and implementing AB 1012 for the “Timely Use of Funding”.

AC. 10142: PUBLIC WORKS DEPARTMENT/ENGINEERING SERVICES DIVISION

Consideration to adopt a Resolution accepting a Grant Deed to the County of Madera from Mohamadreza Noubari Tabrizi and Monica Rosso Tabrizi, Trustee of the 1998 M.N. Tabrizi Trust, and Monica Rosso Tabrizi and authorizing the Chief of Development Services to accept said Grant Deed and subsequent documents regarding (APN 040-091-001).

AD. 10158: PUBLIC WORKS DEPARTMENT/ENGINEERING SERVICES DIVISION

Construction Phase of MD-19 A&B Parkwood Project.

1. Consideration of entering into an Agreement with Wood Rodgers, Inc. in the amount of \$556,201.00 for Professional Engineering Services for the construction phase of MD-19 A&B Parkwood project and authorize the Chairman to sign.
2. Consideration of approval to authorize the Chief of Development Services or his designee to issue the Notice to Proceed.
3. Consideration of approval to authorize the Auditor-Controller to issue payments for contingencies up to 10% of the contract award amount per established County policy.
4. Authorize the Chief of Development Services or his designee to issue and approve Contract Change Orders in accordance with Public Contract Code not to exceed authorized contingencies.

AE. 9193: SHERIFF-CORONER'S OFFICE

Consideration to reaffirm Resolution No. 2015-087 proclaiming a Local Emergency created by the severe drought conditions that exist in the County and throughout the State.

AF. 9196: SHERIFF-CORONER'S OFFICE

Consideration to reaffirm Resolution No. 2022-137 of the Board of Supervisors of Madera County ratifying and extending the Declaration of a Local Emergency (Fork Fire).

AG. 9401: SHERIFF-CORONER'S OFFICE

Consideration to reaffirm Resolution No. 2023-034 ratifying the Declaration of a Local Emergency (February/March 2023 Winter Storms).

AH. 10113: SHERIFF-CORONER'S OFFICE

Budget Adjustments.

1. Consideration of approval of Receipt of Unanticipated Revenue No. 23-034 in the amount of \$486,600.00 derived from Local Innovation Subaccount - Fund Balance to Operating Transfer Out-General Fund for Fiscal Year 2023-2024. **4 Votes Required**
2. Consideration of approval of Receipt of Unanticipated Revenue No. 23-035 in the amount of \$486,600.00 derived from Sheriff-Coroner - Operating Transfer In to Fixed Assets and Professional Specialized for Fiscal Year 2022-2023. **4 Votes Required**
3. Consideration of approval of Receipt of Unanticipated Revenue No. 23-040 in the amount of \$57,750.00 derived from Local Innovation Subaccount - Fund Balance to Operating Transfer Out-General Fund for Fiscal Year 2023-2024. **4 Votes Required**
4. Consideration of approval of Receipt of Unanticipated Revenue No. 23-041 in the amount of \$57,750.00 derived from Sheriff-Coroner - Operating Transfer In to Subscriptions for Fiscal Year 2022-2023. **4 Votes Required**

AI. 10149: SHERIFF-CORONER'S OFFICE

Consideration to adopt a Resolution approving the application and acceptance of grant funds for the State of California, Department of Parks and Recreation, Boating Safety and Enforcement Financial Aid Program for Fiscal Year 2024-2025.

AJ. 10170: SOCIAL SERVICES DEPARTMENT

Consideration of entering into an Amendment to MCC No. 10353E-C-2022 with Zak's Security One increasing the regular hourly rate of pay per guard to \$32.50 and the overtime hourly rate to \$48.75 effective retroactively to August 1, 2023 and authorize the Chairman to sign.

AK. 10172: SOCIAL SERVICES DEPARTMENT
Child Abuse Prevention Council Annual Report.

1. Consideration of approval of the updated Board Members to the Madera County Child Abuse Prevention Council.
2. Consideration of approval of the Madera County Child Abuse Prevention Council 2022-2023 Annual Report.

AL. 10147: SUPERINTENDENT OF SCHOOLS/OFFICE OF EDUCATION, MADERA COUNTY
Consideration of approval of the Madera County Superintendent of Schools 2023 Annual Report: Williams Site Visitations.

AM. 10165: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER & NATURAL RESOURCES DEPARTMENT
Consideration to adopt a Resolution augmenting the rules for appeal of the County Groundwater Sustainability Agencies' (GSAs') determination of use of groundwater to include the ability to substitute electricity bills and emissions reports for flow meter readings.

AN. 10168: BOARD OF DIRECTORS SPECIAL DISTRICTS
Consideration of entering into an Agreement with Central Cal Waterworks, Inc. in an amount not to exceed \$100,000.00 to provide sludge hauling services for a term from September 1, 2023 to June 30, 2024 and authorize the Chairman to sign.

AO. 10173: BOARD OF DIRECTORS SPECIAL DISTRICTS/MAINTENANCE DISTRICT NO. 6, LAKE SHORE/PUBLIC WORKS DEPARTMENT/ADMINISTRATIVE SERVICES DIVISION
Consideration of approval of a Receipt of Unanticipated Revenue No. 23-042 in the amount of \$750,000.00 derived from Maintenance District 06-Sewer - Insurance Pay to Direct Maintenance Expense-DEGS and Buildings and Improvements for Fiscal Year 2023-2024. **4 Votes Required**

6. DISCUSSION ITEMS:

- 6.a. **10169: PUBLIC HEALTH DEPARTMENT**
Presentation of a Proclamation recognizing The Great American Smokeout 2023.
- 6.b. **10171: SOCIAL SERVICES DEPARTMENT**
Presentation of Proclamation naming November 2023 as "National Adoption Month".
- 6.c. **10177: VETERANS SERVICES DEPARTMENT**
Discussion and consideration to adopt a Resolution in support of Operation Green Light for Veterans converting municipal lighting to green in honor of our nation's veterans from November 6 through November 11, 2023.

- 6.d. **10114: COUNTY ADMINISTRATION DEPARTMENT**
Discussion and update of Fiscal Year 2023-2024 First Quarter budget status.
- 6.e. **10076: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**
Cal.Net Subsidy Program.
1. Discussion and consideration to enter into Addendum #1 to MCC No. 12440-23 with Cal.Net, Inc., in an amount up to \$500,000.00 to include a subsidy program ending on October 31, 2026 or 90 days after the date at which the funds are exhausted, whichever occurs first, and authorize the Chairman to sign.
 2. Discussion and consideration of approval of Receipt of Unanticipated Revenue No. 23-011 in the amount of \$300,000.00 derived from County Broadband - Operating Transfers In to Buildings & Improvements for Fiscal Year 2023-2024. **4 Votes Required**
- 6.f. **10079: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**
911 Memorial Project.
1. Discussion and consideration of entering into an Agreement with DL Batty, Inc. in the amount of \$176,813.22 for the construction of the Madera County 911 Memorial and authorize the Chairman to sign.
 2. Discussion and consideration of approval of Transfer of Appropriations No. 23-039 in the amount of \$176,074.00 from Jail Annex Demo to Buildings & Improvements to Operating Transfers Out for Fiscal Year 2023-2024.
 3. Discussion and consideration of approval of Receipt of Unanticipated Revenue No. 23-039 in the amount of \$176,074.00 derived from 911 Memorial - Operating Transfers In to Buildings and Improvements for Fiscal Year 2023-2024. **4 Votes Required**
 4. Discussion and consideration of approval of Receipt of Unanticipated Revenue No. 23-045 in the amount of \$30,740.00 derived from 911 Memorial - Contributions & Donations to Buildings and Improvements for Fiscal Year 2023-2024. **4 Votes Required**
- 6.g. **10151: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**
Discussion and consideration of entering into an Agreement with Fortune-Ratliff General Contractors, Inc. in the amount of \$599,908.00 for the construction of six accessory dwelling units to be located at the local Madera Rescue Mission and authorize the Chairman to sign.

- 6.h. **10187: MADERA COUNTY TRANSPORTATION COMMISSION**
Presentation by DKS Associates on outreach activities for Measure T
Renewal.

- 6.i. **10191: HUMAN RESOURCES DEPARTMENT**
Discussion and consideration of entering into an Agreement with Atkinson,
Andelson, Loya, Ruud & Romo, PLC at the rate of \$315.00 per hour for
legal services provided for the Civil Service Commission for Fiscal Years
2023-2025 and authorize the Chairman to sign.

- 6.j. **10159: BOARD OF DIRECTORS SPECIAL DISTRICTS/COUNTY
SERVICE AREA NO. 22C, GUNNER RANCH WEST/COUNTY SERVICE
AREA NO. 22E, TESORO VIEJO/PUBLIC WORKS
DEPARTMENT/ADMINISTRATIVE SERVICES DIVISION**
Discussion and consideration to adopt a Resolution adopting Special Districts'
budgets for Fiscal Year 2023-2024 for CSA22C - Gunner Ranch West
and CSA22E - Tesoro Viejo.

7. PENDING LEGISLATION - Discuss, Support or Oppose Legislation Presented by Supervisors and/or Staff

8. SUPERVISORS AND STAFF REPORTS

CLOSED SESSION: CONTINUE FROM 9:00 A.M. SESSION

9. ADJOURNMENT

NEXT MEETINGS:

**NOVEMBER 28, 2023, SPECIAL MEETING
DECEMBER 5, 2023, REGULAR MEETING
DECEMBER 12, 2023, REGULAR MEETING**