

BOARD OF SUPERVISORS
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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

**CORRECTED AGENDA
for Regular Meeting of the
Madera County Board of Supervisors
Tuesday, July 18, 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/85848277490>
Meeting ID: 858.4827.7490**

**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. **9807: Request for Closed Session:**

Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

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

Employee Organization: ALL UNITS

Unrepresented Employees: All Classifications (Excluding Elected Officials)

- 2.b. **9775: 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.c. **9776: Request for Closed Session:**

Government Code Section 54956.9 (d)(1)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of Case: Elizabeth Cardoza; Clay Daulton; David Gill; Landon Gill; Michele Lasgoity; Monica Lasgoity; Rosemary Lasgoity; Jeff Lefors; Mark Peters; Sally Roberts; Candace Khanna; Rakesh Khanna; Taisto Smith; SWD Investments, Inc.; SWD Investments - Fulton Ranch, Inc. vs. The Madera County Groundwater Sustainability Agency (Madera County Superior Court Case Number MCV086218)

- 2.d. **9795: Request for Closed Session:**

Government Code Section 54956.9 (d)(1)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of Case: Valley Groundwater Coalition v. County of Madera, et al. (MCV087677)

- 2.e. **9846: 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.f. **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 July 11, 2023.

B. 9720: AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS & MEASURES

Consideration of entering into an Agreement with the California Department of Food and Agriculture (23-0151-000-SA) in the amount of \$3,525.00 for fuels, lubrications and automotive products program for Fiscal Year 2023-2024 and authorize the Chairman to sign.

C. 9781: BEHAVIORAL HEALTH SERVICES DEPARTMENT

Consideration of entering into an Amendment to MCC No. 12480-23 with Montecatini Eating Disorder Treatment Center, amending total compensation, for Fiscal Year 2022-2023 to cover the entire cost for the provision of eating disorder treatment services and authorize the Chairman to sign.

- D. 9747: CHILDREN & FAMILIES COMMISSION, MADERA COUNTY FIRST 5**
First 5 Appointments.
1. Consideration of approval to reappoint Aftab Naz as the City of Madera community representative to First 5 Madera County for a three-year term to expire June 30, 2026.
 2. Consideration of approval to reappoint Diana K. Saenz as the City of Madera community representative to the First 5 Madera County for a three-year term to expire June 30, 2025.
- E. 9729: COLUMBIA RESOURCE CONSERVATION DISTRICT**
Consideration of approval to reappoint Darrell Vincent and Shane Burkhart to the Columbia Resource Conservation District's Board of Directors, for a term ending November 1, 2028.
- F. 9786: 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.
- G. 9743: HUMAN RESOURCES DEPARTMENT**
Consideration to adopt a Resolution extending Resolution No. 2023-009 setting maximum pay allowance for County employees on temporary Military Leave of Absence (Military and Veterans Code 395.03).
- H. 9792: PROBATION DEPARTMENT**
Consideration of approval of Receipt of Unanticipated Revenue No. 22-230 in the amount of \$16,133.00 derived from the CCIPA PC 1230-1233 Fund Balance to Equipment/Furniture >\$5,000 for the Fiscal Year 2022-2023. **4 Votes Required**
- I. 9782: PUBLIC WORKS DEPARTMENT/ENGINEERING SERVICES DIVISION**
Consideration to adopt a Resolution accepting work and authorizing the filing of Notice of Completion for MCC No. 11753-20 with Granite Construction Inc. for the Oakhurst Midtown Connector Project in Madera County.
- J. 9745: WORKFORCE DEVELOPMENT BOARD OF MADERA COUNTY**
Consideration of approval to re-appoint Deborah Martinez, Madera County Department of Social Services (DSS), to the Workforce Development Board (WDB) for an additional three year term to expire August 8, 2026.

- K. **9750: WORKFORCE DEVELOPMENT BOARD OF MADERA COUNTY**
Consideration of the ratification of the amended application for Subsequent Local Area Designation and Local Board Recertification Program Year 2023-2025 and authorize the Chairman to sign.

- L. **9774: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER & NATURAL RESOURCES DEPARTMENT**
Consideration of entering into an Agreement with Kamal Jawad in the amount of \$119,276.00 for 24.55 acres of oranges, pomegranates, and mandarins on parcel 034-250-084-000 for the Targeted Land Repurposing Program (LandFlex) for a term ending December 31, 2040 and authorize the Chairman to sign.

- M. **9784: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER & NATURAL RESOURCES DEPARTMENT**
Consideration of entering into an Agreement with Richard V. Lawrence, Trustee to the RRR Trust in the amount of \$24,293.00 for 5 acres of kiwis on parcel 049-620-004-000 for the Targeted Land Repurposing Program (LandFlex) for a term ending December 31, 2040 and authorize the Chairman to sign.

- N. **9785: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER & NATURAL RESOURCES DEPARTMENT**
Consideration to adopt a Resolution authorizing the grant application, acceptance and execution with the California Department of Water Resources for the Madera County Drought Response.

6. DISCUSSION ITEMS:

- 6.a. **9759: PROBATION DEPARTMENT**
Presentation of a Proclamation proclaiming July 17 - July 21, 2023 as "Probation Services Week".

- 6.b. **9787: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT/PLANNING DIVISION**
Introduction to adopt an Ordinance of Madera County amending chapter 8.01.110 and 8.01.120 of the Madera County Code relating to the appeal of Administrative Orders; **Waive the first reading and set the second reading for August 1, 2023.**

- 6.c. **9779: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**
Sheriff's Office Logistics Facility CFL repayment.
 - 1. Discussion and consideration of approval of Transfer of Appropriations No. 22-233 in the amount of \$1,069,260.00 transfer from DIF-Public Protection - Appropriation for Contingency to Operations Transfer Out - Capital Project for Fiscal Year 2022-2023. **4 Votes Required**

2. Discussion and consideration of approval of Receipt of Unanticipated Revenue No. 22-233, in the amount of \$1,415,850.00 derived from Oakhurst Sheriff STO - Operating Transfers In to Fund Balance for Fiscal Year 2022-2023. **4 Votes Required**
3. Discussion and consideration of approval of Transfer of Appropriations No. 22-234, in the amount of \$346,590.00, transfer from DIF-Sheriff - Appropriation for Contingency to Operations Transfer Out - Capital Project for Fiscal Year 2022-2023. **4 Votes Required**

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: **JULY 25, 2023, SPECIAL MEETING**
 AUGUST 1, 2023, REGULAR MEETING
 AUGUST 8, 2023, REGULAR MEETING
 AUGUST 15, 2023, REGULAR MEETING