

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

AGENDA
for Regular Meeting of the
Madera County Board of Supervisors
Tuesday, April 16, 2024

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

OR VIA ZOOM
<https://zoom.us/j/89461142055>
Meeting ID: 894.6114.2055

9:00 A.M. – Closed Session
10:00 A.M. – Public Session
10:30 A.M. – Public Hearings

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. **10594: Request for Closed Session:**
Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: 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. **10621: Request for Closed Session:**
Government Code Section 54956.9
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9
One Case
- 2.c. **10583: Request for Closed Session:**
Government Code Section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title of Position: Director of Behavioral Health Services
- 2.d. **10636: Request for Closed Session:**
Government Code Section 54957
PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
Title of Position: Human Resources Director
- 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 April 9, 2024.

B. **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.

C. **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).

D. **10577: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**

Sheriff's Office - Oakhurst Logistics Facility.

1. Consideration of approval of Receipt of Unanticipated Revenue No. 23-113 in the amount of \$85,000.00 derived from Oakhurst Sheriff Logistics Facility-Operations Transfers In to Buildings & Improvements for Fiscal Year 2023-2024. **4 Votes Required**
2. Consideration of approval of Transfer of Appropriations No. 23-113 in the amount of \$85,000.00 transfer from Development Impact Fee-Sheriff - Appropriations for Contingencies to Operations Transfer Out Capital Projects for Fiscal Year 2023-2024. **4 Votes Required**

E. **10605: COUNTY ADMINISTRATION DEPARTMENT/RISK MANAGEMENT & LEGAL SERVICES DIVISION**

Consideration of entering into an Agreement with Sagaser, Watkins and Wieland PC at the rates of \$300.00 per hour for partners, \$275.00 per hour for associates, and \$150.00 per hour for Law Clerks and Paralegals for legal services for a two-year term and authorize the Chairman to sign.

F. 10606: COUNTY ADMINISTRATION DEPARTMENT/RISK MANAGEMENT & LEGAL SERVICES DIVISION

Consideration of entering into an Amendment to MCC No. 11872-21 with Aleshire & Wynder, LLP at the rate of \$300.00 per hour for partners, \$265.00 per hour for associates, and \$125.00 per hour for Law Clerks and Paralegals for legal services and extending the term for two years and authorize the Chairman to sign.

G. 10598: OFFICE OF INFORMATION TECHNOLOGY

Consideration of entering into an Agreement with ConvergeOne in the amount of \$40,576.62 for professional services to refresh three End of Life firewalls for Fiscal Year 2023-2024 and authorize the Chairman to sign.

H. 10614: OFFICE OF INFORMATION TECHNOLOGY

Consideration of entering into an Agreement with EKC Enterprises, Inc. in the amount of \$67,500.00 for Boardroom Equipment Maintenance Services for a term from May 1, 2024 through April 30, 2025 and authorize the Chairman to sign.

I. 10588: PROBATION DEPARTMENT

Consideration to adopt a Resolution approving and accepting from California Governor's Office of Emergency Services (CalOES) a grant award under the Probation Specialized Units Program.

J. 9192: PUBLIC HEALTH DEPARTMENT

Consideration to reaffirm the Declaration of a Local Health Emergency (Fork Fire) by the County Health Officer.

K. 10575: PUBLIC HEALTH DEPARTMENT

Consideration of entering into an Agreement with the California Department of Public Health in the amount of \$513,190.00 for the HIV Care Program for a term from April 1, 2024 through March 31, 2029 and authorize the Chairman to sign.

L. 10580: PUBLIC HEALTH DEPARTMENT

Consideration of entering into an Agreement with California Department of Public Health (CDPH) Sexually Transmitted Disease (STD) Control Branch for participation in the 340B drug pricing program to reduce the incidence of sexually transmitted infections (STI) by receiving in-kind STD supplies for Fiscal Years 2023-2026 and authorize the Public Health Director to sign.

- M. 10593: PUBLIC HEALTH DEPARTMENT**
 Consideration of entering into an Agreement with California Department of Public Health (CDPH) to prepare epidemiologists for public health leadership positions through fellowship opportunities for learning and professional work experiences to University of California, Davis students and authorize the Chairman to sign.
- N. 10499: PUBLIC WORKS DEPARTMENT/ENGINEERING SERVICES DIVISION**
 Consideration to adopt a Resolution accepting a Grant Deed to the County of Madera from Inacio S. Mancebo and Adelia F. Mancebo and authorizing the Chief of Development Services to accept said Grant Deed and any subsequent documents regarding Assessor Parcel Number (APN) 028-040-001.
- O. 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.
- P. 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).
- Q. 9401: SHERIFF-CORONER'S OFFICE**
 Consideration to reaffirm Resolution No. 2023-034 ratifying the Declaration of a Local Emergency (February/March 2023 Winter Storms).
- R. 10631: SHERIFF-CORONER'S OFFICE**
 Consideration of approval of Receipt of Unanticipated Revenue No. 23-100 in the amount of \$150,000.00 derived from General Fund - Fund Balance to Sheriff-Emergency Operations - Professional Specialized for Fiscal Year 2023-2024. **4 Votes Required**
- S. 10579: SOCIAL SERVICES DEPARTMENT**
 Consideration of entering into an Agreement with the San Diego State University Research Foundation in an amount not to exceed \$128,000.00 for the purposes of consulting services for the Local Aging and Disability Action Planning Grant Program, for a Term ending March 31, 2025 and authorize the Chairman to sign.
- T. 10552: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER & NATURAL RESOURCES DEPARTMENT**
 Consideration of entering into an Agreement with Madera Irrigation District for reimbursement of professional and staff costs related to Madera Subbasin Recharge Project 1 and authorize the Chairman to sign.

U. 10555: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER & NATURAL RESOURCES DEPARTMENT

Payback GSA Salaries from the Flood Control Agency.

1. Consideration of approval of Transfer of Appropriations No. 23-096 in the amount of \$63,650.00 from Madera County Flood Control-Fund Balance to Interfund Expenses for Fiscal Year 2023-2024.
2. Consideration of approval of Receipt of Unanticipated Revenue No. 23-096 in the amount of \$63,650.00 derived from DWNR County GSAs-Interfund Revenue to Permanent Salaries for Fiscal Year 2023-2024. **4 Votes Required**

V. 10620: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER & NATURAL RESOURCES DEPARTMENT

Consideration of entering into an Agreement with David's Engineering, Inc. (DE) in the amount of \$438,911.00 for professional engineering services to prepare the five-year periodic evaluation and amendment for the Madera Subbasin Joint Groundwater Sustainability Plan (GSP) to be completed by January 31, 2025 and authorize the Chairman to sign.

6. DISCUSSION ITEMS:

6.a. 10618: BEHAVIORAL HEALTH SERVICES DEPARTMENT

Presentation of Proclamation recognizing April 2024 as Alcohol Awareness Month.

6.b. 10585: BOARD OF SUPERVISORS DEPARTMENT

Presentation recognizing the Workforce Development Board of Madera County for being recognized as the Valley Small Business Development Center's Partner of the Year.

6.c. 10578: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION

Consideration of approval of Receipt of Unanticipated Revenue No. 23-112 in the amount of \$1,088,000.00 derived from Deferred Maintenance Capital Projects Fund-Buildings & Improvement to ST-Other for Fiscal Year 2023-2024. **4 Votes Required**

10:30 A.M.

7. PUBLIC HEARINGS:

7.a. 10474: BOARD OF SUPERVISORS DEPARTMENT

Introduction of an Ordinance adding Chapter 3.90 to Title 3 of the Madera County Code renewing the Madera County Tourism Business Improvement District.

Waive the reading and set the second reading for May 21,2024

7.b. **10541: COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT/PLANNING DIVISION**

Hearing to consider adoption of a Resolution approving the application of Precision Civil Engineering for a General Plan Amendment (GP #2023-002) pursuant to Section 65358 of the Government Code from A (Agricultural) to VLDR (Very Low Density Residential, Tentative Parcel Map (PM #4300) and Negative Declaration (ND #2023-19) under the provisions of the California Environmental Quality Act (CEQA). To divide a 12.52 acres parcel into four parcels (3.66 acres, 3.86 acres, 2.05 acres & 2.05 acres). The parcel is owned by **MENA, EDGAR ISRAEL** and is located on the north side of Avenue 11 1/4, approximately 0.19 miles east of its intersection with Road 32, (32315 Avenue 11 1/4) Madera (APN: 047-140-018).

7.c. **10543: COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT/PLANNING DIVISION**

Hearing to consider request of **Oasis Management LLC** for a **Letter of Public Convenience and Necessity** to obtain a Type 20 Off-Sale Beer & Wine license to allow the sale of beer and wine at an existing retail store. The property is owned by Bass Lake Spe LLC and is located on the south side of Road 274 approximately 90 feet east of its intersection with Road 434, (39744 Road 274) Bass Lake. The parcel (APN 070-111-018) is zoned PDD (Planned Development District).

7.d. **10533: COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT/PLANNING DIVISION**

Rezone: Garland Russell Shaw - Oakhurst.

1. **Hearing** to consider adoption of an Ordinance approving a Rezone (CZ #2023-004) from RRS-2 ½ (Rural, Residential, Single Family 2 ½ Acre) District to PDD (Planned Development District).
2. **Hearing** to consider adoption of Resolution approving the application of Garland Russell Shaw for a General Plan Amendment (GP#2023-006) pursuant to Section 65358 of the Government Code from RR (Rural Residential to CC (Community Commercial), Rezone and Conditional Use Permit (CUP#2023-010) and approving a Mitigated Negative Declaration (MND #2023-28) under the provisions of the California Environmental Quality Act (CEQA). The property is owned by **DEVITO, MICHAEL** and is located on the north side of Bay Leaf Lane, approximately 560 ft west from the intersection with Highway 41, (No Situs), Oakhurst. APN: 064-020-006. Size: 35 acres.

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

8.a. 10629: COUNTY ADMINISTRATION DEPARTMENT

Discussion and consideration to authorize a letter in opposition to SB 964 as introduced by Senator Seyarto relating to tax-defaulted property sales.

9. SUPERVISORS AND STAFF REPORTS

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

10. ADJOURNMENT

**NEXT MEETINGS: MAY 7, 2024, REGULAR MEETING
MAY 14, 2024, REGULAR MEETING
MAY 21, 2024, REGULAR MEETING
JUNE 4, 2024, REGULAR MEETING
JUNE 10-14, 2024, BUDGET HEARINGS
JUNE 11, 2024, REGULAR MEETING
JUNE 18, 2024, REGULAR MEETING
JULY 2, 2024, REGULAR MEETING
JULY 9, 2024, REGULAR MEETING
JULY 16, 2024, REGULAR MEETING
AUGUST 6, 2024, REGULAR MEETING
AUGUST 13, 2024, REGULAR MEETING
AUGUST 20, 2024, REGULAR MEETING**