



# BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER  
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Agendas available: [www.madera-county.com/supervisors](http://www.madera-county.com/supervisors)

MEMBERS OF THE BOARD  
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DAVID ROGERS  
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MAX RODRIGUEZ  
TOM WHEELER

Rhonda Cargill, 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 21, 2017

***IF IT'S BUILT, LET'S GET THE BEST DEAL FOR MADERA COUNTY***

**9:00 A.M. – Closed Session**

**10:00 A.M. – Regular Session**

*Meetings of the Board of Supervisors shall convene in the Board of Supervisors Chambers, Madera County Government Center, 200 West 4<sup>th</sup> 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, 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.madera-county.com](http://www.madera-county.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 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)) 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. 3477: Request for Closed Session:**

Conference with **Labor Negotiators**, pursuant to Government Code Section 54957.6, **County Negotiators: Adrienne Calip and Ken Caves**, Employee Organization: **All Units**

**2.b. 3513: Request for Closed Session:**

Conference with Legal Counsel - **Existing Litigation**, pursuant to Government Code Section 54956.9 (d)(1), **Name of Case: American Civil Liberties Union of Northern California vs. County of Madera Board of Supervisors (MCV075558)**

**2.c. 3515: Request for Closed Session:**

Conference with Legal Counsel - **Existing Litigation**, pursuant to Government Code Section 54956.9 (d)(1), **Name of Case: State of California, Regents of the University of California, ex rel. On the Go Wireless, LLC vs. Cellco Partnership d/b/a Verizon Wireless, County of Madera, et. al. (case number: 34-2012-00127517)**

**2.d. 3512: Request for Closed Session:**

Conference with Legal Counsel - **Anticipated Litigation**, pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9: **Significant Exposure to Litigation (ONE CASE)**

**2.e. 3518: Request for Closed Session:**

Public Employment, pursuant to Government Code Section 54957, **Title of Position: Director, Water and Natural Resources**

**2.f. Report by County Counsel on Closed Session items.**

**10:00 A.M.**

**3. INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN AND CLOSE MEETING IN MEMORY OF**

- 4. PUBLIC COMMENT:** The first 15 minutes of each regular session is set aside for members of the public to comment on any item within the jurisdiction of the Board, but not appearing on the agenda. Items presented under public comment may not be discussed or acted upon by the Board at this time. For items appearing on the agenda, the public is invited to comment at the time the item is called for consideration by the Board. Any person addressing the Board under public comment will be limited to a 3 minute presentation to ensure that all interested parties have an opportunity to speak. Any handouts to the Board must be submitted to the Chief Clerk of the Board for distribution to the Supervisors. Anyone addressing the Board is asked to print their name clearly on the "Speaker" sheet at the podium. Also, all persons addressing the Board may 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 November 7, 2017.

**B. 3482: AUDITOR-CONTROLLER DEPARTMENT**

Consideration of approval of the 2016-2017 Cash Shortages and Overages Report.

**C. 3496: AUDITOR-CONTROLLER'S DEPARTMENT**

Consideration of entering into an Agreement with Madera Local Agency Formation Commission (LAFCo), in an amount not to exceed \$4,000.00, for profession services to perform an agreed upon Procedures Engagement of Madera County Agency Fund Balance, for Fiscal Years 2014/2015, 2015/2016 and 2016/2017.

**D. 3423: BEHAVIORAL HEALTH SERVICES DEPARTMENT**

Consideration of entering into Agreement with Iris Telehealth Medical Group, PA, in an amount not to exceed \$201,192.00, for the provision of Telepsychiatry Services for Madera County residents for Fiscal Year 2017-2018.

**E. 3490: BEHAVIORAL HEALTH SERVICES DEPARTMENT**

Consideration of approval to re-appoint Vera Coffeen to the Behavioral Health Board for a three year term, from 09/01/2017 - 09/01/2020.

**F. 3492: BEHAVIORAL HEALTH SERVICES DEPARTMENT**

Consideration of entering into State Agreement No. 17-94531 with the California Department of Health Care Services (DHCS), outlining program performance specifications for the provision of community mental health services, for Fiscal Year 2017-2018, and authorize the Chairman to sign.

**G. 3500: BEHAVIORAL HEALTH SERVICES DEPARTMENT**

Consideration of entering into an Agreement with the California Department of Health Care Services (DHCS), for a maximum amount of \$2,498,874.00, for Substance Use Disorder (SUD) funding, for Fiscal Years 2017-2020 and authorize the Chairman to sign.

**H. 3501: BEHAVIORAL HEALTH SERVICES DEPARTMENT**

Consideration of entering into an Amendment to MCC No. 10204B-C-2016 with Davis Guest Home, Inc., to amend the rate to \$102.00 per bed per day and include Cultural Competency, for the provision of mental health services, for Fiscal Years 2017-2019.

- I. 3507: BEHAVIORAL HEALTH SERVICES DEPARTMENT**  
Consideration of entering into Agreement with Heritage Oaks Hospital, for psychiatric inpatient care for Madera County Behavioral Health Services adult clients, for Fiscal Year 2017-2018.
- J. 3509: BEHAVIORAL HEALTH SERVICES DEPARTMENT**  
Consideration of entering into an Agreement with Central Star Behavioral Health, Inc., in the amount of \$844.00 per day, for the provision of an adolescent inpatient Psychiatric Health Facility (PHF) for Fiscal Year 2017-2018.
- K. 3511: BEHAVIORAL HEALTH SERVICES DEPARTMENT**  
Consideration of entering into Amendment to MCC No. 10136B-C-2015, with Crestwood Behavioral Health, Inc., to amend compensation and include Cultural Competency, for the provision of Mental Health Residential Care for Madera County Behavioral Health Services (BHS) adult clients, for Fiscal Year 2017-2018.
- L. 3516: CLERK OF THE BOARD/BOARD OF SUPERVISORS DEPARTMENT**  
Consideration of approval to appoint Supervisor Tom Wheeler as the Primary Director and appoint Supervisor Brett Frazier as Alternate Director to the California State Association of Counties (CSAC) Board of Directors for the 2017-2018 Association Year beginning November 28, 2017.
- M. 3493: COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY, INC.**  
Consideration of approval to authorize the Executive Director of Community Action Partnership of Madera County, Inc. to submit a grant application to the California Office of Emergency Services (Cal OES), to operate the Victim Witness Program from October 1, 2017 through September 30, 2018, including any extensions and/or amendments during the funding period.
- N. 3354: COUNTY ADMINISTRATION DEPARTMENT**  
Mid-Year Adjustment for the Special Payments Budget.
1. Consideration of approval of Transfer of Appropriations No. 17-043, in the amount of \$233,970.00, transfer from Appropriations for Contingencies to Special Payments - Professional & Specialized Services, for Fiscal Year 2017-2018. **4 Votes Required**
  2. Consideration of approval of Transfer of Appropriations 17-042, in the amount of \$63,500.00, transfer from Development Impact Fee-General Government - Appropriation for Contingency to Operating Transfer Out, for Fiscal Year 2017-2018. **4 Votes Required**

3. Consideration of approval of Receipt of Unanticipated Revenue No. 17-042, in the amount of \$63,500.00, derived from General Government Impact Fees to be appropriated to the Special Payments, for Fiscal Year 2017-2018. **4 Votes Required**
- O. 3508: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**  
Consideration of entering into an Amendment to MCC No. 10022C-C-2016 with Kitchell/CEM, Inc., to amend the Term, Scope of Services, and Compensation and Costs for capital project management services.
- P. 3510: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**  
Consideration of approval of an Agreement with Sim-PBK, in the amount of \$110,000.00, for architectural and engineering services related to the Agriculture Commissioner/Weights and Measures Department and UC Cooperative Extension tenant improvement project.
- Q. 3452: COUNTY ADMINISTRATION DEPARTMENT/HUMAN RESOURCES/OPERATIONS DIVISION**  
Consideration to adopt a Resolution making findings and determinations concerning the application for Industrial Disability Retirement for Jordan Logoluso.
- R. 3453: COUNTY ADMINISTRATION DEPARTMENT/HUMAN RESOURCES/OPERATIONS DIVISION**  
Consideration of approval to ratify the Sideletter Agreements with the Peace Officer, Peace Officer Management, Mid-Management and Probation Administrators Bargaining Units to provide for the three-percent (3%) incentive associated with the County's Public Information Team and the maintenance of departmental web pages, effective November 1, 2017.
- S. 3485: COUNTY ADMINISTRATION DEPARTMENT/RISK MANAGEMENT & LEGAL SERVICES DIVISION**  
Consideration of entering into an Agreement for legal services with the law firm of Weakley & Arendt, LLP., for Fiscal Years 2017-2020.
- T. 3486: COUNTY ADMINISTRATION DEPARTMENT/RISK MANAGEMENT & LEGAL SERVICES DIVISION**  
Consideration of entering into an Agreement for legal services with the law firm of Sagaser, Watkins & Wieland for Fiscal Years 2017-2020.
- U. 3487: COUNTY ADMINISTRATION DEPARTMENT/RISK MANAGEMENT & LEGAL SERVICES DIVISION**  
Consideration of entering into an Agreement for legal services with the law firm of Emerson, Church for Fiscal Years 2017-2020.

- V. 3488: COUNTY ADMINISTRATION DEPARTMENT/RISK MANAGEMENT & LEGAL SERVICES DIVISION**  
Consideration of entering into an Agreement for legal services with the law firm of McCormick Barstow, LLP for Fiscal Years 2017-2020.
- W. 3489: COUNTY ADMINISTRATION DEPARTMENT/RISK MANAGEMENT & LEGAL SERVICES DIVISION**  
Consideration of entering into an Agreement for legal services with the law firm of Cota Cole & Huber for Fiscal Years 2017-2020.
- X. 3358: FIRE DEPARTMENT**  
Volunteer Fire Assistance (VFA) Grant.
1. Consideration of approval to ratify the submission of the 2017 Volunteer Fire Assistance (VFA) Grant Application.
  2. Consideration of entering into an Agreement (State Agreement No. 7FG17075) with the state of California Department of Forestry and Fire Protection, in an amount not to exceed \$19,976.00, for the purchase of Wildland Personal Protective Gear (PPE).
  3. Consideration to adopt a Resolution approving State Agreement No. 7FG16068 with the State of California Department of Forestry and Fire Protection, in an amount not to exceed \$19,976.00, for the purchase of Wildland Personal Protective Gear (PPE) and authorizing the County Fire Chief to sign on behalf of the County of Madera.
  4. Consideration of approval of Receipt of Unanticipated Revenue No. 17-023, in the amount of \$19,976.00, derived from Fire Department - Federal Volunteer Assistant Program to Clothing/Safety Equipment, for Fiscal Year 2017-2018. **4 Votes Required**
- Y. 3346: LIBRARY DEPARTMENT**  
Consideration of approval of Receipt of Unanticipated Revenue No. 17-019, in the amount of \$3343.40, derived Library - Museum & Library Services Grant to Office Expense, for Fiscal Year 2017-2018. **4 Votes Required**
- Z. 3498: OFFICE OF INFORMATION TECHNOLOGY**  
Consideration of entering into an Amendment to MCC No. 10898-C-2017 (Addendum 1) with Vision Technology Solutions, LLC for Website Accessibility Training and Consultation.
- AA. 3464: PUBLIC WORKS DEPARTMENT/ADMINISTRATION DIVISION**  
Consideration to adopt a Resolution adopting the 2017/2018 Measure A Annual Work Program.

- AB. 3484: PUBLIC WORKS DEPARTMENT/MUNICIPAL SERVICES DIVISION**  
Consideration of entering into an Amendment to MCC No. 10605-C-2016 with Gershman, Brickner & Bratton, Inc. (GBB), to amend the Scope of Services and Compensation and Costs for the professional solid waste consultant services.
- AC. 3480: SHERIFF-CORONER'S DEPARTMENT**  
Consideration of approval 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.
- AD. 3520: SUPERINTENDENT OF SCHOOLS/OFFICE OF EDUCATION, MADERA COUNTY**  
Consideration of approval of the Madera County Superintendent of Schools 2017 Annual Report: Williams Site Visitations.
- AE. 3514: TRIANGLE T WATER DISTRICT**  
Consideration of approval to adopt the Conflict of Interest Code and Bylaws for Triangle T Water District.
- AF. 3499: BOARD OF DIRECTORS SPECIAL DISTRICT/SERVICE AREA NO 22D RIVERSTONE/PUBLIC WORKS DEPARTMENT/ADMINISTRATION DIVISION**  
Consideration to adopt a Resolution to annex phases 2, 3, and 4 of Riverstone Development into the existing zone of Benefit "D" County Service Area 22(CSA-22D) and Levy Assessments for phase 2 as well as postpone the levying of assessments for phases 3, and 4 until the final maps for these phases have been recorded.

**10:00 A.M. HEARINGS**

**6. PUBLIC HEARINGS:**

- 6.a. 3502: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT/PLANNING DIVISION**  
**Hearing** to consider adoption of an Ordinance amending Title 8, Chapter 8.01, and Title 18, Chapter 18.04, 18.87, and 18.88, of the Madera County Code pertaining to Medical and Recreational Marijuana.
- 6.b. 3506: COUNTY ADMINISTRATION DEPARTMENT/GENERAL SERVICES DIVISION**  
**Hearing** to consider adoption of a Resolution to sell surplus Real Property, located in Madera, California, Assessor's Parcel, 049-085-023.
- 6.c. 3399: TREASURER-TAX COLLECTOR**  
**Hearing** to consider the recommendation of the County Treasurer-Tax Collector to deny the Petition to rescind the sale of APN 060-130-010-000, located at 33105 Weatherly Lane, North Fork, CA 93643, filed by Patrick Riley.

**7. REGULAR SESSION:**

- 7.a. **3454: WATER AND NATURAL RESOURCES DEPARTMENT**  
Discussion and direction regarding Memorandum of Understanding for coordination, cooperation, and cost sharing on pre-construction activities related to the Temperance Flat Reservoir Project.
- 7.b. **3460: BOARD OF DIRECTORS/PUBLIC WORKS DEPARTMENT/MUNICIPAL SERVICES DIVISION**  
Discussion and direction regarding the Madera County flood facilities and the funding challenges for the Madera County Flood Control and Water Conservation Agency.
- 7.c. **3497: BOARD OF DIRECTORS SPECIAL DISTRICT/PUBLIC WORKS DEPARTMENT/ADMINISTRATION DIVISION**  
Discussion and direction regarding establishing a policy for the formation and creation of Special Districts and Zones of Benefit.
- 7.d. **3455: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER AND NATURAL RESOURCES DEPARTMENT**  
Discussion and consideration for appointment to Advisory Committees to the County Groundwater Sustainability Agencies of the Madera, Chowchilla and Delta-Mendota Subbasins.
- 7.e. **3337: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER AND NATURAL RESOURCES DEPARTMENT**  
Discussion and consideration of approval to submit a Notice of Intent to write a Groundwater Sustainability Plan for the Chowchilla Subbasin to the California Department of Water Resources.
- 7.f. **3503: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER AND NATURAL RESOURCES DEPARTMENT**  
Discussion and consideration of approval to submit a Notice of Intent to write a Groundwater Sustainability Plan for the Madera Subbasin to the California Department of Water Resources.
- 7.g. **3504: BOARD OF DIRECTORS GROUNDWATER SUSTAINABILITY AGENCY/WATER AND NATURAL RESOURCES DEPARTMENT**  
Discussion and consideration of approval to submit a Notice of Intent to write a Groundwater Sustainability Plan for the Delta-Mendota Subbasin to the California Department of Water Resources.
- 7.h. **3456: WATER AND NATURAL RESOURCES DEPARTMENT**  
**Hearing** to consider an Ordinance amending Chapters 13.101 and 13.28 of Title 13 of Madera County Code pertaining to the installation of water flow meters and water level meters regulations and adoption of a Resolution adopting the revised fees for the water flow meter permit.



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

9. **SUPERVISORS AND STAFF REPORTS**

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

10. **ADJOURNMENT**

**\* Please note the Board of Supervisors Regular Meeting Calendar is scheduled twice a month for the 2017 Calendar Year. However, this Meeting Calendar is subject to change.**

**NEXT MEETINGS: DECEMBER 12, 2017, REGULAR CALENDAR  
DECEMBER 19, 2017, REGULAR CALENDAR**