

**MEMBERS OF THE BOARD**

LARRY MICARI – Vice Chair  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND – Chair  
District Five



JASON T. BRITT  
County Administrative Officer

JENNIFER M. FLORES  
County Counsel

MELINDA BENTON  
Chief Clerk

ADMINISTRATION BUILDING  
2800 W. Burrel Avenue  
Visalia, CA 93291  
(559) 636-5000  
(559) 615-3009

# Board of Supervisors Agenda

**February 28, 2023**

**3:00 P.M. Board Convenes for Closed Session  
Board of Supervisors Chambers  
2800 W. Burrel Avenue  
Visalia, CA 93291**

**6:00 P.M. Board Reconvenes for Open Session  
Porterville Council Chambers – City Hall  
291 N. Main Street  
Porterville, CA 93257**

## **NOTICE TO THE PUBLIC**

**LIVE STREAM:** To view the live stream of the Board of Supervisors meetings, please visit <https://tularecounty.ca.gov/board/board-meetings/board-of-supervisors-meetings/> or <https://www.youtube.com/channel/UCtio73xNL9t2b8Aq-R84abg>

**PUBLIC COMMENTS:** Members of the public may comment on any item not appearing on the Agenda. Under state law, matters presented under this item cannot be discussed or acted upon by the Board at this time. For items appearing on the Agenda, the public is invited to make comments when the item comes up for Board consideration. Any person addressing the Board will be limited to a maximum of three (3) minutes so that all interested parties have an opportunity to speak, with a total of fifteen (15) minutes allotted for the Public Comment Period. At all times, please use the microphone and state your name for the record.

**ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Clerk of the Board as soon as possible during office hours (559) 636-5002 or email [clerkoftheboard@tularecounty.ca.gov](mailto:clerkoftheboard@tularecounty.ca.gov). Reasonable requests made at least 48 hours in advance of the meeting will ensure accessibility to this meeting.

**BOARD AGENDA:** Documents related to the items on this Agenda are available for public inspection in the Clerk of the Board Office during normal business hours, 7:30 a.m. – 5:30 p.m., Monday through Thursday and 8:00 a.m. – 12:00 p.m. on Friday. Such documents are also available online, subject to staff's ability to post the documents before the meeting, at the following website: <https://tularecounty.ca.gov/board/board-meetings/board-of-supervisors-meetings/>

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:** Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing. The foregoing statements do not constitute legal advice, and parties and participants are urged to consult with their own legal counsel regarding the requirements of the law.

### **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

1. Welcome Message from Martha Flores, Mayor of the City of Porterville.
2. Presentation of Certificates of Recognition for the City of Porterville's newly elected Councilmembers, Raymond Beltran, Greg Meister, and Donald Weyhrauch.
3. Board of Supervisors matters.
4. Presentation by Gary Herbst, CEO of Kaweah Health, and Donna Hefner, President/CEO of Sierra View Medical Center regarding the status of local hospitals.
5. Public Comments.

### **CONSENT CALENDAR (Numbers 6 through 40)**

#### **NOTICE TO THE PUBLIC**

These items are routine and usually approved by one motion. Before action by the Board, the Chair will ask the Board Members and the public if they wish to remove any item from the Consent Calendar for separate consideration. Items removed from the Consent Calendar may be heard immediately before or after the approval of the Consent Calendar, or may be set aside until later in the meeting.

**Board of Supervisors**

6. Adopt the Order of Adjournment of the Board Supervisors meeting to specified times and locations as follows:

**May 9, 2023**

The Regular Meeting will convene for purposes of Closed Session at 3:00 p.m. at 2800 W. Burrel Ave., Visalia, and then reconvene for purposes of Open Session at 6:00 p.m. in the Woodville Union School District- Board Room, located at 16541 Road 168, Room 36, Porterville.

**July 18, 2023**

The Regular Meeting will convene for purposes of Closed Session at 3:00 p.m. at 2800 W. Burrel Ave., Visalia, and then reconvene for purposes of Open Session at 6:00 p.m. in the Board Chambers, located at 2800 W. Burrel Ave., Visalia.

**October 17, 2023**

The Regular Meeting will convene for purposes of Closed Session at 3:00 p.m. at 2800 W. Burrel Ave., Visalia, and then reconvene for purposes of Open Session at 6:00 p.m. in the City of Dinuba Council Chambers, located at 405 E. El Monte Way, Dinuba.

7. Ratify the Chairman's signature on a support letter for the Golden State Finance Authority's Rural Grant Acceleration Program (RGAP) application.
8. Appoint Novalie McDarment to the At-Large City, Tribal, Unincorporated Community Rep Seat, Hannah Giles to the Partner Rep. Seat, and Courtney Venegas to the Education Sector Rep. Seat on the Tulare County Task Force on Homelessness for terms ending January 1, 2026.
9. Reappoint Miguel Perez to the Kings/Tulare Homeless Alliance Rep Seat, Betsy McGovern-Garcia to the Affordable Housing Developer Rep Seat, and Mary Alice Escarsega-Fechner to the Community Action Agency Rep Seat on the Tulare County Task Force on Homelessness for terms ending January 1, 2026.
10. Reappoint Joe Machado to the Tulare County - Trustee Seat on the Kings Mosquito Abatement District for a term ending January 5, 2025.
11. Reappoint Candace Hilvers to the Resident – District 3 Seat, and Alexandra Yates to the Resource Management Agency Seat on the Tulare County Health Advisory Committee for terms ending February 1, 2026.
12. Appoint Rachel Orosco to the Director – Area 3 Seat on the Exeter District Ambulance Board, for a term ending December 4, 2026.
13. Appoint the following individuals In Lieu of Election to the Kaweah Delta Water Conservation District for terms ending March 1, 2027: Jeffrey Ritchie, Director - Division 3, Jimi Valov, Director - Division 5, and Brian Watte, Director - Division 6.

**District Attorney**

14. Approve an agreement with Sicuro Data Analytics, LLC., for data analytics and reporting in data-driven decision-making and prosecution, in an amount not to exceed \$400,000, effective March 1, 2023 through June 30, 2025. Authorize the Purchasing Agent to waive the formal bidding process and make the sole-source purchase with Sicuro Data Analytics, LLC. Authorize the necessary budget adjustments (4/5ths vote required).
15. Approve a Memorandum of Understanding between the Office of the Tulare County District Attorney, Tulare County Sheriff's Office, Tulare County Health & Human Services Agency/Child Welfare Services, Tulare County Probation, and identified Human Trafficking Task Force non-Tulare County agencies, retroactive from October 1, 2022 through December 31, 2025. Authorize the District Attorney, Sheriff-Coroner, Tulare County Health & Human Services Agency Director, and the Chief Probation Officer to sign the Memorandum of Understanding.

**General Services Agency**

16. Ratify and approve an amendment to agreements G-106273, G-106272 and G-91383 with San Joaquin Valley Air Pollution Control District (SJVAPCD) to purchase electric off-road vehicles.
17. Award the architectural design services agreement for the Behavioral Health Urgent Care Project to Paul Halajian Architects, Inc. in the amount of \$585,830. The new clinic will be built on the County's Hillman Campus in the City of Tulare.

**Health & Human Services Agency**

18. Approve an agreement with the University of California Davis for a training program in Tulare County's Health and Human Services Agency's Public Health Branch, in the amount of zero dollars, effective February 28, 2023 through December 31, 2026.
19. Approve an amendment to Agreement No. 30121 with Air Methods Corporation for the provision of emergency air ambulance services within the boundaries of Tulare County, effective from February 28, 2023 through March 31, 2026.
20. Approve an agreement with Adventist Health Tulare for the reimbursement costs of Remdesivir, per the County of Tulare American Rescue Plan Act Final Recovery Plan, in an amount not to exceed \$739,253, retroactive from March 3, 2021 through December 31, 2024.
21. Approve an agreement with Kings View for the provision of the Tulare County Beneficiary Access Line Program, in an amount not to exceed \$467,000, retroactive from July 1, 2022 through June 30, 2023.
22. Approve a Memorandum of Understanding with Regis College to provide field experience for students in the Nurse Practitioner Program, effective February 28, 2023 through June 30, 2025.

23. Approve an amendment to Agreement No. 30824 with First 5 of Tulare County for the administration of the Home Visiting “Parents-as-Teachers” Program to update the Statement of Work in Exhibit A and increase the budget amount in Exhibit B by \$1,100,000, increasing the total amount from \$1,200,000, to a new total agreement amount not to exceed \$2,300,000, effective from the date of signature through June 30, 2023. Approve the necessary budget adjustments (4/5ths vote required).
24. Approve a Memorandum of Understanding with the California Department of Child Support Services to provide online access service to the Child Support Enforcement System effective for 36 months upon the date of signature by both organizations. Authorize the Tulare County Health & Human Services Agency Director, or designee, to sign the Memorandum of Understanding.

### **Probation**

25. Approve a Memorandum of Understanding with Turning Point of Central California, Inc. to provide mental health services at the Probation Connections Center, retroactive from July 1, 2022 through June 30, 2023 at no cost to the County.
26. Accept the SB 823 Realignment annual plan for Fiscal Year 2022/23. Accept the Juvenile Justice Realignment Block Grant annual funding allocations for the provision of county-based custody care and supervision of realigned youth, in the amount of \$1,824,038 for Fiscal Year 2021/22 and \$5,918,742 for Fiscal Year 2022/23.

### **Public Defender**

27. Approve a Memorandum of Understanding with Allen Law Firm, Inc., to provide indigent defense in criminal matters for the purposes of workload, in the amount not to exceed \$221,459 retroactive from March 1, 2022, through March 1, 2025.

### **Resource Management Agency**

28. Approve and award the contract to the lowest responsive and responsible bidder, Granite Construction Company, of Fresno, California for construction of the 2023 Road Repair and Accountability Act (RRAA) Project 1, in the amount of \$4,410,440. Authorize the Chair of the Board of Supervisors to sign the contract after review and approval as to form by County Counsel and upon receipt of certificates of insurance, bonds and evidence that the contractor possesses a valid State Contractors License. Allow funds for contingencies in the amount of \$233,022 to cover unexpected construction conditions. Authorize the Resource Management Agency Director, or designee, to approve contract change orders up to the amount of allowed funds for contingencies.
29. Approve the American Rescue Plan Act subrecipient agreement with the Earlimart Public Utility District for the Clay West Well Sound Wall Construction Project, in the amount of \$75,000, effective February 28, 2023 through December 31, 2024. Approve the necessary budget adjustments (4/5ths vote required).

30. Accept the work for the construction of the 2022 Road Repair and Accountability Act Project 1 as complete by Don Berry Construction Inc., of Kingsburg, California.
31. Accept the work for the construction of the Bridge Preventive Maintenance Program – Group 1 Project as complete by American Paving Co. of Fresno, California.
32. Accept the work for the construction of the Overhead Flashing Beacons Safety Project as complete by Pelagic Engineering, of Oxnard, California.
33. Approve an agreement with California State Water Resources Control Board to provide the County as Administrator for the East Orosi Community Services District Water System additional funding for the operation and maintenance of the water system, in the amount of \$199,631, retroactive from May 20, 2022 through September 30, 2024. Approve the necessary budget adjustments, amending the operating budget for the East Orosi Administrator Fund (4/5ths vote required).
34. Adopt the Complete Streets Policy Plans for the Caltrans Sustainable Transportation Planning Sustainable Communities Grant Projects for the following Communities: Matheny Tract, West Goshen, Goshen (update) and East Tulare Villa. Authorize Transmittal of all the Complete Streets Policy Plans for the Caltrans Sustainable Transportation Planning Sustainable Communities Grant to Caltrans.

### **Solid Waste**

35. Reaffirm the existence of an emergency due to the impending failure of the Cotton Gin Water Well at the Visalia Landfill, Resolution No. 2022-0625.

### **Sheriff/Coroner**

36. Approve an agreement with the City of Visalia to operate as the administrator for the 2022 Edward Byrne Memorial Justice Assistance Grant Program, retroactive from August 3, 2022 through September 30, 2025. Authorize the Sheriff or designee to sign the agreement.
37. Approve an amendment to Agreement No. 30648 between the Tulare County Sheriff's Office and Canteen of Fresno, Inc., to provide commissary services for inmates in Tulare County detention facilities, to extend the service term twelve months through June 30, 2024.
38. Approve the capital asset purchase of a fume extractor to support the day-to-day operations of the Sheriff's Office Inmate Program Division, in an amount not to exceed \$5,800, in Fiscal Year 2022/23. Authorize the necessary budget adjustments (4/5ths vote required).
39. Approve the capital asset purchase of a forensic light to support the day-to-day operations of the Tulare County Sheriff's Crime Lab Unit, in an amount not to exceed \$6,900, in Fiscal Year 2022/23. Authorize the necessary budget adjustments (4/5ths vote required).
40. Approve an agreement with NEC Corporation of America for the purchase of two (2) livescan fingerprinting machines and custom software application, effective on February 28, 2023. Authorize the Purchasing Agent to waive the formal bidding process and make the sole-source purchase for the livescan machine and software. Approve the capital asset purchase of two

(2) livescan machines to support the day-to-day operations of the Dinuba Police Department and Woodlake Police Department, in an amount not to exceed \$31,500 per unit with a combined total of \$63,000, in Fiscal Year 2022/23. Approve the purchase of a custom software application in order to collect DNA samples at time of inmate intake, in an amount not to exceed \$65,000, in Fiscal Year 2022/23. Authorize the necessary budget adjustments (4/5ths vote required).

### **ITEMS NOT TIMED**

#### **Items not specifically timed may be taken in any order**

41. Request from the Resource Management Agency to authorize the Chair of the Board or designee to sign and file, for and on behalf of the County, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the Matheny Tract Wastewater Project (the "Project"). Find the Board of Supervisors has reviewed and considered the information contained in Mitigated Negative Declaration is applicable to the Matheny Tract Wastewater System Project Feasibility Report and determine that the proposed Matheny Tract Wastewater System Project ("Project") would result in Less Than Significant Impacts on the environment. Certify and adopt the Mitigated Negative Declaration as being in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. Direct the Environmental Assessment Officer, or designee, of the Tulare County Resource Management Agency to file the Notice of Determination with the Clerk-Recorder. Receive the Technical Memorandum Addendum 2 to the Matheny Tract Wastewater System Feasibility Report. Adopt the Resolution designating and directing an authorized representative to apply for, make certain representations regarding, and accept financial assistance from the State Water Resources Control Board for the Matheny Tract Wastewater Project.
42. Request from the Board of Supervisors' Staff to receive input and provide direction regarding the 2023 Tulare County Federal and State Legislative Platforms. Approve amendments to the platforms and select priority issues for future advocacy trips.
43. Request from the Board of Supervisors' Staff to consider a proposal by Chairman Townsend to institute a legislative prayer program for public prayer at the Board of Supervisors meetings. Direct staff to develop process and procedure that implements the selected legislative prayer program.

### **BOARD MATTER REQUESTS**

44. Board members may make a referral to staff to have a matter of business be considered for a future agenda (Gov. Code, sec. 54954.2, subd. (a)(3)).

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**CLOSED SESSION**

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**NOTICE TO THE PUBLIC  
CLOSED SESSION**

As provided in the Ralph M. Brown Act, Government Code sections 54950 et seq., the Board of Supervisors may meet in closed session with its attorneys, county staff, and consultants. These sessions are not open to the public and may not be attended by members of the public. The matters the Board will meet on in closed session are identified below, or are those matters appropriately identified in open session as requiring immediate attention and arising after the posting of the Agenda. Any public reports of action taken in closed session will be made in accordance with Government Code section 54957.1.

It is the intention of the Board to meet in closed session concerning:

**Sitting as the Tulare County Board of Supervisors**

- ITEM A CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to Litigation (Government Code Section 54956.9(d)(2))  
Number of Potential Cases: 1  
Please see today's agenda item regarding a proposed Legislative Prayer Program.
- ITEM B CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Government Code Section 54956.9(d)(1))  
Name of Case: Guillon, Inc. vs. County of Tulare et al.  
Tulare County Superior Court Case VCU290846
- ITEM C CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)  
Property Description: 347 E Walnut Ave, Visalia, CA 93277, Casa Grande Care and Living Facility Agency Negotiators: Brooke Siske  
Negotiating Party or Parties: Joe Nunes Silveira and Maria Fatima Silveira, Trustees of the 2003 Joe Nunes Silveira and Maria Fatima Silveira Revocable Trust  
Under Negotiation: Price and Terms of Payment
- ITEM D CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)  
Property Description: 87 East Morton Avenue, Porterville, CA; Porterville Courthouse and Sheriff's Substation  
Agency Negotiators: Brooke Siske  
Negotiating Party or Parties: Judicial Council of California  
Under Negotiation: Price and Terms of Payment
- ITEM E CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Government Code Section 54956.9(d)(1))  
Name of Case: David Barber v. County of Tulare  
Workers' Compensation Appeals Board No.: ADJ17123865



ITEM F PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT CONSIDERATION AND  
POSSIBLE APPOINTMENT

(Government Code Section 54957)

FOR THE POSITION OF: BOARD REPRESENTATIVE

The Board may meet in a continuous closed session each business day on this topic beginning immediately upon recess of the open portion of this meeting through March 6, 2023, to deliberate on the possible appointment.

ITEM G CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency Designated Representatives: Lupe Garza and Shelline K. Bennett

Employee Organizations: All Certified Employee Organizations

Unrepresented Employees: All Unrepresented Employees.