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Chief Clerk

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

Board of Supervisors Agenda

March 7, 2023

9:00 AM Board Convenes

**Board of Supervisors Chambers
2800 W. Burrel Avenue
Visalia, CA 93291**

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. 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. Board of Supervisors matters.
2. Public Comments.

9:30 A.M. - TIMED ITEMS

3. **PUBLIC HEARING:** Request from the Resource Management Agency to adopt an ordinance amending Paragraph B of Section 3 of Ordinance No. 352, the Tulare County Zoning Ordinance, for Change of Zone No. PZC 22-006 to change the zone district from the R-1 (Single-Family Residential) Zone to the R-2-MU (Two-Family Residential with a Mixed-Use Overlay Combining) Zone for Assessor's Parcel Numbers ("APNs"): 075-120-047, -048, -049, -051, -052, -053, -055, -056, -057, -058, and -059 to facilitate the construction of eleven (11) two-story duplexes, with one duplex on each of the eleven (11) existing parcels, on property located on the east and west side of Robinson Road, approximately 150 feet north of Avenue 308, in the unincorporated Tulare County community of Goshen. Adopt the findings of approval, as set forth in Planning Commission Resolution No. 10038, and approve Zone Change No. PZC 22-006. Find that the ordinance was introduced at the Planning Commission Meeting on January 11, 2023, and was set for adoption at today's meeting. Find that the title of the ordinance was included on the published agenda, and that a copy of the full ordinance was made available to the public online and in print at the meeting before the ordinance was introduced.

CONSENT CALENDAR (Numbers 4 through 20)**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

4. Appoint Marlon Daly to the Director 2 Seat, and John Arthur Gailey III to the Director 4 Seat, on the Tulare County Resource Conservation District for terms ending November 30, 2026.
5. Reappoint Warren Hutchings to the Director 1 Seat on the Tulare County Resource Conservation District for a term ending November 30, 2026.
6. Appoint Jose Antonio Iniguez to the At – Large Member Seat on the Tulare County Council on Child & Youth Development for a term ending June 30, 2024.
7. Appoint Irma Rangel to the Community Member Seat, on the First 5 Tulare County for a term ending at the Pleasure of the Board.
8. Reappoint Angelina DeRossett to the Transit Authority Rep Seat, and Cynthia Lopez to the Housing Authority Rep Seat on the Tulare County Task Force on Homelessness for terms ending January 1, 2026.
9. Reappoint Jennifer Newell to the At-Large Seat No. 9 on the Tulare County Mental Health Board for a term ending December 31, 2025.

Fire Department

10. Approve the capital asset purchase of two (2) radio repeaters to support the day-to-day operations of the Fire Department, in an amount not to exceed \$41,000, in Fiscal Year 2022/23. Authorize the necessary budget adjustments (4/5ths vote required).

General Services Agency

11. Approve a Lease Agreement for space located at 346 N. Porter Road, Porterville, for the County's use as Lessee with Robert A. Ruffa and Carolyn L. Ruffa as Lessor for a term of three years effective upon Board approval. Approve the temporary closure of the Agricultural Commissioner's Porterville District Office located at 75 W. Olive from March 7, 2023, through March 17, 2023, for the transition to the new office space located at 346 N. Porter Road, Porterville. Approve the temporary closure of the Resource Management Agency building inspectors Porterville Office located at 75 W. Olive from March 7, 2023, through March 17, 2023, for the transition to the new office space located at 346 N. Porter Road, Porterville.

Health & Human Services Agency

12. Approve an agreement with the California Mental Health Services Authority to continue participating in the Medi-Cal Peer Support Specialist Program, in an amount not to exceed \$50,000, retroactive from January 1, 2023 through December 31, 2024.
13. Reaffirm the proclamation of a Local Emergency due to the Sequoia Complex Fire, Resolution No. 2020-0569. Reaffirm the declaration of a Local Health Emergency due to the Sequoia Complex Fire, Resolution No. 2020-0667. Reaffirm the proclamation of a Local Emergency due to the September Lightning Fires, Resolution No. 2021-0726. Reaffirm the declaration of a Local Health Emergency due to the September Lightning Fires, Resolution No. 2021-0861.
14. Approve a Memorandum of Understanding with University of Massachusetts Global for the Behavioral Health Workforce Development Mentored Internship Program, in an amount not to exceed \$20,000, retroactive from April 1, 2022 through September 29, 2023.
15. Approve a Memorandum of Understanding with Campbellsville University for the Behavioral Health Workforce Development Mentored Internship Program, in an amount not to exceed \$20,000, retroactive from April 1, 2022 through September 29, 2023.
16. Approve a Memorandum of Understanding with Fresno Pacific University for the Behavioral Health Workforce Development Mentored Internship Program, in an amount not to exceed \$20,000, retroactive from April 1, 2022 through September 29, 2023.
17. Approve the revised by-laws of the Tulare County Mental Health Board.
18. Ratify a Proclamation of Local Emergency due to Winter Storms and Flooding proclaimed by the Emergency Services Director on March 1, 2023.

Probation

19. Approve a Memorandum of Understanding with Family Services of Tulare County, to provide Services at the Probation Connections Center, retroactive from July 1, 2022 through June 30, 2023, at no cost to the County.

Public Defender

20. Authorize the Chair of the Board to sign the Governing Board Resolution. Approve a personnel resolution to amend the Fiscal Year 2022/23 position allocation for the Public Defender's Office as follows: Delete one (1) Social Worker – Public Defender, Position No. 10847, effective March 12, 2023. Authorize the necessary budget adjustments (4/5ths vote required).

ITEMS NOT TIMED
Items not specifically timed may be taken in any order

- 21. Request from the Human Resources and Development Department to approve the annual salary for the position of Chief Probation Officer, Bargaining Unit 10, in the amount of \$175,000, with the same standard benefits provided to Bargaining Unit 10 employees, and an additional benefit of Auto Allowance at \$504 monthly, subject to annual modifications consistent with Administrative Regulation 1(D)(6), effective March 12, 2023.
- 22. Request from the Sheriff’s Office to approve a 5%, salary increase for the Undersheriff, Position No. 06925, and for one (1) Assistant Sheriff, Position No. 10030, effective March 12, 2023, in order to address salary compaction between executive management positions.

BOARD MATTER REQUESTS

- 23. 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)).

CLOSED SESSION

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
 See today’s agenda item regarding a public hearing pertaining to proposed amendment PZC 22-006 (Thandi/Goshen) to the Tulare County Zoning Ordinance No. 352.
- ITEM B CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
 (Government Code Section 54956.9(d)(1))
 Name of Case: Rodger Keller et al. v. County of Tulare
 Tulare County Superior Court Case No. VCU296056

- ITEM C CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION
(Government Code Section 54956.9(d)(4))
Number of Potential Cases: 1

- ITEM D CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of Case: Mara Iftimie v. County of Tulare
Workers Compensation Appeals Board Nos.: ADJ10969881, ADJ12095258

- ITEM E 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.

- 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 13,
2023, to deliberate on the possible appointment.

- ITEM G CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957)
RE: CHIEF PROBATION OFFICER SALARY AND BENEFITS
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 13,
2023 to deliberate on the possible appointment.
Agency Designated Representative: Jason T. Britt, Lupe Garza
Unrepresented Employee: Bargaining Unit 19 – Board Representative