



Board of Supervisors

Agenda - Final

Brian Pacheco, 1st District, Chairman
Sal Quintero, 3rd District, Vice-Chairman
Steve Brandau, 2nd District
Buddy Mendes, 4th District
Nathan Magsig, 5th District

Hall of Records, Room 301
2281 Tulare Street
Fresno, California
93721-2198
Telephone: (559) 600-3529
Toll Free: 1-800-742-1011
www.co.fresno.ca.us

Paul Nerland, County Administrative Officer
Daniel C. Cederborg, County Counsel
Bernice E. Seidel, Clerk of the Board of Supervisors

Tuesday, July 12, 2022

9:30 AM

Hall of Records

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities.

Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Clerk of the Board of Supervisors staff, as soon as possible during office hours at (559) 600-3529, option 4 or at ClerkBOS@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

The Fresno County Board of Supervisors welcomes you to this meeting and encourages your participation. This agenda contains a brief general description of each item to be considered. The number of the item being heard is indicated on the Clerk's desk. Please see note below regarding consent agenda items. The Chairman will call for public testimony as each item is heard. For those who are present and wish to speak to an individual item please step to the podium during this time period and state your name for the record. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Presentation period at the end of the regular session.

All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Records building, 2281 Tulare Street, Room 301, Fresno, 93721 during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday. Agenda items are also available online at: <http://fresnocounty.legistar.com>.

Roll Call

Invocation and Pledge of Allegiance

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 25 - 59

These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the Board Members and the public will be given the opportunity to remove any item from the Consent Calendar. Items removed from the Consent Calendar may be heard immediately following approval of this Consent Calendar or set aside until later in the day

Board of Supervisors

3. Presentation of Retirement Plaque to Richard A. Hernandez - Public Works and Planning - 19 Years of Service

Chairman Pacheco

4. Proclaim July 11-15, 2022 as Eligibility Workers, Job Specialists, and Appeals Specialists Appreciation Week in Fresno County

Supervisor Brandau and Supervisor Magsig

5. Adopt a resolution recognizing Tim Sarquis and Brandon Johansen for their Emmy-nominated documentary "Killer High: The Silent Crisis" and Emmy-winning documentary "Mountain Strong: Surviving the Creek Fire"

Supervisor Quintero

6. Present certificates of recognition to delegates of American Legion Auxiliary, Girls State
7. Proclaim July 17, 2022 through July 23, 2022, as Pretrial, Probation, and Parole Supervision Week

Supervisor Brandau

- 7.1 Consider proposed expenditure, per Administrative Policy No. 75, for waste cleanup services on County parcel along Ashlan Avenue; and approve and authorize the use of District 2 funds for waste cleanup services to be performed by Olympic Property Services

Administrative Office

8. Conduct public forum in accordance with Government Code section 7283.1(d); receive statistical report from the Sheriff regarding the United States Immigration and Customs Enforcement access provided to incarcerated individuals in the Jail during 2021; and receive public comment

Internal Services

9. Consider and take action on the City of Fresno Assessment Ballot for renewal of the Downtown Fresno Property and Business Assessment District, which will provide economic enhancements, clean and safe initiatives, Fulton Zone activation, and related management and administration to assessed parcels within its boundaries, including the levying of associated assessments (\$711,134.47): a. Cast vote in the affirmative (yes) to renew the Downtown Fresno Property and Business Assessment District; b. Cast vote in the negative (no) to not renew the Downtown Fresno Property and Business Assessment District; c. Abstain from voting the Downtown Fresno Property and Business Assessment District Ballots; and, if Recommended Actions 1.a. or 1.b. are directed, authorize the Director of Internal Services/Chief Information Officer to execute the Ballot

Public Defender

10. Approve Amendment to the Salary Resolution adding one Defense Attorney III and one Paralegal II to Public Defender's Org 2880, effective July 11, 2022, as reflected in Appendix "D," for the Clean Slate reentry program (4/5 vote)

Public Works and Planning

11. Conduct public hearing to consider all oral statements and all written protests made or filed by any interested person, if any, to annual assessment for the park maintenance costs in County Service Area No. 2, Tenaya Estates; and adopt Resolution approving and levying annual assessment for park maintenance benefiting 142 parcels within Tenaya Park Assessment District for County Service Area No. 2
12. Adopt plans and specifications for Contract No. 22-02-C American Avenue Shoulder Improvements Placer Avenue to Madera Avenue, Federal Project No. CML-5942(284); and hear and consider bid protest from apparent second low bidder, Cal Valley Construction, Inc. 5125 N Gates Avenue #102, Fresno, CA 93722, regarding proposed award of Contract No. 22-02-C to apparent low bidder, Yarbs Grading & Paving, Inc., 11339 S. Peach Avenue, Fresno, CA 93725; and award Contract No. 22-02-C to bidder with lowest responsible bid as determined by Board after consideration of bid protest
13. Adopt a Resolution approving Measure "C" Renewal County Transportation Expenditure Plan as appropriate strategy for expenditure of Measure "C" Revenues raised between the years 2027 and 2057 for transportation improvements in Fresno County, including 15 cities and all unincorporated areas

14. Adopt resolution approving Amendments to Groundwater Sustainability Plan for Fresno County Management Areas A and B Groundwater Sustainability Agencies within Delta-Mendota Groundwater Subbasin and authorize San Luis and Delta Mendota Water Authority, acting as Groundwater Sustainability Plan Manager for subbasin, to submit amended Groundwater Sustainability Plan to Department of Water Resources by July 20, 2022
15. Adopt resolution approving the Amendments to the Groundwater Sustainability Plan for the Westside Subbasin including portions of Fresno County in the Westside Subbasin and authorize the Westside Subbasin, acting as Groundwater Sustainability Plan Manager for the subbasin, to submit the amended Groundwater Sustainability Plan to the Department of Water Resources by July 20, 2022
16. Adopt resolution approving Amendments to Groundwater Sustainability Plan for San Joaquin River Exchange Contractors Groundwater Sustainability Agency Groundwater Sustainability Plan in Delta-Mendota Subbasin and authorize San Luis and Delta Mendota Water Authority, acting as Groundwater Sustainability Plan Manager for subbasin, to submit amended Groundwater Sustainability Plan to the Department of Water Resources by July 20, 2022

Board of Supervisors' Committee Reports and Comments

17. Board of Supervisors' Committee Reports and Comments - Receive and provide direction (this item reserved for committee reports by members of the Board of Supervisors)

Board Appointments

18. Receive Boards, Commissions and Committees Vacancy Report; and Appoint Applicants as necessary

Public Presentations

19. Public Presentations - This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda - Pursuant to Administrative Policy No. 29, presentations are limited to 3 minutes per person and no more than 15 minutes total per topic

Closed Session

The public may comment on Closed Session items prior to the Board's recess to Closed Session

20. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Hollis Magill; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment
21. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Patrick Gee vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ13583935
22. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
23. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
24. Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1) - ACLU of Northern California v. Fresno County Sheriff's Office, Fresno County Superior Court Case No. 21-CECG-00813

Adjourn**NEXT MEETINGS:**

August 9, 2022 - 9:30 AM

August 23, 2022 - 9:30 AM

CONSENT AGENDA

(Any Board Member may pull any consent item for discussion or separate vote)

Board of Supervisors

25. Approve minutes of meeting for June 21, 2022

Supervisor Quintero

26. Adjourn in Memory of Julian Torres
- 26.1 Adjourn in Memory of Amedio Thomas "Tom" Ferdinandi, Sr.
- 26.2 Adjourn in Memory of Ara Paboojian
- 26.3 Adjourn in Memory of Janice Mae Stevens

Auditor Controller-Treasurer/Tax Collector

27. Approve and authorize Chairman to sign resolution approving and agreeing to include Panoche Water District in the County's alternative method of property tax allocation, also known as the Teeter Plan, with respect to special assessments, in accordance with the provisions of Revenue and Taxation Code sections 4701 through 4717, effective beginning with Fiscal Year 2022-23, and in subsequent fiscal years, requiring an immediate buyout of the District's delinquent special assessments in an amount not to exceed \$12,212

District Attorney

28. Approve and authorize the Chairman to execute a Memorandum of Understanding with the City of Fresno to allow the District Attorney's Office to provide criminal case and statutory information to the City of Fresno Police Department, in support of the Sexual Assault Kit Initiative Grant Program for the period October 1, 2022, through September 30, 2024 (\$51,120)

County Counsel

29. Formally Approve and Ratify Settlement Agreement between County of Fresno and Turning Point of Central California, Inc., to resolve payment dispute, which provides for the payment by the County of Fresno in the amount of \$1,300,000 in full satisfaction of the Turning Point of Central California, Inc. claim for approximately \$1,600,000

Administrative Office

30. Adopt Resolution proclaiming continuation of the local emergency status relating to the 2020 Creek Fire and request that the Governor continue to provide resources and support to mitigate and recover from this wildfire; and adopt Resolution proclaiming continuation of the Local Health Emergency, due to the public health threat of the 2020 Creek Fire
31. Adopt Resolution proclaiming continuation of the local emergency status relating to the Severe Drought and request that the Governor provide resources and support to mitigate and recover from the drought
32. Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard
33. Receive the 2022 Recovery Plan Performance Report on the American Rescue Plan Act of 2021 - State Local Fiscal Recovery Funds; and direct staff to submit the 2022 Recovery Plan Performance Report to the U.S. Treasury by July 31, 2022; and authorize the County Administrative Officer, or his designee to sign required documents pertaining to the submittal of the report to the U.S. Treasury
34. Approve and authorize the Chairman to execute First Amendment to Agreement with Professional Asbestos Removal Corporation, d.b.a. PARC Environmental for asbestos and lead paint abatement, hazardous waste pickup and disposal, and removal and disposal of debris associated with homelessness encampments, and emergency response services, effective August 1, 2022, with no change to the term of February 25, 2020 through June 30, 2025 and increasing the maximum compensation by \$580,000 to a total of \$1,200,000

Behavioral Health

35. Retroactively approve and authorize the Department of Behavioral Health's previous submittal of the FY 2020-21 Substance Use and Prevention Treatment Block Grant application to the California Department of Health Care Services, effective July 1, 2020 through June 30, 2021 (\$4,757,405); retroactively approve and authorize the Department of Behavioral Health's previous submittal of the FY 2021-22 Substance Use and Prevention Treatment Block Grant application to the California Department of Health Care Services, effective July 1, 2021 through June 30, 2022 (\$4,757,405); retroactively approve and authorize the Department of Behavioral Health's previous submittal of the Biennial 2022-2024 Substance Use and Prevention Treatment Block Grant application to the California Department of Health Care Services, effective July 1, 2022 through June 30, 2024 (\$9,544,810); and, approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated Substance Abuse Prevention and Treatment Block Grant application documents, budget change revisions, expenditure forms and reports, with no change to the compensation amount or term
36. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Exodus Recovery, Inc., is the only vendor that can seamlessly provide crisis stabilization services to adults with serious mental illness and youth with severe emotional disturbance; approve and authorize the Chairman to execute a retroactive agreement with Exodus Recovery, Inc. for the operation of 24-7 adult and youth crisis stabilization centers, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$105,955,920; approve and authorize the Chairman to execute a retroactive Facility Use Agreement with Exodus Recovery, Inc., effective July 1, 2022 through June 30, 2027, for County-owned space located at 4411 E. Kings Canyon Road, Fresno, CA 93702, Building 319 (10,450 square feet) to be used by Exodus Recovery, Inc., to provide crisis stabilization center services to adults and youth; make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Exodus Recovery, Inc., is the only vendor that can seamlessly provide psychiatric health facility services to adults with serious mental illness and youth with severe emotional disturbance; approve and authorize the Chairman to execute a retroactive agreement with Exodus Recovery, Inc., for the operation of a 24-7 adult inpatient psychiatric health facility, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$32,317,739; and, approve and authorize the Chairman to execute a retroactive facility use agreement with Exodus Recovery, Inc., effective July 1, 2022 through June 30, 2027, for County-owned space located at 4411 E. Kings Canyon Road, Fresno, CA 93702, Building 319 (14,318 square feet) to be used by Exodus Recovery, Inc., to provide adult inpatient psychiatric health facility services

37. Approve and authorize the Chairman to execute a retroactive Agreement with Kings View for ramp-up and implementation of mobile response services for current and former foster youth, including foster youth with prior or current Probation involvement, and their caregivers, effective June 1, 2022, not to exceed 30 days and five consecutive years, which includes a 30 day and three-year base contract and two optional one-year extensions, total not to exceed \$2,254,812
38. Authorize the Director of the Department of Behavioral Health, in coordination with the Internal Services Department and County Administrative Officer, if necessary, to expedite actions including any essential building alterations, fire clearances and Medi-Cal site certifications needed to relocate 24-7 services into temporary locations; and, ratify the Emergency Amendment to Agreements with Exodus Recovery, Inc. (Exodus), and Central Star Behavioral Health, Inc. (Central Star), previously executed on July 5, 2022, by the County Administrative Officer, acting as Emergency Services Director, adding stand by and alternative services for: a. Exodus Agreement No. 22-259 for adult and youth crisis stabilization center services with no change to the term of July 1, 2016, through June 30, 2022, and increasing the maximum compensation by \$61,750 to a total of \$74,069,233; b. Exodus Agreement No. 22-129 for operation of the adult acute inpatient psychiatric health facility with no change to the term of October 1, 2015, through June 30, 2022, and increasing the maximum compensation by \$3,250 to a total of \$28,996,921; c. Central Star Agreement No. 20-238 for operation of the adolescent youth acute inpatient psychiatric health facility with no change to the term of July 1, 2020, through June 30, 2025, and increasing the maximum compensation by \$175,866 to a total of \$28,237,898; and, d. Central Star Agreement No. 17-580 for adult mental health crisis residential treatment services with no change to the term of December 1, 2017, through June 30, 2023, and increasing the maximum compensation by \$108,251 to a total of \$11,775,631

Fresno County Employees' Retirement Association

39. Approve Amendment to the Salary Resolution deleting two Office Assistant allocations and adding two Retirement Technicians allocations for the Fresno County Employees' Retirement Association Org 9200, effective July 25, 2022 as reflected in Appendix C

Human Resources

40. Approve amendment to the Salary Resolution consolidating the Paralegal I/II/III into one Paralegal classification, adjusting the salary range of the consolidated Paralegal classification, and establishing a new Senior Paralegal classification, effective July 25, 2022, as reflected in Appendix "E"; and approve amendment to the Salary Resolution allocating one (1) Senior Paralegal within the Public Defender's Office, one (1) Senior Paralegal within the County Counsel's Office, and two (2) Senior Paralegals within the District Attorney's Office and placing the newly consolidated Paralegal classification in full combination with Legal Assistant I/II/III for the District Attorney's Office in Org 2860, effective July 25, 2022, as reflected in Appendix "E"
41. Adopt Resolutions Rejecting Claims for Damages; adopt Resolution Rejecting Application for Leave to Present a Late Claim

42. Approve salary adjustments of approximately 2% for Deputy County Counsel I/II/III/IV/Senior, effective July 11, 2022; and approve related salary resolution amendments as reflected on Appendix "B"
43. Approve the successor Memorandum of Understanding for Representation Unit 2 - Sheriff's & Probation Personnel, represented by the Fresno County Public Safety Association, effective July 11, 2022; and approve the related Salary Resolution Amendment as reflected on Appendix "F"
44. Approve amendment to the Salary Resolution consolidating the Correctional Officer classification series, effective July 11, 2022, as reflected on Appendix "G"; and approve amendment to the Salary Resolution adjusting the Correctional Officer I salary range, effective July 11, 2022, as reflected on Appendix "G"
45. Approve Salary Resolution Amendment adjusting the salary of the Special District Attorney Investigator and Special Probation Investigator classifications in accordance with Footnote 4 of the Salary Resolution, effective July 25, 2022, as reflected on Appendix "H"

Internal Services

46. Approve and authorize the Chairman to execute a First Amendment to Agreement with Accruent, LLC., to continue to provide a Computerized Maintenance Management System for work order management, inventory control and mobile functionality, but remove the capital planning tools and service software no longer offered, effective upon execution with no change to the term of February 9, 2021 through February 8, 2026, or compensation maximum of \$1,230,000; and, an Agreement with VFA, Inc., for capital planning tools and services, effective upon execution, not to exceed three years and seven months, which includes a one year and seven-month base contract and two optional one-year extensions, total not to exceed \$870,000
47. Adopt Budget Resolution increasing FY 2022-23 appropriations for Internal Services Department, Fleet Services - Equipment Org 8911 in the amount of \$13,401,137 for the purchase of replacement light/heavy duty vehicles and equipment for various departments (4/5 vote)
48. Adopt Resolution acknowledging the emergency nature of the power outage incident at the Fresno County University Medical Center (UMC) Campus and ratify all agreements, contracts, and other documents that the Director of the Internal Services Department/Chief Information Officer (Director/CIO) approved and entered into for services and supplies for the response and repair for this incident; make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual and extraordinary circumstances for all agreements, contracts, and other documents for services, equipment, and supplies necessary for the repairs and associated costs to restore power and remediate any damages at the UMC; and, authorize the Director/CIO to negotiate and execute agreements and other documents necessary for the response and repair of the UMC, upon terms that the Director deems necessary and, in the County's best interest, subject to approval as to legal form by County Counsel and as to accounting form by the Auditor-Controller/Treasurer-Tax Collector

Public Health

49. Conduct second hearing and adopt an Ordinance amending the Fresno County Ordinance Code, Title 9 - Animals, to add Chapter 9.10, "Community Cat Population Management" and waive reading of Ordinance in its entirety
50. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Marjaree Mason Center to provide Public Health Nurse home visitation and case management services, effective July 1, 2022, not to exceed four consecutive years, which includes a two-year base contract and two optional twelve (12) month extensions, total not to exceed \$300,000
51. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as GM Lab Consulting, LLC., is the only provider with specified qualifications and knowledge of the Department of Public Health's Laboratory; and, approve and authorize the Chairman to execute a retroactive Agreement with GM Lab Consulting, LLC., for laboratory director services, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$540,848

Public Works and Planning

52. Make a finding that it is in best interest of County to suspend competitive bidding process, consistent with Administrative Policy 34 for unusual or extraordinary circumstances, as W.M. Lyles, Co. is uniquely qualified and experienced to provide general contractor and emergency services work on water and wastewater systems; and approve and authorize Chairman to execute an Agreement with W.M. Lyles Co. for emergency repair services, converted from Purchasing Agreement No. 20-451, effective December 20, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$750,000
53. Approve and authorize Chairman to execute an Agreement with City of Reedley for Reedley Senior Meals Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant Project No. CV19571, effective upon execution through May 31, 2023 (\$92,173)
54. Approve and authorize Chairman to execute an Agreement with Geo-Logic Associates to prepare State-required detection monitoring reports for American Avenue, Coalinga, and Southeast Regional Disposal Sites effective July 12, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$245,620

55. Approve and authorize Chairman to execute Amendment I to Agreement No. 20-515 with the City of Kerman for the Kerman Food Bank, Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant Project No. 19371-CV, effective upon execution with no change in term through June 30, 2023, amending the project scope to provide additional food through the Kerman Food Bank and include the procurement and distribution of personal protective equipment and infectious disease test kits, and increasing the maximum Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding by \$35,541 to a total Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding amount not to exceed \$113,100
56. Approve and authorize Chairman to execute Amendment I to Agreement No. 20-143 with Malaga County Water District for the Malaga Fire Hydrant Improvements, Community Development Block Grant Project No. 19451, effective upon execution with no change in term to December 1, 2022, and increasing the maximum Community Development Block Grant funding by \$200,000, to a total Community Development Block Grant funding amount not to exceed \$450,000
57. Retroactively approve and authorize Director of Public Works and Planning to execute and submit grant application, on behalf of the County, to U.S. Department of Agriculture Rural Development for Housing Preservation Grant program, to repair housing for low and very low-income rural residents, in the amount of up to \$200,000 or half of California State Housing Preservation Grant allocation whichever is less; and if County is selected for funding, authorize Director of Department of Public Works and Planning to execute the Grant Agreement, related documents and any amendments thereto, necessary for participation in the Housing Preservation Grant Program, subject to review of County Counsel and Auditor-Controller/Treasurer-Tax Collector
58. Approve and authorize Chairman to execute a student intern agreement with California State University Fresno Foundation to provide student interns for Department of Public Works and Planning, effective upon execution, with a term not to exceed five consecutive years, which includes a three-year base and two optional one-year extensions, total not to exceed \$350,000

Social Services

59. Approve and authorize the Chairman to execute Amendment No. I to Agreement with Fresno Economic Opportunities Commission for homeless services to young adults, effective July 13, 2021, through June 30, 2023 and increasing the maximum by \$155,890 to a total of \$494,580

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

RESOLUTION APPROVING THE AMENDED FRESNO COUNTY MANAGEMENT AREA A AND B
GROUNDWATER SUSTAINABILITY AGENCY GROUNDWATER SUSTAINABILITY PLAN AND
AUTHORIZING SUBMISSION OF THE FRESNO COUNTY MANAGEMENT AREA A AND B
GROUNDWATER SUSTAINABILITY PLAN TO THE CALIFORNIA DEPARTMENT OF WATER
RESOURCES

WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act ("SGMA") "to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater" (Wat. Code, § 10720, (d)); and

WHEREAS, SGMA requires sustainable management through the development of groundwater sustainability plans ("GSPs"), which can be a single plan developed by one or more groundwater sustainability agencies ("GSAs") or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

WHEREAS, SGMA requires a GSP to be developed and implemented to manage groundwater in all basins designated by the Department of Water Resources ("DWR") as medium or high priority, including the Delta-Mendota Subbasin (DWR Bulletin 118 Basin No. 5-22.07); and

WHEREAS, the County, for Fresno County Management Areas A and B (FCMAAB), serves as the exclusive GSA for a portion of the Delta-Mendota Subbasin; and

WHEREAS, the County as the GSA for FCAAB has the authority to draft, adopt, amend, and implement a GSP (Wat. Code, § 10725 et seq.; § 10728.4); and

WHEREAS, other GSAs in the Delta-Mendota Subbasin prepared separate GSPs for other regions of the Delta-Mendota Subbasin for a total of six GSPs covering the entire Delta-Mendota Subbasin (each, a "GSP Group"); and

WHEREAS, the GSAs from all six GSP Groups entered into a Coordination Agreement effective December 12, 2018 (the "Coordination Agreement") to comply with SGMA and ensure that the multiple

1 GSPs within the Delta-Mendota Subbasin would be developed and implemented utilizing the same
2 methodologies and assumptions, that the elements of the GSPs are appropriately coordinated to support
3 sustainable management, and to show how the multiple GSPs will achieve the sustainability goal for the
4 Subbasin. The Coordination Agreement also established a Coordination Committee composed of
5 representatives from each GSP Group, outlined information sharing obligations, procedures for resolving
6 conflicts, and designated the San Luis & Delta-Mendota Water Authority as the Plan Manager for the
7 Delta-Mendota Subbasin; and

8 WHEREAS, SGMA states that a GSA “may adopt or amend a [GSP] after a public hearing, held
9 at least 90 days after providing notice to a city or county within the area of the proposed plan or
10 amendment” (Wat. Code, § 10728.4); and

11 WHEREAS, the Board of Supervisors adopted a GSP for FCMAAB on January 7, 2020; and

12 WHEREAS, the Plan Manager submitted the GSP for FCMAAB and the Coordination Agreement
13 to DWR on January 23, 2020; and

14 WHEREAS, on January 21, 2022, DWR completed its review of all the GSPs in the Delta-Mendota
15 Subbasin and released a letter determining that the GSPs for the Delta-Mendota Subbasin as a whole
16 were “Incomplete” and identified deficiencies and corrective actions for the GSAs in the Delta-Mendota
17 Subbasin to take. Amended or modified GSPs addressing the corrective actions from each GSP Group
18 must be submitted to DWR by July 20, 2022; and

19 WHEREAS, the County for FCMAAB and the Coordination Committee have, in order to address
20 the deficiencies and to effect the corrective actions identified by DWR, continued to coordinate to develop
21 the draft of the amended FCMAAB GSP; and

22 NOW, THEREFORE, IT IS HEREBY RESOLVED, that the foregoing recitals are true and correct.

23 IT IS HEREBY FURTHER RESOLVED, that County of Fresno hereby approves and adopts the
24 final draft Amended FCMAAB GSP, dated July 2022, in substantially the form presented, subject to such
25 modifications as the executing officer shall approve, said execution to provide conclusive proof of
26 approval of any such modifications.

27 IT IS HEREBY FURTHER RESOLVED, that the County of Fresno authorizes the San Luis &
28 Delta-Mendota Water Authority, acting as Plan Manager for the Subbasin, to take such other action as

1 may be reasonably necessary to submit the Amended GSP for FCMAAB to DWR by July 20, 2022, and
2 implement the purpose of this Resolution.

3 THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors of
4 the County of Fresno on this 12th day of July, 2022, to wit:

5
6 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

7 NOES: None

8 ABSENT: None

9 ABSTAINED: None

10
11
12 

13
14 Brian Pacheco, Chairman of the Board of Supervisors
of the County of Fresno

15
16 **ATTEST:**

17 Bernice E. Seidel
18 Clerk of the Board of Supervisors
County of Fresno, State of California

19
20 By 
21 Deputy