



# Board Agenda Item 25

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DATE: April 9, 2024

TO: Board of Supervisors

SUBMITTED BY: Bernice E. Seidel, Clerk of the Board of Supervisors

SUBJECT: Fresno-Kings-Madera Regional Health Authority Commission Appointment and Designation

**RECOMMENDED ACTION(S):**

- 1. Appoint the Director of the Department of Public Health (DPH), David Luchini, to the Fresno-Kings-Madera Regional Health Authority Commission (“Commission”), in the position previously held by former Director David Pomaville, *nunc pro tunc*, for a term coterminous with his position as the County’s DPH Director; and**
- 2. Designate the Director of DPH to serve *ex officio* on the Commission.**

The County of Fresno has a designated position on the Commission where either the County’s DPH or Department of Social Services (DSS) Director may serve. Since the inception of the Commission, the Board has appointed the Directors of DPH to this designated position. Approval of the recommended actions would formalize Director Luchini’s appointment to serve on the Commission and would clarify any future Directors of DPH serving on the Commission without having to go through a separate appointment process. This item is countywide.

**ALTERNATIVE ACTION(S):**

There are no alternative actions to the first recommended action of appointing Director Luchini as he has been serving on the Commission as the County’s DPH/DSS representative since May 2021; this action would formalize his appointment to the Commission.

Your Board may choose not to designate the DPH Director to serve on the Commission by virtue of their position. By not approving the second recommended action, the Board will need to go through the normal appointment process to fill the designated position on the commission: eligible individuals, of which there would only be two (the DPH Director and DSS Director), would need to submit an application for appointment consideration, and the Board may make an appointment based on who applies. Alternatively, your Board can designate the DSS Director to serve on this Commission instead of the DPH Director.

**FISCAL IMPACT:**

There is no increase in Net County Cost associated with these actions.

**DISCUSSION:**

The Commission’s bylaws state that one of the appointees from Fresno County shall be “the Director of the Department of Public Health or Director of the Department of Social Services of Fresno County, as designated by the Board of Supervisors” (section 2.3.1.2).

Former DPH Director, Dr. Edward Moreno, was appointed to serve on the Commission by the Board of Supervisors on August 24, 2010. Dr. Moreno resigned from the County in May 2013, leaving the position he held with the Commission vacant.

Dr. Moreno's successor, former Director DPH David Pomaville, was appointed to serve on the Commission by the Board of Supervisors on June 4, 2013. Upon former Director Pomaville's effective resignation from the County on April 20, 2021, he was no longer qualified to serve in his appointed position on the Commission, per the Commission's bylaws: "[i]f a Commissioner no longer qualifies for his/her prescribed position on the Commission, the position shall be vacant and the appointing authority shall appoint a replacement" (section 2.3.6).

Current Director Luchini was named Interim Director effective May 3, 2021, upon the resignation of his predecessor, former Director Pomaville. Director Luchini was appointed as the County's Director of Public Health by your Board at its meeting on October 5, 2021, to be effective October 18, 2021.

Per the Commission's bylaws, a specific position on the Commission may be held by either the County's Director of Public Health or Director of Social Services. However, since the inception of this specific position on the Commission, the Board has appointed the County's DPH Director, and previous DSS Directors have not applied for Board appointment to serve on this Commission. Additionally, both Kings County and Madera County, the other two participating counties on this Commission, have currently designated their respective Public Health Department Directors to this position on the Commission. This appointment is therefore being requested to be made nunc pro tunc; Director Luchini's term on the Commission would be coterminous with his position as the County's Director of Public Health, effective since May 3, 2021, when he became Interim Director.

Your Board may choose to designate all future DPH directors to serve on this Commission automatically by virtue of their position with the County without separate Board approval. The acting director would serve on the Commission in the absence of a Board-appointed County DPH Director.

**REFERENCE MATERIAL:**

BAI #5, October 5, 2021  
BAI #14, June 4, 2013  
BAI #11, August 24, 2010

**ATTACHMENTS INCLUDED AND/OR ON FILE:**

On file with Clerk - Bylaws of the Fresno-Kings-Madera Regional Health Authority Commission

**CAO ANALYST:**

Salvador Espino