



County of Fresno

Action Summary - Draft

Board of Supervisors

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

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

Tuesday, January 3, 2023

9:30 AM

Hall of Records

Present: 5 - Supervisor Steve Brandau, Vice Chairman Nathan Magsig, Supervisor Buddy Mendes, Supervisor Brian Pacheco, and Chairman Sal Quintero

Invocation and Pledge of Allegiance

THE HONORABLE ROBERT MANGANO, FRESNO COUNTY SUPERIOR COURT JUDGE, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Administering of the Oath of Office to Supervisors Brian Pacheco and Buddy Mendes

THE OATH OF OFFICE WAS ADMINISTERED TO RE-ELECT DISTRICT FOUR SUPERVISOR BUDDY MENDES BY THE HONORABLE LISA GAMOIAN, FRESNO COUNTY SUPERIOR COURT JUDGE; AND THE OATH OF OFFICE WAS ADMINISTERED TO RE-ELECT DISTRICT ONE SUPERVISOR BRIAN PACHECO BY THE HONORABLE LISA GAMOIAN, FRESNO COUNTY SUPERIOR COURT JUDGE

2. Designation of Officers and remarks by Board Members

DESIGNATED SUPERVISOR QUINTERO AS CHAIRMAN AND SUPERVISOR MAGSIG AS VICE CHAIRMAN; RECEIVED REMARKS FROM BOARD MEMBERS

3. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

4. Approve Consent Agenda - Item Numbers 13-30

A MOTION WAS MADE BY SUPERVISOR BRANDAU SECONDED, BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 18 AND 21 WHICH WERE DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Board of Supervisors

5. Approve the Chairman's 2023 Appointments of Board Members to various Boards, Commissions and Committees as presented in Exhibit A; adopt California Form 806 - Agency Report of Public Official Appointments as presented in Exhibit B, and direct the Clerk of the Board to post on the County's internet website

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

- 5.1 Adopt Resolution proclaiming a Local Emergency, due to no bed capacity at local hospitals and the highly probable impact to Fresno County's hospital system due to the closure of Madera Community Hospital

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED AND DIRECTED STAFF TO RETURN TO THE BOARD ON JANUARY 24, 2023, WITH A STATUS UPDATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 23-006

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR MENDES ACKNOWLEDGED THE ADJOURN IN MEMORY OF DELBERT CEDERQUIST. VICE CHAIRMAN MAGSIG THANKED EVERYONE, INCLUDING FIRE CHIEF DUSTIN HAIL, FOR ATTENDING TODAY'S MEETING, WISHED EVERYONE A HAPPY NEW YEAR, AND CONGRATULATED CHAIRMAN QUINTERO ON HIS NEW TERM AS CHAIRMAN. CHAIRMAN QUINTERO THANKED THOSE WHO RECENTLY WORKED IN THE CREEK FIRE BURN AREA, RECOGNIZING THE OFFICE OF EMERGENCY SERVICES, ROAD MAINTENANCE, AND SHERIFF'S LIEUTENANT KATHY CURTIS. CHAIRMAN QUINTERO REPORTED THE FEDERAL GOVERNMENT APPROVED THE OMNIBUS PACKAGE THAT SENT MILLIONS TO THE CENTRAL VALLEY AND EXPRESSED GRATITUDE FOR CONGRESSMAN COSTA SECURING \$4 MILLION IN FUNDS FOR THE CALWA STREET PROJECT

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THE NOMINATIONS FOR APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

**CENTRAL VALLEY PEST CONTROL DISTRICT
REAPPOINT JAY GILLETTE (TERM TO EXPIRE 12/19/2026)
APPOINT ROBERTO FARIAS MOELLER TO THE POSITION PREVIOUSLY HELD BY STANLEY ISHII (TERM TO EXPIRE 12/18/2023)**

CHILDREN AND FAMILIES (FIRST 5) COMMISSION OF FRESNO COUNTY
REAPPOINT KARI GILBERT (TERM TO EXPIRE 01/04/2027)
REAPPOINT SUSAN HOLT (TERM TO EXPIRE 01/04/2027)

CITIZENS REVIEW PANEL (LIBRARY SALES TAX)
REAPPOINT LINDA RENN (TERM TO EXPIRE 01/04/2027)

EMERGENCY MEDICAL CARE COMMITTEE
REAPPOINT JANET WILLIAMS (TERM TO EXPIRE 01/04/2027)

FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE
REAPPOINT ROSEMARY ALANIS (TERM TO EXPIRE 01/04/2027)

FOWLER CEMETERY DISTRICT
REAPPOINT JEFFREY SIMONIAN (TERM TO EXPIRE 01/04/2027)

FRESNO-MADERA AREA AGENCY ON AGING - GOVERNING BOARD
APPOINT JAMES POPTANICH TO THE POSITION PREVIOUSLY HELD BY ROBERT WARD (TERM TO EXPIRE 01/06/2025)

HISTORICAL LANDMARKS AND RECORDS ADVISORY COMMISSION
REAPPOINT KENNETH ZECH (TERM TO EXPIRE 01/04/2027)
REAPPOINT JON RANDALL MCFARLAND (TERM TO EXPIRE 01/04/2027)

HOUSING AUTHORITY OF FRESNO COUNTY
REAPPOINT VALORI GALLAHER (TERM TO EXPIRE 02/05/2026)

KINGSBURG CEMETERY DISTRICT
REAPPOINT WESLEY L. CARLSON (TERM TO EXPIRE 01/04/2027)

OAK GROVE CEMETERY DISTRICT
APPOINT MEL CASEY TO THE POSITION PREVIOUSLY HELD BY MICHAEL K. MCMILLAN (TERM TO EXPIRE 01/04/2027)

PARLIER CEMETERY DISTRICT
REAPPOINT DOROTHY GARZA (TERM TO EXPIRE 01/04/2027)

RECREATION AND WILDLIFE COMMISSION
REAPPOINT HERB LANG (TERM TO EXPIRE 01/04/2027)

WASHINGTON COLONY CEMETERY DISTRICT
REAPPOINT SHERRI NELSON (TERM TO EXPIRE 01/04/2027)

ZOO AUTHORITY
REAPPOINT PAUL TOSTE (TERM TO EXPIRE 01/04/2027) REAPPOINT MICHELLE ROMAN (TERM TO EXPIRE 01/04/2027)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Public Presentations

- 8. Public Presentations - This portion of the meeting is 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
HELD; RECEIVED

Closed Session

- 9. 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
HELD; NO REPORTABLE ACTION
- 10. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
HELD; NO REPORTABLE ACTION
- 11. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
- 12. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1): SEIU Local 521 v. Fresno County, PERB Case No. SA-CE-1215-M
HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MEETING BE ADJOURNED FOLLOWING CLOSED SESSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

APPROVED:

SAL QUINTERO, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: _____
BERNICE E. SEIDEL
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON _____

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 18 AND 21 WHICH WERE DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Board of Supervisors

- 13. Approve minutes of meeting for December 13, 2022

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Supervisor Mendes

- 13.1 Adjourn in Memory of Delbert Cederquist, an Easton-area grape grower who was a Fresno County school board member for 64 years, serving longer than any school trustee in California, and an appointed member of the Washington Colony Cemetery Board

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Sheriff/Coroner/Public Administrator

- 14. Approve and authorize the Chairman to execute Agreement with the Fresno Unified School District for law enforcement services to be provided at Wawona Middle School, effective January 9, 2023, with two optional one-year extensions, total not to exceed \$1,320,189; authorize the Sheriff, or their designee, to approve and execute any requests for special events services from FUSD pursuant to the terms of the recommended agreement; and adopt Budget Resolution increasing FY 2022-23 appropriations and estimated revenue for Sheriff's Org 3111 in the amount of \$138,842 (4/5 vote)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 23-001, Agreement No. 23-011

Administrative Office

15. Approve and Authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) with The Boys & Girls Clubs of Fresno County (B&G Club) in the amount of \$600,000 to address negative economic impacts of the pandemic at seven B&G Club locations by providing funding for the implementation of the “Triple Play” program consisting of expenditures related to personnel salaries and benefits, office supplies, educational resources and events, physical education and mental health services that benefit children, youth, and their families in and near impoverished neighborhoods in Fresno County

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-012

16. Approve and Authorize the Chairman to execute Subrecipient Agreement for ARPA-SLFRF with the San Joaquin Valley Insurance Authority (SJVIA) in the amount of \$2,426,734 to address the public health emergency and its negative economic impacts by reimbursing excess medical expenses incurred by SJVIA related to COVID-19 infections, medical care, and medical expenses to address the near- and potential longer term impacts of the COVID-19 virus, which services were provided directly to County’s employees and their families covered by the County’s Self-Funded Health Insurance Plan

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-013

Behavioral Health

17. Approve and authorize the Chairman to execute a retroactive Participation Agreement with the California Mental Health Services Authority for Statewide Prevention and Early Intervention Program, effective July 1, 2022 through June 30, 2023, total not to exceed \$342,413; 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 California Mental Health Services Authority Statewide Prevention and Early Intervention related reports and forms, without modifying the maximum compensation

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-014

18. Approve and authorize the Chairman to execute a retroactive Participation Agreement with the California Mental Health Services Authority for Central Valley Suicide Prevention Hotline services, effective July 1, 2022 through June 30, 2023, total not to exceed \$446,885; 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 California Mental Health Services Authority Central Valley Suicide Prevention Hotline related reports and forms, without modifying the maximum compensation

DELETED

19. Approve and authorize the Chairman to execute a retroactive Memorandum of Understanding with UPH Butterfly Gardens, LP for No Place Like Home required property management and supportive services at the Butterfly Gardens development, effective October 31, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$437,360

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-015

20. Retroactively approve and authorize the Behavioral Health Director's previous submission of an application to the Department of Health Care Services to participate in the Drug Medi-Cal (DMC) Contingency Management Recovery Incentives (CM) Pilot program and receive an allocation of Substance Abuse Block Grant and Behavioral Health Quality Improvement Program funds for startup costs for participating DMC providers; and approve and authorize Chairman to execute retroactive Amendment I to Master Agreement with Drug Medi-Cal certified providers for outpatient, narcotic treatment and residential services, to include contractors that have opted into participation in the DMC CM pilot program, effective November 1, 2022, with no maximum compensation amount and no change to the term of July 1, 2022 through June 30, 2027

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-016

Human Resources

21. 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 for an internet-based software system to track claims and obtain reports as Public Risk Innovation, Solutions, and Management (PRISM) is the only vendor with a Master Agreement with Insurity Software, which allows PRISM to offer the software to clients at a discounted rate; and, approve and authorize the Chairman to execute a retroactive Agreement with PRISM for the software license for Insurity Software to track the County's general liability and medical malpractice claims, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and with two optional one-year extensions, at a total not to exceed of \$78,456

DELETED

Internal Services

22. Approve and authorize the Chairman to execute First Amendment to Lease Agreement No. 19-017 with West Hills Community College District ("Amendment"), for occupancy and use by the Agricultural Commissioner, for 550 square feet of office space in the new West Hills Community College District Campus ("WHCCD"), located at 900 "O" Street, Firebaugh, CA 93622 ("Firebaugh Center"), effective August 1, 2022, with no change to the Lease Agreement's term or cost

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-017

23. Approve and authorize the Chairman to execute First Amendment to Agreement No. A-22-453 with Microsoft Corporation (Microsoft Customer Services Agreement - Amendment) for maintenance and technical support services of Microsoft products, amending the term to be effective October 12, 2022 through October 11, 2023, with no change to the maximum compensation of \$361,986

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-018

Probation

24. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Kerman to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2022 through June 30, 2023 (\$146,528)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-019

Public Health

25. 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 Saint Agnes Medical Center is able to provide Rural Mobile Health services and will be contracting with the California State University, Fresno nursing program to provide health screenings, immunizations, and linkage for patients to primary care clinics in the County's rural areas; and approve and authorize the Chairman to execute a Retroactive Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Saint Agnes Medical Center to provide health screenings, immunizations, and linkage for patients to primary care clinics in the County's rural areas in collaboration with the California State University, Fresno nursing program, effective December 13, 2022, not to exceed three consecutive years, which includes a two-year base contract and one optional one-year extension, total not to exceed \$1,038,211; and 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 The Regents of the University of California, San Francisco is able to provide Rural Mobile Health services and has the largest university resident training program available for future physicians in the Central Valley to provide health screenings, immunizations, and linkage for patients to primary care clinics in the County's rural areas; and approve and authorize the Chairman to execute a Retroactive Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with The Regents of the University of California, San Francisco to utilize the university resident training program to provide health screenings, immunizations, and linkage for patients to primary care clinics in the County's rural areas, effective December 13, 2022, not to exceed three consecutive years, which includes a two-year base contract and one optional one-year extension, total not to exceed \$4,144,993

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 23-020, Agreement No. 23-021

26. Adopt Resolution authorizing submittal of one-year grant applications to the California Department of Resources Recycling and Recovery for Waste Tire Enforcement Agency Grant Program funds for FYs 2022-23 through 2026-27; and approve and authorize the Director of the Department of Public Health, or designee, to execute and submit one-year grant applications and all grant documents necessary to the California Department of Resources Recycling and Recovery for Waste Tire Enforcement Agency Grant Program funds for FYs 2022-23 through 2026-27 (\$1,500,000)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 23-002

Public Works and Planning

27. Adopt Budget Resolution increasing FY 2022-23 appropriations and revenues in Resources Fund 0701, Subclass 15001, Org 9015 in the amount of \$223,985.00 for a grant award (4/5 vote)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 23-003

28. Retroactively authorize Department of Public Works and Planning to submit a 2023 Cycle 6 Regional Active Transportation Program Application to the Fresno Council of Governments (\$801,000); and adopt a resolution required by Fresno Council of Governments relating to Fresno County's application to Regional Active Transportation Program

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 23-004

29. Authorize Director of Public Works and Planning, subject to review and approval by County Counsel as to legal form and the Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute an on-call agreement with Moore Twining Associates for engineering, architectural and other related consultant services, effective upon execution by County through and including fifth anniversary of execution date with no optional extensions, with the not-to-exceed amount included in the pooled amount with 50 other On-Call Consultant agreements authorized on May 17, 2022 of \$22,200,000

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

- 30.** Adopt Budget Resolution increasing FY 2022-23 appropriations and estimated revenues for Public Works and Planning Capital Projects Org 8853 in amount of \$2,250,471 for architectural and construction work associated with Fresno County Sheriff Substation building (4/5 vote); and receive update regarding Fresno County Sheriff Substation construction Change Orders signed under Chairman's authority and approve an increase in the Chairman's authorization to sign Contract Change Orders with Klassen Corporation, by an additional \$227,290, which will increase total Change Order authorization from \$568,225 to \$795,515

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 23-005