



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, November 5, 2024

9:30 AM

Hall of Records

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

SUPERVISOR QUINTERO ARRIVED AT 9:31 A.M.

Invocation and Pledge of Allegiance

RON MCLAIN, ASSOCIATE PASTOR OF MARRIAGE MINISTRIES, CLOVIS CHRISTIAN CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR QUINTERO, THAT THIS AGENDA BE APPROVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 20-65

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 25 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Chairman Magsig

3. Proclaim November 2024 as National Adoption Month in Fresno County

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

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

Resolution No. 24-377

4. Proclaim November 18, 2024, as National Injury Prevention Day in Fresno County

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

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

Resolution No. 24-378

Supervisor Mendes

5. Proclaim November 5, 2024, as "J. Randall McFarland Day" in Fresno County in recognition of his service on the Fresno County Historical Landmarks and Records Advisory Commission since 1977

A MOTION WAS MADE BY VICE CHAIRMAN 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

Resolution No. 24-379

Supervisor Pacheco

6. Adopt Resolution to Recognize November 11, 2024, as "Veterans Day" in Fresno County

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

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

Resolution No. 24-380

7. Proclaim November 2024 "Prematurity Awareness Month" in Fresno County

A MOTION WAS MADE BY SUPERVISOR PACHECO, 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

Resolution No. 24-381

Administrative Office

8. Consider and take action on request for Determination of Public Convenience or Necessity in regard to application for Alcoholic Beverage License Type 20 (off-sale beer and wine) filed by Khushpal Singh, to be used at 3035 S. Chestnut Avenue, Fresno, CA 93725

A MOTION WAS MADE BY SUPERVISOR QUINTERO, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS REQUEST FOR DETERMINATION BE APPROVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Behavioral Health

9. Approve and authorize the Chairman to execute Amendment I to Master Agreement No. 23-287 with Mental Health Systems, Inc. and Turning Point of Central California, Inc. to include Community Assistance, Recovery and Empowerment Act court petitioning and services, effective upon execution, with no change to the term of July 1, 2023 through June 30, 2025, and no change to the maximum compensation of \$40,531,492

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

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

Agreement No. 24-594

- 9.1 Make a finding that it is in the best interest of the County to waive the provision of Administrative Policy No. 27 that requires grant applications to be reviewed and approved by the Board before submitting to the funding agency, or submitted contingent on Board approval, due to the funding agency requiring Board approval before submitting the final application to the funding agency, making a retroactive approval unattainable; Adopt Resolution authorizing the Director of the Department of Behavioral Health to submit up to three grant applications to the California Department of Health Care Services, through its contractor Advocates for Human Potential, Inc., and to Participate in the Behavioral Health Continuum Infrastructure Program for 2024, Round 1 totaling \$67,000,000; and Approve and authorize the Director of the Department of Behavioral Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated grant applications and all grant documents

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

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

Resolution No. 24-382

Public Works and Planning

10. Consider petition for partial cancellation of Agricultural Land Conservation Contract (Williamson Act Contract) No. 2068 filed by NextEra Energy Resources, LLC (Representative) on behalf of Michael Dresick Trustee of Ann Dresick Family Trust (Applicant), to remove a 160-acre parcel from Williamson Act Contract to establish a battery energy storage facility; and if your Board is able to make all five required findings listed under Government Code, Section 51282(b), take following actions: a) adopt and authorize Chairman to execute Resolution authorizing partial cancellation of Agricultural Land Conservation Contract No. 2068; and b) authorize Chairman to execute Certificate of Tentative Cancellation and approve recording Certificate of Cancellation when all contingencies and conditions included in Certificate of Tentative Cancellation have been satisfied (subject parcel is located on south side of Jayne Avenue, between Interstate 5 and Highway 269, approximately four (4) miles southwest of nearest city limits of City of Huron (APN 085-040-58S))

CONSIDERED PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT (WILLIAMSON ACT CONTRACT) NO. 2068 FILED BY NEXTERA ENERGY RESOURCES, LLC (REPRESENTATIVE) ON BEHALF OF MICHAEL DRESICK TRUSTEE OF THE ANN DRESICK FAMILY TRUST (APPLICANT), TO REMOVE A 160-ACRE PARCEL FROM THE WILLIAMSON ACT CONTRACT TO ESTABLISH A BATTERY ENERGY STORAGE FACILITY. CONDUCTED PUBLIC HEARING. APPLICANT WAS PRESENT. PUBLIC TESTIMONY RECEIVED. CLOSED PUBLIC HEARING

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) APPROVED PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 2068 FILED BY THE REPRESENTATIVE ON BEHALF OF THE APPLICANT, TO REMOVE A 160-ACRE PARCEL FROM THE WILLIAMSON ACT CONTRACT TO ESTABLISH A BATTERY ENERGY STORAGE FACILITY; 2) MAKE ALL FIVE REQUIRED FINDINGS LISTED UNDER GOVERNMENT CODE, SECTION 51282(b); 3) ADOPT AND AUTHORIZE THE CHAIRMAN TO EXECUTE RESOLUTION AUTHORIZING PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 2068; 4) AUTHORIZE THE CHAIRMAN TO EXECUTE THE CERTIFICATE OF TENTATIVE CANCELLATION AND APPROVE RECORDING THE CERTIFICATE OF CANCELLATION WHEN ALL CONTINGENCIES AND CONDITIONS INCLUDED IN THE CERTIFICATE OF TENTATIVE CANCELLATION HAVE BEEN SATISFIED; 5) INCLUDE THE FOLLOWING CONDITION OF APPROVAL: THE APPLICANT SHALL PAY THE CANCELLATION FEE IN THE AMOUNT OF \$1,978,000.00 AS DETERMINED BY THE COUNTY ASSESSOR AND CERTIFIED BY THE BOARD OF SUPERVISORS FOR ISSUANCE OF A CERTIFICATE OF CANCELLATION BY THE BOARD; THE CANCELLATION FEE SHALL BE PAID, AND A CERTIFICATE OF CANCELLATION ISSUED BY THE BOARD AND RECORDED PRIOR TO ISSUANCE OF ANY GRADING OR BUILDING PERMIT FOR THE BATTERY ENERGY STORAGE FACILITY; IF THE CANCELLATION FEE IS NOT PAID WITHIN ONE YEAR OF ISSUANCE OF THE CERTIFICATE OF TENTATIVE CANCELLATION, THE CANCELLATION FEE MUST BE RE-COMPUTED BY THE ASSESSOR'S OFFICE AND RE-CERTIFIED BY THE BOARD OF SUPERVISORS; AND 6) DIRECT STAFF TO REVIEW AND MAKE ANY NECESSARY CHANGES TO POLICIES AND PROCEDURES RELATED TO THE AGRICULTURAL LAND CONSERVATION COMMITTEE (ALCC) DUE TO EFFECTS OF THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 24-383

11. Adopt plans and specifications for Contract 24-03-C Elkhorn Recharge Facility (Contract 24-03-C); reject incomplete bid from West Coast Metalsmiths, LLC as non-responsive; hear and consider bid protest from apparent second low bidder, Wood Bros, Inc. 14147 18th Avenue, Lemoore, CA 93245, regarding proposed award of Contract 24-03-C to apparent low bidder, G & J Heavy Haul, 10810 Avenue 184, Tulare, CA 93274, in total amount of \$4,694,440.77; award Contract 24-03-C to bidder with lowest responsible bid as determined by Board after consideration of bid protest in total amount to include base bid and some or all additive bids; and authorize Chairman to execute contract change orders for Contract 24-03-C, in excess of Director's allowance of \$210,000 pursuant to Public Contract Code 20142 for contract change orders, to a total change order limit of 7% of total compensation payable under Contract 24-03-C

RECEIVED VERBAL REPORT FROM PUBLIC WORKS AND PLANNING STAFF. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, TO ADOPT PLANS AND SPECIFICATIONS FOR CONTRACT 24-03-C ELKHORN RECHARGE FACILITY (CONTRACT 24-03-C). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, TO REJECT INCOMPLETE BID FROM WEST COAST METALSMITHS, LLC AS NON-RESPONSIVE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

CONDUCTED BID PROTEST HEARING FOR CONTRACT 24-03-C ELKHORN RECHARGE FACILITY. HEARD AND CONSIDERED BID PROTEST FROM APPARENT SECOND LOW BIDDER, WOOD BROS., INC., 14147 18TH AVENUE, LEMOORE, CALIFORNIA 93245, REGARDING THE PROPOSED AWARD OF CONTRACT 24-03-C TO THE APPARENT LOW BIDDER, G&J HEAVY HAUL, 10810 AVENUE 184, TULARE, CALIFORNIA 93274, IN THE TOTAL AMOUNT OF \$4,694,440.77. REPRESENTATIVES FROM WOOD BROS., INC. AND G&J HEAVY HAUL WERE PRESENT AND PROVIDED TESTIMONY. CLOSED BID PROTEST HEARING

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) REJECT BID PROTEST BY APPARENT SECOND LOW BIDDER, WOOD BROS., INC., TO DESIGNATE G&J HEAVY HAUL AS THE LOWEST RESPONSIBLE BID; 2) AWARD CONTRACT 24-03-C TO THE LOWEST BIDDER, G&J HEAVY HAUL, IN THE AMOUNT OF \$4,694,440.77, TO INCLUDE ALL ADDITIVE BIDS; AND 3) AUTHORIZE THE CHAIRMAN TO EXECUTE CONTRACT CHANGE ORDERS FOR CONTRACT 24-03-C, IN EXCESS OF THE DIRECTOR'S ALLOWANCE OF \$210,000 PURSUANT TO PUBLIC CONTRACT CODE 20142 FOR CONTRACT CHANGE ORDERS, TO A TOTAL CHANGE ORDER LIMIT OF 7% OF THE TOTAL COMPENSATION PAYABLE UNDER CONTRACT 24-03-C. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors' Committee Reports and Comments

12. 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)

CHAIRMAN MAGSIG REMINDED THE PUBLIC THAT TODAY IS THE LAST DAY TO CAST BALLOTS FOR THIS ELECTION AND ANNOUNCED THAT THE DOWNTOWN FRESNO VETERANS DAY PARADE WILL BEGIN AT 11:11 AM ON NOVEMBER 11

Board Appointments

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

RECEIVED VACANCY REPORT. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THE NOMINATIONS FOR APPOINTMENTS AND REAPPOINTMENT BE APPROVED AS FOLLOWS:

DUNLAP CEMETERY DISTRICT

APPOINT CONNIE WORK TO THE POSITION PREVIOUSLY HELD BY RICK HALL (TERM TO EXPIRE 01/03/2028)

FRESNO COUNTY FIRE PROTECTION DISTRICT

REAPPOINT STANLEY BULLA (TERM TO EXPIRE 09/30/2028)

PLANNING COMMISSION

APPOINT BRYAN ARCEO TO THE POSITION HELD BY KULDIP CHATHA (TERM TO EXPIRE 01/04/2027)

ZOO AUTHORITY

APPOINT LAURA MARTINA TO THE POSITION PREVIOUSLY HELD BY DORA WESTERLUND (TERM TO EXPIRE 01/06/2025)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

14. 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

15. 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
16. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
HELD; NO REPORTABLE ACTION

17. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)

HELD; NO REPORTABLE ACTION

18. Conference with legal counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Andres Solis: ADJ14734597

HELD; NO REPORTABLE ACTION

Sitting as the Fresno County In-Home Supportive Services Public Authority Governing Board

19. Sitting as the In-Home Supportive Services Public Authority Governing Board: Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Oralía Gomez; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment

HELD; NO REPORTABLE ACTION

Adjourn

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

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

APPROVED:

/s/ Nathan Magsig
NATHAN MAGSIG, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: /s/ Bernice E. Seidel

BERNICE E. SEIDEL

CLERK OF THE BOARD OF SUPERVISORS

COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON DECEMBER 3, 2024

CONSENT AGENDA

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 25 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 20.** Approve minutes for October 22, 2024

APPROVED AS RECOMMENDED

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

- 21.** Consider and appoint candidates Juan Cadena and Richard Wathen to the Mercy Springs Water District Board of Directors to full-terms expiring December 1, 2028

APPROVED AS RECOMMENDED

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

Chairman Magsig and Supervisor Brandau

- 22.** Adopt Resolution recognizing the 75th Anniversary of the North Fresno Lions Club

APPROVED AS RECOMMENDED

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

Resolution No. 24-358

Supervisor Brandau

- 23.** Conduct second hearing and adopt an Ordinance to amend the Fresno County Ordinance Code, Title 15, to add Chapter 15.90, "Vacant Structures and Buildings;" and waive reading of the Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 24-014

24. Conduct second hearing and adopt Ordinance to amend the Fresno County Ordinance Code, Title 10, to add Chapter 10.31, "Graffiti Abatement"; and waive reading of the Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 24-015

Supervisor Brandau and Supervisor Quintero

25. Adjourn in Memory of Doug Vagim

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

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

Supervisor Quintero

26. Adjourn in Memory of Alfred Burney Evans

APPROVED AS RECOMMENDED

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

County Clerk/Registrar of Voters

27. Consider and appoint candidate Louis Linney to the Fig Garden Fire Protection District Board of Directors to a full-term expiring December 1, 2028; Consider and appoint candidate Craig Middleton to the Sierra Cedars Community Services District Board of Directors to a short-term expiring December 4, 2026; Consider and appoint candidate Barry Maas to the Bluffs Community Services District Board of Directors to a short-term expiring December 4, 2026, and consider and appoint candidates Flannery Good and MaryAnn Pickens to the Bluffs Community Services District Board of Directors to full-terms expiring December 1, 2028; and Consider and appoint candidate Antonio (Tony) A. Fontes, to the Riverdale Irrigation District Board of Directors to a full-term expiring December 1, 2028

APPROVED AS RECOMMENDED

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

Sheriff/Coroner/Public Administrator

28. Retroactively approve and authorize the Sheriff's Office previous submittal of an online grant application on behalf of the County of Fresno to the U.S. Department of Justice, Bureau of Justice Assistance, for the 2024 Forensic DNA Capacity Enhancement and Backlog Reduction Program Grant (\$458,511); retroactively approve, ratify and authorize the Sheriff's, or his designee's, execution of retroactive Grant Award Agreement Number 15PBJA-24-GG-02612-DNAX, in the Justice Grants System, which requires compliance with assurances and certifications that relate to conduct during the performance of the award/agreement on behalf of the County of Fresno to the U.S. Department of Justice, Bureau of Justice Assistance for the 2024 Forensic Casework DNA Backlog Reduction Grant, effective October 1, 2024 through September 30, 2026 in the amount of \$458,511; authorize the Sheriff, or his designee, to sign and submit claims for reimbursement, activity reports, notices, extend the grant ending date to expend allocated funding, and other related documents consistent with the grant award; and approve and authorize the Clerk of the Board to execute Budget Transfer No. 30 (\$58,500) transferring appropriation within the Sheriff-Coroner-Public Administrator's Org 3111, from Account 7295 (Professional & Specialized Ser), 7415 (Trans, Travel & Education) to Account 8300 (Equipment) for the purchase of a Thermomixer C, CODIS Server Computer and two (2) Plate Centrifuge

APPROVED AS RECOMMENDED

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

29. Retroactively authorize the Sheriff's previous submittal of grant application to the State of California Department of Parks and Recreation Division of Boating and Waterways for grant funds to purchase miscellaneous equipment for the Sheriff's Office's Boating Safety Unit (\$59,585); approve and authorize the Chairman to execute Grant Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for a supplemental grant, including all required certifications, effective November 5, 2024 through September 30, 2040 (\$59,585); adopt Budget Resolution increasing FY 2024-25 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$59,585 (4/5 vote); and authorize the Sheriff, or their authorized representative, to sign requests for reimbursement documents and any other documents necessary for the grant

APPROVED AS RECOMMENDED

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

Agreement No. 24-568, Resolution No. 24-359

30. Approve and authorize the Sheriff-Coroner-Public Administrator, or his designee, as the official designated to execute a Grant Application/Agreement including, Certification of Assurance and Subrecipient Grants Management Assessment forms for the 2024 Internet Crimes Against Children (ICAC) Program grant from the California Governor's Office of Emergency Services (Cal OES) ICAC Program, including any amendments and extensions, which assists local law enforcement agencies in enhancing their investigative response to offenders who use the internet, online communication systems, or other computer technology to sexually exploit children to fund activities of the Fresno County Sheriff's ICAC Task Force, for the period of January 1, 2025 through December 31, 2025 (\$950,000); and approve and authorize the Sheriff-Coroner-Public Administrator, or his designee, to execute the required Authorization for the Grant Subaward Certification of Assurance of Compliance

APPROVED AS RECOMMENDED

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

31. Authorize a waiver of the 28 hours per week and 960 hours per calendar year maximum hours limitation for the Extra-Help position listed on Attachment A in the Sheriff's Office, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

APPROVED AS RECOMMENDED

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

Administrative Office

32. Adopt Resolution proclaiming continuation of the local emergency status relating to the Winter Storms and request that the Governor continue to provide resources and support to recover from this event

APPROVED AS RECOMMENDED

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

Resolution No. 24-360

33. Adopt Resolution proclaiming continuation of the local emergency status relating to the February 2023 Winter Storms and request that the Governor provide resources and support to mitigate and recover from the event

APPROVED AS RECOMMENDED

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

Resolution No. 24-361

- 34.** 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

APPROVED AS RECOMMENDED

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

Resolution No. 24-362

- 35.** Accept the 2024 Annual Williams Lawsuit Agreement Report from the Fresno County Office of Education

APPROVED AS RECOMMENDED

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

- 36.** Approve and authorize the Chairman to execute an Agreement with Townsend Public Affairs, Inc., for Federal Legislative Advocacy Services in Washington D.C., effective January 1, 2025, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$408,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-569

- 37.** Approve and authorize the Chairman to execute a First Amendment to Subrecipient Agreement No. 23-493 with Self-Help Enterprises (SHE) on behalf of, and benefit of Lanare Community Services District (Lanare CSD) for provision of American Rescue Plan Act - State and Local Fiscal Recovery Funds (ARPA-SLFRF), which will revise the expenditure plan and the modification clause, with no increase to the maximum compensation (\$1,600,000); and Authorize the County Administrative Officer or designee to approve and execute written changes to the items in the project budget, which, when added together during the term of the Agreement, do not exceed ten percent (10%) of the total maximum compensation payable to Subrecipient, and which do not result in any change to the maximum compensation amount payable to Subrecipient

APPROVED AS RECOMMENDED

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

Agreement No. 24-570

38. Approve and authorize the Chairman to execute a Second Amendment to Subrecipient Agreement No. 23-056 with Care Fresno, Inc. (Subrecipient) for provision of American Rescue Plan Act - State and Local Fiscal Recovery Funds (ARPA-SLFRF), which will revise the expenditure plan and the modification clause, with no increase to the maximum compensation (\$300,000); and Authorize the County Administrative Officer or designee to approve and execute written changes to the items in the project budget, which, when added together during the term of the Agreement, do not exceed ten percent (10%) of the total maximum reimbursement payable to Subrecipient, and which do not result in any change to the maximum compensation amount payable to Subrecipient

APPROVED AS RECOMMENDED

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

Agreement No. 24-571

39. Approve and authorize the Chairman to execute a First Amendment to Subrecipient Agreement No. 23-197 with Court Appointed Special Advocates of Fresno and Madera Counties (Subrecipient) for provision of American Rescue Plan Act - State and Local Fiscal Recovery Funds (ARPA-SLFRF), which will address the administrative burden to implement the program by revising the expenditure plan and the modification clause, with no increase to the maximum compensation (\$250,000); and Authorize the County Administrative Officer or designee to approve and execute written changes to the items in the project budget, which, when added together during the term of the Agreement, do not exceed ten percent (10%) of the total maximum compensation payable to Subrecipient, and which do not result in any change to the maximum compensation amount payable to Subrecipient

APPROVED AS RECOMMENDED

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

Agreement No. 24-572

Behavioral Health

40. Approve and authorize the Chairman to execute Amendment 1 to Agreement 22-306 with Exodus Recovery, Inc. to modify the location where adult acute inpatient psychiatric health facility services are provided from 4411 E. Kings Canyon Road, Fresno, CA 93702 to the new location at 3127 N. Millbrook Avenue, Fresno CA 93703, modify the budget for additional resource availability, and make revisions to the insurance requirements, effective upon execution with no change to the term of July 1, 2022 through June 30, 2027, and increasing the maximum by \$107,929 to a total of \$32,425,668; and adopt Resolution restating Lanterman-Petris-Short Act designated facilities to update facility addresses within the County of Fresno, authorize psychiatric evaluation and treatment of persons, and authorize the local mental health director to provide 5150 training and certification of licensed and unlicensed professional persons under the Act

APPROVED AS RECOMMENDED

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

Agreement No. 24-573, Resolution No. 24-363

41. Approve and authorize the Chairman to execute Amendment No. 4 to Master Agreement to add Valley Children's Hospital, A Hopeful Encounter, The Healing Circle: A Marriage & Family Therapy Professional Corporation, Erica McClincy, and Eugene Yamamoto, with no change to the term of July 1, 2020 through June 30, 2025, or maximum compensation of \$27,239,838

APPROVED AS RECOMMENDED

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

Agreement No. 24-574

- 41.1** Approve and authorize the Chairman to execute Amendment No. 3 to Lease Agreement No. 22-059 with Heritage Centre, LLC, to allow for execution of the Purchase and Sale Agreement, effective upon execution, with no change to the term of March 1, 2022, through February 29, 2032, and no change in the maximum compensation of a total of \$49,270,212; Approve and authorize the Chairman to execute the Purchase and Sale Agreement with Seller for the County's purchase of Property located at 3109, 3115, 3119, 3121, 3127, 3133, 3147, 3151, and 3155 N. Millbrook Avenue and 3676 and 3708 E. Shields Avenue, CA 93726 (APN 445-020-07, 445-020-09 and 437-290-60) ("Property") from Seller, with an expected closing date of May 1, 2032, for the sum of \$1,000,000 ("Purchase Agreement"); and Authorize and direct the Director of the Internal Services Department/Chief Information Officer, or their designee, to take any action as deemed necessary or appropriate, all of which shall be consistent with the Purchase Agreement, and the foregoing Board approvals and actions, to: a. Open, carry out, and close escrow for the County's purchase of the Property from Seller; deliver the County's refundable \$100,000 deposit into escrow; deliver the County's acceptance of Seller's Grant Deed; and obtain title insurance in favor of the County for the Property in the amount of the purchase price of the Property at escrow closing; b. Review, approve, execute, and/or deliver any agreements, documents, certificates, notices, and instruments, and any amendments to any of the foregoing (subject to prior review and approval as to legal form by County Counsel, and, as applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector), and to take any other actions to initiate, carry out, and finalize the County's purchase of the Property from the Seller; and c. Perform any other obligations, or exercise any other rights, of County under the Purchase Agreement to finalize the County's purchase of the Property

APPROVED AS RECOMMENDED

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

Agreement No. 24-575, Agreement No. 24-576

Human Resources

- 42.** Adopt Resolutions Rejecting Claims for Damages; and Adopt Resolution Denying Application for Leave to Present a Late Claim

APPROVED AS RECOMMENDED

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

Resolution No. 24-364, Resolution No. 24-365, Resolution No. 24-366, Resolution No. 24-367, Resolution No. 24-368, Resolution No. 24-369, Resolution No. 24-370, Resolution No. 24-371, Resolution No. 24-372

- 43.** Approve the successor Memorandum of Understanding (MOU) for Representation Unit 42 - Association of County Engineers, effective November 11, 2024, through November 9, 2025; and approve the related Salary Resolution Amendment as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 24-029

- 44.** Approve an Addendum to the Memorandum of Understanding (MOU) for Representation Unit 1 - Law Enforcement Personnel, represented by the Fresno Deputy Sheriff's Association, regarding salary increase for the Rangemaster classification only, effective November 11, 2024, and the addition of a sixth salary step (6th step) to the salary range for the Rangemaster classification only, effective November 25, 2024; and approve the related Salary Resolution Amendment, as reflected on Appendix "C"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 24-030

Internal Services

- 45.** Approve and authorize the Chairman to execute a retroactive Interdepartmental Agreement between the Internal Services Department, County Administrative Office, and Department of Public Works and Planning, which obligates \$10,701,183 in American Rescue Plan State - Local Fiscal Recovery Funds to fund the implementation of Heating, Ventilation, and Air Conditioning (HVAC) Improvements at Certain Essential County Facilities (\$6,000,000), Generator/Electrical Improvements in Public Facilities (\$1,100,000), Communication Improvements for Public Services (\$1,500,000), Improvements to Facilities Headquarters (\$490,761), and HVAC Systems and Electrical Maintenance and Repairs to Downtown County Public Facilities (\$1,610,422), effective April 19, 2022, through December 31, 2026

APPROVED AS RECOMMENDED

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

Agreement No. 24-577

Library

46. Approve and authorize the Chairman to execute grant agreement with Myriad Consulting and Training for a Groundwork Grants administered by the California State Library, in partnership with Myriad Consulting and Training, "Ready or Not: California Cultural Heritage Disaster Preparedness Project" to fund preservation supplies and storage (\$4,846), staff training (\$1,962), and environmental equipment (\$6,655) for the California Indian Library Collection located in the Auberry Library Branch, for a combined maximum grant total of \$13,463; authorize the County Librarian, or designee, to execute associated grant related documents to implement and administer the Groundwork Grants California Cultural Heritage Disaster Preparedness Project; and adopt Budget Resolution increasing FY 2024-25 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$6,808 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 24-578, Resolution No. 24-373

47. Adopt Budget Resolution increasing FY 2024-25 appropriations for Measure B Fund 0107, Library Org 75110800 in the amount of \$321,000, for the purchase of library book shelving and asset furniture equipment - circulation desk (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 24-374

Probation

48. Approve and authorize the Chairman to execute First Amendment to Agreement with Spire Soft LLC for additional software maintenance of Department-specific applications, software development, software integration, and reporting data requests, effective upon execution with no change to the term of October 24, 2023 through October 23, 2028, and increasing the maximum compensation by \$470,666, to a total of \$1,734,931; adopt Budget Resolution increasing FY 2024-25 appropriations and estimated revenues for Probation Org 34409999 in the amount of \$470,000 (4/5 vote); and adopt Budget Resolution increasing FY 2024-25 appropriations for the CalAIM Fund 0075, Subclass 17307, Org 1147 in the amount of \$470,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 24-579, Resolution No. 24-375, Resolution No. 24-376

- 49.** Approve and authorize the Chairman to execute a retroactive Agreement with the City of Selma to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2024, not to exceed five consecutive years, which include a three-year base and two automatic one-year extensions, with the first year not to exceed \$189,938

APPROVED AS RECOMMENDED

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

Agreement No. 24-580

- 50.** Approve and authorize the Chairman to execute a retroactive Agreement with the City of Sanger to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2024, not to exceed five consecutive years, which include a three-year base and two automatic one-year extensions, with the first year not to exceed \$235,431

APPROVED AS RECOMMENDED

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

Agreement No. 24-581

- 51.** Approve and authorize the Chairman to execute a retroactive Agreement with the City of Reedley to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2024, not to exceed five consecutive years, which include a three-year base contract and two automatic one-year extensions, with the first year not to exceed \$218,724

APPROVED AS RECOMMENDED

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

Agreement No. 24-582

- 52.** Conduct second hearing and adopt an Ordinance amending the County of Fresno Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsection 1815 - Daily Rate of Section 1800 - Probation, and waive the reading of the proposed Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 24-016

53. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Clovis to assign one sworn Police Officer and one Crime Specialist, and to provide training services to the Public Safety Realignment Adult Compliance Team, effective July 1, 2024, not to exceed five consecutive years, which include a three-year base contract and two automatic one-year extensions, with the first year not to exceed \$651,266

APPROVED AS RECOMMENDED

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

Agreement No. 24-583

Public Health

54. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Fresno County Superintendent of Schools for the Fresno County Early Stars-Quality Early Learning and Care program for training and technical assistance on health and safety standards at early childhood education sites, effective July 1, 2024 through June 30, 2025, total not to exceed \$300,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-584

55. Approve retroactive submission of the FY 2024-25 California Department of Health Care Services allocation plan for child health services under California Children's Services, effective July 1, 2024 to June 30, 2025 (\$6,848,164); approve retroactive submission of the FY 2024-25 California Department of Health Care Services allocation budget for the monitoring and oversight readiness under California Children's Services, effective July 1, 2024 to June 30, 2025 (\$360,825); and approve and authorize the Chairman to execute the retroactive Certification Statement for California Children's Services as required by the California Department of Health Care Services

APPROVED AS RECOMMENDED

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

56. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health, for Proposition 99 and Proposition 56 Tobacco Control Program funds, effective July 1, 2024 through June 30, 2025 (\$479,854)

APPROVED AS RECOMMENDED

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

Agreement No. 24-585

57. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with RIZE Consultants, Inc. (RIZE) as RIZE is the only California Department of Public Health approved vendor with firsthand experience and knowledge of Fresno County's local landscape and community needs with the ability to align training protocols to those of the Department; and approve and authorize the Chairman to execute an Agreement with RIZE to provide health equity consultation, technical assistance, and training services for the Department and Fresno County's Community Health Worker Network, effective November 5, 2024 through May 31, 2026, total not to exceed \$316,197

APPROVED AS RECOMMENDED

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

Agreement No. 24-586

58. Approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Resources Recycling and Recovery for FY 2024-25 Local Enforcement Agency Grant Program funding, effective July 1, 2024 through October 31, 2025 (\$28,675)

APPROVED AS RECOMMENDED

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

Agreement No. 24-587

59. Approve and authorize the Chairman to approve the retroactive submission of the FY 2024-25 California Department of Health Care Services allocation plan for child health services under the Health Care Program and Children in Foster Care and authorize the Chairman to execute the Certification Statements as required by the California Department of Health Care Services, effective July 1, 2024 to June 30, 2025 (\$2,691,469)

APPROVED AS RECOMMENDED

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

60. Approve and authorize the Chairman to execute retroactive Interdepartmental Agreement between County Departments of Public Health, Public Works and Planning, and Internal Services Obligating \$3 million in American Rescue Plan Act State Local Fiscal Recovery Funds and \$7.4 million in Public Health Realignment funds and other resources to fund reconstruction improvements to the Brix-Mercer Complex Basement to be carried out by the Department of Public Health in coordination with Public Works and Planning and Internal Services (\$10,400,000)

APPROVED AS RECOMMENDED

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

Agreement No. 24-588

Public Works and Planning

61. Approve and authorize Chairman to execute Subrecipient Agreement for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) with Fresno Irrigation District (Subrecipient) in amount up to \$1,925,500, to fund construction of a turnout on Friant-Kern Canal at Big Dry Creek to permit diversion of Friant-Kern Canal water into Big Dry Creek channel, an investment in groundwater recharge that supports impacted communities; and authorize Director of Department of Public Works and Planning, or his or her designee, to approve and execute written changes to line items in project budget, which, when added together during term of Agreement do not exceed ten percent (10%) of total maximum compensation payable to Subrecipient, and which do not result in any change to maximum compensation amount payable to Subrecipient

APPROVED AS RECOMMENDED

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

Agreement No. 24-589

62. Approve and authorize Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Huron; and determine that approval and authorization of Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Huron is exempt from requirements of California Environmental Quality Act, Public Resources Code 21000, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk

APPROVED AS RECOMMENDED

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

Agreement No. 24-590

- 63.** Approve and authorize the Chairman to execute a retroactive Interdepartmental Agreement between the County Administrative Office and the Department of Public Works and Planning, which obligates \$23,635,275 in American Rescue Plan Act State and Local Fiscal Recovery Funds to fund programs that are responsive to the public health emergency or negative economic impacts due to the pandemic (\$8,685,275), and programs that will make necessary improvements to water infrastructure (\$14,950,000), effective December 13, 2022 through December 31, 2026, to meet the United States Treasury's December 31, 2024, obligation deadline for the Department's ARPA-SLFRF Programs

APPROVED AS RECOMMENDED

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

Agreement No. 24-591

Social Services

- 64.** Approve and authorize the Chairman to execute a Master Agreement with providers for Wraparound and Super Wraparound services, effective upon execution through June 30, 2029, which includes two optional one-year extensions, total not to exceed \$44,784,643

APPROVED AS RECOMMENDED

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

Agreement No. 24-592

- 65.** Approve and authorize the Chairman to execute the First Amendment to Agreement with Cultural Brokers Services, Inc. for the provision of Child Welfare Services parent partner services, extending the term by six months from January 1, 2025 to June 30, 2025 and increasing the maximum compensation by \$241,086 to a total of \$1,903,476

APPROVED AS RECOMMENDED

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

Agreement No. 24-593