



# 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*

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Tuesday, September 24, 2024

9:30 AM

Hall of Records

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

### **Invocation and Pledge of Allegiance**

*SUPERVISOR NATHAN MAGSIG, CHAIRMAN OF THE FRESNO COUNTY BOARD OF SUPERVISORS, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE. SISTER VEENA KAPOOR OF THE BRAHMA KUMARIS WORLD SPIRITUAL ORGANIZATION OFFERED A BLESSING*

#### 1. Approve Agenda

**A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, 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 20-46

**A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 24 AND 36 WHICH WERE DELETED AND WILL RETURN TO THE BOARD TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

### **Board of Supervisors**

#### 3. Presentation of Retirement Plaque to Kristina Romans - Department of Social Services - 24 Years of Service

**PRESENTED RETIREMENT PLAQUE TO KRISTINA ROMANS**

**Supervisor Quintero**

- 4. Adopt Resolutions recognizing Dr. Bob Nelson as Exceptional Parents Unlimited's Beacon of Hope recipient and recognizing the Isnardi Foundation as Exceptional Parents Unlimited's Hope Grows Here recipient

**A MOTION WAS MADE BY SUPERVISOR QUINTERO, 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. 24-325, Resolution No. 24-326

**Supervisor Brandau**

- 5. Conduct first hearing to amend the Ordinance Code of Fresno County, Title 15, to add Chapter 15.90, "Vacant Structures and Buildings"; waive reading of the Ordinance in its entirety and set the second hearing for October 8, 2024; Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and Direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1)

**A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY CHAIRMAN MAGSIG, TO DIRECT STAFF AS FOLLOWS: INCLUDE LANGUAGE IN THE PROPOSED ORDINANCE WHICH LIMITS THE SCOPE TO RESIDENTIAL AND COMMERCIAL ZONES, WITH NO EFFECT ON AGRICULTURAL ZONES, AND, IF THIS INCLUSION IS NOT POSSIBLE, IMMEDIATELY NOTIFY THE BOARD; INCLUDE LANGUAGE IN THE PROPOSED ORDINANCE TO IDENTIFY PROPERTY OWNERS WHOSE ADDRESSES DIFFER FROM THE IDENTIFIED PROPERTY, SPECIFY NOTICES ARE ADDITIONALLY TRANSMITTED TO ADDRESSES OF PROPERTY OWNERS WHOSE ADDRESSES DIFFER FROM THE IDENTIFIED PROPERTY, AND SPECIFY REQUIRING PROOF OF RECEIPT FOR NOTICES SENT TO PROPERTY OWNERS; AND RETURN TO THE BOARD ON OCTOBER 22, 2024, FOR A NEW FIRST READING OF THE ORDINANCE TO ADDRESS THE AFOREMENTIONED REVISIONS. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

- 6. Conduct first hearing to amend the Ordinance Code of Fresno County, Title 10, to add Chapter 10.31, "Graffiti Abatement"; waive reading of the Ordinance in its entirety and set the second hearing for October 8, 2024; and Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and Direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1)

**A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, TO DIRECT STAFF AS FOLLOWS: INCLUDE LANGUAGE IN THE PROPOSED ORDINANCE WHICH REDUCES THE TIME FOR PROVIDING NOTICES AND RECEIVING RESPONSES FROM AFFECTED PROPERTY OWNERS FROM 15 DAYS TO 10 DAYS; INCLUDE LANGUAGE IN THE PROPOSED ORDINANCE FOR THE COUNTY TO USE ANY PROCEDURES AVAILABLE TO SEEK ADDITIONAL ADDRESSES OF AFFECTED PROPERTY OWNERS FOR EFFECTIVE NOTICING; INCLUDE LANGUAGE IN THE PROPOSED ORDINANCE TO ASSESS AND APPLY ADMINISTRATIVE FINES IN ADDITION TO ABATEMENT FINES; AND RETURN TO THE BOARD ON OCTOBER 22, 2024, FOR A NEW FIRST READING OF THE ORDINANCE TO ADDRESS THE AFOREMENTIONED REVISIONS. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Chairman Magsig and Administrative Office**

- 7. Discuss and provide direction regarding the Dunlap Cemetery District

**A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, TO CONTINUE ACTIVELY SEARCHING FOR INDIVIDUALS TO SERVE ON THE DISTRICT BOARD OF TRUSTEES AND, IF NO QUALIFIED INDIVIDUALS ARE IDENTIFIED, TO DIRECT STAFF AS FOLLOWS: LOCATE DISTRICT RECORDS, INCLUDING INFORMATION ON THE SIZE OF THE CEMETERY GROUNDS, WHERE AND HOW MANY INDIVIDUALS ARE INTERRED IN THE CEMETERY GROUNDS, HOW MANY BURIAL PLOTS HAVE ALREADY BEEN PURCHASED, AND HOW MANY AVAILABLE BURIAL PLOTS REMAIN; AND RETURN TO THE BOARD ON DECEMBER 3, 2024, TO PROVIDE FURTHER INFORMATION TO CONSIDER REGARDING DISSOLUTION AND TO PROVIDE A FINAL RECOMMENDATION. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Public Works and Planning**

- 8. Authorize Chairman to sign and send a Letter of Intent to State of California Department of Transportation, supporting proposed Officially Designated Scenic Highway status of eastern segment of State Route 180 from Trimmer Springs Road to Alta Main Canal (Post Mile 74.9 to 78.6)

**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:** 4 - Magsig, Mendes, Pacheco, and Quintero

**Noes:** 1 - Brandau

9. Retroactively approve and authorize Director of Public Works and Planning's ("Director") previous submittal of a grant application to California Office of Traffic Safety ("OTS") for Fresno County Safe Routes to School Action Plan for the County to conduct a school assessment study to evaluate the most critical transportation issues students face at ten selected schools located in or adjacent to unincorporated areas of Fresno County, which study will result in an Action Plan to improve safety for such students (\$223,082); approve the draft form of Grant Agreement with OTS for Fresno County Safe Routes to School Action Plan, including its Certifications and Assurances ("Grant Agreement"); authorize Director, as Authorizing Official for County under Grant Agreement, to approve and execute the final form of the Grant Agreement, including such changes to draft form of Grant Agreement that Director determines to be in best interest of the County, subject to approval as to legal form by County Counsel and as to accounting form by Auditor-Controller/Treasurer-Tax Collector; and authorize following officials of Department of Public Works and Planning ("Department") to execute Grant Agreement, and to provide Certifications and Assurances under Grant Agreement, in their respective capacities: Erin Haagenson, Program Manager, as Grant Director under Grant Agreement; and Lemuel Aspreco, Financial Division Manager, as Fiscal Officer under Grant Agreement

**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

10. Adopt and authorize Chairman to execute Resolution required by California Department of Transportation (“Caltrans”) stating County’s approval of and commitment to Western Fresno County Climate Adaptation Plan (\$1,500,000), and for Fresno County Safe Routes to School Action Plan (\$400,000), conditionally awarded to Department of Public Works and Planning by Caltrans under the FY 2024-25 Sustainable Transportation Planning Grant Program; and approve draft form of “Sample Agreement, Adaptation Grants (State), Restricted Grant Agreement” (“Adaptation Grants (State), Restricted Grant Agreement”) with Caltrans for County’s implementation of Western Fresno County Climate Adaptation Plan (\$1,694,341); and approve draft form of the “Sample Agreement, Sustainable Communities Grants (State), Restricted Grant Agreement” (“Sustainable Communities Grants (State), Restricted Grant Agreement”) with Caltrans for County’s implementation of Safe Routes to School Action Plan (\$451,824); and authorize Director of the Department of Public Works and Planning (“Director”) to approve and execute final form of the Adaptation Grants (State), Restricted Grant Agreement including such changes to the draft form of the Adaptation Grants (State), Restricted Grant Agreement that Director determines to be in best interest of County, subject to review and approval of County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, for County’s implementation of Western Fresno County Climate Adaptation Plan; and authorize Director to approve and execute final form of Sustainable Communities Grants (State), Restricted Grant Agreement including such changes to draft form of Sustainable Communities Grants (State), Restricted Grant Agreement that Director determines to be in best interest of County, subject to review and approval of County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, for County’s implementation of Safe Routes to School Action Plan

**A MOTION WAS MADE BY VICE CHAIRMAN MENDES, 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

Resolution No. 24-327

11. Consider and adopt the Mitigated Negative Declaration, including the Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3852 based on Initial Study No. 8337; and Find that the proposed rezone of the subject one-acre parcel from the existing AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1 (c) (Light Manufacturing, Conditional) Zone District with limited industrial uses is consistent with the County's General Plan and County-Adopted Roosevelt Community Plan; and Approve Variance Application No. 4170 to allow a five-foot side yard setback (15-foot required) to accommodate proposed development on the subject parcel with Conditions of Approval contained within the Staff Report to the Planning Commission; and Approve Site Plan Review No. 8299 for proposed development; and Adopt an Ordinance pertaining to Amendment Application No. 3852 thereby rezoning the subject one-acre site from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1 (c) (Light Manufacturing, Conditional) Zone District; and Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1) (The subject parcel is located on the southwest corner of East North Avenue and South Chestnut Avenue approximately 1,285 feet south of the nearest City of Fresno boundary (APN: 330-050-03) (3035 S. Chestnut Avenue) (Sup. Dist. 3))

PRIOR TO BOARD DISCUSSION, THE DEPARTMENT ANNOUNCED CORRECTIONS TO THE PROPOSED ORDINANCE: SECTION 2 HAS BEEN REVISED TO REFLECT THE CORRECT ASSESSOR'S PARCEL NUMBER (APN), ZONE DISTRICTS, AND LOCATION AND SIZE OF PARCEL. CONSIDERED MITIGATED NEGATIVE DECLARATION, INCLUDING THE MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR AMENDMENT APPLICATION NO. 3852 BASED ON INITIAL STUDY NO. 8337. CONDUCTED PUBLIC HEARING. MARIA SPERA OF DIRK POESCHEL LAND DEVELOPMENT SERVICES, INC., WAS PRESENT TO REPRESENT THE APPLICANT. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING

A MOTION WAS MADE BY SUPERVISOR QUINTERO, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) ADOPT THE MITIGATED NEGATIVE DECLARATION, INCLUDING THE MITIGATION MONITORING AND REPORTING PROGRAM BASED ON INITIAL STUDY NO. 8337 PREPARED FOR AMENDMENT APPLICATION NO. 3852; 2) FIND THAT THE PROPOSED REZONE OF THE SUBJECT ONE-ACRE PARCEL FROM THE EXISTING AL-20 (LIMITED AGRICULTURAL, 20-ACRE MINIMUM PARCEL SIZE) ZONE DISTRICT TO AN M-1 (c) (LIGHT MANUFACTURING, CONDITIONAL) ZONE DISTRICT WITH LIMITED INDUSTRIAL USES IS CONSISTENT WITH THE COUNTY'S GENERAL PLAN AND COUNTY-ADOPTED ROOSEVELT COMMUNITY PLAN; 3) APPROVE VARIANCE APPLICATION NO. 4170 TO ALLOW A FIVE-FOOT SIDE YARD SETBACK (15-FOOT REQUIRED) TO ACCOMMODATE PROPOSED DEVELOPMENT ON THE SUBJECT PARCEL WITH CONDITIONS OF APPROVAL CONTAINED WITHIN THE STAFF REPORT TO THE PLANNING COMMISSION; 4) APPROVE SITE PLAN REVIEW NO. 8299 FOR PROPOSED DEVELOPMENT; 5) ADOPT THE REVISED ORDINANCE PERTAINING TO AMENDMENT APPLICATION NO. 3852 THEREBY REZONING THE SUBJECT ONE-ACRE SITE FROM THE AL-20 (LIMITED AGRICULTURAL, 20-ACRE MINIMUM PARCEL SIZE) ZONE DISTRICT TO AN M-1 (c) (LIGHT MANUFACTURING, CONDITIONAL) ZONE DISTRICT; 6) DESIGNATE COUNTY COUNSEL TO PREPARE A FAIR AND ADEQUATE SUMMARY OF THE PROPOSED ORDINANCE AND DIRECT THE CLERK OF THE BOARD TO POST AND PUBLISH THE REQUIRED SUMMARY IN ACCORDANCE WITH GOVERNMENT CODE, SECTION 25124(b)(1); AND 7) INCLUDE THE FOLLOWING CONDITION OF APPROVAL FOR INDEMNIFICATION: THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR ALL LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF AMENDMENT APPLICATION NO. 3852 AND PROVIDE SECURITY IN AN AMOUNT DETERMINED BY THE COUNTY FOR ANY SUCH LEGAL COSTS INCURRED; THE AGREEMENT AND PAYMENT OF SECURITY SHALL BE DUE UNLESS THE LITIGATION PERIOD HAS EXPIRED, IN WHICH CASE THE REQUIREMENTS FOR THE INDEMNIFICATION AGREEMENT AND SECURITY SHALL BE CONSIDERED NULL AND VOID. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Ordinance No. R-502-3852

## **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)

**HELD; NO REPORTS OR COMMENTS WERE MADE BY THE BOARD**

**Board Appointments**

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

**RECEIVED VACANCY REPORT. A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, THAT THE NOMINATION FOR APPOINTMENT BE APPROVED AS FOLLOWS:**

**RECREATION & WILDLIFE COMMISSION**

**APPOINT STEVEN BUTZ TO THE POSITION PREVIOUSLY HELD BY JORDAN HOUSTON (TERM TO EXPIRE 1/6/2025)**

**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**

**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 - Existing Litigation - Government Code, section 54956.9(d)(1) - County of Fresno v. Fred Adams, et al., Fresno County Superior Court Case No. 21CECG01166  
**HELD; NO REPORTABLE ACTION**
- 17. Conference with legal counsel - Existing Litigation pursuant to Government Code section 54956.9(d)(1) - Farshad Oreizi v. County of Fresno et al., Fresno County Superior Court Case No. 18CECG00823  
**HELD; NO REPORTABLE ACTION**
- 18. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)  
**HELD; NO REPORTABLE ACTION**



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

HELD; NO REPORTABLE ACTION

**Adjourn**

**A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, 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 OCTOBER 8, 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 ITEMS 24 AND 36 WHICH WERE DELETED AND WILL RETURN TO THE BOARD TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**Board of Supervisors**

- 20. Approve minutes for September 10, 2024, and approve minutes for September 16, 2024, Budget Hearing

**APPROVED AS RECOMMENDED**

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

- 20.1 Rescind the appointment of Chad Stokes to the Civil Service Commission due to ineligibility

**APPROVED AS RECOMMENDED**

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

**Supervisor Mendes**

- 21. Approve Certificate of Recognition honoring the 100th Anniversary of the Selma Rotary Club

**APPROVED AS RECOMMENDED**

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

**Supervisor Brandau and Supervisor Quintero**

- 21.1 Adopt Resolution recognizing the Alluvial Avenue undercrossing at Highway 41 as the "Ambassador Phillip V. Sanchez Memorial Bridge"

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-319

**Auditor Controller-Treasurer/Tax Collector**

- 22. Adopt Resolution establishing tax rates, and levying taxes on the secured roll at the countywide rate of 1%, and taxes for voter approved indebtedness, ad valorem taxes for revenue districts, and unitary taxes in Fresno County for the FY 2024-25

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-320

**District Attorney**

- 23. Authorize a waiver of the 960 hours per calendar year 2024 maximum hours limitation for the Extra-Help position(s) listed on Attachment A, pursuant to the provisions set forth in Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

**APPROVED AS RECOMMENDED**

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

- 24. Retroactively approve and authorize the District Attorney’s previous submittal of a grant application to the California Office of Traffic Safety for continuation of the Alcohol and Drug Impaired Driver Vertical Prosecution Program for FY 2024-25 (\$813,432); and Approve and authorize the Chairman to execute Grant Agreement (Grant Number DI25024), with an electronic signature, for the Alcohol and Drug Impaired Driver Vertical Prosecution Program with the California Office of Traffic Safety (OTS) for the period October 1, 2024 through September 30, 2025 (\$665,900)

**DELETED; WILL RETURN TO A DATE UNCERTAIN**

**Sheriff/Coroner/Public Administrator**

- 25. Accept annual report of expenditures from the Incarcerated Person’s Welfare Trust Fund for FY 2023-24

**APPROVED AS RECOMMENDED**

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

- 26. Approve and authorize the Chairman to execute Amendment XI to Agreement with California Forensic Medical Group, Incorporated (CFMG) for Jail medical and behavioral health care services for the Sheriff-Coroner-Public Administrator’s Office detention facilities, extending the term by two months and three days, commencing on October 1, 2024, to December 3, 2024, and increasing the maximum by \$6,650,001, to a total of \$190,196,899

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-510

**Administrative Office**

- 27. 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. 24-321

- 28. 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. 24-322

- 29. 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. 24-323

30. 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 The Economic Development Corporation Serving Fresno County (EDC) as EDC is the only vendor suited, equipped, and authorized to promote and market the resources and economy of Fresno County; and approve and authorize the Chairman to execute a retroactive Agreement with EDC to promote and market the resources and economy of Fresno County, effective July 1, 2024 through June 30, 2025 (\$100,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-511

**Behavioral Health**

31. Approve and authorize the Director of the Department of Behavioral Health, or designee, to execute Master County to County Short-Term Residential Therapeutic Program (STRTP) Agreement in the same form upon execution by another county for STRTP placement and specialty mental health services (SMHS) effective upon execution through June 30, 2027, with two optional one-year extensions, total not to exceed \$15,000,000; Authorize the Director of the Department of Behavioral Health, or designee, to add Counties through their Mental Health Plans (MHP) and to remove Counties through their MHPs from the Master Agreement upon execution of the Master Agreement by other Counties; and Waive the policy in the County Purchasing Manual that allows only the Board of Supervisors to approve agreements with other governmental entities and authorize the Director of the Department of Behavioral Health, or designee, through the Purchasing Agent, to sign single case Letters of Agreement (LOA) and Admission Agreements (Exhibit C to the Master Agreement) with other county Mental Health Plans (MHP) to meet legal mandates and timeliness requirements of AB 1051 shifting responsibility to the County of Jurisdiction for payment, not to exceed \$50,000 per LOA

**APPROVED AS RECOMMENDED**

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

**Internal Services**

- 32. Approve and authorize the Chairman to execute Amendment No. 2 to Lease Agreement No. 22-059 with Heritage Centre, LLC, to revise the scope of work for additional tenant improvements, effective upon execution with no change to the term of March 1, 2022 through February 29, 2032, and increasing the maximum compensation by \$4,500,000 for a total of \$49,271,212

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-512

- 33. Approve and authorize the Chairman to execute an Agreement with Carahsoft Technology Corp. for a service management system, effective October 1, 2024, not to exceed four consecutive years, which includes a two-year base contract and two optional one-year extensions, total not to exceed \$2,892,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-513

- 34. Approve and authorize the Chairman to execute an Agreement with Secure-Centric, Inc. for ProofPoint software products and services, effective October 1, 2024, for a three-year term, total not to exceed \$965,913

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-514

**Probation**

- 35. Approve and authorize the Chairman to execute the retroactive Memorandum of Understanding with the Superior Court of California, County of Fresno (Court), to expand the Probation Department’s Pretrial Services Program effective July 1, 2024 for a standard term of three years with two optional one-year extensions, total possible revenue to the County not to exceed \$8,935,925; and authorize the Chief Probation Officer, or designee, to accept any additional funding allocation from the Court

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-515

36. Retroactively approve and authorize the Chief Probation Officer's previous submittal of a grant application to the State of California Office of Traffic Safety for the Probation Department's 2025 Intensive Supervision of High-Risk Felony and Repeat DUI Offenders Program (\$343,000); and approve and authorize the Chairman to execute a Grant Agreement with the State of California Office of Traffic Safety (Grant Number AL25022), with an electronic signature, to provide Intensive Probation Supervision for High-Risk Felony and Repeat DUI Offenders for the period of October 1, 2024 through September 30, 2025 (\$343,000)

**DELETED; WILL RETURN TO A DATE UNCERTAIN**

### **Public Health**

37. Approve and authorize the Chairman to execute the Substitution of Data Use Agreement with Michigan Public Health Institute, to allow for the substitution of County's current Data Use Agreement with Michigan Public Health Institute for the participation in the National Fatality Review Case Reporting System with California Department of Public Health's Data Use Agreement; and approve and authorize the Chairman to execute a Data Use Agreement with California Department of Public Health, to participate in the National Fatality Review Case Reporting System, effective upon execution until terminated by either party (\$0)

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-516, Agreement No. 24-517

38. Approve and authorize the Chairman to execute a retroactive revenue Agreement and related certifications with the California Department of Public Health for the Human Immunodeficiency Virus Surveillance Program, effective July 1, 2024 through June 30, 2029 (\$479,950); and Approve and authorize the Director of the Department of Public Health to execute the Contractor's Release Form for submission with the final invoice

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-518

### **Public Works and Planning**

39. Approve and authorize Chairman to execute a Non-Disclosure Agreement with Pacific Gas and Electric Company for sharing of gas and electric facility maps, effective upon execution, not to exceed three consecutive years pursuant to and in accordance with requirements set forth in this Non-Disclosure Agreement (\$0)

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-519

40. Approve and authorize the Chairman to execute First Amendment to Agreement No. 23-673 with Carahsoft Technology Corporation, for OpenGov, Inc.'s Cartegraph Cloud-Based Enterprise Asset Management Platform, through the NASPO Cooperative Agreement, effective upon execution, with no change to the potential five-year term, which includes a two-year base period and three optional one-year extensions, and a change to the maximum compensation payable under the Agreement of \$1,626,437

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-520

41. Pass and authorize Chairman to execute a Resolution of Intention to grant a franchise, up to 25 years, on a non-exclusive basis ("non-exclusive franchise"), by ordinance, to Toro Energy of California AA, LLC, (also referred to as Toro Energy), upon annual payment of a franchise fee to County, to construct, maintain and use pipes and appurtenances for transmitting derived gas from Toro Energy's landfill-gas-to-energy project ("LFGTE project") at County's American Avenue Disposal Site ("AADS") for any and all purposes, as allowed by a County-approved conditional use permit and/or road permit condition, from LFGTE project at AADS at 18950 W. American Avenue, Kerman, in, along, across, upon, and under following public streets and highways within unincorporated area of Fresno County: from County's AADS, eastward on W. American Avenue for approximately 4 miles, and then southward on S. Madera Avenue for approximately 4 miles, to a PG&E connection location approximately a half of a mile north of W. Manning Avenue, just east of S. Madera Avenue/SR 145, Kerman; and set October 22, 2024, at 9:30 a.m. or as soon thereafter as may be heard for public protest hearing, as required by Public Utilities Code Section 6232, for Board to hear and pass upon on any protest, including any objections, made against granting of non-exclusive franchise, and, for Board's first reading of proposed ordinance that would grant non-exclusive franchise, with Board's second reading of proposed ordinance expected to follow on December 3, 2024, at 9:30 am or as soon thereafter as may be heard; and further reading of proposed ordinance expected to be waived at time of its introduction and passage; and direct Clerk of the Board to publish notice of public protest hearing in a newspaper of general circulation within County, at least once within fifteen (15) days after passage of Resolution

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-324

42. Adopt plans and specifications for Contract 24-S-04 Reedley Radio Tower and Equipment Shelter and award to the lowest bidder Katch Environmental, Inc. dba Katch General, 929 L St., Fresno, CA, 93721, in the total amount of \$2,326,683

**APPROVED AS RECOMMENDED**

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



43. Approve and authorize Chairman to execute an Agreement with F-N-F Roll-Off Service, Inc. for roll off bin rental services including delivery, pick up, and disposal of surplus green waste and general refuse generated by the Department of Public Works and Planning - Parks & Grounds, effective September 24, 2024 not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$525,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-521

44. Approve and authorize Chairman to execute a License Agreement with Fresno County Disc Golf (FCDG), for construction, installation, and maintenance of an 18-hole disc golf course at Lost Lake Park and provide maintenance to two (2) previously installed courses at Kearney Park, effective upon execution, not to exceed five (5) consecutive years, which includes a three-year base contract and two (2) optional one-year renewals; and authorize Director of the Department of Public Works and Planning or designee to sign written approval to extend agreement on behalf of County

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-522

**Social Services**

45. Approve and authorize the Chairman to execute Amendment II to Agreement with Comprehensive Youth Services of Fresno, Inc. for Supervised Visitation Services, extending the term by six months, which includes a three-month base term and three optional one-month extensions, from October 1, 2024, through March 31, 2025, and increasing the maximum by \$269,911 to a total of \$5,714,047

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-523

46. Approve and authorize the Chairman to execute a memorandum of understanding with Foundation for California Community Colleges, for collaboration related to services for the CalFresh Employment and Training program, not to exceed three consecutive years, including a one-year base contract with two optional one-year extensions

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-524