



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, April 19, 2022

9:30 AM

Hall of Records

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

Invocation and Pledge of Allegiance

PASTOR JESSICA GUERRA, GRACE COMMUNITY CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

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

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

2. Approve Consent Agenda - Item Numbers 20 - 48

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 23.1 AND 32 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

3. Presentation of Retirement Plaque to Javier Gomez - Social Services - 32 Years of Service
PRESENTED RETIREMENT PLAQUE TO JAVIER GOMEZ

Supervisor Mendes

4. Proclaim April 24 - 30, 2022, as National Crime Victims' Rights Week in Fresno County

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN 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. 22-133.

Supervisor Magsig

5. Proclaim April 25 through 29, 2022 as "Save Today!" Week

A MOTION WAS MADE BY SUPERVISOR MAGSIG, 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. 22-134

Administrative Office

6. Receive verbal update regarding Code Enforcement

RECEIVED VERBAL UPDATE REGARDING CODE ENFORCEMENT. BY CONSENSUS, THE BOARD DIRECTED PUBLIC WORKS AND PLANNING, IN COORDINATION WITH THE COUNTY ADMINISTRATIVE OFFICE, TO RETURN TO THE BOARD IN MAY 2022 FOR APPROVAL OF STAFFING ALLOCATIONS

Behavioral Health

7. Approve Amendment to the Salary Resolution to: a. reclassify the Public Guardian Manager classification upwards from Band F to Band E; and, b. reinstate one allocation of the previously retired Senior Deputy Public Administrator/Guardian classification as Senior Deputy Public Guardian in the Department of Behavioral Health's Org 5630, effective May 2, 2022, as reflected on Appendix D

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

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

Salary Resolution No. 22-029

Public Works and Planning

8. Conduct public hearing regarding proposed adoption of an uncodified ordinance that would, among other things, authorize the County's future sale of landfill gas as renewable energy (future LFGTE Project) at the County's American Avenue Disposal Site (AADS), located at 18950 W. American Avenue, Kerman (Gov. Code, § 25515.2(b)), under the proposed Revenue Agreement; After conducting the public hearing, make certain determinations of public benefits (Gov. Code, § 25515.1) concerning: (A) the proposed County of Fresno AADS Landfill Gas To Energy Project Revenue Agreement (Revenue Agreement) between the County and Toro Energy of California AA, LLC (Toro), if approved by the Board, relating to the future development of the AADS by Toro, will result in potential future economic benefits to the County (approximately \$134,755,000), assuming that the unexecuted proposed Ground Lease is later entered into between the County and Toro; and (B) certain public benefits and County expectations regarding the unexecuted proposed Ground Lease and Pipeline and Utilities Right of Way Agreement (Ground Lease) relating to the AADS, if later entered into between the County and Toro; Adopt the uncodified ordinance (A) setting forth and affirming the Board's foregoing determinations of public benefits, (B) authorizing the County's future sale of landfill gas as renewable energy to Toro at the AADS, including the Board's approval and award of the Revenue Agreement to Toro, the Board's authorization of the Chairman to execute the Revenue Agreement, and the Board's approval of the form of the unexecuted proposed Ground Lease (as Exhibit A to the Revenue Agreement), (C) authorizing the Director of Public Works and Planning (Director) to approve and execute the Ground Lease, after all necessary revisions (e.g., to comply with any conditions of approval and/or mitigation measures that may be imposed by the County Planning Commission as a result of any necessary land use entitlements and after completion of environmental review and compliance with the California Environment Quality Act, Public Resources Code 21000, et seq. (CEQA)), (D) providing general authorizations to the Director and the Clerk of the Board of Supervisors (Clerk), and (E) directing and authorizing the Clerk, within 15 days of the Board's adoption of the Ordinance, to publish the Ordinance, and take related actions. (4/5ths vote required under Gov. Code, § 25515.2)

CONDUCTED PUBLIC HEARING. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO APPROVE RECOMMENDED ACTIONS 2A AND 2B OF AGENDA ITEM, WHICH INCLUDE BOARD DETERMINATIONS OF PUBLIC BENEFITS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO APPROVE RECOMMENDED ACTIONS 3A THROUGH 3E OF THIS AGENDA ITEM FOR THE ADOPTION OF THE RECOMMENDED UNCODIFIED ORDINANCE, WHICH INCLUDES ALL OF THE ACTIONS AND AUTHORIZATIONS UNDER THE ORDINANCE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Ordinance No. 22-004, Agreement No. 22-166

9. Adopt Mitigated Negative Declaration based on Initial Study No. 7578 as recommended by Planning Commission; and determine that required Findings specified in Fresno County Zoning Ordinance Section 873 (F) can be made to approve Conditional Use Permit No. 3636 to allow addition of a gas station to an existing mini-market in RCC (Rural Commercial Center) Zone District; and include an additional condition of approval requiring that Applicant enter into an agreement indemnifying County for all legal costs associated with approval of Initial Study No. 7578 and Conditional Use Permit No. 3636; and adopt a Resolution approving Classified Conditional Use Permit Application No. 3636 (project site is located on southeast corner of W. Olive and N. Valentine Avenues, approximately 1,756 feet west of city limits of City of Fresno (APN: 449-090-26) (3375 W. Olive Avenue))

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN 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. 22-135

10. Conduct public hearing to receive testimony on proposed County Community Development Block Grant programs; and approve substantial amendment to the 2019-20 Annual Action Plan to update planned uses for Community Development Block Grant funding, under Coronavirus Aid, Relief, and Economic Security Act

CONDUCTED PUBLIC HEARING. NO PUBLIC TESTIMONY RECEIVED. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS FOLLOWS: APPROVE SUBSTANTIAL AMENDMENT TO THE 2019-20 ANNUAL ACTION PLAN TO UPDATE PLANNED USES FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING, UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR MAGSIG ENCOURAGED EVERYONE TO ATTEND AND ENJOY THE UPCOMING CLOVIS RODEO. SUPERVISOR PACHECO ANNOUNCED THE RECENT PASSING OF LONG-TIME DISTRICT 1 RESIDENT RANDY ROCCA, AN INNOVATIVE RAISIN AND WINE GRAPE GROWER

Board Appointments

12. Board Appointments - Receive Boards, Commissions and Committees Vacancy Report; and Appoint Applicants as necessary

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THE NOMINATIONS FOR REAPPOINTMENTS BE APPROVED AS FOLLOWS:

BEHAVIORAL HEALTH BOARD

REAPPOINT SUSAN XIONG (TERM TO EXPIRE 04/01/25)

DEFERRED COMPENSATION MANAGEMENT COUNCIL

REAPPOINT LAWRENCE SEYMOUR (TERM TO EXPIRE 05/01/24)

HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE

REAPPOINT SUSAN (SUE) RUIZ (TERM TO EXPIRE 01/06/25)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

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

Closed Session

14. 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
15. Conference with Real Property Negotiators - Government Code, Section 54957(a); UMC Campus located at the corner of South Cedar Avenue and East Kings Canyon Road, Fresno, CA; County Negotiator: Paul Nerland or designee. Negotiating Parties: City of Fresno, Under negotiations: Instructions to County's negotiator may concern sale, lease and escrow terms and conditions including price
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): Douglas Sullivan: ADJ11435071, ADJ6933312
HELD; NO REPORTABLE ACTION
19. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - County of Fresno, et al. v. Fred Adams, et al., Fresno County Superior Court Case No. 21CECG01116
HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY SUPERVISOR 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:



BRIAN PACHECO, 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 MAY 3, 2022

CONSENT AGENDA

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 23.1 AND 32 WHICH WERE 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 of meeting for April 5, 2022

APPROVED AS RECOMMENDED

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

Chairman Pacheco

21. Proclaim May 2022 as Older Americans Month in Fresno County

APPROVED AS RECOMMENDED

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

Resolution No. 22-124

Chairman Pacheco and Supervisor Mendes

22. Adopt resolution commemorating the 80th anniversary of the Fresno Mosquito and Vector Control District

APPROVED AS RECOMMENDED

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

Resolution No. 22-125

Supervisor Mendes

23. Adjourn in Memory of Velma Coelho of Riverdale

APPROVED AS RECOMMENDED

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

Supervisor Quintero

- 23.1 Adjourn in Memory of Pauline B. Echevarria

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

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

Auditor Controller-Treasurer/Tax Collector

24. Approve and Authorize the Auditor-Controller/Treasurer-Tax Collector (AC/TTC) to return \$105,468.66 in proceeds from the class action "In re GSE Bonds Antitrust Litigation" settlement that were claimed on behalf of the County by MUFG Union Bank in error

APPROVED AS RECOMMENDED

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

25. Approve resolution granting one claim for excess proceeds from the sale of tax-defaulted property identified by APN 308-021-73-03, in the amount of \$16,320.25, and ordering distribution after the 90-day waiting period; and denying one claim for excess proceeds from the sale of the same property

APPROVED AS RECOMMENDED

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

Resolution No. 22-126

Sheriff/Coroner/Public Administrator

26. Approve and authorized the Chairman to execute a retroactive Amendment I to Agreement with Western State Design for laundry equipment services and maintenance to increase contractor rates, with no change in the term of January 1, 2019 through December 31, 2023 or contract total maximum amount of \$250,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-153

Administrative Office

27. Adopt Resolution proclaiming continuation of the local emergency status relating to the 2020 Creek Fire and request that the Governor continue to provide resources and support to mitigate and recover from this wildfire; and adopt Resolution proclaiming continuation of the Local Health Emergency, due to the public health threat of the 2020 Creek Fire

APPROVED AS RECOMMENDED

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

Resolution No. 22-127, Resolution No. 22-128

28. Adopt Resolution proclaiming continuation of the local emergency status relating to the Severe Drought and request that the Governor provide resources and support to mitigate and recover from the drought
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero
- Resolution No. 22-129
29. Adopt Resolution designating the Fresno Arts Council to serve as the County of Fresno's local partner with the California Arts Council for FY 2022-23
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero
- Resolution No. 22-130
30. Authorize the submittal of a report to the State of California showing the loss of revenue resulting from the passage of AB 1869
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Behavioral Health

31. Approve and authorize the Chairman to execute a retroactive Agreement with The Fresno Center for Holistic Cultural Education Wellness Center services to continue services while updating the name of the contractor, effective April 1, 2018 through June 30, 2022, total not to exceed \$3,900,255
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero
- Agreement No. 22-154
32. Approve and authorize the Chairman to execute a retroactive First Amendment to Agreement with Youth Leadership Institute for youth substance use disorder prevention services to include Coronavirus Response and Relief Supplemental Appropriations Act and American Rescue Plan Act funding, effective January 1, 2022 with no change in term of July 1, 2021 through June 30, 2026 and increasing the maximum by \$150,000 to a total of \$6,246,760
- A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**
- Ayes:** 4 - Magsig, Mendes, Pacheco, and Quintero
- Noes:** 1 - Brandau
- Agreement No. 22-165

Human Resources

33. Approve and authorize the Chairman to execute a First Amendment to Agreement with GlassRatner Advisory and Capital Group, LLC, dba B. Riley Advisory Services for cyber preparedness consulting services, effective upon execution with no change to the term of January 1, 2022 through December 31, 2024 and increasing the compensation maximum by \$15,000 to a total of \$320,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-155

34. Approve the successor Memorandum of Understanding for Representation Unit 35, represented by the Sheriff's and Correctional Lieutenants Association, effective April 18, 2022; 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. 22-026

35. Approve the successor Memorandum of Understanding for Representation Unit 14 - Supervisory Peace Officers, represented by the Fresno Sheriff's Sergeants Association, effective April 18, 2022; and approve the related Salary Resolution Amendment, as reflected on Appendix "E"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-027

36. Approve the successor Memorandum of Understanding for Representation Unit 11 - Deputy Probation Officers, represented by the Fresno County Deputy Probation Officers Association, effective April 18, 2022, through April 13, 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. 22-028

Internal Services

37. Make a finding that it is in the best interest of the County to waive the competitive bidding process for the fifth year of the recommended agreement, consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances to maintain specific research and analysis information technology service continuity for the Internal Services Department through the end of the term; and, approve and authorize the Chairman to execute an Agreement with Gartner, Inc., to amend, restate, replace, and supersede Agreement No. 17-459 for subscription-based IT research, coaching, and advisory services effective May 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional automatic one-year extensions, total not to exceed \$1,375,132

APPROVED AS RECOMMENDED

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

Agreement No. 22-156

38. Approve and authorize the Chairman to execute First Amendment to Agreement with Pacific Publishing Group, Inc., dba, The Business Journal to continue publication of legal notices, effective upon execution, with no change to the term of February 4, 2020 through February 3, 2023 and increasing the maximum by \$375,000 to a total of \$1,225,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-157

39. Approve and authorize the Chairman to approve American Rescue Plan Act State and Local Fiscal Recovery Funds to the Internal Services Department - Facility Services Org 8935 for the purchase of Heating/Ventilation Improvements in Public Facilities up to \$6,000,000; approve and authorize the Chairman to approve American Rescue Plan Act State and Local Fiscal Recovery Funds to the Internal Services Department - Facility Services Org 8935 for the purchase of Generation/Electrical Upgrade Improvements for the Department of Public Health facility up to \$1,100,000; adopt Budget Resolution approving the transfer of American Rescue Plan Act State and Local Fiscal Recovery Fund revenues from the Auditor-Controller/Treasurer-Tax Collector Org 1033 to the Internal Services Department - Facility Services Org 8935 in the amount of \$7,100,000; adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for the Internal Services Department - Facility Services Org 8935 in the amount of \$7,100,000; and, approve and authorize the Director of the Internal Services Department to potentially use annual Job Order Contracting agreements for the implementation of the proposed projects (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-131, Resolution No. 22-132

Public Health

40. Approve and authorize the Chairman to execute a retroactive Agreement with the California Department of Public Health, for continued participation in the COVID Network of California Laboratories for SARS-CoV-2 Whole Genome Sequencing Services, effective March 1, 2022 through February 28, 2025 (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 22-158

41. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of services to provide group prenatal care services as part of an integrated prenatal care system in Fresno County; and approve and authorize the Chairman to execute a sole source Agreement with Children and Families Commission of Fresno County, for the Glow! Group Prenatal Care and Support project, effective upon execution, not to exceed three consecutive years, total not to exceed \$468,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-159

Public Works and Planning

42. Adopt Plans and Specifications for Contract No. 21-07-SW, American Avenue Disposal Site Phase I Waste Relocation and award Contract No. 21-07-SW to low bidder, Sukut Construction, LLC, 4010 W. Chandler Avenue, Santa Ana, CA 92704, in amount of \$22,477,777; and authorize Chairman to execute Contract Change Orders, in excess of Director's allowance of \$210,000, up to 5% of construction contract total in amount of \$1,123,888, for Contract No. 21-07-SW

APPROVED AS RECOMMENDED

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

43. Review and accept FY 2019-2021 Transportation Mitigation Fee Activity Report (Attachments A, B, and C), and make following findings: A. that purpose of Fee is to mitigate impacts caused by new development in County in order to implement Goals and Policies of County General Plan; and B. that there is a reasonable relationship between Fee and purpose for which it is charged as specified in each Resolution or Agreement establishing a particular fund subclass; and C. that County shall utilize these Fees in conjunction with other sources and amounts of funding from Federal, State, and local grant programs, local road funds, and private developer funds to complete financing of necessary improvements; and D. that year in which funds will be utilized from appropriate fund subclass is noted in Attachment A

APPROVED AS RECOMMENDED

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

44. Approve and authorize Chairman to execute Amendment No. 3 to an Agreement with Kitchell CEM, Inc., for construction management services for the West Annex Jail (WAJ), currently under construction, effective upon execution extending the term by one year from December 31, 2022 to December 31, 2023, unless it is further extended, in writing, by the Director of the Department of Public Works and Planning or his/her designee for one (1) additional year, and increasing the maximum extra services allocation by an additional \$539,757 to \$3,235,423, which will increase the total maximum compensation amount to \$6,959,275

APPROVED AS RECOMMENDED

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

Agreement No. 22-160

Social Services

45. Approve and authorize the Chairman to execute an Agreement with Good Guard Security, Inc., for unarmed security services at the Department of Social Services' Coalinga, Kerman, Reedley, and Selma Regional Centers effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,815,158

APPROVED AS RECOMMENDED

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

Agreement No. 22-161

46. Approve and authorize the Chairman to execute an Agreement with VMS Family Counseling Services for Resource Family training and support services, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,341,805

APPROVED AS RECOMMENDED

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

Agreement No. 22-162

47. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Reading and Beyond is the only provider that meets the requirement to receive these funds; and, approve and authorize the Chairman to execute an Agreement with Reading and Beyond for CalFresh Employment and Training Services, effective April 19, 2022 through September 30, 2022, with a total not to exceed \$820,194

APPROVED AS RECOMMENDED

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

Agreement No. 22-163

48. 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 Housing Authority of the City of Fresno has the experience and capacity to immediately begin providing emergency shelter to those experiencing homelessness; and, approve and authorize the Chairman to execute Agreement with Housing Authority of the City of Fresno for emergency shelter services, effective April 19, 2022 through September 30, 2022, total not to exceed \$600,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-164