



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, March 28, 2023

9:30 AM

Hall of Records

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

Invocation and Pledge of Allegiance

FRESNO COUNTY CHIEF PROBATION OFFICER KIRK HAYNES GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

CHAIRMAN QUINTERO ACKNOWLEDGED AND CONGRATULATED FRESNO COUNTY SHERIFF'S DEPUTY ERIC SCHMIDT ON HIS APPOINTMENT TO THE CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (POST)

1. Approve Agenda

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 9 WHICH WAS DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 24-58

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 26 AND 53 WHICH WERE PULLED FOR DISCUSSION AND A SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

AT APPROXIMATELY 9:50 A.M., THE CLERK OF THE BOARD ANNOUNCED THAT STAFF WOULD LIKE TO DELETE ITEM 27 OF THE PREVIOUSLY APPROVED CONSENT AGENDA. A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY SUPERVISOR BRANDAU, TO RECONSIDER ITEM 2, ONLY FOR THE DELETION OF ITEM 27, AND WITH ALL OTHER APPROVED CONSENT ITEMS REMAINING UNCHANGED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

3. Presentation of Retirement Plaque to Gerald W. Schiebelhut - Department of Internal Services - 20 Years of Service

PRESENTED PLAQUE TO GERALD W. SCHIEBELHUT

4. Approve and adopt the revised 2023 regular meeting schedule of the Board of Supervisors; and Direct the Clerk of the Board to publish the revised 2023 meeting schedule of the Board of Supervisors on the Fresno County website and to advise all County departments of the revised meeting schedule and submission dates for agenda items

A MOTION WAS MADE BY VICE CHAIRMAN 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

Chairman Quintero

5. Adopt Proclamation to recognize Senior Security Officer Carlos Perez

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR 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. 23-080

Supervisor Magsig

6. Adopt resolution recognizing 15 county employees from the Internal Services Department for their contribution and collaboration with contractors in constructing the Juvenile Justice Campus' solar array project

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR 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. 23-081

Supervisor Mendes

7. Proclaim the week of April 3 - 9, 2023, as National Public Health Week in Fresno County

A MOTION WAS MADE BY SUPERVISOR 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. 23-097

Auditor Controller-Treasurer/Tax Collector

8. Conduct first hearing to amend the County of Fresno Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsection 3003.4 of Section 3000 - Tax Collector, waive the reading of the Ordinance, and set the second hearing for April 11, 2023; 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 VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Sheriff/Coroner/Public Administrator

9. Retroactively approve and authorize the Sheriff-Coroner-Public Administrator's previous submittal of an online grant application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for the Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies, effective October 1, 2022 to September 30, 2025, (\$430,000); retroactively approve, authorize and ratify the Sheriff-Coroner-Public Administrator's, or his designee's, execution of retroactive Grant Award/Agreement Number 15PBJA-22-GG-03303-BWCX, which requires compliance with assurances and certifications that relate to conduct during the performance of the award/agreement on behalf of the County to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for the Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies, effective October 1, 2022 to September 30, 2025, (\$430,000); approve and authorize the Sheriff-Coroner-Public Administrator, or his designee, to execute claims for reimbursement, activity reports, and extend the grant ending date to expend allocated funding; and approve Amendment to the Salary Resolution adding one Sheriff's Information Technology Analyst IV position to the Sheriff-Coroner-Public Administrator's Org 3111, effective April 3, 2023 as reflected in Appendix "C"

DELETED

Administrative Office

- 10. Receive presentation by the Children and Families Commission of Fresno County on the Commission’s FY 2021-22 Financial Audit Report and State Annual Report, per County Ordinance Code, section 2.38.030

RECEIVED PRESENTATION. A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR PACHECO, THAT THIS MATTER BE APPROVED AS RECOMMENDED. CHAIRMAN QUINTERO CLARIFIED THAT A MOTION IS NOT REQUIRED AT THIS TIME AS THE ITEM IS SIMPLY A PRESENTATION, AND THEREFORE, A VOTE DID NOT TAKE PLACE

- 11. Receive Mid-Year Budget Report for Fiscal Year 2022-23; and approve proposed schedule for the Recommended Budget and adoption of the Fiscal Year 2023-24 Budget, which incorporates a Recommended Budget by June 20, 2023 with adjustments to this Recommended Budget to be presented beginning September 11, 2023

RECEIVED MID-YEAR BUDGET REPORT FOR FISCAL YEAR 2022-23. A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

- 12. Adopt Resolution terminating the local emergency status related to the Severe Drought

A MOTION WAS MADE BY SUPERVISOR 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. 23-098

- 12.1 Adopt Resolution proclaiming Emergency Services Director’s authority regarding mitigation for 2023 storms

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS MATTER BE APPROVED AS RECOMMENDED AND DIRECTED STAFF TO RETURN TO THE BOARD ON JULY 18, 2023, TO RE-EVALUATE THIS RESOLUTION AND SPECIFY TRANQUILITY, SAN JOAQUIN, FIREBAUGH AND MENDOTA AS COMMUNITIES OF FOCUS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 23-099

Internal Services

13. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Cost Section 3800 - General Services, where new subsection 3814 - Downtown Parking Rate is added; waive reading of the Ordinance in its entirety and, set the second hearing for April 11, 2023; 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 VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Probation

14. Approve Amendment to the Salary Resolution adding one Deputy Probation Officer I/II/III to the Probation Org 3432, effective April 3, 2023, as reflected in Appendix "D"

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

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

Salary Resolution No. 23-011

Public Works and Planning

15. Consider and Adopt Resolution accepting the 2022 General Plan Annual Progress Report and authorize the Department of Public Works and Planning to submit the 2022 Annual Progress Report to the Governor's Office of Planning and Research and the California Department of Housing and Community Development

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR 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. 23-100

16. Adopt plans and specifications for Contract 22-05-C Dry Creek Bridge Replacement on Burrough Valley Road, Federal Project No. BRLS-5942(245), receive verbal report on the bid opening, and award to the bidder with the lowest responsive bid; and make a determination in accordance with Administrative Policy No. 34 that “unusual or extraordinary circumstances” exist that allow retroactive sole source procurement of bridge components based on the Board’s express findings that specification by brand or trade name of the bridge components is consistent with the provisions of Public Contract Code Section 3400(C)(2) and 3400(C)(3); and authorize staff to incorporate these sole-sourced components in the design and construction of the Dry Creek Bridge Replacement on Burrough Valley Road

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) ADOPT SPECIFICATIONS FOR CONTRACT NO. 22-05C, DRY CREEK BRIDGE REPLACEMENT ON BURROUGH VALLEY ROAD, RECEIVE VERBAL REPORT ON BID OPENING, AND AWARD TO THE BIDDER WITH THE LOWEST BID, AGEE CONSTRUCTION COMPANY, INC., P.O. BOX 629, CLOVIS, CALIFORNIA 93613 IN THE TOTAL AMOUNT OF \$4,864,640.00; 2) MAKE A DETERMINATION IN ACCORDANCE WITH ADMINISTRATIVE POLICY NO. 34 THAT “UNUSUAL OR EXTRAORDINARY CIRCUMSTANCES” EXIST THAT ALLOW RETROACTIVE SOLE SOURCE PROCUREMENT OF BRIDGE COMPONENTS BASED ON THE BOARD’S EXPRESS FINDINGS THAT SPECIFICATION BY BRAND OR TRADE NAME OF THE BRIDGE COMPONENTS IS CONSISTENT WITH THE PROVISIONS OF PUBLIC CONTRACT CODE SECTION 3400(C)(2) AND 3400(C)(3); AND AUTHORIZE STAFF TO INCORPORATE THESE SOLE-SOURCED COMPONENTS IN THE DESIGN AND CONSTRUCTION OF THE DRY CREEK BRIDGE REPLACEMENT ON BURROUGH VALLEY ROAD; AND 3) AUTHORIZE THE CHAIRMAN TO EXECUTE CONTRACT CHANGE ORDERS FOR CONTRACT NO. 22-05-C, IN EXCESS OF THE DIRECTOR’S ALLOWANCE OF \$210,000, UP TO 8.6% OF THE CONSTRUCTION CONTRACT TOTAL IN THE AMOUNT OF \$420,000. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR PACHECO ANNOUNCED WORKING WITH PUBLIC WORKS AND PLANNING AND THE CITY OF MENDOTA TO LAUNCH A PILOT PROGRAM FOR TRASH PICKUP AND, IF SUCCESSFUL, MAY EXTEND THROUGHOUT THE COUNTY. VICE CHAIRMAN MAGSIG THANKED SUPERVISOR PACHECO FOR THE TRASH PICKUP PROGRAM AND ANNOUNCED THE CLOVIS VETERANS MEMORIAL DISTRICT IS HAVING A NATIONAL VIETNAM WAR VETERANS DAY EVENT TOMORROW FROM 8:00 A.M. TO 1:00 P.M. SUPERVISOR MENDES STATED THE NEED FOR POLITICAL COOPERATION AND ASSISTANCE FROM THE ARMY CORPS OF ENGINEERS TO PROTECT OUR COMMUNITIES WHEN THE KINGS RIVER REACHES COMPLETE FLOOD CONTROL LEVELS

Board Appointments

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

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

**HISTORICAL LANDMARKS & RECORDS ADVISORY COMMITTEE
REAPPOINT JAMES SPONSLER (TERM TO EXPIRE 01/04/27)**

**HOUSING & COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE
REAPPOINT LETICIA FERNANDEZ (TERM TO EXPIRE 01/06/25)**

**SELMA CEMETERY DISTRICT
REAPPOINT ALAN LANGSTRAAT (TERM TO EXPIRE 01/04/27)**

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Brandau

Public Presentations

19. 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

20. 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; SUPERVISOR BRANDAU WAS ABSENT AND DID NOT PARTICIPATE IN THE DISCUSSION OF ITEM 20

21. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)

HELD; NO REPORTABLE ACTION; SUPERVISOR BRANDAU WAS ABSENT AND DID NOT PARTICIPATE IN THE DISCUSSION OF ITEM 21

22. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (3 Cases)

HELD; NO REPORTABLE ACTION; SUPERVISOR BRANDAU WAS ABSENT AND DID NOT PARTICIPATE IN THE DISCUSSION OF ITEM 22

23. Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): James Bewley: ADJ13362252

HELD; NO REPORTABLE ACTION; SUPERVISOR BRANDAU WAS ABSENT AND DID NOT PARTICIPATE IN THE DISCUSSION OF ITEM 23

23.1 Conference with legal counsel – Existing Litigation – Government Code, section 54956.9(d)(1) – In Re: National Prescription Opiate Litigation, U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804

HELD; NO REPORTABLE ACTION; SUPERVISOR BRANDAU WAS ABSENT AND DID NOT PARTICIPATE IN THE DISCUSSION OF ITEM 23.1

Adjourn

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

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

Absent: 1 - Brandau

APPROVED:

/s/ Sal Quintero
SAL QUINTERO, 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 APRIL 11, 2023

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 26 AND 53 WHICH WERE PULLED FOR DISCUSSION AND A SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

AT APPROXIMATELY 9:50 AM, THE CLERK OF THE BOARD ANNOUNCED THAT STAFF WOULD LIKE TO DELETE ITEM 27 OF THE PREVIOUSLY APPROVED CONSENT AGENDA. A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY SUPERVISOR BRANDAU, TO RECONSIDER ITEM 2, ONLY FOR THE DELETION OF ITEM 27, AND WITH ALL OTHER APPROVED CONSENT ITEMS REMAINING UNCHANGED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 24.** Approve minutes for March 14, 2023

APPROVED AS RECOMMENDED

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

Supervisor Mendes and Supervisor Pacheco

- 25.** Adjourn in Memory of Andy Rollin, farmer and dairyman in the Riverdale/Burrel community

APPROVED AS RECOMMENDED

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

Supervisor Mendes

- 26.** Adjourn in Memory of Melanie Ruvalcaba, former Division Manager of the Health Policy and Wellness Division at the Department of Public Health

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

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

Sheriff/Coroner/Public Administrator

27. Adopt Budget Resolution increasing FY 2022-23 appropriations and estimated revenues for the Sheriff-Coroner-Public Administrator's Org 31113200 in the amount of \$7,500 for the purchase of a UAS Zenmuse P1 drone camera(4/5 vote); and adopt Budget Resolution increasing FY 2022-23 appropriations and estimated revenues for the Sheriff-Coroner-Public Administration's Org 31114000 in the amount of \$500,000 for Fresno County Main Jail Upgrades (4/5 vote)

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, TO DELETE ITEM 27. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

28. Retroactively approve and authorize the Sheriff's previous submittal of a 2022 California Paul Coverdell Forensic Science Improvement Program Grant Application to California Office of Emergency Services (Cal OES), including the "Grant Subaward Face Sheet", the "Signature Authorization" form, the "Certificate of Assurance of Compliance" required by Cal OES, the "Subrecipient Grants Management Assessment" form, the "Out-of-State Travel Request" form, the "Certificate as to External Investigations" form, and the "Baseline Data Sheet" form, to expand the training of the Fresno County Sheriff's Forensic Services staff and facilitate the purchase of forensic ballistic testing equipment, effective April 1, 2023 through June 30, 2024 (\$54,403); approve, authorize, and ratify the Sheriff's Administrative Services Director's execution of the retroactive grant award from Cal OES for the 2022 California Paul Coverdell Forensic Science Improvement Grant for the period of April 1, 2023 through June 30, 2024 (\$54,403); approve and authorize the Chairman to execute the authorization for the Certification of Assurance of Compliance, as required by Cal OES; adopt a Resolution granting authority to the Sheriff's Administrative Services Director to approve and execute the retroactive grant award, and any related grant award amendments, from Cal OES for the 2022 California Paul Coverdell Forensic Science Improvement Grant; approve and authorize the Sheriff's Administrative Services Director to execute any and all notices, certificates, applications, reports, amendments, extensions, and other documents, which do not alter fiscal or material terms of the Grant, and which are necessary or advisable in order to consummate the grant; and adopt a Budget Resolution increasing the FY 2022-23 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$54,403 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 23-115, Resolution No. 23-082, Resolution No. 23-083

29. Retroactively approve and authorize the Sheriff's 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 2022 Forensic DNA Capacity Enhancement and Backlog Reduction Program Grant (\$357,528); approve, ratify and authorize the Sheriff's, or his designee's, execution of retroactive Grant Award Agreement (Number 15PBJA-22-GG-01610-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 2022 Forensic Casework DNA Backlog Reduction Grant, effective October 1, 2022 through September 30, 2024 in the amount of \$357,528; and adopt Budget Resolution increasing FY 2022-23 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator's Org 3111 in the amount of \$144,038 (4/5 vote); and 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

APPROVED AS RECOMMENDED

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

Resolution No. 23-084

County Counsel

30. Approve and authorize the Chairman to execute a Settlement Agreement and Release to fully resolve the personal injury claim by Yovani Larios (Claimant) related to a motor vehicle accident involving an on-duty Sheriff's Deputy on July 27, 2021, for a settlement sum of \$50,400

APPROVED AS RECOMMENDED

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

Agreement No. 23-116

31. Approve and authorize the Chairman to execute a specialized legal services agreement with Hawkins Delafield & Wood LLP to act as bond counsel for special projects that may arise during FY 2023-24, effective July 1, 2023, through and including June 30, 2024, total compensation not to exceed the amount appropriated by Board in the FY 2023-24 budget, plus reimbursements from outside funding sources, if any; and Approve and authorize the Chairman to execute a specialized legal services agreement with Hawkins Delafield & Wood LLP to act as bond counsel and disclosure counsel for the issuance if the County issues FY 2023-24 tax and revenue anticipation notes, effective upon execution by the parties until it is terminated by either or both parties, total compensation not to exceed the amounts payable for legal fees of \$40,000, and out-of-pocket expenses of \$1,500, plus actual and reasonable costs for certain publications, reports, and transcripts

APPROVED AS RECOMMENDED

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

Agreement No. 23-117, Agreement No. 23-118

Administrative Office

32. 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. 23-085

33. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) with Fresno Economic Opportunities Commission in the amount of \$48,584 to fund the replacement of 33 outdated computers at its Neighborhood Youth Center, which provides student participants access to high-speed internet, assistance with job searches and applications, college applications and assignments, and social service program applications for individuals who reside within disadvantaged neighborhoods that have been impacted by the pandemic

APPROVED AS RECOMMENDED

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

Agreement No. 23-119

34. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) with Caruthers Community Service District to fund the design, environmental review, administration, and construction of a new water storage tank for the unincorporated community of Caruthers, total not to exceed \$3,130,100

APPROVED AS RECOMMENDED

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

Agreement No. 23-120

Behavioral Health

35. Approve and authorize the Chairman to execute Amendment I to Agreement with BAART Behavioral Health Services, Inc. to increase Narcotic Treatment Program services to in-custody individuals at the County's Detention Facilities, effective upon execution with no change to the term of July 1, 2018 to June 30, 2023 and increasing the maximum compensation by \$95,000 to a total of \$845,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-121

Fresno County Employees Retirement Association

36. Receive and file the Fresno County Employees' Retirement Association Actuarial Valuation and Review report (the Actuarial Valuation and Review report) as of June 30, 2022 by The Segal Group, Inc. (Segal), relating to the Fresno County Employees' Retirement Association (FCERA), and; approve and adopt the Board of Retirement's recommended rate of interest, and employer and FCERA member contribution rates, for FY 2023-24 as provided for in the FCERA member contribution rates in Section 4, Exhibit 3 entitled "Member Contribution Rates", the employer contribution rates in Section 2, Subsection F entitled "Recommended Contribution" and the Administrative Expense Load percentage of Payroll rates in Section 4, Exhibit 1 of the Actuarial Valuation and Review report as of June 30, 2022, in accordance with Government Code sections 31453 and 31454

APPROVED AS RECOMMENDED

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

Human Resources

37. Adopt Resolutions Rejecting Claims for Damages

APPROVED AS RECOMMENDED

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

Resolution No. 23-086, Resolution No. 23-087, Resolution No. 23-088, Resolution No. 23-089, Resolution No. 23-090, Resolution No. 23-091, Resolution No. 23-092, Resolution No. 23-093, Resolution No. 23-094, Resolution No. 23-095

38. Approve Salary Resolution Amendment adjusting the salary of the Chief Building Inspector, effective April 3, 2023, as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-010

Probation

39. Approve and authorize the Chairman to execute a Revenue Agreement with Merced County to house youth from Merced County at the Juvenile Justice Campus for a daily rate of \$380 per youth, effective March 28, 2023 through June 30, 2024

APPROVED AS RECOMMENDED

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

Agreement No. 23-122

40. Approve and Authorize the Chairman to execute an Amendment to Agreement with B.I. Incorporated, dba BI Correctional Services, Incorporated to increase the number of daily and annual participants served in the Reentry Employment Readiness Program, effective March 28, 2023, with no change to the term of February 1, 2021 through January 31, 2026 and increasing the maximum by \$698,244 to a total of \$2,401,484

APPROVED AS RECOMMENDED

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

Agreement No. 23-123

41. Retroactively approve and authorize the Chief Probation Officer's previous submittal of a grant proposal to the State of California, Governor's Office of Emergency Services for the Unserved/Underserved Victim Advocacy and Outreach Program (\$196,906); approve and authorize the Chairman to execute a retroactive Grant Application/Agreement for the Unserved/Underserved Victim Advocacy and Outreach Program with Cal OES, for the period of January 1, 2023 through December 31, 2023 (\$196,906); and approve and authorize the Auditor-Controller/Treasurer-Tax Collector, 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

Agreement No. 23-124

42. Approve and authorize the Chairman to execute a Data Use Agreement with The Regents of the University of California, acting on behalf of the California Policy Lab at its UCLA and UC Berkeley campuses to provide data for project research to better understand the characteristics of the criminal justice population and how they change over time, as well as to improve the targeting and efficacy of interventions designed to improve outcomes, effective March 28, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions (\$0); and approve and authorize the Chief Probation Officer to execute each Research Project Description, subject to County Counsel review and approval as to legal form

APPROVED AS RECOMMENDED

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

Agreement No. 23-125

43. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Fresno to assign five sworn Police Officers, one sworn Police Sergeant, and one Crime Analyst to the Public Safety Realignment Act Adult Compliance Team, effective July 1, 2022 through June 30, 2023 (\$1,660,661)

APPROVED AS RECOMMENDED

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

Agreement No. 23-126

Public Health

44. Authorize the Auditor-Controller/Treasurer-Tax Collector to discharge the debt of a retired County employee in the amount of \$544.44 due to clerical errors, as well as pay Social Security Disability and Social Security Medicare taxes on the forgiven amount totaling \$83.30

APPROVED AS RECOMMENDED

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

45. Approve and authorize the Chairman to execute First Amendment to Agreement with Care Coordination Systems, LLC to accommodate additional users within the integrated data sharing platform for the Department's community health worker programs, effective upon execution with no change to the term of May 17, 2022 through May 16, 2027 and increasing the maximum compensation by \$323,500 for a total of \$1,169,250

APPROVED AS RECOMMENDED

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

Agreement No. 23-127

46. Accept a retroactive allocation award from the California Department of Public Health for the Black Infant Health program, effective July 1, 2022 through June 30, 2023 (\$2,226,936); 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 BLACK Wellness & Prosperity Center is able to provide education and support centered around Black/African American maternal and infant health, aligning with the Black Infant Health program; and approve and authorize the Chairman to execute a retroactive Agreement with BLACK Wellness & Prosperity Center for the provision to improve infant and maternal health of Black Birthing People by promoting health knowledge and healthy behaviors, effective March 14, 2023 through June 30, 2024, with the option to extend two additional 12-month periods, total not to exceed \$500,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-128

47. Retroactively authorize a waiver of the 28 hours per week and 960 hours per calendar year maximum hours limitation for the Extra Help positions listed on Attachment A in the Department of Public Health, Org 5620, 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

48. Approve and authorize the Chairman to execute Agreements with the following vendors to provide health intervention activities for implementation of Fresno County's Initiative to Address COVID-19 Related Health Disparities, effective March 28, 2023 through December 31, 2024, with two optional one-year extension periods: 1) Reading and Beyond with a total not to exceed amount of \$1,260,000, 2) Centro La Familia Advocacy Services with a total not to exceed amount of \$1,335,000, 3) Cultiva La Salud with a total not to exceed amount of \$1,155,000, 4) Centro Binacional para el Desarrollo Indigena Oaxaqueño with a total not to exceed compensation of \$750,000, 5) West Fresno Health Care Coalition with a total not to exceed amount of \$996,818, 6) Exceptional Parents Unlimited with a total not to exceed amount of \$750,000, and 7) Fresno Economic Opportunities Commission with a total not to exceed amount of \$1,253,181

APPROVED AS RECOMMENDED

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

Agreement No. 23-129, Agreement No. 23-130, Agreement No. 23-131, Agreement No. 23-132, Agreement No. 23-133, Agreement No. 23-134, Agreement No. 23-135

49. Approve and authorize the Chairman to execute a retroactive Amendment to the Notice of Award and Agreement No. 21-265 with the United States Department of Health and Human Services, Centers for Disease Control and Prevention effective October 24, 2022 to extend the Agreement term by twelve (12) months from June 1, 2023 to May 31, 2024, with no change to the maximum compensation of \$7,897,935; and approve and authorize the Chairman to execute a retroactive Amendment to the Notice of Award and Agreement No. 21-265 with the United States Department of Health and Human Services, Centers for Disease Control and Prevention effective February 2, 2023 to amend the budget with no change to the term of June 1, 2021 through May 31, 2024, or maximum compensation of \$7,897,935

APPROVED AS RECOMMENDED

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

Agreement No. 23-136, Agreement No. 23-137

50. Approve and authorize the Chairman to execute First Amendment to Agreement with Avenal Community Health Center dba, Aria Community Health Center to extend the term of the existing agreement to continue to promote community health support and provide health intervention activities for Fresno County's Advancing Health Literacy Intervention Program by adding two optional one-year extension periods for a full term of May 3, 2022 through June 30, 2025, with no change to the maximum compensation of \$500,198

APPROVED AS RECOMMENDED

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

Agreement No. 23-138

51. Approve and authorize the Chairman to execute First Amendment to Agreement with Valley Center for the Blind, to expand the scope of services to include additional lab reporting and data processing services, effective upon execution with no change in the term of February 22, 2022 through February 21, 2027, and increasing the maximum compensation by \$3,995,322 to a total of \$4,806,322

APPROVED AS RECOMMENDED

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

Agreement No. 23-139

Public Works and Planning

52. Approve and authorize Department of Public Works and Planning to submit a grant application to U.S. Economic Development Administration for up to \$150,000 to partially fund preparation of a new digitally integrated Fresno County Comprehensive Economic Development Strategy; and if grant application is awarded, authorize the Director of the Department of Public Works and Planning, subject to review and approval by County Counsel as to legal form and the Auditor-Controller/Treasure-Tax Collector as to accounting form, to execute grant agreement, related documents, and any amendments thereto, necessary for participation in the U.S. Economic Development Administration Grant Program

APPROVED AS RECOMMENDED

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

53. Approve and authorize Chairman to execute the following amendments to the Exclusive Service Area Provider Program Agreements: amendment 3 to Agreement No. 17-564 with Allied Waste Services of North America, LLC; amendment 3 to Agreement No. 17-565 with Granite Solid Waste, Inc.; amendment 3 to Agreement No. 17-566 with Mid Valley Disposal, LLC; amendment 3 to Agreement No. 17-567 with Miramonte Sanitation, Inc.; amendment 3 to Agreement No. 17-568 with Orange Avenue Disposal, Inc.; amendment 3 to Agreement No. 17-569 with Peña's Disposal, Inc.; amendment 3 to Agreement No. 17-571 with USA Waste of California, Inc.; and amendment 3 to Agreement No. 17-572 with Western Solid Waste

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE APPROVED AS RECOMMENDED WITH DIRECTION TO STAFF TO EXEMPT ALL RURAL AREAS FROM THE COUNTY'S ORGANIC WASTE PROGRAM. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Agreement No. 23-146, Agreement No. 23-147, Agreement No. 23-148, Agreement No. 23-149, Agreement No. 23-150, Agreement No. 23-151, Agreement No. 23-152, Agreement No. 23-153

Social Services

54. Adopt Resolution authorizing the Chairman of the Board of Supervisors to execute Standard Agreements for California Department of Housing and Community Development Housing Navigators Program funding; approve and authorize the Chairman to execute an Amendment to the Standard Agreement with the California Department of Housing and Community Development for Round 1 of Housing Navigators Program funds, effective upon execution by the State, extending the term through December 31, 2023, total not to exceed \$144,290; and, approve and authorize the Chairman to execute the Standard Agreement with the California Department of Housing and Community Development for Round 2 of Housing Navigators Program funds, effective upon execution by the State, through October 30, 2025, total not to exceed \$144,290

APPROVED AS RECOMMENDED

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

Resolution No. 23-096, Agreement No. 23-140, Agreement No. 23-141

55. 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 CalFresh Employment and Training reallocated funds; and, approve and authorize the Chairman to execute a retroactive Agreement with Reading and Beyond for CalFresh Employment and Training Services, effective March 1, 2023, through September 30, 2023, total not to exceed \$397,082

APPROVED AS RECOMMENDED

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

Agreement No. 23-142

- 56.** Approve and authorize the Chairman to execute a retroactive first Amendment to Agreement with the Housing Authority of the City of Fresno for administration of the California Work Opportunity and Responsibility to Kids Housing Support Program, effective March 1, 2023, extending the term by one year from June 1, 2023 through May 31, 2024 and increasing the maximum by \$1,699,245 to a total of \$3,733,245; and approve and authorize the Chairman to execute a retroactive second Amendment to Agreement with Centro La Familia Advocacy Services for administration of the California Work Opportunity and Responsibility to Kids Housing Support Program, effective March 1, 2023, extending the term by one year from June 1, 2023 through May, 31 2024 and increasing the maximum by \$911,000 to a total of \$2,282,220

APPROVED AS RECOMMENDED

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

Agreement No. 23-143, Agreement No. 23-144

- 57.** Approve and authorize the Chairman to execute a retroactive fourth Amendment with WestCare California, Inc. for Housing & Disability Advocacy Program services, effective March 1, 2023, extending the term by two months from July 1, 2023 through August 31, 2023 and increasing the maximum by \$456,000 to a total of \$2,966,080

APPROVED AS RECOMMENDED

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

Agreement No. 23-145

- 58.** Accept the Marjaree Mason Center Annual Report for the period of October 1, 2021 through September 30, 2022

APPROVED AS RECOMMENDED

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