



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, July 12, 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 BOOKER T. LEWIS, RISING STAR MISSIONARY BAPTIST CHURCH, GAVE THE INVOCATION AND CLERK OF THE BOARD BERNICE E. SEIDEL LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR BRANDAU, 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 25 - 59

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 43 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

3. Presentation of Retirement Plaque to Richard A. Hernandez - Public Works and Planning - 19 Years of Service

PRESENTED RETIREMENT PLAQUE TO RICHARD A. HERNANDEZ

Chairman Pacheco

4. Proclaim July 11-15, 2022 as Eligibility Workers, Job Specialists, and Appeals Specialists Appreciation Week in Fresno County

A MOTION WAS MADE BY CHAIRMAN PACHECO, 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. 22-260

Supervisor Brandau and Supervisor Magsig

5. Adopt a resolution recognizing Tim Sarquis and Brandon Johansen for their Emmy-nominated documentary "Killer High: The Silent Crisis" and Emmy-winning documentary "Mountain Strong: Surviving the Creek Fire"

A MOTION WAS MADE BY SUPERVISOR BRANDAU, 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

Resolution No. 22-261

Supervisor Quintero

6. Present certificates of recognition to delegates of American Legion Auxiliary, Girls State

PRESENTED AND APPROVED CERTIFICATES OF RECOGNITION TO DELEGATES OF AMERICAN LEGION AUXILIARY, GIRLS STATE 2022. 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

7. Proclaim July 17, 2022 through July 23, 2022, as Pretrial, Probation, and Parole Supervision Week

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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. 22-262

Supervisor Brandau

- 7.1 Consider proposed expenditure, per Administrative Policy No. 75, for waste cleanup services on County parcel along Ashlan Avenue; and approve and authorize the use of District 2 funds for waste cleanup services to be performed by Olympic Property Services

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

Administrative Office

8. Conduct public forum in accordance with Government Code section 7283.1(d); receive statistical report from the Sheriff regarding the United States Immigration and Customs Enforcement access provided to incarcerated individuals in the Jail during 2021; and receive public comment

CONDUCTED PUBLIC FORUM IN ACCORDANCE WITH GOVERNMENT CODE SECTION 7283.1(d). RECEIVED STATISTICAL REPORT FROM THE SHERIFF REGARDING THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS PROVIDED TO INCARCERATED INDIVIDUALS IN THE JAIL DURING 2021. PUBLIC TESTIMONY RECEIVED. CLOSED PUBLIC FORUM

Internal Services

9. Consider and take action on the City of Fresno Assessment Ballot for renewal of the Downtown Fresno Property and Business Assessment District, which will provide economic enhancements, clean and safe initiatives, Fulton Zone activation, and related management and administration to assessed parcels within its boundaries, including the levying of associated assessments (\$711,134.47): a. Cast vote in the affirmative (yes) to renew the Downtown Fresno Property and Business Assessment District; b. Cast vote in the negative (no) to not renew the Downtown Fresno Property and Business Assessment District; c. Abstain from voting the Downtown Fresno Property and Business Assessment District Ballots; and, if Recommended Actions 1.a. or 1.b. are directed, authorize the Director of Internal Services/Chief Information Officer to execute the Ballot

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN QUINTERO, TO CAST A VOTE IN THE ABSTENTION (ABSTAIN) TO RENEW THE DOWNTOWN FRESNO PROPERTY AND BUSINESS ASSESSMENT DISTRICT AND AUTHORIZED THE DIRECTION OF INTERNAL SERVICES/CHIEF INFORMATION OFFICER TO EXECUTE THE BALLOT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Defender

10. Approve Amendment to the Salary Resolution adding one Defense Attorney III and one Paralegal II to Public Defender's Org 2880, effective July 11, 2022, as reflected in Appendix "D," for the Clean Slate reentry program (4/5 vote)

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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

Salary Resolution No. 22-056

Public Works and Planning

11. Conduct public hearing to consider all oral statements and all written protests made or filed by any interested person, if any, to annual assessment for the park maintenance costs in County Service Area No. 2, Tenaya Estates; and adopt Resolution approving and levying annual assessment for park maintenance benefiting 142 parcels within Tenaya Park Assessment District for County Service Area No. 2

CONDUCTED PUBLIC HEARING. NO PUBLIC TESTIMONY RECEIVED AND NO WRITTEN PROTESTS OR ORAL STATEMENTS MADE. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THE PUBLIC HEARING BE CLOSED. 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, THAT RECOMMENDED ACTION TWO (2) OF AGENDA ITEM IS APPROVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 22-263

12. Adopt plans and specifications for Contract No. 22-02-C American Avenue Shoulder Improvements Placer Avenue to Madera Avenue, Federal Project No. CML-5942(284); and hear and consider bid protest from apparent second low bidder, Cal Valley Construction, Inc. 5125 N Gates Avenue #102, Fresno, CA 93722, regarding proposed award of Contract No. 22-02-C to apparent low bidder, Yarbs Grading & Paving, Inc., 11339 S. Peach Avenue, Fresno, CA 93725; and award Contract No. 22-02-C to bidder with lowest responsible bid as determined by Board after consideration of bid protest

CONDUCTED PUBLIC HEARING ON BID PROTEST FROM APPARENT SECOND LOW BIDDER, CAL VALLEY CONSTRUCTION, INC., 5125 N. GATES AVENUE #102, FRESNO, CALIFORNIA 93722, REGARDING THE PROPOSED AWARD OF CONTRACT NO. 22-02-C TO THE APPARENT LOW BIDDER, YARBS GRADING AND PAVING, INC., 11339 S. PEACH AVENUE, FRESNO, CALIFORNIA 93725. NO APPEARANCE WAS MADE BY THE PROTESTING BIDDER, CAL VALLEY CONSTRUCTION, INC. RECEIVED DISTRIBUTION OF ADDITIONAL WRITTEN CORRESPONDENCE DATED JULY 8, 2022 FROM THE PROTESTING BIDDER, CAL VALLEY CONSTRUCTION, INC. CLOSED PUBLIC HEARING ON BID PROTEST. RECEIVED PUBLIC COMMENT AS IT RELATES TO THE AGENDA ITEM. A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN QUINTERO, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) ADOPT PLANS AND SPECIFICATIONS FOR CONTRACT NO. 22-02-C AMERICAN AVENUE SHOULDER IMPROVEMENTS PLACER AVENUE TO MADERA AVENUE, FEDERAL PROJECT NO. CML-5942(284); AND 2) AWARD CONTRACT NO. 22-02-C TO THE BIDDER WITH THE LOWEST RESPONSIBLE BID AS DETERMINED BY THE BOARD AFTER CONSIDERATION OF THE BID PROTEST, WHICH WAS YARBS GRADING AND PAVING, INC., IN THE AMOUNT OF \$2,664,020. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

13. Adopt a Resolution approving Measure "C" Renewal County Transportation Expenditure Plan as appropriate strategy for expenditure of Measure "C" Revenues raised between the years 2027 and 2057 for transportation improvements in Fresno County, including 15 cities and all unincorporated areas

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

Resolution No. 22-264

14. Adopt resolution approving Amendments to Groundwater Sustainability Plan for Fresno County Management Areas A and B Groundwater Sustainability Agencies within Delta-Mendota Groundwater Subbasin and authorize San Luis and Delta Mendota Water Authority, acting as Groundwater Sustainability Plan Manager for subbasin, to submit amended Groundwater Sustainability Plan to Department of Water Resources by July 20, 2022

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

Resolution No. 22-265

15. Adopt resolution approving the Amendments to the Groundwater Sustainability Plan for the Westside Subbasin including portions of Fresno County in the Westside Subbasin and authorize the Westside Subbasin, acting as Groundwater Sustainability Plan Manager for the subbasin, to submit the amended Groundwater Sustainability Plan to the Department of Water Resources by July 20, 2022

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

Resolution No. 22-266

16. Adopt resolution approving Amendments to Groundwater Sustainability Plan for San Joaquin River Exchange Contractors Groundwater Sustainability Agency Groundwater Sustainability Plan in Delta-Mendota Subbasin and authorize San Luis and Delta Mendota Water Authority, acting as Groundwater Sustainability Plan Manager for subbasin, to submit amended Groundwater Sustainability Plan to the Department of Water Resources by July 20, 2022

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

Resolution No. 22-267

Board of Supervisors' Committee Reports and Comments

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

VICE CHAIRMAN QUINTERO REPORTED ON THE POSITIVE RESULTS OF HIS OFFICE CONTINUING TO COORDINATE WITH LAW ENFORCEMENT AND OTHER DEPARTMENTS, INCLUDING PUBLIC HEALTH, IN THE CHERRY AVENUE EDUCATION SWEEP, AS THEY'RE SEEING FEWER VENDORS IN THE AREA AND HAD FRESNO STATE POLICE DEPARTMENT OBSERVE THEIR ACTIVITIES DUE TO SIMILAR ISSUES OCCURRING WITH VENDORS AT SAVE MART CENTER REFUSING TO LEAVE; AND ACKNOWLEDGED THE UPCOMING RETIREMENT OF COUNTY EMPLOYEE ARMANDO HINDMAN

Board Appointments

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

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

BEHAVIORAL HEALTH BOARD

APPOINT DEBBIE XIONG TO THE POSITION PREVIOUSLY HELD BY FRANCINE M. FARBER (TERM TO EXPIRE 04/01/2025)

EMERGENCY MEDICAL CARE COMMITTEE

APPOINT MARK WATKINS TO THE POSITION PREVIOUSLY HELD BY GARY K. KRBOYAN (TERM TO EXPIRE 01/03/2023)

APPOINT JANET WILLIAMS TO THE POSITION PREVIOUSLY HELD BY JEFFREY S. KESTLY (TERM TO EXPIRE 01/03/2023)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

19. 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

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
21. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Patrick Gee vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ13583935
HELD; NO REPORTABLE ACTION
22. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
PRIOR TO RECESSING TO CLOSED SESSION, COUNTY COUNSEL DANIEL CEDERBORG ANNOUNCED THAT ITEM 22 HAS BEEN PULLED BY STAFF
23. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
24. Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1) - ACLU of Northern California v. Fresno County Sheriff's Office, Fresno County Superior Court Case No. 21-CECG-00813
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:

/s/ Brian Pacheco
BRIAN PACHECO, 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 AUGUST 9, 2022

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 43 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

25. Approve minutes of meeting for June 21, 2022

APPROVED AS RECOMMENDED

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

Supervisor Quintero

26. Adjourn in Memory of Julian Torres

APPROVED AS RECOMMENDED

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

- 26.1 Adjourn in Memory of Amedio Thomas "Tom" Ferdinandi, Sr.

APPROVED AS RECOMMENDED

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

- 26.2 Adjourn in Memory of Ara Paboojian

APPROVED AS RECOMMENDED

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

- 26.3 Adjourn in Memory of Janice Mae Stevens

APPROVED AS RECOMMENDED

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

Auditor Controller-Treasurer/Tax Collector

27. Approve and authorize Chairman to sign resolution approving and agreeing to include Panoche Water District in the County's alternative method of property tax allocation, also known as the Teeter Plan, with respect to special assessments, in accordance with the provisions of Revenue and Taxation Code sections 4701 through 4717, effective beginning with Fiscal Year 2022-23, and in subsequent fiscal years, requiring an immediate buyout of the District's delinquent special assessments in an amount not to exceed \$12,212

APPROVED AS RECOMMENDED

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

Resolution No. 22-247

District Attorney

28. Approve and authorize the Chairman to execute a Memorandum of Understanding with the City of Fresno to allow the District Attorney's Office to provide criminal case and statutory information to the City of Fresno Police Department, in support of the Sexual Assault Kit Initiative Grant Program for the period October 1, 2022, through September 30, 2024 (\$51,120)

APPROVED AS RECOMMENDED

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

Agreement No. 22-302

County Counsel

29. Formally Approve and Ratify Settlement Agreement between County of Fresno and Turning Point of Central California, Inc., to resolve payment dispute, which provides for the payment by the County of Fresno in the amount of \$1,300,000 in full satisfaction of the Turning Point of Central California, Inc. claim for approximately \$1,600,000

APPROVED AS RECOMMENDED

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

Administrative Office

30. 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. 22-248, Resolution No. 22-249

31. 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. 22-250

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. 22-251

33. Receive the 2022 Recovery Plan Performance Report on the American Rescue Plan Act of 2021 - State Local Fiscal Recovery Funds; and direct staff to submit the 2022 Recovery Plan Performance Report to the U.S. Treasury by July 31, 2022; and authorize the County Administrative Officer, or his designee to sign required documents pertaining to the submittal of the report to the U.S. Treasury

APPROVED AS RECOMMENDED

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

34. Approve and authorize the Chairman to execute First Amendment to Agreement with Professional Asbestos Removal Corporation, d.b.a. PARC Environmental for asbestos and lead paint abatement, hazardous waste pickup and disposal, and removal and disposal of debris associated with homelessness encampments, and emergency response services, effective August 1, 2022, with no change to the term of February 25, 2020 through June 30, 2025 and increasing the maximum compensation by \$580,000 to a total of \$1,200,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-303

Behavioral Health

35. Retroactively approve and authorize the Department of Behavioral Health's previous submittal of the FY 2020-21 Substance Use and Prevention Treatment Block Grant application to the California Department of Health Care Services, effective July 1, 2020 through June 30, 2021 (\$4,757,405); retroactively approve and authorize the Department of Behavioral Health's previous submittal of the FY 2021-22 Substance Use and Prevention Treatment Block Grant application to the California Department of Health Care Services, effective July 1, 2021 through June 30, 2022 (\$4,757,405); retroactively approve and authorize the Department of Behavioral Health's previous submittal of the Biennial 2022-2024 Substance Use and Prevention Treatment Block Grant application to the California Department of Health Care Services, effective July 1, 2022 through June 30, 2024 (\$9,544,810); and, approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated Substance Abuse Prevention and Treatment Block Grant application documents, budget change revisions, expenditure forms and reports, with no change to the compensation amount or term

APPROVED AS RECOMMENDED

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

- 36.** 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 Exodus Recovery, Inc., is the only vendor that can seamlessly provide crisis stabilization services to adults with serious mental illness and youth with severe emotional disturbance; approve and authorize the Chairman to execute a retroactive agreement with Exodus Recovery, Inc. for the operation of 24-7 adult and youth crisis stabilization 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 \$105,955,920; approve and authorize the Chairman to execute a retroactive Facility Use Agreement with Exodus Recovery, Inc., effective July 1, 2022 through June 30, 2027, for County-owned space located at 4411 E. Kings Canyon Road, Fresno, CA 93702, Building 319 (10,450 square feet) to be used by Exodus Recovery, Inc., to provide crisis stabilization center services to adults and youth; 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 Exodus Recovery, Inc., is the only vendor that can seamlessly provide psychiatric health facility services to adults with serious mental illness and youth with severe emotional disturbance; approve and authorize the Chairman to execute a retroactive agreement with Exodus Recovery, Inc., for the operation of a 24-7 adult inpatient psychiatric health facility, 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 \$32,317,739; and, approve and authorize the Chairman to execute a retroactive facility use agreement with Exodus Recovery, Inc., effective July 1, 2022 through June 30, 2027, for County-owned space located at 4411 E. Kings Canyon Road, Fresno, CA 93702, Building 319 (14,318 square feet) to be used by Exodus Recovery, Inc., to provide adult inpatient psychiatric health facility services

APPROVED AS RECOMMENDED

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

Agreement No. 22-304, Agreement No. 22-305, Agreement No. 22-306, Agreement No. 22-307

- 37.** Approve and authorize the Chairman to execute a retroactive Agreement with Kings View for ramp-up and implementation of mobile response services for current and former foster youth, including foster youth with prior or current Probation involvement, and their caregivers, effective June 1, 2022, not to exceed 30 days and five consecutive years, which includes a 30 day and three-year base contract and two optional one-year extensions, total not to exceed \$2,254,812

APPROVED AS RECOMMENDED

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

Agreement No. 22-308

38. Authorize the Director of the Department of Behavioral Health, in coordination with the Internal Services Department and County Administrative Officer, if necessary, to expedite actions including any essential building alterations, fire clearances and Medi-Cal site certifications needed to relocate 24-7 services into temporary locations; and, ratify the Emergency Amendment to Agreements with Exodus Recovery, Inc. (Exodus), and Central Star Behavioral Health, Inc. (Central Star), previously executed on July 5, 2022, by the County Administrative Officer, acting as Emergency Services Director, adding stand by and alternative services for: a. Exodus Agreement No. 22-259 for adult and youth crisis stabilization center services with no change to the term of July 1, 2016, through June 30, 2022, and increasing the maximum compensation by \$61,750 to a total of \$74,069,233; b. Exodus Agreement No. 22-129 for operation of the adult acute inpatient psychiatric health facility with no change to the term of October 1, 2015, through June 30, 2022, and increasing the maximum compensation by \$3,250 to a total of \$28,996,921; c. Central Star Agreement No. 20-238 for operation of the adolescent youth acute inpatient psychiatric health facility with no change to the term of July 1, 2020, through June 30, 2025, and increasing the maximum compensation by \$175,866 to a total of \$28,237,898; and, d. Central Star Agreement No. 17-580 for adult mental health crisis residential treatment services with no change to the term of December 1, 2017, through June 30, 2023, and increasing the maximum compensation by \$108,251 to a total of \$11,775,631

APPROVED AS RECOMMENDED

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

Fresno County Employees' Retirement Association

39. Approve Amendment to the Salary Resolution deleting two Office Assistant allocations and adding two Retirement Technicians allocations for the Fresno County Employees' Retirement Association Org 9200, effective July 25, 2022 as reflected in Appendix C

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-050

Human Resources

40. Approve amendment to the Salary Resolution consolidating the Paralegal I/II/III into one Paralegal classification, adjusting the salary range of the consolidated Paralegal classification, and establishing a new Senior Paralegal classification, effective July 25, 2022, as reflected in Appendix "E"; and approve amendment to the Salary Resolution allocating one (1) Senior Paralegal within the Public Defender's Office, one (1) Senior Paralegal within the County Counsel's Office, and two (2) Senior Paralegals within the District Attorney's Office and placing the newly consolidated Paralegal classification in full combination with Legal Assistant I/II/III for the District Attorney's Office in Org 2860, effective July 25, 2022, as reflected in Appendix "E"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-051

41. Adopt Resolutions Rejecting Claims for Damages; adopt Resolution Rejecting Application for Leave to Present a Late Claim

APPROVED AS RECOMMENDED

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

Resolution No. 22-252, Resolution No. 22-253, Resolution No. 22-254, Resolution No. 22-255, Resolution No. 22-256, Resolution No. 22-257

42. Approve salary adjustments of approximately 2% for Deputy County Counsel I/II/III/IV/Senior, effective July 11, 2022; and approve related salary resolution amendments as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-052

43. Approve the successor Memorandum of Understanding for Representation Unit 2 - Sheriff's & Probation Personnel, represented by the Fresno County Public Safety Association, effective July 11, 2022; and approve the related Salary Resolution Amendment as reflected on Appendix "F"

A MOTION WAS MADE BY SUPERVISOR 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

Salary Resolution No. 22-055

44. Approve amendment to the Salary Resolution consolidating the Correctional Officer classification series, effective July 11, 2022, as reflected on Appendix "G"; and approve amendment to the Salary Resolution adjusting the Correctional Officer I salary range, effective July 11, 2022, as reflected on Appendix "G"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-053

45. Approve Salary Resolution Amendment adjusting the salary of the Special District Attorney Investigator and Special Probation Investigator classifications in accordance with Footnote 4 of the Salary Resolution, effective July 25, 2022, as reflected on Appendix "H"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-054

Internal Services

46. Approve and authorize the Chairman to execute a First Amendment to Agreement with Accruent, LLC., to continue to provide a Computerized Maintenance Management System for work order management, inventory control and mobile functionality, but remove the capital planning tools and service software no longer offered, effective upon execution with no change to the term of February 9, 2021 through February 8, 2026, or compensation maximum of \$1,230,000; and, an Agreement with VFA, Inc., for capital planning tools and services, effective upon execution, not to exceed three years and seven months, which includes a one year and seven-month base contract and two optional one-year extensions, total not to exceed \$870,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-309, Agreement No. 22-310

47. Adopt Budget Resolution increasing FY 2022-23 appropriations for Internal Services Department, Fleet Services - Equipment Org 8911 in the amount of \$13,401,137 for the purchase of replacement light/heavy duty vehicles and equipment for various departments (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-258

48. Adopt Resolution acknowledging the emergency nature of the power outage incident at the Fresno County University Medical Center (UMC) Campus and ratify all agreements, contracts, and other documents that the Director of the Internal Services Department/Chief Information Officer (Director/CIO) approved and entered into for services and supplies for the response and repair for this incident; 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 and extraordinary circumstances for all agreements, contracts, and other documents for services, equipment, and supplies necessary for the repairs and associated costs to restore power and remediate any damages at the UMC; and, authorize the Director/CIO to negotiate and execute agreements and other documents necessary for the response and repair of the UMC, upon terms that the Director deems necessary and, in the County's best interest, subject to approval as to legal form by County Counsel and as to accounting form by the Auditor-Controller/Treasurer-Tax Collector

APPROVED AS RECOMMENDED

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

Resolution No. 22-259

Public Health

49. Conduct second hearing and adopt an Ordinance amending the Fresno County Ordinance Code, Title 9 - Animals, to add Chapter 9.10, "Community Cat Population Management" and waive reading of Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 22-010

50. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Marjaree Mason Center to provide Public Health Nurse home visitation and case management services, effective July 1, 2022, not to exceed four consecutive years, which includes a two-year base contract and two optional twelve (12) month extensions, total not to exceed \$300,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-311

51. 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 GM Lab Consulting, LLC., is the only provider with specified qualifications and knowledge of the Department of Public Health's Laboratory; and, approve and authorize the Chairman to execute a retroactive Agreement with GM Lab Consulting, LLC., for laboratory director 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 \$540,848

APPROVED AS RECOMMENDED

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

Agreement No. 22-312

Public Works and Planning

52. Make a finding that it is in best interest of County to suspend competitive bidding process, consistent with Administrative Policy 34 for unusual or extraordinary circumstances, as W.M. Lyles, Co. is uniquely qualified and experienced to provide general contractor and emergency services work on water and wastewater systems; and approve and authorize Chairman to execute an Agreement with W.M. Lyles Co. for emergency repair services, converted from Purchasing Agreement No. 20-451, effective December 20, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$750,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-313

53. Approve and authorize Chairman to execute an Agreement with City of Reedley for Reedley Senior Meals Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant Project No. CV19571, effective upon execution through May 31, 2023 (\$92,173)

APPROVED AS RECOMMENDED

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

Agreement No. 22-314

54. Approve and authorize Chairman to execute an Agreement with Geo-Logic Associates to prepare State-required detection monitoring reports for American Avenue, Coalinga, and Southeast Regional Disposal Sites effective July 12, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$245,620

APPROVED AS RECOMMENDED

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

Agreement No. 22-315

- 55.** Approve and authorize Chairman to execute Amendment I to Agreement No. 20-515 with the City of Kerman for the Kerman Food Bank, Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant Project No. 19371-CV, effective upon execution with no change in term through June 30, 2023, amending the project scope to provide additional food through the Kerman Food Bank and include the procurement and distribution of personal protective equipment and infectious disease test kits, and increasing the maximum Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding by \$35,541 to a total Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding amount not to exceed \$113,100

APPROVED AS RECOMMENDED

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

Agreement No. 22-316

- 56.** Approve and authorize Chairman to execute Amendment I to Agreement No. 20-143 with Malaga County Water District for the Malaga Fire Hydrant Improvements, Community Development Block Grant Project No. 19451, effective upon execution with no change in term to December 1, 2022, and increasing the maximum Community Development Block Grant funding by \$200,000, to a total Community Development Block Grant funding amount not to exceed \$450,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-317

- 57.** Retroactively approve and authorize Director of Public Works and Planning to execute and submit grant application, on behalf of the County, to U.S. Department of Agriculture Rural Development for Housing Preservation Grant program, to repair housing for low and very low-income rural residents, in the amount of up to \$200,000 or half of California State Housing Preservation Grant allocation whichever is less; and if County is selected for funding, authorize Director of Department of Public Works and Planning to execute the Grant Agreement, related documents and any amendments thereto, necessary for participation in the Housing Preservation Grant Program, subject to review of County Counsel and Auditor-Controller/Treasurer-Tax Collector

APPROVED AS RECOMMENDED

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

- 58.** Approve and authorize Chairman to execute a student intern agreement with California State University Fresno Foundation to provide student interns for Department of Public Works and Planning, effective upon execution, with a term not to exceed five consecutive years, which includes a three-year base and two optional one-year extensions, total not to exceed \$350,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-318

Social Services

- 59.** Approve and authorize the Chairman to execute Amendment No. I to Agreement with Fresno Economic Opportunities Commission for homeless services to young adults, effective July 13, 2021, through June 30, 2023 and increasing the maximum by \$155,890 to a total of \$494,580

APPROVED AS RECOMMENDED

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

Agreement No. 22-319