# 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, August 23, 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

*FRESNO COUNTY DISTRICT THREE BOARD MEMBER ASSISTANT ROCKY VANG GAVE THE INVOCATION, AND FRESNO COUNTY DIRECTOR OF SOCIAL SERVICES SONJA BUGAY 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 WITH THE EXCEPTION OF ITEM 4 WHICH WAS DELETED DUE TO APPLICANT WITHDRAWING APPEAL AND ITEM 14 WHICH WAS CONTINUED TO SEPTEMBER 6, 2022. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**2.** Approve Consent Agenda - Item Numbers 16 - 43

**A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 17 WHICH WAS CONTINUED TO A DATE UNCERTAIN AND ITEM 40 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 Jeffrey L. Quarles - Social Services - 20 Years of Service

**PRESENTED PLAQUE TO JEFFREY L. QUARLES**



The County of Fresno is an Equal Employment Opportunity Employer

## Public Works and Planning

4. Consider appeal of Planning Commission's denial of Variance Application No. 4125 proposing to allow for creation of four substandard sized two-acre lots and a two-acre remainder from an existing 10-acre parcel and waiver of road frontage requirements in AL-20 (Limited Agricultural, 20-acre minimum) Zone District (project site is located on west side of 6th Avenue at its intersection with Mehlert Avenue, approximately 1,320 feet north of E. Clarkson Avenue, adjacent to City of Kingsburg (APN: 395-030-11) (863 6th Ave. Drive))

**DELETED DUE TO APPLICANT WITHDRAWING APPEAL**

5. Consider appeal of the Planning Commission's denial of Variance Application No. 4127 proposing to allow the creation of a 3.3-acre parcel from an existing 18.95-acre parcel within the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the east side of N. McCall Avenue, 700-feet south of E. Manning Avenue, 0.7-miles north of the nearest city limits of the City of Selma (APN: 358-021-12) (9240 S. McCall Avenue)

**CONDUCTED PUBLIC HEARING ON APPEAL OF PLANNING COMMISSION'S DENIAL OF VARIANCE APPLICATION NO. 4127, PROPOSING TO ALLOW THE CREATION OF A 3.3-ACRE PARCEL FROM AN EXISTING 18.95-ACRE PARCEL WITHIN THE AE-20 (EXCLUSIVE AGRICULTURAL, 20-ACRE MINIMUM PARCEL SIZE) ZONE DISTRICT. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) GRANT THE APPEAL AND OVERTURN THE PLANNING COMMISSION'S DENIAL OF VARIANCE APPLICATION NO. 4127; 2) MAKE THE REQUIRED VARIANCE FINDINGS SPECIFIED IN THE FRESNO COUNTY ZONING ORDINANCE AND LISTED ON PAGE TWO OF AGENDA ITEM FOR APPROVAL OF VARIANCE APPLICATION NO. 4127 STATING THE BASIS FOR MAKING THE FOUR REQUIRED FINDINGS; 3) APPROVE VARIANCE APPLICATION NO. 4127, WITH CONDITIONS OF APPROVAL CONTAINED IN ATTACHMENT D WITHIN THE STAFF REPORT. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

6. Approve Amendment to Text Application No. 383 and adopt Ordinance amending various sections of Fresno County Zoning Ordinance to modify Section 855-O.4 of Ordinance related to Reasonable Accommodations, Section 855-P related to Density Bonus, and Sections 827, 828, 829, 832, and 836 related to Supportive Housing to bring Ordinance in compliance with state law; and determine that Recommended Action is exempt from California Environmental Quality Act (CEQA) and direct staff to file a Notice of Exemption with Fresno County Clerk's Office; and designate County Counsel to prepare a fair and adequate summary of proposed Ordinance and direct Clerk of Board to post and publish required summary in accordance with California Government Code, Section 25124(b)(1)

**A MOTION WAS MADE BY SUPERVISOR MAGSIG, 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

Ordinance No. T-098-383

## Board of Supervisors' Committee Reports and Comments

**7.** 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 COMMENTED ON THE LIKELY SHUT-DOWN OF RIO BRAVO, A LARGE BIOMASS FACILITY LOCATED IN DISTRICT 4: TREES REMOVED DUE TO TREE MORTALITY OR BEING HIGH-HAZARD HAVE BEEN HAULED TO THAT SITE FOR DISPOSAL; THE SITE MAY BE THE ONLY SUCH FACILITY LEFT IN FRESNO COUNTY; IT GENERATES 24 TO 25 MEGAWATTS OF POWER; FARMERS DISPOSE OF THEIR CLIPPINGS AND OTHER MATERIALS THERE; HE IS CONCERNED THAT, IF THE COUNTY WILL NO LONGER HAVE BIOMASS FACILITIES AND THERE WILL BE NO OPTIONS TO DISPOSE OF LARGE WOOD WASTE, THEN THAT WASTE WILL BE SENT TO THE LANDFILL, CAUSING ISSUES FOR THE COUNTY AS THE CURRENT DIVERSION PLANS REQUIRE THE COUNTY TO DIVERT A CERTAIN AMOUNT OF WASTE FROM LANDFILLS; THE DIVERSION PLANS ALSO NOTE THAT RIO BRAVO ASSISTS IN DIVERTING GREEN WASTE FROM THE LANDFILL; AND TRASH HAULERS HAVE ALREADY CONTACTED HIM OF THE POTENTIAL NEGATIVE EFFECTS OF RIO BRAVO CLOSING. SUPERVISOR MAGSIG SUGGESTED TO THE BOARD THAT THEY ENCOURAGE THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC), SOUTHERN CALIFORNIA EDISON, PG&E AND THE STATE TO KEEP RIO BRAVO OPEN AND TO DO SO AS SOON AS POSSIBLE AS THE FACILITY IS SET TO CLOSE ON OCTOBER 1. SUPERVISOR MENDES COMMENTED ON THE STATE'S CURRENT POSITION AS TO WHY RIO BRAVO IS CLOSING. CHAIRMAN PACHECO, WITH THE CONSENSUS OF THE BOARD, DIRECTED CAO NERLAND TO DRAFT A LETTER TO THE APPROPRIATE AGENCIES, PER SUPERVISOR MAGSIG, EXPRESSING THE BOARD'S SUPPORT FOR RIO BRAVO REMAINING A VIABLE OPTION FOR THE COUNTY OF FRESNO. CAO NERLAND AGREED AND WILL INCLUDE IN THE LETTER THE IMPACTS THE CLOSURE WILL HAVE, BOTH WITHIN AND OUTSIDE OF THE COUNTY. VICE CHAIRMAN QUINTERO REPORTED ON ATTENDING A RIBBON-CUTTING CEREMONY LAST WEEK FOR THE WORKFORCE DEVELOPMENT BOARD, WHICH, AFTER CLOSING THEIR MANCHESTER CENTER LOCATION, HAS NOW OPENED A 33,000 SQ. FT. BUILDING ON THE NORTHWEST CORNER OF SHAW AND MARKS, INCREASING THEIR ABILITY TO PROVIDE JOB TRAINING FOR BUILDING TRADES AS WELL OTHER TYPES OF TRAINING FOR THOSE WANTING TO ENTER THE JOB MARKET OR IMPROVE THEIR CURRENT SALARIES AND WILL GREATLY HELP THE COMMUNITY LOCALLY

## Board Appointments

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

NO APPOINTMENTS WERE MADE

## Public Presentations

**9.** 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

**10.** 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**

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

**HELD; NO REPORTABLE ACTION**

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

**HELD; NO REPORTABLE ACTION**

**13.** Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Veronica Ordaz Gonzalez, et al. v. County of Fresno, et al., Fresno Superior Court Case No.: 18CECG03672; Risk Management Claim No.: 9922

**HELD; NO REPORTABLE ACTION**

**14.** Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - CMG Construction Management Group, Inc., a California corporation vs. City of Fresno, a municipality; County of Fresno, a municipality; and DOES 1 through 50, inclusive, Fresno Superior Court Case No.: 22CECG00271

**CONTINUED TO SEPTEMBER 6, 2022**

**15.** Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Richard Allen Davidson v. Cindy Malone, et al., Kings County Superior Court, Case No. 22C-0139

**HELD; NO REPORTABLE ACTION**

## Adjourn

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

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

APPROVED:

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 SEPTEMBER 6, 2022

## CONSENT AGENDA

**A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 17 WHICH WAS CONTINUED TO A DATE UNCERTAIN AND ITEM 40 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

**16.** Approve minutes of meeting for August 9, 2022, and August 12, 2022, Special Meeting

**APPROVED AS RECOMMENDED**

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

### Supervisor Brandau

**17.** Adjourn in Memory of Officer Steven "Steve" Hunt, a highly respected member of the Fresno Police Department for 33 years

**CONTINUED TO A DATE UNCERTAIN**

### Supervisor Quintero

**18.** Adjourn in Memory of Anita Paboojian

**APPROVED AS RECOMMENDED**

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

### Auditor Controller-Treasurer/Tax Collector

**19.** Approve and authorize the Chairman to execute Amendment No. 1 to Memorandum of Understanding between the counties of Los Angeles, Orange, Riverside, and San Diego to replace Attachment B to add "Lights Out Queue" functionality to the Fresno County Tax Collector's access to the SECURE Government to Government (G2G) Portal

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-365

## District Attorney

**20.** Approve and authorize the Chairman to execute a Grant Application/Agreement, Certification of Assurance of Compliance, Federal Fund Grant Subaward Assurances and the Subrecipient Grants Management Assessment for the Violence Against Women Vertical Prosecution program with the California Governor's Office of Emergency Services (Cal OES), for the period January 1, 2023 through December 31, 2023 ($270,060); 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. 22-366

**21.** Approve and authorize Chairman to execute annual Equitable Sharing Agreement with the Federal Government authorizing the District Attorney's Office to participate in the Federal Equitable Sharing Program and potentially receive a share of asset forfeitures, and certifying as to funds received and expended during FY 2021-22; authorize the District Attorney to submit the Equitable Sharing Agreement and Certification; and authorize the District Attorney, or her designee, to execute any and all "Applications for Transfer of Federally Forfeited Property (Form DAG-71)," and other required documents, as appropriate, and designate a department employee to accept forfeited property, transfer documents, and/or receive funds

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-367

**22.** Receive and file annual report of the Real Estate Fraud Prosecution program pursuant to California Government Code Section 27388

**APPROVED AS RECOMMENDED**

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

## Sheriff/Coroner/Public Administrator

**23.** Approve and authorize the Chairman to execute Cooperative Law Enforcement Agreement #22-LE 11031600-025 with the United States Department of Agriculture (USDA) Forest Service, Sierra National Forest for patrol, enforcement coverage, and controlled substance investigation assistance, effective upon execution through April 30, 2027 ($220,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-368

**24.** Approve and authorize the Chairman to execute Second Amendment to Agreement with VMS Family Counseling Services, Professional Corporation, for Psychological Services for Sheriff-Coroner-Public Administrator Personnel to increase rates due and duration of counseling sessions, and change the no-show policy to reduce costs to the County, effective upon execution with no change to the term of July 2, 2020 through July 1, 2025 and increasing the maximum by $10,000 to a total of $410,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-369

**25.** Approve and authorize the Chairman to execute a retroactive Agreement with the City of San Joaquin for law enforcement services at six Golden Plains Unified School District schools, effective August 15, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed $1,079,895

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-370

## Administrative Office

**26.** Adopt resolution authorizing County Auditor-Controller/Treasurer-Tax Collector to make one or more loans to the Coalinga-Huron Recreation and Parks District under Government Code section 23010 for fiscal year 2022-23 in the aggregate maximum amount of $400,000

**APPROVED AS RECOMMENDED**

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

Resolution No. 22-292

**27.** Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Biola Community Service District in the amount of $649,000 to fund the design, surveying and engineering, environmental review, and construction cost for storm drainage improvements in the unincorporated Community of Biola

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-371

**28.** Authorize the Board of Supervisors to execute letter to Federal Delegation in appreciation of their support and work on the American Rescue Plan Act of 2021

**APPROVED AS RECOMMENDED**

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

## Probation

**29.** Approve the allocation of American Rescue Plan Act State Local Fiscal Recovery Funds in the amount of $279,000 to the Probation Department, Org 3440, for the installation of outdoor fitness zones and improvements to recreational areas for the use of youth housed at the Juvenile Justice Campus; 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

**APPROVED AS RECOMMENDED**

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

**30.** Approve and authorize the Chairman to execute annual Equitable Sharing Agreement with the Federal Government authorizing the Probation Department to participate in the Federal Equitable Sharing Program including receiving a share of asset forfeitures, and certifying as to funds received and expended during FY 2021-22; authorize the Chief Probation Officer to submit the Equitable Sharing Agreement and Certification; and authorize the Chief Probation Officer, or his designee, to execute any necessary "Application for Transfer of Federally Forfeited Property (Form DAG-71)," and other required documents, as appropriate, and authorize the Chief Probation Officer to designate a department employee to accept forfeited property, transfer documents, and/or receive funds

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-372

**31.** Retroactively authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES) for the Victim Witness Assistance (VW) Program ($1,632,094); approve and authorize the Chairman to execute a Grant Application/Agreement for the VW Program with Cal OES, effective October 1, 2022, through September 30, 2023; 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; and adopt resolution authorizing the Chairman to execute the retroactive grant Application and Agreement and any extensions or amendments thereto with Cal OES for the period of October 1, 2022, through September 30, 2023, subject to review and approval as to legal form by County Counsel, and as to accounting form by the Auditor-Controller/Treasurer-Tax Collector, not to exceed $1,632,094

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-373, Resolution No. 22-293

## Public Health

**32.** Approve and authorize the Chairman to execute Third Amendment to Agreement with K.W.P.H. Enterprises, Inc., d.b.a. American Ambulance to authorize an increase in maximum allowable user fee rates, with no change to the term of January 1, 2018 through December 31, 2027, or compensation maximum of $9,035,155

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-374

**33.** Approve and authorize the Vice Chairman to execute retroactive Amendment V to Agreement with Children and Families Commission of Fresno County, for the Nurse-Family Partnership program extending the term by two years from July 1, 2022 to June 30, 2024 and increasing the maximum by $420,498 to a total of $1,667,933; approve and authorize the Vice Chairman to execute retroactive Amendment V to Agreement with Children and Families Commission of Fresno County, for the Nurse Liaison program extending the term by two years from July 1, 2022 to June 30, 2024 and increasing the maximum by $788,722 to a total of $2,966,374; and, approve and authorize the Vice Chairman to execute retroactive Second Amendment to Agreement with Children and Families Commission of Fresno County, for the Community Health Teams program extending the term by two years from July 1, 2022 to June 30, 2024 and increasing the maximum by $1,790,780 to a total of $3,581,376

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-375, Agreement No. 22-376, Agreement No. 22-377

**34.** Approve and authorize the Chairman to execute Second Amendment to Agreement with The Regents of the University of California, San Francisco, to add the provision of conducting screening, vaccination, and treatment of communicable diseases, with no change in the term of April 15, 2021 through April 14, 2023 and increasing the maximum by $1,481,238 to a total of $8,887,042

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-378

**35.** 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 Central Valley Farmworkers Foundation has been providing COVID-19 services to the Fresno County agricultural community for the last two years; and approve and authorize the Chairman to execute a retroactive Agreement with Central Valley Farmworkers Foundation to provide COVID-19 health education, vaccination, testing, and health access services to the Fresno County agricultural community, effective May 1, 2022 through December 31, 2022, total not to exceed $171,177

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-379

**36.** Approve and authorize the Chairman to execute a retroactive First Amendment to Revenue Agreement with Fresno County Superintendent of Schools for the Early Care and Education - Early Stars Program for trainings and technical assistance on health and safety standards at early childhood education sites, extending the term by one year from July 1, 2022 to June 30, 2023 and increasing the maximum by $340,000 to a total of $945,200

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-380

## Public Works and Planning

**37.** Approve and authorize Chairman to execute First Amendment to Covenant and Agreement Regarding Joint Use of Parking Lot and Storm Drainage Facilities for Fowler Branch Library between County of Fresno and City of Fowler

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-381

**38.** Approve and authorize Chairman to execute a three-year agreement with two optional one-year extensions with Scottish Society of Central California for exclusive use of Kearney Park for a one-day annual event

**APPROVED AS RECOMMENDED**

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

Agreement No. 22-382

39. Declare FY 2022-23 Anticipated Day Labor Overlay Road Segment projects identified on Amended Exhibit C are intended to be performed by force account in accordance with California Public Contract Code, Section 22031(g), and authorize Director of Public Works and Planning to utilize Department of Public Works and Planning's Road Maintenance and Rehabilitation Account funds for FY 2022-23 (Senate Bill 1), and any other funds that may become available in Department's Roads Org 4510 FY 2022-23 Recommended Budget, for such purposes

**APPROVED AS RECOMMENDED**

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

40. Approve and authorize Chairman to execute a 35-year Solar Project Reclamation Agreement, including Reclamation Plan, with RE Scarlet, LLC, project applicant, to implement project mitigation measures and specific conditions of approval placed on Unclassified Conditional Use Permit No. 3555 for a solar photovoltaic electricity generating and energy storage facility, on approximately 2,070 acres, which is the first phase of a multiphase solar energy project; and approve an unexecuted form of a Escrow Agreement with Applicant and United Security Bank, regarding initial cash security ($1,437,246.00) for the Reclamation Agreement and to identify County's designated representatives who may initiate and approve transactions, and provide their identifying information, under the Escrow Agreement; and authorize the Director of the Department of Public Works and Planning to approve and execute the Escrow Agreement and to give any notice on behalf of County under it; and authorize the Director to accept grants of limited access easements to County from Applicant and from Westlands Water District for any reclamation by County (Project is in unincorporated area of Fresno County, approximately 3.5 miles west-southwest of community of Tranquility, 6.5 miles east of Interstate 5 (I-5))

**A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED AND, ADDITIONALLY, DIRECTED PUBLIC WORKS AND PLANNING TO WORK DIRECTLY WITH THE PROJECT APPLICANT TO IDENTIFY ANY ADDITIONAL COSTS RELATED TO TRANSPORTATION AND RECYCLING, AS WELL AS ALL COSTS FOR FUTURE PHASES. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Agreement No. 22-383

41. Approve request by City of Fresno to acquire right-of-way, without eminent domain action or threat of eminent domain action, from parcels adjacent to existing County right-of-way in an identified unincorporated area of County as needed in conjunction with development of street and signal improvements at intersection of W. Shields Avenue and N. Hayes Avenue

**APPROVED AS RECOMMENDED**

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

**42.** Adopt and authorize the Chairman to execute a Resolution revising the number of miles of maintained Fresno County roads as of December 31, 2021 as approximately 3,478.526 miles and authorize the Director of the Department of Public Works or his designee to transmit a copy of the adopted Resolution to the California Department of Transportation (Caltrans)

**APPROVED AS RECOMMENDED**

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

Resolution No. 22-294

## Social Services

**43.** Approve and authorize the Chairman to execute a Subvention and Medi-Cal Cost Avoidance Delegation of Authority Letter, as required by the California Department of Veteran's Affairs, to delegate authority to Veteran Service Representative Aimee Taylor, an accredited senior County Veteran Service Office staff member, to certify reports required by the California Department of Veteran's Affair for the Fresno County Department of Social Services - Veterans Services Office

**APPROVED AS RECOMMENDED**

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