



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, December 3, 2024

9:30 AM

Hall of Records

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

Invocation and Pledge of Allegiance

MATT DILDINE, CHIEF EXECUTIVE OFFICER AT FRESNO MISSION, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS AGENDA BE APPROVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 24-70

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 48 WHICH WAS DELETED AND WILL RETURN TO THE BOARD ON DECEMBER 17, 2024, AND ITEM 51 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 Phillip Ferdolage - Department of Public Works and Planning - 32 Years of Service

PRESENTED RETIREMENT PLAQUE TO PHILLIP FERDOLAGE

4. Presentation of Retirement Plaque to Cynthia L Hager - Department of Behavioral Health - 40 Years of Service

PRESENTED RETIREMENT PLAQUE TO CYNTHIA L HAGER

Chairman Magsig and Sheriff/Coroner/Public Administrator

5. Conduct first hearing to amend the Ordinance Code of Fresno County, Title 8, Chapter 8.40, "Noise Control", waive reading of the Ordinance in its entirety and set the second hearing for December 17, 2024; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1)

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

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

Chairman Magsig and Administrative Office

6. Direct staff to continue to work with the Dunlap Cemetery District to find two volunteers for the district's Board of Trustees until June 30, 2025, and if no qualified volunteers are found, Direct staff to bring back to the Board of Supervisors a different recommendation by August 5, 2025

A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, TO DIRECT STAFF TO CONTINUE TO WORK WITH THE DUNLAP CEMETERY DISTRICT TO FIND TWO VOLUNTEERS FOR THE DISTRICT'S BOARD OF TRUSTEES AND RETURN TO THE BOARD OF SUPERVISORS WITH AN UPDATE BY JUNE 30, 2025. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

County Clerk/Registrar of Voters

7. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirements under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an Agreement with Dominion Voting Systems, Inc., for continued software licenses, maintenance, software and hardware warranties, and support of the County's existing voting system equipment, as the existing systems and equipment are proprietary and can only be supported by the vendor, and changing to a new system would be extremely costly and disruptive to departmental operations; and approve and authorize the Chairman to execute a retroactive Agreement with Dominion Voting Systems, Inc., for the software licenses, maintenance, software and hardware warranties, and support of existing voting system equipment, effective May 14, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,206,781

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

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

Noes: 1 - Brandau

Agreement No. 24-633

Sheriff/Coroner/Public Administrator

- 8. Approve and authorize the Chairman to execute Amendment XII to Agreement with California Forensic Medical Group, Incorporated (CFMG) for Jail medical and behavioral health care services for the Sheriff-Coroner-Public Administrator’s Office detention facilities, extending the term by two years, seven months and two optional one year terms, commencing on December 4, 2024, to June 30, 2029, and increasing the maximum by \$204,178,155, to a total of \$394,375,054

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

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

Agreement No. 24-634

Administrative Office

- 9. Receive report from State Legislative Advocates on the State of California's 2024 legislative session

RECEIVED REPORT FROM STATE LEGISLATIVE ADVOCATE PAUL YODER ON THE STATE OF CALIFORNIA’S 2024 LEGISLATIVE SESSION

- 10. Approve and authorize the Chairman to execute a Supplemental Fire Services Agreement with the Fresno County Fire Protection District, to maintain emergency response level of services, by providing supplemental funding, effective retroactive to July 1, 2024, not to exceed three consecutive years, total not to exceed \$9,000,000

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

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

Agreement No. 24-635

11. Consider and take action on changing the County of Fresno Policy for Use of Public Financing for Private Development Projects for the Board of Supervisors to resume consideration of and action on, on a per-project basis, requests from private developers for the County to use land-secured public bond financing for public improvements (also referred to as infrastructure or facilities) relating to proposed residential development projects in the unincorporated area, under the Mello-Roos Community Facilities Act of 1982 ("Mello-Roos Act;" Government Code, section 53311 et seq.), on the condition that Community Services Districts shall be formed, in lieu of using existing or new County Service Areas, to own and operate those public improvements once they are completed

CONSIDERED CHANGING THE COUNTY OF FRESNO POLICY FOR USE OF PUBLIC FINANCING FOR PRIVATE DEVELOPMENT PROJECTS FOR THE BOARD OF SUPERVISORS TO RESUME CONSIDERATION OF AND ACTION ON, A PER-PROJECT BASIS, REQUESTS FROM PRIVATE DEVELOPERS FOR THE COUNTY TO USE LAND-SECURED PUBLIC BOND FINANCING FOR PUBLIC IMPROVEMENTS (ALSO REFERRED TO AS INFRASTRUCTURE OF FACILITIES) RELATING TO PROPOSED RESIDENTIAL DEVELOPMENT PROJECTS IN THE UNINCORPORATED AREA, UNDER THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 ("MELLO-ROOS ACT;" GOVERNMENT CODE, SECTION 53311 et seq.), ON THE CONDITION THAT COMMUNITY SERVICES DISTRICTS SHALL BE FORMED, IN LIEU OF USING EXISTING OR NEW COUNTY SERVICE AREAS, TO OWN AND OPERATE THOSE PUBLIC IMPROVEMENTS ONCE THEY ARE COMPLETED

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY VICE CHAIRMAN MENDES, TO KEEP THE COUNTY OF FRESNO POLICY FOR USE OF PUBLIC FINANCING FOR PRIVATE DEVELOPMENT PROJECTS STATUS QUO. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

12. Approve Amendment to the Salary Resolution adding one Director of General Services to the Internal Services Department, Facility Services Org 8935 and set the salary range as reflected in Appendix "F" effective December 9, 2024; approve Amendment to the Salary Resolution adding one Executive Assistant to the Internal Services Department, Facility Services Org 8935, as reflected in Appendix "F" effective December 9, 2024; approve Amendment to the Salary Resolution retitling the existing classification of Director of Internal Services / Chief Information Officer to Director of Information Technology / Chief Information Officer in the Information Technology Services Org 8905, as reflected in Appendix "F" effective December 9, 2024; and approve Amendment to the Salary Resolution, Section 532.12 "Occupational Expense Remuneration", adding Director of General Services and Director of Information Technology / Chief Information Officer to the list of eligible Department Heads, as reflected in Appendix "F" effective December 9, 2024

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

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

Salary Resolution No. 24-036

Public Health

- 13. Conduct first hearing to amend the Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Section 900 - Environmental Health, Subsections 904 through 958, and waive reading of the Ordinance in its entirety and set a second hearing for December 17, 2024; conduct first hearing to amend the Fresno County Ordinance Code, Title 8 Health and Safety, Chapters 8.19 Solid Waste Management - Prohibitions, 8.50 Environmental Health Permits and Inspection Fees, and Title 14 Water and Sewage, Chapter 14.04 Well Regulations - General Provisions, and delete Title 8 Health and Safety, Chapter 8.60 Storage of Hazardous Substances in Underground Tanks, and waive reading of the Ordinance entirely and set the second hearing for December 17, 2024; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinances; and direct the Clerk of the Board to post and publish the required summaries in accordance with Government Code, Section 25124(b)(1)

A MOTION WAS MADE BY VICE CHAIRMAN 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

Public Works and Planning

- 13.1 Award Contract 24-DB-02 Clovis Regional and Reedley Libraries to Harris Construction Co., Inc., 5286 E. Home Ave, Fresno, CA 93727, in total amount of \$37,450,000

PRIOR TO BOARD DISCUSSION, SUPERVISORS BRANDAU AND QUINTERO RECUSED THEMSELVES UNDER THE LEVINE ACT. A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 3 - Magsig, Mendes, and Pacheco

Recuse: 2 - Brandau, and Quintero

Agreement No. 24-636

Board of Supervisors' Committee Reports and Comments

- 14. 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)

VICE CHAIRMAN MENDES AND SUPERVISOR PACHECO COMMENTED ON THE NUMBER OF BOARD MEETINGS IN NOVEMBER AND DECEMBER THIS YEAR. VICE CHAIRMAN MENDES AND CHAIRMAN MAGSIG REPORTED ON THEIR ATTENDANCE AT THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) ANNUAL MEETING/CONFERENCE. CHAIRMAN MAGSIG ALSO REPORTED ON HIS ATTENDANCE AT THE STATE ASSOCIATION OF COUNTY RETIREMENT SYSTEMS (SACRS) FALL CONFERENCE; THANKED THE COUNTY ADMINISTRATIVE OFFICE (CAO), CALIFORNIA HIGHWAY PATROL (CHP), OUTFRONT MEDIA, AND ALL OTHER MEDIA PARTNERS INVOLVED WITH THE TRAFFIC SAFETY AWARENESS CAMPAIGN THAT BEGAN LAST WEEK; THANKED THE COUNTY CLERK/REGISTRAR OF VOTERS AND COMMENTED ON THE ELECTIONS PROCESS; AND REPORTED HIS FORMER FIELD REPRESENTATIVE, DAVID TANGIPA, HAS BEEN SWORN IN AS THE NEW ASSEMBLYMAN FOR CALIFORNIA'S 8TH DISTRICT. SUPERVISOR QUINTERO REPORTED ON HIS ATTENDANCE AT THE CSAC ANNUAL MEETING/CONFERENCE

Board Appointments

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

RECEIVED VACANCY REPORT. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR QUINTERO, THAT THE NOMINATIONS FOR APPOINTMENT AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

BEHAVIORAL HEALTH BOARD

APPOINT MICHELE SALAS TO THE POSITION PREVIOUSLY HELD BY SUSAN XIONG (TERM TO EXPIRE 4/1/2025)

FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD

REAPPOINT JEFFREY HENSLEY (TERM TO EXPIRE 11/1/2026)

IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE

REAPPOINT NICK LUTTON (TERM TO EXPIRE 1/4/2027)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

- 16. 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

17. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
HELD; NO REPORTABLE ACTION
18. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
19. Conference with Real Property Negotiators - Government Code, Section 54956.8; Cantua Creek Building located at 29595 W. Latta Ave, Cantua Creek, CA; County Negotiator: Paul Nerland or designee. Negotiating Parties: Golden Plains Unified School District. Instructions to County's negotiator may concern sale and escrow terms and conditions, including price
HELD; NO REPORTABLE ACTION
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 pursuant to Government Code section 54956.9(d)(1) - Ernest O'Neil Rahkin Brock v. County of Fresno et al., Fresno County Superior Court Case No. 18CECG03794
HELD; NO REPORTABLE ACTION
22. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - In re California Gasoline Spot Market Antitrust Litigation, Northern District of California, Case No. 3:20-cv-03131-JSC
HELD; NO REPORTABLE ACTION
23. Conference with Real Property Negotiators - Government Code 54956.8. Property: Courthouse Park (APN 466-160-01T) which is bordered by Tulare St., Van Ness Ave., Fresno St., and M St.; County Negotiator: Paul Nerland, County Administrative Officer or Designee. Negotiating Parties: Judicial Council of California, Under Negotiations: Instructions to County's negotiator may concern exchange, purchase, or lease of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION

Adjourn

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

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

APPROVED:

/s/ Nathan Magsig
NATHAN MAGSIG, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: /s/ Bernice E. Seidel
BERNICE E. SEIDEL
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON DECEMBER 17, 2024

CONSENT AGENDA

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 48 WHICH WAS DELETED AND WILL RETURN TO THE BOARD ON DECEMBER 17, 2024, AND ITEM 51 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

24. Approve minutes for November 5, 2024

APPROVED AS RECOMMENDED

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

25. Approve the appointment of Mark Coit to the Silver Creek Drainage District Board, for a short term expiring November 28, 2025, to fill a vacancy

APPROVED AS RECOMMENDED

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

26. Rescind Appointment of Michael Nordstrom to a new term of office on the Fresno Slough Water District Board; and Consider and appoint candidate Craig Andrew to the Fresno Slough Water District Board to a full-term expiring December 1, 2028

APPROVED AS RECOMMENDED

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

27. Approve amendments to sixteen (16) agencies' Conflict of Interest (COI) Codes (Attachment A to the Biennial Review Report) to become effective December 3, 2024, and direct the Clerk of the Board to notify the Enforcement Division of the California Fair Political Practices Commission of the nine (9) agencies who did not respond to the 2024 Local Agency Biennial Notice or submit Conflict of Interest Code amendments by October 1, 2024 (Attachment B to the Biennial Review Report)

APPROVED AS RECOMMENDED

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

Chairman Magsig

28. Approve community outreach expenditure of \$880 to sponsor a table at the Clovis Rotary Crab Feed Fundraiser, per Administrative Policy No. 75

APPROVED AS RECOMMENDED

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

Auditor Controller-Treasurer/Tax Collector

29. Delegate investment authority to the Auditor-Controller/Treasurer-Tax Collector for the 2025 calendar year; and approve the “County of Fresno Treasury Investment Pool Investment Policy”

APPROVED AS RECOMMENDED

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

County Clerk/Registrar of Voters

30. Consider and appoint Robert Barcellos and Robert Motte to the James Resource Conservation District Board of Directors to a full term set to expire November 24, 2028, in lieu of holding an election; Consider and appoint Anthony Borges, Stephen J. Shehadey, and Patrick Abercrombie to the Tranquillity Resource Conservation District Board of Directors to a full term set to expire November 24, 2028, in lieu of holding an election; and Consider and appoint Matthew Hurley and Joseph David Denham to the Sierra Resource Conservation District Board of Directors to a full term set to expire November 24, 2028, in lieu of holding an election

APPROVED AS RECOMMENDED

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

31. Consider and appoint candidates to the Fig Garden Fire Protection District Board of Directors: Richard Caglia to a full-term expiring December 1, 2028, and Erik S. Peterson and Heather Walker Janz to a short-term expiring December 4, 2026; and Consider and appoint candidate Ralph Scott Moore to the Sierra Cedars Community Services District Board of Directors to a short-term expiring December 4, 2026

APPROVED AS RECOMMENDED

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

Sheriff/Coroner/Public Administrator

32. Approve and authorize the Chairman to execute an Agreement with The Act 1 Group, Inc., dba ATIMS for the implementation of and software support and maintenance of the ATIMS Jail Management System Software, effective December 3, 2024, through December 2, 2034, total not to exceed \$5,471,547

APPROVED AS RECOMMENDED

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

Agreement No. 24-609

33. Approve and authorize the Chairman to execute a Second Amendment to Master Agreement No. 24-014 adding Dr. Cho Lwin, M.D. to the Agreement and increasing the Agreement maximum by \$125,000 to a total of \$2,625,000, with no change to the term of January 9, 2024 through January 8, 2029

APPROVED AS RECOMMENDED

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

Agreement No. 24-610

34. Conduct second hearing and adopt Fresno County Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Subsection 2609 of Section 2600 - Sheriff-Coroner-Public Administrator to update the MSF and ensure full cost recovery for services provided by the Sheriff's Office; waive reading of the Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 24-017

35. Approve and authorize the submission of an Application for Financial Aid in the amount of \$1,824,377 to the State of California Department of Parks and Recreation Division of Boating and Waterways for the FY 2025-26 Boating Safety and Enforcement Aid Program in Fresno County; and approve and authorize the Sheriff, or his designee to execute the Proposed Program Costs form 801.1 and the Auditor-Controller/Treasurer-Tax Collector, or his designee to execute the Certification of estimated prior year boat tax revenues

APPROVED AS RECOMMENDED

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

County Counsel

36. Approve and adopt amendments to Local Rules for Assessment Appeals Board

APPROVED AS RECOMMENDED

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

Administrative Office

37. Authorize approved travel expenses incurred by County Supervisors designated by the Board as a Member or Alternate Member to the California State Association of Counties (CSAC) Board of Directors and/or the Board's voting delegate to the National Association of Counties (NACo) for County business related to CSAC and NACo, including County business related to CSAC and NACo subcommittees and State and Federal lobbying efforts, be paid through the general Board budget (Org 01100100; Account 7415); Authorize approved travel expenses incurred by all other County Supervisors for County business related to CSAC, NACo, and lobbying efforts be paid through each Supervisor's respective District budget (Orgs 01100101, 01100102, 01100103, 01100104, and 01100105; Account 7415); and Authorize approved travel expenses incurred by County Supervisors for all other committee assignments be paid through each Supervisor's respective District budget (Orgs 01100101, 01100102, 01100103, 01100104, and 01100105; Account 7415)

APPROVED AS RECOMMENDED

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

38. Adopt Resolution (a) terminating the local emergency as of August 17, 2024, which was proclaimed by the Emergency Services Director on April 17, 2024, and ratified by the Board of Supervisors (Board) on April 23, 2024, and further continued by the Board on June 18, 2024, which actions authorized the Agricultural Commissioner to allow commercial growers to use neonicotinoid pesticides on an emergency basis on tomato crops to combat the Beet Leafhopper insect in Fresno County, and (b) ordering that a copy of this Resolution be forwarded by the County Administrative Office to the State Director of the Office of Emergency Services

APPROVED AS RECOMMENDED

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

Resolution No. 24-384

39. Approve and authorize the Chairman to execute a First Amendment to Subrecipient Agreement No. 23-012 with Boys & Girls Clubs of Fresno County (BGC Fresno) for provision of American Rescue Plan Act - State and Local Fiscal Recovery Funds (ARPA-SLFRF), which will revise the expenditure plan and the modification clause, with no increase to the maximum compensation (\$600,000); and Authorize the County Administrative Officer or designee to approve and execute written changes to the items in the project budget, which, when added together during the term of the Agreement, do not exceed ten percent (10%) of the total maximum compensation payable to Subrecipient, and which do not result in any change to the maximum compensation amount payable to BGC Fresno

APPROVED AS RECOMMENDED

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

Agreement No. 24-611

40. Approve and authorize the Chairman to execute a First Amendment to Subrecipient Agreement No. 23-590 with Fresno City & County Historical Society (Subrecipient) for provision of American Rescue Plan Act - State and Local Fiscal Recovery Funds (ARPA-SLFRF), which will revise the expenditure plan, with no increase to the maximum compensation (\$514,725)

APPROVED AS RECOMMENDED

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

Agreement No. 24-612

Behavioral Health

41. Approve and authorize the Chairman to execute a retroactive Amendment I to Master Agreement No. 23-301 to change the contractor name from Maxim Healthcare Staffing, Inc. to Amergis Healthcare Staffing, Inc. formerly known as Maxim Healthcare Services Holdings, Inc. as identified on their legal documents, with no change to the term of July 1, 2023 through June 30, 2025, or compensation maximum of \$12,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-613

42. Approve and authorize the Chairman to execute Amendment I to Participation Agreement with California Mental Health Services Authority for Psychiatric Inpatient Concurrent Review extending the term by six months from January 1, 2025 to June 30, 2025; and increasing the maximum by \$446,777 to a total of \$1,365,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-614

43. Approve and authorize the Chairman to execute Amendment IV to Master Agreement for Locum Tenens to revise service reimbursement rates for contractor Jackson & Coker LocumTenens, LLC, with no change to the term of May 7, 2019 through June 30, 2025, or compensation maximum of \$51,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-615

44. Approve and authorize the Chairman to execute a retroactive Participation Agreement with the California Mental Health Services Authority for Central Valley Suicide Prevention Hotline services, effective July 1, 2024 through June 30, 2025, total not to exceed \$243,877; 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 California Mental Health Services Authority Central Valley Suicide Prevention Hotline related reports and forms, without modifying the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 24-616

45. Approve and authorize the Chairman to execute Amendment VI to Master Agreement to remove Fresh Start Youth Center, Inc. as a contracted provider and to update the service locations for Brighter Horizon Group Homes, Inc., with no change to the term of July 1, 2023 to June 30, 2025, or maximum compensation of \$30,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-617

46. Approve and authorize the Chairman to execute Amendment 1 to Agreement with Central Star Behavioral Health, Inc. to modify the location where adolescent acute inpatient psychiatric health facility services are provided from 4411 E. Kings Canyon Road, Fresno, CA 93702 to the new location at 3115 N. Millbrook Avenue, Fresno, CA 93703, modify the budget for Senate Bill (SB) 525 minimum wage increases, and revise the insurance requirements and relocation costs, effective upon execution with no change to the term of July 1, 2020 through June 30, 2025, and increasing the maximum by \$870,180 to a total of \$28,932,212; and approve and authorize the Director of Internal Services/Chief Information Officer to execute a Facility Use Agreement with Central Star Behavioral Health, Inc. effective upon execution through June 30, 2025, for County leased space at 3115 N. Millbrook Avenue, Fresno, CA 93703, (15,053 square feet) to be used by Central Star Behavioral Health, Inc. to provide inpatient psychiatric health facility services to adolescent youth who may be admitted on a voluntary or involuntary basis

APPROVED AS RECOMMENDED

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

Agreement No. 24-618

Human Resources

47. Approve Amendment to the Salary Resolution establishing the Surveyor classification series and Deputy County Surveyor classification; reclassifying one (1) Chief of Field Surveys and one (1) Senior Engineer upwards to Supervising Surveyor; reclassifying one (1) Senior Engineer upwards to Supervising Surveyor and transferring the position from Org 4360 to Org 4510; reclassifying one (1) Engineer I upwards to Senior Surveyor and transferring the position from Org 4360 to Org 4510; reclassifying one (1) Field Survey Supervisor upwards to Senior Surveyor, and reclassifying two (2) Field Survey Supervisors and five (5) Senior Engineering Technicians upwards to Surveyor I/II, within the Department of Public Works and Planning; deleting Field Survey Supervisor from Salary Resolution Section 100, Footnote T; adding Surveyor, Deputy County Surveyor, and Supervising/Senior Surveyor to Salary Resolution Section 100, Footnote e; and adding Senior Surveyor to Section 520 "Professional License Incentives" of the Salary Resolution, effective December 9, 2024, as reflected in Appendix "D"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 24-031

48. Approve and authorize the Chairman to execute an Agreement with The Maddy Institute, effective December 9, 2024, for a standard term of three years with two optional one-year extensions for up to six student interns per semester for 150 hours per intern, payable at the then-current minimum hourly wage

DELETED; WILL RETURN TO THE BOARD ON DECEMBER 17, 2024

49. Adopt Resolution authorizing the County to invoke indefinitely the provisions of the California Military & Veterans Code (MVC), Section 395.03, for all permanent County employees who (1) are a member of the California National Guard or a United States Military reserve unit, (2) are eligible for pay provisions under MVC sections 395.01 and 395.02, and (3) are ordered into active duty for thirty one (31) days or more, thereby entitling them to receive, for a period not to exceed twelve (12) months, his/her regular County base pay, minus all military pay and entitlements received for such duty

APPROVED AS RECOMMENDED

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

Resolution No. 24-385

50. Approve Amendment to the Salary Resolution, allocating twelve (12) Deputy Sheriff positions in Position Group 3, with no net increase to positions, within Sheriff-Coroner-Public Administrator's Org 3111, effective December 9, 2024, as reflected on Appendix "A"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 24-032

51. Approve Amendment to the Salary Resolution, establishing the Code Enforcement Officer classification series, reclassifying one (1) Senior Planner upwards to Code Enforcement Manager, reclassifying two (2) Planner III downwards to Senior Code Enforcement Officer, reclassifying three (3) Planner I downwards to Code Enforcement Officer I within the Department of Public Works and Planning, and adding the Code Enforcement Officer classification series to Section 100 Footnote e. of the Salary Resolution effective December 9, 2024 as reflected in Appendix "E"

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN 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. 24-035

52. Approve the Addendum to the Memorandum of Understanding (MOU) for Representation Unit 2, Sheriff's and Probation Personnel, represented by the Fresno County Public Safety Association, to reflect the range adjustment for a classification impacted by minimum wage, effective December 23, 2024, as reflected in Appendix "B"; and Approve the related Salary Resolution amendment, as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 24-033

53. Approve Addendum to the Memorandum of Understanding for Representation Unit 19 - Professional Employees, represented by the Professional Association of Employees, effective December 9, 2024; approve Addendum to the Memorandum of Understanding for Representation Unit 36 - Supervisory Employees, represented by Service Employees International Union, Local 521, effective December 9, 2024; and approve the related Salary Resolution Amendments, as reflected on Appendix "C"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 24-034

Internal Services

54. Approve and authorize the Chairman to execute a First Amendment to Agreement No. 22-064 with Pre-Sort Center of Stockton, Inc. dba PacWest Direct, for presorting and mailing services, to allow the use of a subcontractor, effective upon execution, with no change to the potential term of March 1, 2022, through February 28, 2027, and no change to the maximum compensation of \$2,150,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-619

55. Approve and authorize the Chairman to execute a Lease and Maintenance Agreement with Jones-Walbaum Corporation, dba American Business Machines, to lease three black-and-white high-speed digital copiers and one color high-speed digital copier, effective December 9, 2024, for a sixty-month term, total not to exceed \$506,952

APPROVED AS RECOMMENDED

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

Agreement No. 24-620

Probation

56. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Kerman to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2024 not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, with the first year not to exceed \$177,380

APPROVED AS RECOMMENDED

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

Agreement No. 24-621

57. Approve and adopt a resolution that discontinues and dissolves Probation Department revolving funds as follows: (1) Change Funds for the Adult Offender Work Program (AOWP) (\$400), and Drug Suppression Unit (DSU) (\$600) and (2) Cash Difference Funds for AOWP (\$25), DSU (\$25), and Juvenile Justice Campus (JJC) Canteen (\$50), for a total of \$1,100 in Org 3430 and 3440 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 24-386

Public Health

58. Approve and authorize the Chairman to execute a retroactive Agreement with the County of Kings, for temporary reciprocal Health Officer coverage, effective December 1, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 24-622

59. Approve and authorize the Chairman to execute an Agreement with The Regents of the University of California, on behalf of San Francisco campus, to allow the placement of Preventive Medicine Residents at the Department of Public Health to advance the Residents' knowledge of the field of preventive medicine and public health, effective upon execution for a period of five years (\$0); and approve and authorize the Director of Public Health, or designee, as signatory on behalf of the Board of Supervisors on associated Program Letters of Agreement and any Addendum to the Program Letters of Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 24-623

60. Approve and authorize the Chairman to execute a retroactive revenue Agreement with California Department of Public Health for the Maternal, Child and Adolescent Health, Black Infant Health, and Perinatal Equity Initiative programs, effective July 1, 2024 through June 30, 2025 (\$5,659,804)

APPROVED AS RECOMMENDED

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

Agreement No. 24-624

61. Approve and authorize the Chairman to execute a retroactive Agreement Funding Application with California Department of Public Health, for the California Home Visiting Program - Maternal, Infant, and Early Childhood Home Visiting and the California Home Visiting Program - State General Fund - Evidence-Based Home Visiting programs, effective July 1, 2024 through June 30, 2025 (\$2,531,711)

APPROVED AS RECOMMENDED

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

Agreement No. 24-625

62. Approve and authorize the Director of the Department of Public Health to execute a funding agreement with the State of California Department of Water Resources, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, for the County of Fresno Emergency Operation Center Project and additional projects for Tulare, Kings, and Kern Counties, effective upon execution by the State of California Department of Water Resources through final payment plus three years, in the amount of \$500,000; and adopt and authorize the Chairman to execute a Resolution authorizing the Director of Department of Public Health or designee to execute the funding agreement and to submit all necessary documents, and execute any agreements or amendments thereto, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, required to obtain funds for the County of Fresno Emergency Operation Center Project and related projects in Tulare, Kings, and Kern Counties

APPROVED AS RECOMMENDED

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

Resolution No. 24-387

63. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a sole source is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with Manifest MedEx as this contractor is the current sole technical host of a Health Information Exchange platform used for Fresno County patient data transmission; approve and authorize the Chairman to execute an Agreement with Manifest MedEx to implement a Community Information Exchange platform for the utilization of data exchange among varied partner data systems, effective January 1, 2025, not to exceed five consecutive years, which includes a five-year base contract total of \$8,600,000 and optional expansion services of \$6,100,000, total not to exceed \$14,700,000; and authorize the County Administrative Officer or his designee(s), to execute Amendment to Agreement to comply with the fulfillment of the Scope of Work, technical specifications, and implementation phase requirements subject to approval by County Counsel as to legal form, with no increase to the contract maximum; and to execute any future Business Associate Agreements with future public agencies and affiliates; and any subsequent documents necessary to implement the actions above, for a period not to exceed five years

APPROVED AS RECOMMENDED

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

Agreement No. 24-626

64. Under Administrative Policy No. 34, for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into a Master Agreement with qualified providers given the non-competitive nature of the Master Agreement; and approve and authorize the Chairman to execute a Master Agreement with qualified providers for temporary staffing services, effective upon execution through June 30, 2026, which includes a base contract and one optional one-year extension, total not to exceed \$390,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 24-627

Public Works and Planning

65. Conduct second reading of a proposed ordinance granting a franchise, up to 25 years, on a non-exclusive basis (the “non-exclusive franchise”), to Toro Energy of California AA, LLC (also referred to as “Toro Energy”) upon annual payment of a franchise fee to County, to construct, maintain and use pipes and appurtenances for transmitting derived gas from Toro Energy’s landfill-gas-to-energy project (“LFGTE Project”) at County’s American Avenue Disposal Site (“AADS”) for any and all purposes, as allowed by a County-approved conditional use permit and/or road permit condition, from LFGTE Project at AADS at 18950 W. American Avenue, Kerman, in, along, across, upon, and under following public streets and highways within unincorporated area of Fresno County: from County’s AADS, eastward on W. American Avenue for approximately 4 miles, and then southward on S. Madera Avenue for approximately 4 miles, to a PG&E connection location approximately a half of a mile north of W. Manning Avenue, just east of S. Madera Avenue/SR 145, Kerman; and waive reading of ordinance in its entirety and adopt proposed ordinance

APPROVED AS RECOMMENDED

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

Ordinance No. 24-018

66. Approve and authorize Chairman to execute a 35-year Solar Project Reclamation Agreement (Reclamation Agreement), including Reclamation Plan, Exhibit A thereto, with Luna Valley Solar 1, LLC project applicant (Applicant), to implement project mitigation measures and specific conditions of approval placed on Unclassified Conditional Use Permit (CUP) No. 3671 for a solar photovoltaic electricity generating and battery storage facility (the Project), encompassing approximately 1,287.23 acres, generally located on the west side of State Route 33 (S. Derrick Avenue), between the W. South Avenue and W. Dinuba Avenue; bisected by W. Manning Avenue, and approximately nine miles south of the City of Mendota; if your Board approves Recommended Action 1 above, approve and authorize the Chairman to execute the Escrow Agreement with the Applicant and Citibank, N.A., located in New York, as the Escrow Agent to accept a cash deposit of \$8,506,305.40 as the Applicant's initial security to the County for the Reclamation Agreement, which initial security may be phased in two installments, and to identify the County's initially designated representatives who are authorized on behalf of the County to initiate and approve transactions of all types for the escrow account established under the Escrow Agreement (each, a County Representative); authorize Director to give any notice on behalf of the County, under the Escrow Agreement, including providing any revised form of Sight Draft (Exhibit A-1 to the Escrow Agreement) (the Revised Form of Sight Draft) and/or any revised Certificate as to Authorized Signatures-County of Fresno (Exhibit A-2 to the Escrow Agreement) (the Revised Form of Authorized Signatures), as applicable, to the Escrow Agent with respect to any County Representative having a title change or erroneous signature, or to identify any replacement County Representative or any County Representative who has been replaced, as the case may be; authorize each County Representative who may be identified by the Director in any notice given to the Escrow Agent, and any related Revised Form of Sight Draft and/or Revised Form of Authorized Signatures, in Recommended Action 3, to execute any supplemental certificate substantially in the form of the Revised Form of Authorized Signatures, and to provide any of their identifying information, including any updated or corrected information, as the case may be; and authorize the Director, following your Board's approval of Recommended Action 1, to accept the grant of limited access easement to the County from the owners of the property upon which the Project will be situated for purposes of any Reclamation (defined in the Reclamation Agreement) by the County including its contractors, officers, agents, employees, and representatives, if and to the extent the County elects to do so

APPROVED AS RECOMMENDED

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

Agreement No. 24-628, Agreement No. 24-629

67. Approve and authorize the Chairman to execute an Agreement with Family Farms, LLC and Bryant A. Dunkle and Carolyn G. Dunkle, for the reimbursement of costs associated with annexation of territory identified by Assessor's parcel numbers 118-340-69 and 118-340-75, and which are located on the west side of Auberry Road approximately 600 feet southwest of its intersection with Thunderbird Road, within the unincorporated community of Prather, into Community Facilities District No. 2006-01 (Police Protection Services), effective December 3, 2024 to February 11, 2025 (\$15,000), and which includes petition to undertake annexation proceedings as related to the territory

APPROVED AS RECOMMENDED

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

Agreement No. 24-630

Social Services

68. Authorize a waiver of the 28 hours per week maximum limitation for one Extra-Help Deputy Director position in the Department of Social Services as listed on Attachment A for calendar year 2025, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

APPROVED AS RECOMMENDED

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

69. Approve and authorize the Chairman to execute Revision 1 to the County Purchase Agreement with the CalSAWS Consortium for the purchase of 26 CalSAWS Kiosks to adjust service schedule and decrease the maximum compensation by \$215,488 to a total of \$541,468 through State Fiscal Year 2024-25

APPROVED AS RECOMMENDED

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

Agreement No. 24-631

70. Approve and authorize the Chairman to execute Amendment No. 2 to the Homekey Regulatory Agreement and Declaration of Restrictive Covenants for Crossroads Village

APPROVED AS RECOMMENDED

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

Agreement No. 24-632