



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, August 20, 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

DR. SHAWN BEATY, SENIOR PASTOR AT CLOVIS HILLS COMMUNITY CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, 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 19-51

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 21, 22 AND 36 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEM 38 WHICH WAS DELETED AND WILL RETURN TO THE BOARD TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

3. Presentation of Retirement Plaque to Valerie L. Devine - Department of Social Services - 23 Years of Service

RETIREMENT PLAQUE MAILED TO VALERIE L. DEVINE, WHO WAS UNABLE TO ATTEND IN PERSON

Supervisor Quintero

- 4. Proclaim August 26 through August 30, 2024, as Safety Week in Fresno County

A MOTION WAS MADE BY SUPERVISOR QUINTERO, 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. 24-296

- 5. Approve Certificates of Recognition honoring the Participants of the 2024 American Legion Auxiliary Girls State

A MOTION WAS MADE BY SUPERVISOR QUINTERO, 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

Supervisor Brandau and Supervisor Mendes

- 6. Adopt Resolution in support of Proposition 36, the Drug and Theft Crime Penalties and Treatment - Mandated Felonies Initiative

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

Resolution No. 24-297

Agriculture

- 7. Accept the Annual Fresno County Crop and Livestock Report for 2023 from the Department of Agriculture

ACCEPTED

Public Works and Planning

8. Approve General Plan Amendment No. 574 re-designating an approximately 20-acre parcel (gross acreage) from Agriculture to Rural Residential with a five-acre minimum parcel size and include this parcel within area identified by General Plan Policy LU-E.24 and General Plan Figure LU-4; and adopt Resolution approving General Plan Amendment Application No. 574 as second General Plan Amendment of Agriculture and Land Use Element of Fresno County General Plan for 2024; and approve Ordinance pertaining to Amendment Application No. 3867 thereby rezoning subject 20-acre parcel from AE-20 (Exclusive Agricultural; 20-acre minimum parcel) Zone District to the AL-20 (Limited Agricultural; 20-acre minimum parcel) Zone District; and determine that Recommended Actions 1 through 3 are exempt from California Environmental Quality Act (CEQA) and direct staff to file a Notice of Exemption with Fresno County Clerk's Office and State of California Office of Planning and Research State Clearing House; and designate County Counsel to prepare a fair and adequate summary of proposed ordinance and direct Clerk of the Board to post and publish required summary in accordance with Government Code Section 25124(b)(1) (subject parcel is located on west side of Auberry Road approximately 1,205 feet north of its intersection with Reno Avenue, and 1.1 miles northeast of nearest city limits of City of Fresno (APN: 300-320-19S) (Sup. Dist. 5))

A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) APPROVE GENERAL PLAN AMENDMENT NO. 574 RE-DESIGNATING AN APPROXIMATELY 20-ACRE PARCEL (GROSS ACREAGE) FROM AGRICULTURE TO RURAL RESIDENTIAL WITH A FIVE-ACRE MINIMUM PARCEL SIZE AND INCLUDE THIS PARCEL WITHIN THE AREA IDENTIFIED BY GENERAL PLAN POLICY LU-E.24 AND GENERAL PLAN FIGURE LU-4; 2) ADOPT RESOLUTION APPROVING GENERAL PLAN AMENDMENT APPLICATION NO. 574 AS THE SECOND GENERAL PLAN AMENDMENT OF THE AGRICULTURE AND LAND USE ELEMENT OF THE FRESNO COUNTY GENERAL PLAN FOR 2024; 3) APPROVE ORDINANCE PERTAINING TO AMENDMENT APPLICATION NO. 3867 THEREBY REZONING THE SUBJECT 20-ACRE PARCEL FROM THE AE-20 (EXCLUSIVE AGRICULTURAL; 20-ACRE MINIMUM PARCEL) ZONE DISTRICT TO THE AL-20 (LIMITED AGRICULTURAL; 20-ACRE MINIMUM PARCEL) ZONE DISTRICT; 4) DETERMINE THAT RECOMMENDED ACTIONS 1 THROUGH 3 ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND DIRECT STAFF TO FILE A NOTICE OF EXEMPTION WITH THE FRESNO COUNTY CLERK'S OFFICE AND THE STATE OF CALIFORNIA OFFICE OF PLANNING AND RESEARCH STATE CLEARING HOUSE; AND 5) 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). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 24-298, Ordinance No. R-501-3867

9. Accept certified voter count on file with Clerk of the Board, dated May 13, 2024, provided by Fresno County Clerk/Registrar of Voters, showing that there are seven registered voters residing in Zone AI of County Service Area No. 35; Conduct public protest hearing to consider all objections or protests, if any, to proposed dissolution of Zone AI of County Service Area No. 35; and Close public protest hearing and direct Clerk of the Board to tabulate timely-submitted written objections to dissolution of Zone AI of County Service Area No. 35; and, depending on circumstances, approve action item A or B: A. if more than 50 percent of property owners who own more than 50 percent of assessed value of all taxable property in zone have filed written objections to dissolution, abandon proceedings for dissolution of Zone AI; or B. if no majority protest exists, as described in action 3A, adopt Resolution approving dissolution of Zone AI and declaring that Round Mountain Estates Homeowner's Association shall have sole responsibility of providing road and associated drainage maintenance for private roads formerly maintained by Zone AI

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, TO ACCEPT THE CERTIFIED VOTER COUNT ON FILE WITH THE CLERK OF THE BOARD, DATED MAY 13, 2024, PROVIDED BY THE FRESNO COUNTY CLERK/REGISTRAR OF VOTERS, SHOWING THAT THERE ARE SEVEN REGISTERED VOTERS RESIDING IN ZONE AI OF COUNTY SERVICE AREA NO. 35. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

CONDUCTED PUBLIC HEARING. NO PUBLIC TESTIMONY RECEIVED. NO WRITTEN PROTESTS RECEIVED. CHAIRMAN MAGSIG CLOSED THE PUBLIC HEARING. A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) DETERMINE THAT THERE WAS NO MAJORITY PROTEST; 2) ADOPT RESOLUTION APPROVING THE DISSOLUTION OF ZONE AI OF COUNTY SERVICE AREA 35 AND DECLARING THAT THE ROUND MOUNTAIN ESTATES HOMEOWNER'S ASSOCIATION SHALL HAVE THE SOLE RESPONSIBILITY OF PROVIDING ROAD AND ASSOCIATED DRAINAGE MAINTENANCE FOR THE PRIVATE ROADS FORMERLY MAINTAINED BY ZONE AI; AND 3) DIRECT STAFF TO CONFIRM WHETHER ANY REMAINING FUNDS CAN BE TRANSFERRED TO THE ROUND MOUNTAIN ESTATES HOMEOWNER'S ASSOCIATION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 24-299

10. Adopt plans and specifications for Contract 24-07-C East Reedley Bridge Replacements, Federal Project Nos. BRLO-5942(239) (Reedley Main Canal Bridge on Englehart Avenue), BRLO-5942(226) (Travers Creek Bridge on Lincoln Avenue), and BRLO-5942(227) (Travers Creek Bridge on Parlier Avenue), receive verbal report, and award such Contract to the lowest bidder, Cal Valley Construction, Inc., 5125 N Gates Avenue #102, Fresno, CA 93722, in the amount of \$3,518,357 provided that the California Department of Transportation (Caltrans) submits its memorandum to the Board determining whether Cal Valley Construction, Inc. made a sufficient Good Faith Effort (GFE) with respect to the Disadvantaged Business Enterprise (DBE) Program and the Department of Public Works and Planning (PWP) determines that Cal Valley Construction, Inc. has made a sufficient GFE and is a responsible responsive bidder; and if PWP determines that Cal Valley Construction, Inc. has not made a sufficient GFE and is not a responsible responsive bidder, then award the contract to the next apparent lowest bidder, American Paving Company, 525 W. Alluvial Avenue, Fresno, CA 93711 in the amount of \$5,144,780 provided that California Department of Transportation (Caltrans) submits its memorandum to the Board determining whether American Paving Company made a sufficient GFE with respect to the DBE Program and PWP determines that Cal Valley Construction, Inc. has made a sufficient GFE and is a responsible responsive bidder

RECEIVED VERBAL REPORT. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) ADOPT PLANS AND SPECIFICATIONS FOR CONTRACT 24-07-C EAST REEDLEY BRIDGE REPLACEMENTS, FEDERAL PROJECT NOS. BRLO-5942(239) (REEDLEY MAIN CANAL BRIDGE ON ENGLEHART AVENUE), BRLO-5942(226) (TRAVERS CREEK BRIDGE ON LINCOLN AVENUE), AND BRLO-5942(227) (TRAVERS CREEK BRIDGE ON PARIER AVENUE); AND 2) AWARD CONTRACT TO THE LOWEST BIDDER, CAL VALLEY CONSTRUCTION, INC., 5125 N GATES AVENUE #102, FRESNO, CA 93722, IN THE AMOUNT OF \$3,518,357. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors' Committee Reports and Comments

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

VICE CHAIRMAN MENDES AND SUPERVISOR QUINTERO COMPLIMENTED CHAIRMAN MAGSIG ON HOW HE CONDUCTED AGENDA ITEM 9. SUPERVISOR PACHECO THANKED THE GOOD SAMARITAN WHO PLACED HIS LOST PAYMENT VOUCHER AND PERSONAL CHECK ON HIS WINDSHIELD LAST FRIDAY AND ENCOURAGED THEM TO REACH OUT SO HE COULD THANK THEM IN PERSON. VICE CHAIRMAN MENDES ACKNOWLEDGED AGENDA ITEM 23 AND THE PASSING OF BALDOMERO "BALDO" HERNANDEZ, SUPERINTENDENT/PRINCIPAL OF WESTSIDE ELEMENTARY, WHO WAS AN ACTIVE MEMBER OF THE COMMUNITY, SERVED ON THE FRESNO COUNTY FIRE PROTECTION DISTRICT BOARD, WAS A HARD WORKER, AND WILL BE MISSED. CHAIRMAN MAGSIG REPORTED WITHIN THE PAST THREE WEEKS, TWO INDIVIDUALS LOST THEIR LIVES ON FOWLER AVENUE NEAR PERRIN AVENUE; REPORTED MEETING WITH THE HIGHWAY PATROL, WHO ARE FINALIZING THEIR REPORTS ON THESE INCIDENTS; AND REPORTED MEETING WITH COUNTY PUBLIC WORKS AND PLANNING AND CLOVIS MAYOR LYNNE ASHBECK TO CONDUCT ADDITIONAL TRAFFIC STUDIES AND IMPLEMENT MEASURES ON FOWLER AVENUE TO SLOW AND REDUCE TRAFFIC FLOW

Board Appointments

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

RECEIVED VACANCY REPORT. A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, THAT THE NOMINATION FOR APPOINTMENT BE APPROVED AS FOLLOWS:

BEHAVIORAL HEALTH BOARD

APPOINT KYLE PENNINGTON TO THE POSITION PREVIOUSLY HELD BY ALAN FAULK (TERM TO EXPIRE 4/1/2027)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

- 13. Public Presentations - This portion of the meeting 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

- 14. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Hollis Magill; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment

HELD; NO REPORTABLE ACTION

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

HELD; NO REPORTABLE ACTION

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

HELD; NO REPORTABLE ACTION

- 17. Conference with legal counsel - Significant Exposure to Litigation; Government Code, Section 54956.9(d)(2): John Ramirez

HELD; NO REPORTABLE ACTION

- 18. Conference with legal counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Cherise Frausto: ADJ13371321

HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY CHAIRMAN MAGSIG, 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 SEPTEMBER 10, 2024

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 21, 22 AND 36 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEM 38 WHICH WAS DELETED AND WILL RETURN TO THE BOARD TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 19. Approve minutes for August 6, 2024

APPROVED AS RECOMMENDED

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

- 20. Accept Certification pursuant to Elections Code section 10515 regarding declarations of candidacy for eligible positions for Broadview Water District; and appoint, in lieu of a special election, candidates who filed declarations of candidacy unopposed

APPROVED AS RECOMMENDED

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

Chairman Magsig

- 20.1 Approve community outreach expenditure of \$2,250 to sponsor the 25th Annual Court Appointed Special Advocate Crab Feed Fundraiser, per Administrative Policy No. 75

APPROVED AS RECOMMENDED

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

Supervisor Brandau

- 21. Adjourn in Memory of Sean Burdine

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

- 22. Conduct second hearing and adopt an Ordinance amending the Fresno County Ordinance Code, Title 10, to add Chapter 10.70, "Unlawful Camping and Obstruction of Public Rights of Way"; and waive reading of the Ordinance in its entirety

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

Ordinance No. 24-013

Supervisor Mendes

- 23. Adjourn in Memory of Mr. Baldomero "Baldo" Hernandez, Superintendent/Principal of Westside Elementary School

APPROVED AS RECOMMENDED

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

Supervisor Quintero

- 24. Adjourn in Memory of Cindi Arendt

APPROVED AS RECOMMENDED

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

- 25. Adjourn in Memory of Carolina Jimenez-Hogg

APPROVED AS RECOMMENDED

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

District Attorney

26. Approve and authorize Chairman to execute as Governing Body Head annual Equitable Sharing Agreement and Certification with the United States Department of Justice, 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 2023-24 (\$0 received and \$0 expended); authorize the District Attorney to execute as Agency Head, and 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. 24-435

Sheriff/Coroner/Public Administrator

27. Under Administrative Policy No. 34, determine that an exception to the requirements for competitive bids or requests for proposals is satisfied due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an Agreement with Thales DIS USA, Inc. for maintenance and technical support for the Automated Fingerprint Identification System and integrated Mug Photo System, as Thales DIS USA, Inc. is the only vendor with expertise to maintain the County's existing Thales system; and approve and authorize the Chairman to execute a retroactive Agreement with Thales DIS USA, Inc. for the maintenance of the County's Automated Fingerprint Identification System (AFIS) and integrated Mug Photo System, effective January 1, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,791,168

APPROVED AS RECOMMENDED

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

Agreement No. 24-436

28. Approve and authorize the Chairman to execute annual Equitable Sharing Agreement and Certification with the Federal Government authorizing the Sheriff's Office to participate in the Federal Equitable Sharing Program and certifying as to funds received and expended during FY 2023-24 (received \$71,683 and expended \$265,195); authorize the Sheriff to execute, as Agency Head, and submit the Equitable Sharing Agreement and Certification; and authorize the Sheriff, or his or her designee, to execute any and all "Applications for Transfer of Federally Forfeited Property (DAG-71)" and other required documents, as appropriate, and designate a Sheriff's Office employee to accept forfeited property, transfer documents, and/or receive funds

APPROVED AS RECOMMENDED

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

Agreement No. 24-437

Behavioral Health

29. Approve and authorize the Chairman to accept Amendment II to Resolution No. CY 2022-06 with California Health Facilities Financing Authority to extend the term of the Investment in Mental Health Wellness Grant Program for Children and Youth by two months through June 30, 2025, with no change to total of \$1,371,806; retroactively approve and authorize Department of Behavioral Health Director's previous submittal of a grant application to the California Department of Health Care Services for additional Crisis Care Mobile Units grant funds to expand mobile crisis teams (\$750,000); approve and authorize the Chairman to execute a retroactive Amendment I to Agreement with Advocates for Human Potential, Inc. for the Crisis Care Mobile Units Grant effective January 31, 2024 with no change to the term of September 1, 2021 through June 30, 2025, and increasing the maximum by \$750,000 to a total of \$1,503,437; and approve and authorize the Chairman to execute a retroactive Amendment I to Agreement with Kings View for Crisis Intervention Team and Medi-Cal Mobile Crisis Benefit Services to expand use of dedicated school-based staff, effective April 9, 2024, with no change to the term of April 9, 2024 through June 30, 2025, and no change to the maximum compensation of \$10,503,399

APPROVED AS RECOMMENDED

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

Agreement No. 24-438, Agreement No. 24-439

30. Approve and authorize the Chairman to execute Amendment V to Master Agreement to add two Short-Term Residential Therapeutic Program vendors to the agreement as contracted providers, 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. 24-440

31. 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 as the contractors are the only vendors eligible to provide specialized residential mental health services; and, approve and authorize the Chairman to execute Amendment III to Master Agreement to add Central Star Behavioral Health, Inc., with no change to the term of July 1, 2023 to June 30, 2025, or compensation maximum of \$13,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-441

32. Approve and authorize the Chairman to execute an Agreement with National University to provide students with supervised clinical and field experience through County programs, effective August 20, 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. 24-442

Fresno County Employees' Retirement Association

33. Receive Retirement Administrator's certification to the Board of Supervisors that Alysia Bonner, a duly nominated and eligible candidate for the 2024 Board of Retirement Election of the Fresno County Employees' Retirement Association ("Board of Retirement"), for General Member Seat No. 2, was unopposed at the close of nominations under the Board of Supervisors elections procedures for Board of Retirement elections ("Election Procedures"); as provided by the Election Procedures, order that no election be held for such seat; and as provided by the Election Procedures, direct the Clerk of the Board of Supervisors, pursuant to Government Code § 31523, to cast a unanimous ballot, in the form of the official ballot accompanying this agenda item, in favor of Alysia Bonner as General Member Seat No. 2 on the Board of Retirement for a three-year term commencing January 1, 2025 and expiring December 31, 2027, and deliver the cast ballot to the Board of Retirement and a copy thereof to the Fresno County Employees' Retirement Association, and the Fresno County Clerk/Registrar of Voters

APPROVED AS RECOMMENDED

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

Human Resources

- 34. Approve and authorize the Chairman to execute an Agreement with Occu-Med, LTD., to perform pre-employment, periodic medical examinations for peace officers and other public safety officers, as well as DMV medical examinations and evaluations, effective September 1, 2024 through August 31, 2027, with the provision of two (2) additional one (1) year renewal periods, maximum compensation not to exceed \$1,100,000; and authorize the Director of Human Resources, or designee, to amend Exhibit “B” of the Agreement in the event that the creation of additional medical exam profiles is necessary

APPROVED AS RECOMMENDED

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

Agreement No. 24-443

- 35. Approve an Addendum to the Memorandum of Understanding (MOU) for Representation Unit 36 - Supervisory Employees, represented by Service Employees International Union (SEIU) Local 521, effective August 19, 2024; 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. 24-023

Internal Services

36. Approve and authorize the Chairman to execute a Lease Agreement with Jeff Jue and Velvet Jue, as trustees of the Jeff & Velvet Jue Family Trust, dated August 10, 2011 (Lessor), for approximately 21,440 square feet of retail space, together with related improvements and parking, located at 6074 N. First Street, Fresno, CA 93710, for use by the Library, effective upon execution for a potential 10-year term, which includes an initial six-year base term, with four automatic one-year extensions, with base rent not to exceed \$6,518,234, and estimated possible additional rent of \$1,323,706, for a total maximum rent of \$7,841,939 for the potential 10-year term; authorize the Director of the Internal Services Department/Chief Information Officer, or their designee, to approve and execute, upon review and approval as to legal form by County Counsel, an Estoppel Certificate, and Subordination and Non-Disturbance Agreement relating to the recommended Lease Agreement, if County is so requested by Lessor, to sign such documents; and authorize the Director of Internal Services/Chief Information Officer, or their designee, to approve and execute (or accept, as applicable), (a) upon review and approval as to legal form by County Counsel, the Memorandum of Lease, and any notices, instruments, certificates, and documents, relating to the consummation of the recommended Lease Agreement, and (b) any notices and documents relating to the County's administration of the leased premises under the recommended Lease Agreement

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

Agreement No. 24-465

37. 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 Gibbs International, Inc., as it is the only local vendor capable of providing parts and repair services for International Trucks utilized by County departments; and approve and authorize the Chairman to execute an Agreement with Gibbs International, Inc. for parts and repair services for the County's International Trucks, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$300,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-444

38. Approve and authorize the Chairman to execute Job Order Contracting (JOC) Agreements with: a) Ardent General, Inc.; b) Better Enterprises, Inc.; c) Durham Construction, Inc.; d) Heritage General; and e) Newton Construction and Management, Inc. for repair, remodeling, or other repetitive work to be done according to unit prices, effective August 22, 2024, for a term of one year, with each Agreement's total not to exceed \$5,000,000; and Approve and authorize the Director of the Internal Services/Chief Information Officer to use annual Job Order Contracting agreements for the implementation of the proposed projects, described in Attachment A

DELETED; WILL RETURN TO A DATE UNCERTAIN

Probation

39. Approve and authorize the Chairman to execute annual Equitable Sharing Agreement and Certification 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 2023-24 (\$450 in interest income, \$0 received, and \$0 expended); authorize the Chief Probation Officer to execute as Agency Head and 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 Probation 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. 24-445

Public Defender

40. Approve and authorize the Chairman to execute a retroactive Revenue Agreement and all required forms and certifications with the Fresno Regional Workforce Development Board for post-conviction relief services to be provided by the Fresno County Public Defender, effective July 1, 2024, not to exceed one year (\$45,000); and Adopt Budget Resolution increasing the FY 2024-25 appropriations and estimated revenues for the Public Defender Org 2880 in the amount of \$45,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 24-446, Resolution No. 24-293

Public Health

41. Approve and authorize the Chairman to execute a revenue agreement with the California Department of Public Health for the Type 2 Diabetes Prevention Program to address chronic disease prevention, effective upon approval of California Department of General Services through June 30, 2028, total not to exceed \$237,000; and approve and authorize the Director of the Department of Public Health, or designee, to execute the Contractor's Release for the final invoice and other forms as required by the proposed Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 24-447

42. Approve and authorize the Chairman to execute a retroactive Revenue Agreement with the California Department of Public Health for the acceptance of the AB102 Public Health Microbiologist Training Fellowship Award, effective January 1, 2024 through June 30, 2026 (\$57,500); and approve and authorize the Director of the Department of Public Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated documents, invoices, expenditure forms and reports

APPROVED AS RECOMMENDED

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

Agreement No. 24-448

43. Approve and authorize the Chairman to execute an Agreement with Alert Medical Training, Inc. for a Rural Emergency Medical Technician Training Program, effective upon execution through June 30, 2027, which includes two optional one-year extensions, total not to exceed \$300,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-449

Public Works and Planning

44. Approve and authorize Chairman to execute Title Report Services Agreement with Fidelity National Title Company, effective upon execution and not to exceed five consecutive years, which includes a three-year contract and two optional one-year extensions, not to exceed \$300,000; and approve and authorize Chairman to execute a Master Agreement for on-call Right of Way Services with Overland, Pacific & Cutler, LLC and Paragon Partners Consultants, Inc., effective upon execution and not to exceed four consecutive years, which includes a three-year contract and one optional one-year extension, total not to exceed \$500,000
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero
- Agreement No. 24-450, Agreement No. 24-451
45. Approve and authorize Chairman to execute Amendment I to Agreement No. 23-544 with City of Kingsburg for Kingsburg Mariposa Street Reconstruction, Community Development Block Grant Project No. 22391, effective upon execution with no change in term through January 3, 2025, increasing maximum funds provided by \$115,016, due to increased construction costs, to a total Community Development Block Grant funding amount not to exceed \$389,909
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero
- Agreement No. 24-452
46. Retroactively authorize Department of Public Works and Planning's submittal of two FY 2024-25 Cycle 7 Active Transportation Program applications to California Department of Transportation for Caruthers Sidewalk Project (\$9,994,769) and Easton Sidewalk Project (\$7,994,760) in total amount of \$17,220,608; and adopt a Resolution required by Fresno Council of Governments regarding County's support of and commitment to project applications submitted to the FY 2024-25 Cycle 7 Active Transportation Program
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero
- Resolution No. 24-294

- 47.** Adopt and authorize Chairman to execute Resolution approving Measure C Extension Local Transportation Program Funds Claim for FY 2024-25, authorize Director of Department of Public Works and Planning (“Director”) or his designee to transmit a copy of Resolution, if adopted, to Fresno County Transportation Authority (FCTA), and authorize Director to confirm County’s intent to complete reporting requirements for prior year no later than November 15, 2024; and approve and authorize Chairman to execute six Measure C Extension Local Transportation Pass Through Revenues Certification and Claims for FY 2024-25, and certify that funds will not substitute property tax funds, which were previously used for local transportation purposes (\$9,492,967)

APPROVED AS RECOMMENDED

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

Resolution No. 24-295, Agreement No. 24-453, Agreement No. 24-454, Agreement No. 24-455, Agreement No. 24-456, Agreement No. 24-457, Agreement No. 24-458

- 48.** Authorize a waiver of the 28 hours per week and/or 960 hours per calendar year maximum hours limitation for the Extra-Help position(s) listed on Attachment A in the Department of Public Works and Planning, pursuant to the provisions set forth in Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

APPROVED AS RECOMMENDED

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

- 49.** Approve and authorize the Chairman to execute Amendment II to Master Agreement No. 23-644 for non-hazardous roadside waste removal services, effective upon execution with no change to the term of November 28, 2023 through June 30, 2028 and increasing the maximum compensation by \$500,000 per fiscal year to a total not to exceed \$7,500,000 for the potential approximate five-year term (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 24-459

Social Services

50. Approve and authorize the Chairman to execute Amendment No. 1 to Agreement with Boys and Girls Clubs of Fresno County for Community Development Block Grant funded social services activities, extending the term by 12 months from September 1, 2024 to August 31, 2025 and increasing the maximum compensation by \$42,842 to a total of \$171,368; approve and authorize the Chairman to execute Amendment No. 1 to Agreement with Marjaree Mason Center, Inc. for Community Development Block Grant funded social services activities, extending the term by 12 months from September 1, 2024 to August 31, 2025 and increasing the maximum compensation by \$42,842 to a total of \$171,368; and approve and authorize the Chairman to execute Amendment No. 1 to Agreement with Westside Youth, Inc. for Community Development Block Grant funded social services activities, extending the term by 12 months from September 1, 2024 to August 31, 2025 and increasing the maximum compensation by \$42,842 to a total of \$171,368

APPROVED AS RECOMMENDED

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

Agreement No. 24-460, Agreement No. 24-461, Agreement No. 24-462

51. Approve and authorize the Chairman to execute an Agreement with the California Department of Health Care Services to ensure the security and privacy of Medi-Cal Personally Identifiable Information, effective upon execution by both parties, through September 1, 2028 with an option to extend the agreement for up to six-months (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 24-463