



County of Fresno

Action Summary - Draft

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, June 4, 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

PASTOR JIM DIXON, CHURCH OF SHAVER LAKE, 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 QUINTERO, 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 16-48

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 37 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Chairman Magsig

3. Proclaim June 2024 as Elder and Dependent Adult Abuse Awareness Month in Fresno County

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

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

Resolution No. 24-200

4. Proclaim June 2024 as Family Reunification Month in Fresno County

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

Resolution No. 24-201

Assessor/Recorder

5. Adopt resolution to fill a Program Technician II, Step 5 position with Extra-Help retiree Norma Sutton, part-time, effective June 4, 2024, finding, pursuant to Government Code section 7522.56 (f)(1), that a 180-day separation period for retired employees returning to employment as Extra-Help is not applicable based on your Board certification that the nature of employment and appointment is necessary to fill a critically needed position before the 180-day separation period

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

Resolution No. 24-202

County Counsel

6. Conduct first hearing to amend the Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Section 600 - County Counsel, Subsection 601 - renaming Legal Services as Attorney Services and increasing the fee rate for such services to \$169 per hour for each attorney; and Subsection 602 - adding Child Welfare Services (CWS) Legal Assistant Services at a new fee rate of \$72 per hour for each CWS legal assistant; waive reading of the Ordinance in its entirety; and set the second hearing for June 18, 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 VICE CHAIRMAN MENDES, 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

Internal Services

7. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Section 3800 - General Services, where subsections 3804 - Badge Identification Rate, 3809 - Fleet Labor Rate, 3810 - Motor Pool Rate, 3811 - Fuel Tank Inspection Rate, 3812 - Building Maintenance Labor Rate, 3813 - Janitorial Labor Rate, and 3814 - County Parking Rate are to be amended; waive the reading of the Ordinance in its entirety, and set the second hearing for July 9, 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)

PRIOR TO BOARD DISCUSSION, STAFF ANNOUNCED A REVISION TO ATTACHMENT A: THE TITLE OF "INFORMATION TECHNOLOGY SERVICES" WAS INCORRECT; THE ATTACHMENT TITLE HAS BEEN CORRECTED TO "GENERAL SERVICES" AND A REVISED ATTACHMENT A WAS DISTRIBUTED TO THE BOARD. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR QUINTERO, THAT THIS MATTER BE APPROVED AS REVISED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

8. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Section 4300 - Information Technology Services, where subsections 4302 - Telecommunications Network Connection Rate, 4303 - IVR Seat Charge Rate, 4304 - Financial Transaction Rate, 4305 - HR Transaction Rate, 4308 - Application Hosting Rate, 4309 - GIS Support Rate, 4310 - Information Storage and Admin Rate, 4313 - Enterprise Base Rate, 4314 - IT Labor Rate, 4315 - Pager Rate, 4317 - Radio Access for 24x7 Radios Rate, 4320 - SQL Database Rate, 4321 - Oracle Database Rate, 4322 - Static Storage Rate, 4323 - Host on Demand Rate, 4326 - Graphics Labor Rate, 4327 - Messenger Service Rate, 4328 - Black & White Copy Rate, 4329 - Color Copy Rate, and 4330 - Active User Rate, are to be amended; waive the reading of the Ordinance in its entirety; and set the second hearing for June 18, 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 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

Public Works and Planning

- 8.1 Approve and authorize Chairman to execute Indemnification and Defense Agreement with Stamoules, Inc. and OPA Pistachios, LLC (collectively "Applicant"), as required by condition of approval of Unclassified Conditional Use Permit No. 3709 and Variance Application No. 4112 or provide alternate direction; and Approve form of Escrow Agreement with Applicant and financial institution selected by Applicant ("Escrow Agent") and approved by the Director of Public Works and Planning ("Director"), and authorize the Director to make changes to the form of Escrow Agreement that he deems to be in the best interest of the County and to approve and execute the final form of the Escrow Agreement, subject to approval by County Counsel as to legal form and by the Auditor Controller/Treasurer-Tax Collector as to accounting form, securing \$150,000 paid into escrow by Applicant to Escrow Agent as financial security for the Indemnification and Defense Agreement; and Authorize the Director to do any and all things and take any and all actions and execute and provide any and all notices, certificates, and other documents which he may deem necessary or advisable in order to administer the Indemnification and Defense Agreement and the Escrow Agreement on behalf of the County

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE APPROVED AS FOLLOWS:

1) DIRECT STAFF TO REVISE THE RECOMMENDED INDEMNIFICATION AND DEFENSE AGREEMENT (I&D AGREEMENT) WITH STAMOULES, INC. AND OPA PISTACHIOS, LLC (COLLECTIVELY "APPLICANT"), AS REQUIRED BY CONDITION OF APPROVAL OF UNCLASSIFIED CONDITIONAL USE PERMIT NO. 3709 AND VARIANCE APPLICATION NO. 4112, TO ALLOW FOR THE CASH SECURITY TO BE PAID BY THE APPLICANT IN INSTALLMENTS AS FOLLOWS: \$50,000 CASH IMMEDIATELY, THEN AN ADDITIONAL \$100,000 DEPOSITED 30 DAYS BEFORE TRIAL IF THE MATTER IS NOT RESOLVED; AND APPROVE AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE REVISED I&D AGREEMENT;

2) APPROVE FORM OF ESCROW AGREEMENT WITH APPLICANT AND FINANCIAL INSTITUTION SELECTED BY APPLICANT ("ESCROW AGENT") AND APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND PLANNING ("DIRECTOR"), AND AUTHORIZE THE DIRECTOR TO MAKE CHANGES TO THE FORM OF ESCROW AGREEMENT THAT HE DEEMS TO BE IN THE BEST INTEREST OF THE COUNTY AND TO APPROVE AND EXECUTE THE FINAL FORM OF THE ESCROW AGREEMENT, SUBJECT TO APPROVAL BY COUNTY COUNSEL AS TO LEGAL FORM AND BY THE AUDITOR CONTROLLER/TREASURER-TAX COLLECTOR AS TO ACCOUNTING FORM, SECURING \$150,000 PAID INTO ESCROW (AS MADE IN INSTALLMENTS PER THE AGREEMENT) BY APPLICANT TO ESCROW AGENT AS FINANCIAL SECURITY FOR THE INDEMNIFICATION AND DEFENSE AGREEMENT; AND

3) AUTHORIZE THE DIRECTOR TO DO ANY AND ALL THINGS AND TAKE ANY AND ALL ACTIONS AND EXECUTE AND PROVIDE ANY AND ALL NOTICES, CERTIFICATES, AND OTHER DOCUMENTS WHICH HE MAY DEEM NECESSARY OR ADVISABLE IN ORDER TO ADMINISTER THE INDEMNIFICATION AND DEFENSE AGREEMENT AND THE ESCROW AGREEMENT ON BEHALF OF THE COUNTY

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Agreement No. 24-281

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR QUINTERO REPORTED THE PASSING OF DOMINGA BUSTAMANTE, MOTHER OF FORMER LIEUTENANT GOVERNOR OF CALIFORNIA CRUZ BUSTAMANTE, AND WILL BRING AN ADJOURN IN MEMORY CERTIFICATE TO THE BOARD. VICE CHAIRMAN MENDES ATTENDED THE 100TH ANNIVERSARY OF THE RIVERDALE PORTUGUESE CELEBRATION ON SUNDAY. CHAIRMAN MAGSIG WISHED VICE CHAIRMAN MENDES A HAPPY BIRTHDAY. SUPERVISOR BRANDAU REPORTED JOINING VICE CHAIRMAN MENDES AT THE ANNUAL FRUIT TRAIL OPENING HELD AT THE VINEYARD FARMERS MARKET ON SHAW AND BLACKSTONE; AND REPORTED JOINING CHAIRMAN MAGSIG TO HONOR STUDENTS AT CLOVIS NORTH WHO WON A TROPHY AT A RECENT SCIENCE COMPETITION. CHAIRMAN MAGSIG ANNOUNCED THE UPCOMING "CLIMB TO KAISER" EVENT; COMMENTED ON THE 140 LANE MILES OF ASPHALT BEING LAID OUT BY PUBLIC WORKS THIS YEAR; AND THANKED PUBLIC WORKS FOR THEIR WORK

Board Appointments

10. 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 BRANDAU, THAT THE NOMINATIONS FOR APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

**CHILD CARE & DEVELOPMENT LOCAL PLANNING COUNCIL
APPOINT ISABELLA GUTIERREZ TO THE POSITION PREVIOUSLY HELD BY ALEX RAMOS (TERM TO EXPIRE 1/4/2027)
APPOINT FRED TOSHIMITSU TO THE POSITION PREVIOUSLY HELD BY SLOANE GOLDEN (TERM TO EXPIRE 1/6/2025)**

**DEFERRED COMPENSATION MANAGEMENT COUNCIL
REAPPOINT LAWRENCE SEYMOUR (TERM TO EXPIRE 5/1/2027)**

**FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD
REAPPOINT ALYSIA BONNER (TERM TO EXPIRE 11/1/2025)**

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

11. 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

12. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
- BY A 5-0 VOTE, THE BOARD AUTHORIZED INITIATION OF LITIGATION AGAINST SUNSET ACRES, LLC AND GURPREET K. KHOSA, PROPERTY OWNER OF 8853 S. FOWLER AVENUE, FOWLER, CALIFORNIA FOR OPERATING A COMMERCIAL EVENT CENTER WITHOUT REQUIRED LAND USE ENTITLEMENTS IN VIOLATION OF THE ZONING ORDINANCE, AND NUISANCE AND UNFAIR COMPETITION LAWS**
13. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
- HELD; NO REPORTABLE ACTION**
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 Real Property Negotiators - Government Code, Section 54956.8; Property: Approximately 90 acres of open land located in the vicinity of Huntsman and South De Wolf Aves near Selma, CA 93662 (APNs 348-130-69ST and 348-130-71ST); County Negotiator: Edward Hill, Interim Director of Internal Services/Chief Information Officer. Negotiating Parties: City of Selma, Instructions to County's negotiator may concern Property sale and lease terms and conditions including price
- HELD; NO REPORTABLE ACTION**

Adjourn

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

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

APPROVED:

NATHAN MAGSIG, 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 _____

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 37 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 for May 21, 2024

APPROVED AS RECOMMENDED

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

- 17. Consider and adopt a Resolution calling a special election on August 20, 2024, to elect four (4) members of the Pleasant Valley Water District’s Board of Directors to a full-term, set to expire on December 3, 2027

APPROVED AS RECOMMENDED

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

Resolution No. 24-193

Chairman Magsig

- 18. Approve community outreach expenditure of \$5,000 to Fresno Police & Neighborhood Watch for the purchase and replacement of neighborhood watch signs within the County Islands, per Administrative Policy No. 75

APPROVED AS RECOMMENDED

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

Supervisor Quintero

- 19. Adjourn in Memory of John Shanoian

APPROVED AS RECOMMENDED

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

Chairman Magsig, Sheriff/Coroner/Public Administrator, and District Attorney

20. Conduct second hearing and adopt an Ordinance amending the Fresno County Ordinance Code, Title 8, to amend Chapter 8.22, "Illegal Dumping Ordinance"; and waive reading of Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 24-008

21. Conduct second hearing and adopt an Ordinance amending the Fresno County Ordinance Code, Title 11, to add Chapter 11.46, "Seizure and Impound of Nuisance Vehicles"; and waive reading of Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 24-009

District Attorney

22. Approve and authorize the Chairman to execute Amendment I to Agreement A-23-237 with the California Victim Compensation Board (CalVCB) for the Victim Restitution Program, amending the project representatives contact information, and allowing the District Attorney's Office to modify the grant budget without a formal amendment, effective upon execution with no change in amount or term for the period ending June 30, 2026 (\$269,109); and adopt a Resolution authorizing the Chairman to execute Amendment I to Grant Award Agreement, including any extensions or amendments, and approving and authorizing the District Attorney's Office to modify the grant budget categories, subject to CalVCB's approval, without formal amendment to the Grant Agreement, including: employee name, salary/hourly rate range, percentage of time spent on CalVCB matters, fringe benefits, and indirect costs (not to exceed 10% of salary), provided the total budget does not exceed \$89,703 for each fiscal year, and provided the budget is not modified more than three times per fiscal year, except when necessitated by changes to employee names, for the period ending June 30, 2026 (\$269,109)

APPROVED AS RECOMMENDED

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

Agreement No. 24-255, Resolution No. 24-194

Sheriff/Coroner/Public Administrator

23. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Fresno City College, a college of the State Center Community College District, to allow the Sheriff's Office to offer law enforcement educational courses and share revenue from the training provided by the Sheriff's Office through Fresno City College, effective from May 1, 2024 through April 30, 2029 (estimated at \$796,148)

APPROVED AS RECOMMENDED

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

Agreement No. 24-256

24. Approve and authorize the Chairman to execute a First Amendment to Agreement No. A-23-011 with Fresno Unified School District for law enforcement services to stipulate that the parties may agree to provide services at an alternate location for extended learning periods, with no change to the term of January 9, 2023 through June 30, 2025 with two optional one-year extensions, and no change to the Agreement maximum (\$1,320,189)

APPROVED AS RECOMMENDED

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

Agreement No. 24-257

25. Adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenue for Sheriff Org 3111 in the amount of \$1,240,000 (4/5 vote); adopt Budget Resolution increasing FY 2023-24 appropriations for Local Revenue Fund 2011 Realignment Sheriff-Coroner-Public Administrator Trial Court Security Fund 0271, Subclass 13023, Org 3117 in the amount of \$1,200,000 (4/5 vote); and adopt Budget Resolution increasing FY 2023-24 appropriations for Local Revenue Fund 2011 Realignment Enhancing Law Enforcement Services Account COPS Sheriff Detention Fund 0271, Subclass 13023, Org 31190200 in the amount of \$40,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 24-195, Resolution No. 24-196, Resolution No. 24-197

26. Approve and authorize the Fresno County Administrative Office to submit the Bulletproof Vest Partnership (BVP) application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA) which, if awarded, would provide reimbursement up to 50% of the purchase price of bulletproof vests for the Sheriff-Coroner-Public Administrator's Office, the District Attorney's Office and the Probation Department, effective from April 1, 2024, through August 31, 2026 (\$280,412)

APPROVED AS RECOMMENDED

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

Behavioral Health

27. Approve and authorize the Chairman to execute First Amendment to an Agreement with National Latino Behavioral Health Association to increase the maximum number of Behavioral Health Interpreter Training courses to accommodate the Department of Behavioral Health bilingual certified workforce demands, effective upon execution with no change to the term of July 1, 2022 through June 30, 2027, and increasing the maximum by \$29,500 to a total of \$267,400

APPROVED AS RECOMMENDED

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

Agreement No. 24-258

28. Approve and authorize the Chairman to execute First Amendment to Master Agreement No. 23-289 with Drug Medi-Cal certified providers, to update agreement language including provider reporting requirements, contractor participation requirements, and updating fee reimbursement schedules, with no change to the term of July 1, 2023 through June 30, 2027; approve and authorize the Chairman to execute First Amendment to Master Agreement No. 23-290 with Drug Medi-Cal certified providers, to update agreement language including provider reporting requirements, contractor participation requirements, and updating fee reimbursement schedules, with no change to the term of July 1, 2023 through June 30, 2027; approve and authorize the Chairman to execute First Amendment to Master Agreement No. 23-291 with Drug Medi-Cal certified providers, to update agreement language including provider reporting requirements, contractor participation requirements, and updating fee reimbursement schedules, with no change to the term of July 1, 2023, through June 30, 2027; approve and authorize the Chairman to execute First Amendment to Master Agreement No. 23-292 with Drug Medi-Cal certified residential substance use disorder treatment providers, to update agreement language including provider reporting requirements and contractor participation requirements with no change to the term of July 1, 2023, through June 30, 2027, or compensation maximum of \$27,353,032; approve and authorize the Chairman to execute First Amendment to Master Agreement No. 23-293 with Drug Medi-Cal certified providers, to update agreement language including provider reporting requirements, contractor participation requirements, and updating fee reimbursement schedules, with no change to the term of July 1, 2023, through June 30, 2027, or compensation maximum of \$10,585,252; and, approve and authorize the Chairman to execute First Amendment to Master Agreement No. 23-294 with Drug Medi-Cal certified providers, to update agreement language including provider reporting requirements, contractor participation requirements, and updating fee reimbursement schedules, with no change to the term of July 1, 2023 through June 30, 2027, or compensation maximum of \$11,027,632

APPROVED AS RECOMMENDED

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

Agreement No. 24-259, Agreement No. 24-260, Agreement No. 24-261, Agreement No. 24-262, Agreement No. 24-263, Agreement No. 24-264

29. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 18 transferring FY 2023-24 appropriations in the amount of \$40,596 from Account 7295 (Professional & Specialized Services) to Account 8300 (Equipment) within the Department of Behavioral Health Organization 5630, for the purchase of six copiers

APPROVED AS RECOMMENDED

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

30. Approve and authorize the Chairman to execute an Agreement with West Hills Community College District for clinical and field placement experience for students effective July 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. 24-265

Internal Services

31. Approve and authorize the Chairman to execute a Lease Agreement, including an Option to Purchase, with McMahan-Kays, LLC, c/o Douglas Kays, for approximately 21,130 square feet of office space, together with related improvements and parking, located in Coalinga, CA, for use by the Department of Social Services, effective upon execution for a ten-year term, with base rent not to exceed \$3,360,000, and estimated possible additional rent of \$1,301,880, for a total maximum rent of \$4,661,880 for the 10-year term, and set the purchase price to \$240,000; 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 McMahan-Kays, LLC, c/o Douglas Kays, to sign such documents; and Authorize the Director of Internal Services/Chief Information Officer, or 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 and documents, 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

APPROVED AS RECOMMENDED

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

Agreement No. 24-266

32. Approve and authorize the Chairman to execute a First Amendment to Option and Lease Agreement with Central Valley Independent Network, LLC dba VAST Networks, a California Limited Liability Company, for use of County-owned property on the northeast corner of East Jensen and the Fowler Switch Canal, to extend the option term to June 30, 2024 with no change to the term or compensation (\$500)

APPROVED AS RECOMMENDED

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

Agreement No. 24-267

33. 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 MetaSource, LLC as the vendor currently provides archival digitizing services for multiple County departments, and it is the only vendor able to continue services without causing major delays in the County's digitizing projects; and Approve and authorize the Chairman to execute an Agreement with MetaSource, LLC for archival digitizing services, 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 \$3,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-268

34. Approve and authorize the Chairman to execute a retroactive Agreement with Sable Computer Inc. dba KIS for continued subscription licensing of VMware's vSphere Foundation's enterprise level workload platform and Horizon Universal platform, effective January 19, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,023,357

APPROVED AS RECOMMENDED

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

Agreement No. 24-269

35. Approve and authorize the Chairman to execute a Master Equity Lease Agreement with Enterprise Fleet Management, Inc., effective June 10, 2024, not to exceed three consecutive years, which includes a two-year base contract and one optional one-year extension; and Authorize the Director of Internal Services/Chief Information officer or their designee to authorize and execute documents associated with the day-to-day activities of the Enterprise Master Equity Lease Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 24-270

Probation

36. 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 the University of Cincinnati Research Institute (UCRI), which licenses the University of Cincinnati Center for Justice and Communities' curricula, including the Effective Practices in Community Supervision models and the Core Correctional Practices manual and training program, and will sublicense these curricula for use by the Department and provide technical assistance, training, coaching, and oversight necessary for the Department's implementation of the curricula; and approve and authorize the Chairman to execute an Agreement with the UCRI, for technical assistance, training, coaching, and oversight to further expand, improve, and sustain the delivery of evidence-based practices and continuous quality improvement in the Probation Department, effective June 4, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$753,500

APPROVED AS RECOMMENDED

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

Agreement No. 24-271

Public Health

37. Approve and authorize the Chairman to execute Amendment I to Agreement with the Kirkland Foundation to modify the scope of services, effective upon execution with no change to the term of November 28, 2023 to November 27, 2025, or compensation maximum of \$508,800

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: 4 - Magsig, Mendes, Pacheco, and Quintero

Recuse: 1 - Brandau

Agreement No. 24-272

Public Works and Planning

38. Approve and authorize Chairman to execute Fourth Amendment to the Amended and Restated Memorandum of Understanding between County of Fresno and City of Clovis regarding City's proposed 155-acre Shepherd North Sphere of Influence Expansion and Annexation, located on north side of E. Shepherd Avenue between N. Sunnyside and N. Fowler Avenue along northern boundary of City's current Sphere of Influence and city limit boundary; and determine that approval and authorization of Chairman to execute Fourth Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Clovis is not a project and is exempt from requirements of California Environmental Quality Act, Public Resources Code, section 2100, et seq., and direct Department of Public Works and Planning staff to file a Notice of Exemption with Office of Fresno County Clerk

APPROVED AS RECOMMENDED

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

Agreement No. 24-273

39. Approve and authorize Chairman to execute a Revenue Agreement with Economic Development Corporation Serving Fresno County (EDC) to pay for update of Comprehensive Economic Development Strategy (CEDS) for the County and fourteen of its incorporated cities (excluding City of Fresno), effective upon execution, ending upon the completion of digitally integrated CEDS (\$120,000); and adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for Public Works and Planning Department - Grants Org 5512 in amount of \$120,000 to cover costs associated with update to County's CEDS (4/5 vote); and approve and authorize Chairman to execute an Agreement with TIP Strategies, Inc. for consultant services to create a digitally integrated CEDS, effective upon execution, not to exceed five consecutive years, which includes a three-year base term and two optional one-year extensions, total not to exceed \$247,500; and approve and authorize Director of Public Works and Planning, or his designee, to approve and execute written changes to line items in project budget to Agreement with TIP Strategies, Inc., which when added together during term of Agreement, do not exceed ten percent (10%) of total maximum compensation payable to TIP Strategies, Inc., and which do not result in any change to maximum compensation amount payable to TIP Strategies, Inc.

APPROVED AS RECOMMENDED

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

Resolution No. 24-198, Agreement No. 24-274, Agreement No. 24-275

40. Adopt Resolution establishing Transportation Mitigation Impact Fees to mitigate transportation and circulation impacts from development associated with Classified Conditional Use Permit No. 3724; and approve and authorize Chairman to execute Public Facilities Fee Agreement with H&R Land, LLC, a California Corporation for Transportation Mitigation Impact Fees related for pavement improvements along \$781,457, effective upon execution

APPROVED AS RECOMMENDED

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

Resolution No 24-199, Agreement No. 24-276

41. Approve and authorize Chairman to execute Amendment IV to Agreement No. 10-432 with Tenaya Estates, Inc., extending the term by 60 months from July 1, 2024, through June 30, 2029, and increasing the total maximum compensation by \$332,500 for a total of \$1,031,232

APPROVED AS RECOMMENDED

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

Agreement No. 24-277

42. Approve proposed amendment to the County of Fresno's American Rescue Plan Act - State and Local Fiscal Recovery Fund (ARPA-SLFRF) expenditure plan by revising the approved scope of work and budget for replacement water meters to still include County Service Areas 10, 10A, 34A, 34B, 34C, 34D, 34G, 39AB, 43W, 44C, 44D, 47, 49, and Water Works Districts 37, 38, 40, 41, and 42 as well as the purchase of new meters for in County Service Areas 1 and 14, and omit County Service Areas 5 and 23 from the water meter installation project PWP Program 10, with a funding commitment of (\$1,900,000); and Adopt specifications for 23-26-C Water Meter Replacements and award to the lowest bidder, West Valley Construction Company, Inc., 603 Campbell Technology Parkway, Campbell, CA 95008, in the total amount of \$998,328

APPROVED AS RECOMMENDED

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

43. Approve request by the City of Selma to acquire rights-of-way, in an identified unincorporated area of the County as needed for development of street and sewer improvements along Golden State Boulevard, South Amber Avenue (between East Saginaw Avenue and East Floral Avenue), East Floral Avenue (between East Amber Avenue and existing City of Selma limits) and Nebraska Avenue (between East Amber Avenue, Cornelia Avenue, and existing City of Selma limits), including by perfecting public's interest in portions of existing rights-of-way, which are either prescriptive or impliedly dedicated to public, in parcels adjacent to the existing County rights-of-way, but excluding eminent domain actions; and approve and authorize Chairman to execute Quitclaim Deeds conveying County's interest in rights-of-way to the City of Selma, in an identified unincorporated area of the County as needed for the development of street and sewer improvements along Golden State Boulevard, South Amber Avenue (between East Saginaw Avenue and East Floral Avenue), East Floral Avenue (between East Amber Avenue and existing City limits), and Nebraska Avenue (between East Amber Avenue, Cornelia Avenue and existing City limits) (\$0) (4/5 vote)

APPROVED AS RECOMMENDED

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

44. Consider the recirculated Initial Study 7859 and adopt proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Goodfellow Avenue Shoulder Improvement Project on Goodfellow Avenue, located approximately 0.71 mile east of South Channel Road (Recirculated Initial Study Application No. 7859, SCH No. 2021080624), Federal Project Number CML-5942(298)

APPROVED AS RECOMMENDED

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

45. Consider and adopt proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for Initial Study 7946 pertaining to Dinkey Creek Road over Markwood Creek Culvert Replacement Project, located approximately 4.87-miles east of Highway 168, southeast of Shaver Lake in Fresno County (Initial Study Application No. 7946, SCH No. 2024030582)

APPROVED AS RECOMMENDED

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

46. Consider and adopt proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for Initial Study 7906 pertaining to Arroyo Pasajero Bridge Replacement Project on S. El Dorado Avenue, located approximately two miles north of W. Jayne Avenue and approximately seven miles east of City of Coalinga (Initial Study Application No. 7906, SCH No. 2024030581), Federal Project Number BRLO-5942(271)

APPROVED AS RECOMMENDED

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

Social Services

47. Under Administrative Policy No. 34 for competitive bids or requests for proposals, determine that an exception to the competitive bidding requirement 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 RH Community Builders as the vendor is uniquely qualified to provide Project Based Rapid Rehousing services; and, Approve and authorize the Chairman to execute an Agreement with RH Community Builders for Rapid Rehousing services at Sierra Terrace, effective July 1, 2024, through June 30, 2025, total not to exceed \$1,038,988; and, Approve and authorize the Chairman to execute an Agreement with RH Community Builders for Rapid Rehousing services at Monte Vista Terrace, effective July 1, 2024, through June 30, 2025, total not to exceed \$872,158

APPROVED AS RECOMMENDED

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

Agreement No. 24-278, Agreement No. 24-279

48. Approve and authorize the Board Chairman to execute the Foster Youth to Independence Memorandum of Understanding with the Housing Authority of the City of Fresno, effective June 4, 2024 through September 30, 2027 (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 24-280