



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, November 28, 2023

9:30 AM

Hall of Records

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

Invocation and Pledge of Allegiance

SERGEANT MICHAEL MEUX, SENIOR SECURITY OFFICER WITH THE FRESNO COUNTY INTERNAL SERVICES DEPARTMENT, GAVE THE INVOCATION AND LED THE BOARD IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

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

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

2. Approve Consent Agenda - Item Numbers 18-76

PRIOR TO BOARD APPROVAL OF THE CONSENT AGENDA, THE CLERK ANNOUNCED A CORRECTION TO ITEM 31: AS IT APPEARS ON THE AGENDA, THE ITEM INCORRECTLY REFERS TO THE VENDOR AS "OUTFRONT MEDIA, INC." THE VENDOR'S NAME SHOULD BE CORRECTED TO MATCH THE RECOMMENDED ACTION AS WRITTEN IN THE AGENDA ITEM, WHICH CORRECTLY REFERS TO THE VENDOR AS "OUTFRONT MEDIA, LLC." A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH THE CORRECTION TO ITEM 31 AND THE EXCEPTION OF ITEMS 24, 31, 35, 57, 69 AND 70 WHICH WERE 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 Joel S. Gurss - Department of Social Services - 26 Years of Service

PRESENTED PLAQUE TO JOEL S. GURSS

4. Presentation of Retirement Plaque to Michael E. Vasquez - Department of Social Services - 29 Years of Service

PRESENTED PLAQUE TO MICHAEL E. VASQUEZ

Chairman Quintero

5. Proclaim December 2023 as Toys for Tots month in Fresno County

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

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

Resolution No. 23-371

Human Resources

6. Conduct first hearing on an Ordinance amending Fresno County Ordinance Code Title 3 - Personnel, Chapter 3.08 - Civil Service System, - Section 3.08.110 - Employees - Political Activity by deleting Subsection (A)(5) prohibiting County officers and employees from directly or indirectly soliciting political funds or contributions, knowingly, from other County officers or employees or persons on the employment list of the County and making other non-substantive revisions; waive reading of Ordinance in its entirety; and set the second hearing for the adoption of the proposed Ordinance on December 12, 2023; 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 MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Internal Services

7. Conduct the first hearing to adopt Chapter 13.28 of the Fresno County Ordinance Code, as amended, entitled "Leasing or Licensing of Any Real Property Belonging to, Leased by, or Licensed by the County," which sets the informal bidding procedures for the leasing and licensing of any real property belonging to, leased by, or licensed by the County; waive the reading of the proposed Ordinance in its entirety and set the second hearing for adoption of the proposed Ordinance for December 12, 2023; 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 California Government Code, section 25124(b)(1)

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

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

Public Works and Planning

8. Consider petition for partial cancellation of Agricultural Land Conservation Contract No. 1090 filed by Dale G. Mell & Associates on behalf of Rosemarie and Phil Braun, to remove a 2.36-acre portion of a 29.94-acre parcel from Williamson Act contract to allow the 2.36 acres to be created as a separate parcel for residential use through a Variance Application (VA) to waive minimum parcel size and Mapping application; and if your Board is able to make all five required findings listed under Government Code, Section 51282(b), take following actions: adopt Negative Declaration prepared for the Initial Study 7949; and adopt Resolution authorizing partial cancellation of Agricultural Land Conservation Contract No. 1090; and authorize Chairman to sign Certificate of Tentative Cancellation and approve recording Certificate of Cancellation when all conditions included in Certificate of Tentative Cancellation have been satisfied (subject parcel is located at northeast corner of E. American Avenue and S. Navelencia Avenue, approximately four miles west of nearest boundary limits of City of Orange Cove (22756 E. American) (APN 185-161-47))

CONSIDERED PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 1090 FILED BY DALE G. MELL & ASSOCIATES ON BEHALF OF ROSEMARIE AND PHIL BRAUN, TO REMOVE A 2.36-ACRE PORTION OF A 29.94-ACRE PARCEL FROM WILLIAMSON ACT CONTRACT TO ALLOW THE 2.36 ACRES TO BE CREATED AS A SEPARATE PARCEL FOR RESIDENTIAL USE THROUGH A VARIANCE APPLICATION (VA) TO WAIVE MINIMUM PARCEL SIZE AND MAPPING APPLICATION. CONDUCTED PUBLIC HEARING. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) APPROVE PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 1090; 2) MAKE ALL FIVE REQUIRED FINDINGS LISTED UNDER GOVERNMENT CODE SECTION 51282(b); 3) ADOPT THE NEGATIVE DECLARATION PREPARED FOR THE INITIAL STUDY 7949; 4) ADOPT RESOLUTION AUTHORIZING PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 1090; 5) AUTHORIZE THE CHAIRMAN TO SIGN THE CERTIFICATE OF TENTATIVE CANCELLATION AND APPROVE RECORDING THE CERTIFICATE OF CANCELLATION WHEN ALL CONDITIONS INCLUDED IN THE CERTIFICATE OF TENTATIVE CANCELLATION HAVE BEEN SATISFIED; AND 6) THAT APPROVAL OF THE CANCELLATION PETITION IS SUBJECT TO TWO CONDITIONS OF APPROVAL THAT THE APPLICANT SHALL OBTAIN THE NECESSARY LAND USE APPROVALS TO CREATE THE PROPOSED PARCELS, AND THAT THE APPLICANT SHALL PAY THE CANCELLATION FEE IN THE AMOUNT OF \$15,625.00 AS DETERMINED BY THE COUNTY ASSESSOR AND CERTIFIED BY THE BOARD OF SUPERVISORS FOR ISSUANCE OF A CERTIFICATE OF CANCELLATION BY THE BOARD. THE CANCELLATION FEE SHALL BE PAID, AND A CERTIFICATE OF CANCELLATION ISSUED BY THE BOARD AND RECORDED PRIOR TO RECORDING THE MAP TO CREATE THE PROPOSED 2.36-ACRE AND 27.58-ACRE PARCELS. IF THE CANCELLATION FEE IS NOT PAID WITHIN ONE YEAR OF ISSUANCE OF THE TENTATIVE CERTIFICATE OF CANCELLATION, THE CANCELLATION FEE MUST BE RE-COMPUTED BY THE ASSESSOR'S OFFICE AND RE-CERTIFIED BY THE BOARD OF SUPERVISORS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 23-372

9. Consider petition for partial cancellation of Agricultural Land Conservation Contract No. 50 filed by Dirk Poeschel Land Development Services, Inc. on behalf of Wm Boos & Co., a California General Partnership, to remove a 2.33-acre portion of a 118.95-acre parcel from Williamson Act contract to allow the 2.33 acres to be created as a separate parcel for residential use through a Variance Application (VA) to waive minimum parcel size and Mapping application; and if your Board is able to make all five required findings listed under Government Code, Section 51282(b), take following actions: adopt Negative Declaration prepared for Initial Study 8324; and adopt Resolution authorizing partial cancellation of Agricultural Land Conservation Contract No. 50; and authorize Chairman to sign Certificate of Tentative Cancellation and approve recording Certificate of Cancellation when all conditions included in Certificate of Tentative Cancellation have been satisfied (subject parcel is located on north-east corner of McKinley and Mendocino Avenue, approximately three miles north of City of Sanger (13948 E. McKinley Avenue) (APN 309-070-19))

CONSIDERED PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 50 FILED BY DIRK POESCHEL LAND DEVELOPMENT SERVICES, INC. ON BEHALF OF WM BOOS & CO., A CALIFORNIA GENERAL PARTNERSHIP, TO REMOVE A 2.33-ACRE PORTION OF A 118.95-ACRE PARCEL FROM WILLIAMSON ACT CONTRACT TO ALLOW THE 2.33 ACRES TO BE CREATED AS A SEPARATE PARCEL FOR RESIDENTIAL USE THROUGH A VARIANCE APPLICATION (VA) TO WAIVE THE MINIMUM PARCEL SIZE AND MAPPING APPLICATION. CONDUCTED PUBLIC HEARING. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) APPROVE PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 50; 2) MAKE ALL FIVE REQUIRED FINDINGS LISTED UNDER GOVERNMENT CODE SECTION 51282(b); 3) ADOPT THE NEGATIVE DECLARATION PREPARED FOR THE INITIAL STUDY 8324; 4) ADOPT RESOLUTION AUTHORIZING PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 50; 5) AUTHORIZE THE CHAIRMAN TO SIGN THE CERTIFICATE OF TENTATIVE CANCELLATION AND APPROVE RECORDING THE CERTIFICATE OF CANCELLATION WHEN ALL CONDITIONS INCLUDED IN THE CERTIFICATE OF TENTATIVE CANCELLATION HAVE BEEN SATISFIED; AND 6) THAT APPROVAL OF THE CANCELLATION PETITION IS SUBJECT TO TWO CONDITIONS OF APPROVAL THAT THE APPLICANT SHALL OBTAIN THE NECESSARY LAND USE APPROVALS TO CREATE THE PROPOSED PARCELS, AND THAT THE APPLICANT SHALL PAY THE CANCELLATION FEE IN THE AMOUNT OF \$29,125.00 AS DETERMINED BY THE COUNTY ASSESSOR AND CERTIFIED BY THE BOARD OF SUPERVISORS FOR ISSUANCE OF A CERTIFICATE OF CANCELLATION BY THE BOARD. THE CANCELLATION FEE SHALL BE PAID, AND A CERTIFICATE OF CANCELLATION ISSUED BY THE BOARD AND RECORDED PRIOR TO RECORDING THE MAP TO CREATE THE PROPOSED 2.33-ACRE AND 116.62-ACRE PARCELS. IF THE CANCELLATION FEE IS NOT PAID WITHIN ONE YEAR OF ISSUANCE OF THE TENTATIVE CERTIFICATE OF CANCELLATION, THE CANCELLATION FEE MUST BE RE-COMPUTED BY THE ASSESSOR'S OFFICE AND RE-CERTIFIED BY THE BOARD OF SUPERVISORS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 23-373

Board of Supervisors' Committee Reports and Comments

10. 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 MENDES REPORTED HE WILL BE ATTENDING THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT STUDY SESSION IN MODESTO FOR THE NEXT TWO DAYS. VICE CHAIRMAN MAGSIG DISCUSSED ATTENDING THE STATE ASSOCIATION OF COUNTY RETIREMENT SYSTEMS (SACRS) CONFERENCE AND HIS CONCERN FOR HIGH INTEREST RATES IMPACTING BUSINESSES, THE MARKET, AND THE COUNTY'S RETIREMENT PORTFOLIO; DISCUSSED ATTENDING THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) ANNUAL MEETING AS THE ALTERNATE FOR SUPERVISOR MENDES ON THE CSAC BOARD OF DIRECTORS; REPORTED CONTINUING TO RECEIVE CALLS ABOUT MUSIC VENUES ON RESIDENTIAL PROPERTIES; ANNOUNCED THAT THE CLOVIS CHILDREN'S ELECTRIC CHRISTMAS PARADE IN OLD TOWN CLOVIS WILL BEGIN AT 6:30 P.M. ON DECEMBER 2; AND SHOWED APPRECIATION FOR THIS BOARD'S ABILITY TO DISAGREE WITHOUT BEING DISAGREEABLE. SUPERVISORS BRANDAU AND PACHECO DISCUSSED ATTENDING THE RIBBON-CUTTING FOR VETERANS BOULEVARD WITH SUPERVISOR MENDES AND FORMER SUPERVISOR PHIL LARSON, AND ACKNOWLEDGED THE IMPACT OF MEASURE C. CHAIRMAN QUINTERO DISCUSSED ATTENDING THE CSAC ANNUAL MEETING, AND RECOGNIZED SUPERVISOR MENDES FOR BEING REELECTED TO THE CSAC EXECUTIVE COMMITTEE; ANNOUNCED THE COUNTY'S ON-GOING ANNUAL COAT DRIVE, WITH DONATION BINS LOCATED OUTSIDE OF THE BOARD CHAMBERS, AT THE FRESNO CENTER, AND AT THE DEPARTMENT OF SOCIAL SERVICES (DSS), AND THANKED SARAH FUENTES FROM DSS FOR HELPING WITH COLLECTION EFFORTS; AND HIGHLIGHTED THE GIVING SPIRIT OF FRESNO COUNTY AS LOCAL RESIDENTS, WITHOUT THE HELP OF AN OUTSIDE ORGANIZATION, USE THEIR OWN RESOURCES TO COOK THANKSGIVING MEALS FOR THE HOMELESS

Board Appointments

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

RECEIVED VACANCY REPORT. A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

COMMISSION ON THE STATUS OF WOMEN
REAPPOINT ALMA BELTRAN (TERM TO EXPIRE 07/01/25)

FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD
REAPPOINT CHRIS ZEITZ (TERM TO EXPIRE 11/01/25)

HISTORICAL LANDMARKS & RECORDS ADVISORY COMMISSION
APPOINT WILLIAM B. SECREST, JR. TO THE POSITION PREVIOUSLY HELD BY BLAKE ZANTE (TERM TO EXPIRE 01/04/27)

WATERWORKS DISTRICT NO. 18
APPOINT BRENDA HOBBS TO THE POSITION PREVIOUSLY HELD BY ALBERT CONSTABLE (TERM IS INDEFINITE)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

12. 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; NO PUBLIC PRESENTATIONS WERE MADE

Closed Session

13. 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
14. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
HELD; NO REPORTABLE ACTION
15. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
16. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Kevin Kester, et al. v. County of Fresno et al., San Luis Obispo County Superior Court Case No. 19CVP-0101
HELD; NO REPORTABLE ACTION

Sitting as the Fresno County In-Home Supportive Services Public Authority Governing Board:

17. Sitting as the In-Home Supportive Services Public Authority Governing Board: Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Oralia Gomez; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment
HELD; NO REPORTABLE ACTION

Adjourn

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

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

APPROVED:

/s/ Sal Quintero
SAL QUINTERO, 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 12, 2023

CONSENT AGENDA

PRIOR TO BOARD APPROVAL OF THE CONSENT AGENDA, THE CLERK ANNOUNCED A CORRECTION TO ITEM 31: AS IT APPEARS ON THE AGENDA, THE ITEM INCORRECTLY REFERS TO THE VENDOR AS "OUTFRONT MEDIA, INC." THE VENDOR'S NAME SHOULD BE CORRECTED TO MATCH THE RECOMMENDED ACTION AS WRITTEN IN THE AGENDA ITEM, WHICH CORRECTLY REFERS TO THE VENDOR AS "OUTFRONT MEDIA, LLC." A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH THE CORRECTION TO ITEM 31 AND THE EXCEPTION OF ITEMS 24, 31, 35, 57, 69 AND 70 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

18. Approve minutes for November 7, 2023

APPROVED AS RECOMMENDED

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

19. Accept Certificate of Facts regarding declarations of candidacy for eligible positions for the Landowner voting districts; and appoint, in lieu of election, Landowner candidates who filed declarations of candidacy unopposed

APPROVED AS RECOMMENDED

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

Chairman Quintero

20. Adjourn in Memory of Dr. Ernest Ramirez Palomino

APPROVED AS RECOMMENDED

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

21. Adjourn in Memory of Jack Ray Kojigian

APPROVED AS RECOMMENDED

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

22. Adjourn in Memory of Harold Boyd Hale

APPROVED AS RECOMMENDED

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

Supervisor Brandau

23. Proclaim November 30th as "Margaret Dorteia Seib Day" in honor of her 100th Birthday

APPROVED AS RECOMMENDED

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

Resolution No. 23-348

24. Adopt an amended Resolution establishing a "Parents Matter" approach to reviewing age-appropriate children's books in Fresno County Libraries

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

Ayes: 3 - Brandau, Magsig, and Mendes

Noes: 2 - Pacheco, and Quintero

Resolution No. 23-377

Auditor Controller-Treasurer/Tax Collector

25. Delegate investment authority to the Auditor-Controller/Treasurer-Tax Collector for the 2024 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

26. Consider and appoint candidate Joseph David Denham to the Sierra Resource Conservation District Board of Directors to a term set to expire November 29, 2024

APPROVED AS RECOMMENDED

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

27. Approve and authorize the Chairman to execute an Agreement with Toppan Merrill, LLC, for the procurement of County Voter Information Guides and elections translations, 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 \$8,750,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-618

District Attorney

28. Retroactively approve and authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Automobile Insurance Fraud Program, for the period July 1, 2023 through June 30, 2024 (\$559,693); adopt Resolution retroactively approving and authorizing the District Attorney, or her designee, to execute retroactive Grant Award Agreement, including any extensions or amendments, for continued funding of the Automobile Insurance Fraud Program with the CDI, for the period July 1, 2023 through June 30, 2024 (\$395,060); adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues in the amount of \$19,454 in the District Attorney's Special Revenue Fund 0060, CDI Automobile Fraud Program, Org 1104 (4/5 vote); and adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues in the amount of \$19,454 in the District Attorney-Grants Org 2862 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 23-349, Resolution No. 23-350, Resolution No. 23-351

29. Retroactively authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Disability and Healthcare Insurance Fraud Program for the period of July 1, 2023 through June 30, 2024 (\$340,290); and adopt a Resolution retroactively approving and authorizing the District Attorney, or her designee, to execute retroactive Grant Award Agreement, including any extensions or amendments, for continued funding of the Disability and Healthcare Insurance Fraud Program with the CDI, for the period July 1, 2023 through June 30, 2024 (\$160,979)

APPROVED AS RECOMMENDED

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

Resolution No. 23-352

30. Retroactively authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Workers' Compensation Insurance Fraud Program, for the period July 1, 2023 through June 30, 2024 (\$1,091,298); and Adopt a Resolution retroactively approving and authorizing the District Attorney, or her designee, to execute retroactive Grant Award Agreement, including any extensions or amendments, for continued funding of the Workers' Compensation Insurance Fraud Program with the CDI, for the period July 1, 2023 through June 30, 2024 (\$1,076,651)

APPROVED AS RECOMMENDED

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

Resolution No. 23-353

31. Approve and authorize the Chairman to execute Amendment II to Agreement A-22-058 with OUTFRONT Media, Inc. for a Fentanyl Awareness advertising campaign, effective upon execution with no change in the term through March 6, 2025, amending the scope of services and increasing the maximum compensation amount by \$160,000, to a total of \$436,170

PRIOR TO BOARD APPROVAL OF THE CONSENT AGENDA, THE CLERK ANNOUNCED A CORRECTION TO ITEM 31: AS IT APPEARS ON THE AGENDA, THE ITEM INCORRECTLY REFERS TO THE VENDOR AS "OUTFRONT MEDIA, INC." THE VENDOR'S NAME SHOULD BE CORRECTED TO MATCH THE RECOMMENDED ACTION AS WRITTEN IN THE AGENDA ITEM, WHICH CORRECTLY REFERS TO THE VENDOR AS "OUTFRONT MEDIA, LLC." A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, 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. 23-647

Sheriff/Coroner/Public Administrator

32. 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 Sheriff's Office would best be served by entering into a Master Agreement with Renew Auto Body & Paint and Greenway Auto Body, and approve and authorize the Chairman to execute a Master Agreement with Renew Auto Body & Paint and Greenway Auto Body to repair Sheriff's Office fleet vehicles, effective November 28, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extension, total not to exceed \$1,250,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-619

- 33.** Retroactively approve and authorize the Sheriff's Office previous submittal of an online grant application on behalf of the County of Fresno to the U.S. Department of Justice, Bureau of Justice Assistance, for the 2023 Forensic DNA Capacity Enhancement and Backlog Reduction Program Grant (\$444,551); retroactively approve, ratify and authorize the Sheriff's, or his designee's, execution of retroactive Grant Award Agreement Number 15PBJA-23-GG-01226-DNAX, in the Justice Grants System, which requires compliance with assurances and certifications that relate to conduct during the performance of the award/agreement on behalf of the County of Fresno to the U.S. Department of Justice, Bureau of Justice Assistance for the 2023 Forensic Casework DNA Backlog Reduction Grant, effective October 1, 2023 through September 30, 2025 in the amount of \$444,551; adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator's Org 3111 in the amount of \$93,910 (4/5 vote); and authorize the Sheriff, or his designee, to sign and submit claims for reimbursement, activity reports, notices, extend the grant ending date to expend allocated funding, and other related documents consistent with the grant award

APPROVED AS RECOMMENDED

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

Resolution No. 23-354

- 34.** Approve and authorize the submission of an Application for Financial Aid in the amount of \$1,751,071 to the State of California Department of Parks and Recreation Division of Boating and Waterways for the FY 2024-25 Boating and Enforcement Aid Program in Fresno County; and approve and authorize the Sheriff, or his or her 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

- 35.** Determine that certain specified areas (as described in the recommended Agreement) in the Fresno County Sheriff Area 2 Substation property are not, and during the time of possession, will not be needed for County purposes, and that making the specified areas available to the Fresno Sheriff's Memorial Foundation to design and build the Fresno Sheriff Memorial and Education Center will serve public purposes and is necessary to meet the social needs of the population of Fresno County; and approve and authorize the Chairman to execute an Agreement with Fresno Sheriff's Memorial Foundation to use portions of the Fresno County Sheriff Area 2 Substation property to design and build the Fresno Sheriff Memorial and Education Center, effective November 28, 2023 through November 27, 2033 with two (2) additional ten (10) year terms (\$0)

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

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

Agreement No. 23-643

- 36.** Adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$184,055 for the purchase of three (3) patrol vehicles and up-fitting (4/5 vote); and Approve and Authorize the Clerk of the Board to execute Budget Transfer No. 89 transferring FY 2023-24 appropriations from Sheriff-Coroner-Public Administrator Org 3111 (\$160,000), from account 7295 (Professional & Specialized Services) to account 8300 (Equipment), in the amount of \$160,000 to fund the purchase of four (4) non-patrol vehicles for the Public Administrator

APPROVED AS RECOMMENDED

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

Resolution No. 23-355

- 37.** 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. 23-014

38. Approve and authorize the Sheriff-Coroner-Public Administrator, or his designee, as the official designated to execute a Grant Application/Agreement including Grant Subaward Face Sheet, Certification of Assurance and Subrecipient Grants Management Assessment forms for the 2023 Internet Crimes Against Children (ICAC) Program grant from the California Governor's Office of Emergency Services (Cal OES) ICAC Program, including any amendments and extensions, which assists local law enforcement agencies in enhancing their investigative response to offenders who use the internet, online communication systems, or other computer technology to sexually exploit children to fund activities of the Fresno County Sheriff's ICAC Task Force, for the period of January 1, 2024 through December 31, 2024 (\$950,000); and approve and authorize the Sheriff-Coroner-Public Administrator, or his designee, to execute the required Authorization for the Grant Subaward Certification of Assurance of Compliance

APPROVED AS RECOMMENDED

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

39. Retroactively approve and authorize the Sheriff's previous submittal of an online grant application on behalf of the County to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office of Juvenile Justice and Delinquency Prevention (OJJDP), for the Central California Internet Crimes Against Children (ICAC) Task Force Program, effective October 1, 2023, to September 30, 2024, in the amount of \$491,054; approve, ratify, and authorize the Sheriff's, or his designee's, execution of retroactive Grant Award/Agreement Number 15PJDP-22-GK-04888-MECP, which requires compliance with assurances and certifications that relate to conduct during the performance of the Award/Agreement on behalf of the County to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office of Juvenile Justice and Delinquency Prevention (OJJDP), for the Central California Internet Crimes Against Children (ICAC) Task Force Program, effective October 1, 2023 to September 30, 2024, in the amount of \$491,054; authorize the Sheriff, or his designee, to sign claims for reimbursement, activity reports, extend the grant ending date to expend allocated funding; and authorize the Sheriff, or his designee to execute a Memorandum of Understanding (MOU) in substantially the form as attached to this item to add new participating law enforcement, investigative, and prosecutorial agencies to the ICAC task force, subject to approval as to legal form by County Counsel

APPROVED AS RECOMMENDED

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

- 40.** Approve and authorize the Chairman to execute Amendment IX to Agreement with California Forensic Medical Group, Incorporated (CFMG) for jail medical services for the Sheriff-Coroner-Public Administrator's Office detention facilities, extending the term by six months, commencing on January 1, 2024, to June 30, 2024, and increasing the maximum by \$16,358,514 to a total of \$175,367,641

APPROVED AS RECOMMENDED

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

Agreement No. 23-620

County Counsel

- 41.** Approve and authorize the Chairman to execute a Settlement Agreement to fully resolve the County's lawsuit against Tyler Ortman, Victoria Hinderaker, and Shorebreak Volleyball Club, LLC (Defendants) for the unlawful operation of an unpermitted commercial volleyball camp and tournament venue at 13545 E. Bullard Avenue

APPROVED AS RECOMMENDED

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

Agreement No. 23-621

- 42.** Approve and authorize the Chairman to execute a Settlement Agreement and Release to fully resolve the claims by Fresno-Air LTD (Claimant), for a settlement sum of \$98,092

APPROVED AS RECOMMENDED

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

Agreement No. 23-622

- 43.** Approve amendment to the Salary Resolution adding one Departmental Business Manager position without increasing total positions allocated to the department, Effective December 11, 2023, as reflected in Appendix E; and Approve amendment to the Salary Resolution establishing the salary of the Departmental Business Manager effective December 11, 2023, as reflected in Appendix E

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-039

Administrative Office

44. Retroactively approve and authorize the County Administrative Officer's previous submission of an Application for the Local Immigrant Integration and Inclusion Grant (LIIG) (\$386,661); approve and authorize the Chairman to execute a retroactive Agreement with the International Affairs and Trade Unit within the Governor's Office of Business and Economic Development, to increase economic development in rural communities and increase access to resources within immigrant communities, effective October 1, 2023 through November 30, 2025, total not to exceed \$386,661; 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 an agreement with the Fresno Area Hispanic Foundation as this vendor made the County of Fresno aware of the LIIG, was able to write the grant prior to the filing deadline, and has substantial experience in implementing grant programs; approve and authorize the Chairman to execute the LIIG Collaborative Declaration so that the Fresno Area Hispanic Foundation may partner with the County to deliver the coordinated programs and services using these grant funds; approve and authorize the Chairman to execute an agreement with the Fresno Area Hispanic Foundation, as the eligible third-party subgrantee to deliver the coordinated programs and services, effective upon execution through November 30, 2025, total not to exceed \$386,661; and adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues in the Interest and Miscellaneous Expenditures Org 2540 in the amount of \$193,331 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 23-356, Agreement No. 23-623, Agreement No. 23-624

45. Accept the 2023 Annual Williams Lawsuit Agreement Report from the Fresno County Office of Education

APPROVED AS RECOMMENDED

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

46. Approve and authorize the Chairman to execute First Amendment to Subrecipient Agreement No. 22-340 for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) with Fresno Community Hospital and Medical Center to revise the expenditure plan, modification clause, and update the hold harmless clause, with no increase to maximum compensation (\$2,720,670); and Authorize the County Administrative Officer to approve and execute written changes to line 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 the Subrecipient

APPROVED AS RECOMMENDED

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

Agreement No. 23-625

47. Approve an updated form of agreement for County hearing officers, and continue authorizing the County Administrative Officer to execute agreements with attorneys who will serve as County hearing officers, and to modify hourly rates and insurance requirements equally for all hearing officers, subject to approval by County Counsel as to legal form

APPROVED AS RECOMMENDED

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

Behavioral Health

48. Retroactively approve and authorize the Director of the Department of Behavioral Health's application to the California Department of Health Care Services for the Non-Competitive Behavioral Health Bridge Request for Applications that was submitted April 27, 2023 (\$21,833,333); 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 an agreement with RH Community Builders LP as this vendor is uniquely qualified to provide the Behavioral Health Bridge Program services; Approve and authorize the Chairman to execute an Agreement with the California Department of Health Care Services for the Non-Competitive Behavioral Health Bridge grant allocation for \$21,833,333; and Approve and authorize the Chairman to execute an Agreement with RH Community Builders LP for Behavioral Health Bridge Program Services, retroactive to September 5, 2023, not to exceed 4 consecutive years, total not to exceed \$39,498,370

APPROVED AS RECOMMENDED

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

Agreement No. 23-626, Agreement No. 23-627

- 49.** Approve and authorize the Chairman to execute a Participation Agreement with the California Mental Health Services Authority for Participatory Action Research with Justice-Involved Youth Using an Adverse Childhood Experience (ACEs) Framework, effective upon execution through June 30, 2028, total not to exceed \$2,585,000; 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 Innovation program related reports and forms, with no change to the compensation maximum

APPROVED AS RECOMMENDED

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

Agreement No. 23-628

- 50.** Approve and authorize the Chairman to execute a retroactive Participation Agreement (No. 4608-SHB-2023-FC) with the California Mental Health Services Authority State Hospital Program to contract for state hospital beds and services, effective July 1, 2023 through June 30, 2025 (\$5,608); and approve and authorize the Chairman to execute a retroactive Memorandum of Understanding with the California Department of State Hospitals and the California Mental Health Services Authority for the purchase of state psychiatric hospital beds on behalf of the County, effective October 1, 2023 through June 30, 2025 (\$850,000)

APPROVED AS RECOMMENDED

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

Agreement No. 23-629, Agreement No. 23-630

Human Resources

- 51.** Adopt Resolution to extend the provisions of the California Military & Veterans Code (MVC), Section 395.03, to 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. 23-357

52. Approve Amendment to the Salary Resolution, Section 614.3 - Accrual for Prior Service, effective November 27, 2023, as reflected on Appendix "B"; and approve Amendment to the Salary Resolution, adding Section 812.3 - Additional Compensation During an Emergency, effective November 27, 2023, as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-040

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

APPROVED AS RECOMMENDED

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

Resolution No. 23-358, Resolution No. 23-359, Resolution No. 23-360, Resolution No. 23-361, Resolution No. 23-362, Resolution No. 23-363, Resolution No. 23-364, Resolution No. 23-365, Resolution No. 23-366

54. Approve Salary Resolution Amendment adjusting the salary range of the Supervising Engineer classification, effective December 11, 2023, as reflected on Appendix "A"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-041

55. Approve the successor Memorandum of Understanding for Representation Unit 19 - Professional Employees, represented by the Fresno County Professional Association of Employees, effective November 27, 2023; and approve the related Salary Resolution Amendment as reflected on Appendix "C"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-042

56. Approve salary adjustments for Accountant I/II/Sr - Confidential classifications, effective November 27, 2023, as reflected on Appendix "D"; and approve salary adjustments for the Supervising Accountant classification, effective November 27, 2023, as reflected on Appendix "D"; and approve the related Salary Resolution Amendments, as reflected on Appendix "D"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-043

Internal Services

57. Approve and authorize the Chairman to execute, and to direct the Director of Internal Services/Chief Information Officer, or their designee ("Director") to deliver, the County's Notice of Purchase Option to Pontiac 4 LLC, a California limited liability company ("Seller"), for the County's purchase of 200 W. Pontiac Way, Clovis, CA 93612, including the building and improvements (APN 493-070-88) ("Property"); Approve and authorize the Chairman to execute the Purchase and Sale Agreement with Seller for the County's purchase of the Property from Seller, with an expected escrow closing date of January 2, 2024, for the sum of \$15,700,000 ("Purchase Agreement"); Authorize and direct the Director to take any action as deemed necessary or appropriate, all of which shall be consistent with the Purchase Agreement, and the foregoing Board approvals and actions, to: a) Open, carry out, and close escrow for the County's purchase of the Property from Seller; deliver the County's refundable \$100,000 deposit into escrow; deliver the County's acceptance of Seller's Grant Deed; and obtain title insurance in favor of the County for the Property in the amount of the purchase price of the Property at escrow closing; b) Review, approve, execute, and/or deliver any agreements, documents, certificates, notices, and instruments, and any amendments to any of the foregoing (subject to prior review and approval as to legal form by County Counsel, and, as applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector), and to take any other actions to initiate, carry out, and finalize the County's purchase of the Property from the Seller; and c) Perform any other obligations, or exercise any other rights, of County under the Purchase Agreement to finalize the County's purchase of the Property; Adopt Budget Resolution increasing the FY 2023-24 appropriations and estimated revenues for Probation Org 3430 in the amount of \$15,273,057 (4/5 vote); Adopt Budget Resolution increasing the FY 2023-24 appropriations and estimated revenues for County Buildings Org 0131 in the amount of \$15,730,000 (4/5 vote); and Adopt Budget Resolution increasing the FY 2023-24 appropriations for Local Assistance Fund Org 1034 in the amount of \$456,943 (4/5 vote)

A MOTION WAS MADE BY SUPERVISOR 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

Resolution No. 23-374, Resolution No. 23-375, Resolution No. 23-376, Agreement No. 23-646

58. Approve and authorize the Chairman to execute an Agreement with Nations Roof West LLC, for emergency roofing maintenance 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 \$2,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-631

- 59.** Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances, as AssetWorks, Inc. is the sole provider of FleetFocus software; and approve and authorize the Chairman to execute an Agreement with AssetWorks, Inc., for a fleet management software system and hosting services effective December 1, 2023 not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$671,900

APPROVED AS RECOMMENDED

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

Agreement No. 23-632

Library

- 60.** Approve designation and placement of Smith's Ferry on the County's Register of Historic Places; and authorize the Chairman to execute the certificate for a Historic Place

APPROVED AS RECOMMENDED

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

- 61.** Retroactively authorize the County Librarian's previous submittal of a grant application to the California State Library for Building Forward Library Facilities Improvement Program grant funding for Fresno County Public Library - Central Library Improvements (\$4,226,916); approve and adopt a Resolution approving acceptance of the California State Library Building Forward grant funds for the Fresno County Public Library - Central Library (\$4,195,847), and designating the Chairman of the Board as the Authorized Representative who is allowed to enter into the grant agreement on behalf of the County; and approve and ratify the County Administrative Officer's execution and submittal of a letter to the California State Library confirming that the County will accept and administer the grant funds, and identifying the County's mailing address, project contact, authorized representative, and acknowledgement that a formal resolution will be required

APPROVED AS RECOMMENDED

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

Resolution No. 23-367

Probation

62. Retroactively approve and authorize the Chief Probation Officer's previous submittal of a grant proposal to the State of California, Governor's Office of Emergency Services for the Unserved/Underserved Victim Advocacy and Outreach Program (\$196,906); Approve and authorize the Chairman to execute a Grant Application/Agreement for the Unserved/Underserved Victim Advocacy and Outreach Program with Cal OES, for the period of January 1, 2024 through December 31, 2024 (\$196,906); and Approve and Authorize the Auditor-Controller/Treasurer-Tax Collector, or his designee, to execute the required Authorization for the Grant Subaward Certification of Assurance of Compliance

APPROVED AS RECOMMENDED

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

Agreement No. 23-633

Public Health

63. Approve and authorize the Chairman to execute an Agreement with the County of Madera for Public Health Laboratory Testing Services, effective upon execution through October 10, 2028, total not to exceed \$250,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-634

64. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health, for Proposition 99 and Proposition 56 Tobacco Control Program funds, effective July 1, 2023 through June 30, 2024 (\$706,281); adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$140,491 (4/5 vote); and adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for the Department of Public Health Org 1164 in the amount of \$140,491 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 23-368, Resolution No. 23-369, Agreement No. 23-635

- 65.** Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Emergency Medical Services Authority for multi-county emergency medical services coordination, effective July 1, 2023 through June 30, 2024 (\$959,945)

APPROVED AS RECOMMENDED

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

Agreement No. 23-636

- 66.** Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health for the Childhood Lead Poisoning Prevention Program, effective July 1, 2023 through June 30, 2026 (\$4,719,083); and approve and authorize the Director of Public Health, or designee, to execute the State Contractor's Release for the final invoice

APPROVED AS RECOMMENDED

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

Agreement No. 23-637

- 67.** Approve and authorize the Chairman to execute a retroactive revenue Agreement with Fresno County Superintendent of Schools for participation in the organized Home Visitation Network, effective July 1, 2023 through June 30, 2024, total not to exceed \$10,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-638

- 68.** Approve and authorize the Chairman to execute First Amendment to revenue Agreement with the California Department of Public Health for enhanced Congenital Syphilis Prevention activities, extending the term by twenty-five months from January 1, 2024 through January 31, 2026 and increasing the maximum compensation by \$280,000 to a total of \$980,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-639

69. 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 an agreement with the Kirkland Foundation as this vendor is specialized in providing the requested services at a cost that maximizes available funding; and approve and authorize the Chairman to execute an Agreement with the Kirkland Foundation to pilot a low-cost spay and neuter program, effective upon execution, not to exceed two consecutive years, which includes a one-year base term and one optional one-year extension, total not to exceed \$508,800

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, 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. 23-645

Public Works and Planning

70. Make a finding that it is in best interest of County to waive competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for Master Agreement listed within recommended action number two in order to ensure a sufficient number of vendors are available to meet demand and ensure timely response to illegal dumping; and approve and authorize Chairman to execute a Master Agreement, effective for each Contractor upon execution by Contractor and County, to provide non-hazardous roadside waste removal services throughout County unincorporated areas, for County-owned rights of ways, easements, and County-maintained roads, total term not to exceed five consecutive years, which includes a base term of November 28, 2023 through June 30, 2026 and two optional one-year extensions with authority to approve such extensions on behalf of County delegated to the Director of Public Works and Planning, total not to exceed \$2,500,000 for potential approximate five-year term (4/5 vote)

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED, WITH DIRECTION FOR STAFF TO RETURN TO THE BOARD WITH AN AMENDMENT TO THE MASTER AGREEMENT FOR INCREASING THE BASE TERM AND EACH OPTIONAL ONE-YEAR EXTENSION FROM \$500,000 TO \$1,000,000 PER YEAR FOR A TOTAL MAXIMUM COMPENSATION OF \$5,000,000. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Agreement No. 23-644

71. Retroactively authorize, approve, and ratify execution by Director of Department of Public Works and Planning and submittal by Department of Public Works and Planning of a Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Discretionary Grant application to United States Department of Transportation for County of Fresno West Side Flooding Resilience Plan, a study of Fresno County's rural west side transportation corridors to reduce impact of flooding events on its infrastructure (\$540,000)

APPROVED AS RECOMMENDED

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

72. Approve and authorize Chairman to execute Agreement with the City of Selma for the Selma Sidewalk Connectivity, Phase II, Community Development Block Grant Project No. 23651, effective upon execution through March 24, 2025, and authorizing Director of Public Works and Planning to evaluate and grant timeline extensions for completion of the Project, total Community Development Block Grant funding amount not to exceed \$372,029

APPROVED AS RECOMMENDED

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

Agreement No. 23-640

73. Approve and authorize Chairman to execute Agreement with Biola Community Services District for Biola Groundwater Recharge, Community Development Block Grant Project No. 21032, effective upon execution through February 18, 2025, and authorize Director of Public Works and Planning to evaluate and grant timeline extensions for completion of Project, total Community Development Block Grant funding amount not to exceed \$300,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-641

74. Conduct second hearing on and adopt an Ordinance amending Ordinance Code of Fresno County, Chapter 2.52 - Department of Public Works and Planning to update Paragraph N to Section 2.52.040 - Duties of Director of Public Works and Planning, to continue to delegate certain authority to Director of Department of Public Works and Planning to acquire, on behalf of the Board, subject to approval of County Counsel as to legal form and as to accounting form by Auditor-Controller/Treasurer-Tax Collector, any interest in any real property necessary for certain transportation projects and for certain non-transportation projects for which the Board has expressly authorized funding or has otherwise expressly approved project; and waive reading of proposed Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 23-015

- 75.** Retroactively approve and authorize Director of Public Works and Planning's previous submittal of funding applications to Fresno Council of Governments for FY 2023-24 Congestion Mitigation and Air Quality, Surface Transportation Block Grant, and Carbon Reduction Program Federal funding (\$16,671,330); and endorse City of Sanger's submittal of joint City/County project to Fresno Council of Governments for Surface Transportation Block Grant Federal funding; and adopt Resolution supporting and implementing timely use of funding, related to project delivery schedules for Federal transportation selection, in accordance with Assembly Bill 1012

APPROVED AS RECOMMENDED

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

Resolution No. 23-370

Social Services

- 76.** Approve and authorize the Chairman to execute the acknowledgement of the Assignment and Assumption Agreement that is required to reassign the Homekey Standard Agreement from RH Community Builders, LP to Crossroads Village Fresno, LP

APPROVED AS RECOMMENDED

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

Agreement No. 23-642