



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, September 6, 2022

9:30 AM

Hall of Records

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

Invocation and Pledge of Allegiance

PASTOR STUART JONES, CARUTHERS CHURCH OF THE NAZARENE, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 8 WHICH WAS CONTINUED TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 16 - 43

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 17, 17.1, 21, 22 AND 29 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Chairman Pacheco and Supervisor Magsig

- 3. Adopt Resolution in support of Fresno Sheriff's Sergeants Association capital project to design and build the Fresno Sheriff Memorial at the site of the new Metro Substation

A MOTION WAS MADE BY SUPERVISOR 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

Resolution No. 22-309

Chairman Pacheco and Supervisor Mendes

- 4. Adopt Resolution in recognition of Westlands Water District's 70th Anniversary

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

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

Resolution No. 22-310

Supervisor Quintero

- 5. Proclaim September 2022 as Suicide Prevention Awareness Month

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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

Resolution No. 22-311

Supervisor Magsig

- 6. Proclaim the Month of September 2022 as National Recovery Month in Fresno County

A MOTION WAS MADE BY SUPERVISOR 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. 22-312

Administrative Office

7. Accept the Fresno County Foster Care Standards and Oversight Committee report for activities from July 1, 2021 through June 30, 2022

ACCEPTED THE FRESNO COUNTY CARE STANDARDS AND OVERSIGHT COMMITTEE REPORT FOR ACTIVITIES FROM JULY 1, 2021 THROUGH JUNE 30, 2022. 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. Receive presentation on the Fresno County Multi-Jurisdictional 6th Cycle Housing Element Update

CONTINUED TO A DATE UNCERTAIN

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR MAGSIG ACKNOWLEDGED THE TWO-YEAR ANNIVERSARY OF THE CREEK FIRE ON SEPTEMBER 4, RECOGNIZING SHAVER LAKE CHURCH, WHICH CONTINUES TO HELP PEOPLE AFFECTED BY THE FIRE, AND THE FUNDRAISING EVENTS HELD AT SHAVER LAKE AS WELL AS HUNTINGTON LAKE, WHICH RECEIVED ASSISTANCE FROM CHINA PEAK, RAISED FUNDS FOR THE HUNTINGTON LAKE VOLUNTEER FIRE DEPARTMENT AND WAS ATTENDED BY THE PINE RIDGE FIRE DEPARTMENT, REPRESENTATIVES FROM SHAVER LAKE AND THE U.S. FOREST SERVICE, ALL OF WHICH EMPHASIZES THE CONTINUING COLLABORATION IN REBUILDING FROM THE FIRE; AND SAID HE WILL LOOK INTO DEMONSTRATION PROJECTS WITH THE U.S. FOREST SERVICE FOR ADDITIONAL PROTECTIONS FOR THE SHAVER LAKE COMMUNITY. SUPERVISOR MAGSIG ALSO REPORTED ON RECENT FIRES, INCLUDING THE NUTMEG FIRE IN THE BLUE CANYON AREA THAT STARTED ON FRIDAY AND THE FIRES IN MADERA COUNTY THAT STARTED ON SATURDAY. VICE CHAIRMAN QUINTERO ATTENDED THE 9TH ANNUAL STATE OF OUR CHILDREN BREAKFAST, HELD BY THE CHILDREN'S MOVEMENT, WHO WORKS WITH THE COUNTY'S DEPARTMENT OF PUBLIC HEALTH AND DEPARTMENT OF CHILD SUPPORT SERVICES, TO PROVIDE SERVICES FOR CHILDREN AND STUDENTS THROUGHOUT THE COUNTY; RECOGNIZED CAL VIVA FOR RECEIVING THE NATIONAL COMMUNITY ACTION CORPORATE PARTNERSHIP AWARD FOR THEIR OUTREACH WORK IN FRESNO COUNTY; AND CONGRATULATED THE FRESNO JUNIOR HOCKEY CLUB AND THEIR TRY HOCKEY FOR FREE MONTH PROGRAM FOR RECEIVING A \$20,000 DONATION FROM DICK'S SPORTING GOODS TO BUY UPDATED EQUIPMENT. VICE CHAIRMAN QUINTERO ALSO ATTENDED THE FRESNO FOOD EXPO ON THURSDAY, WHERE MOST OF THE BUSINESSES THERE DISPLAYING THEIR FOOD WERE FROM FRESNO COUNTY, INCLUDING THE EXPO'S AWARD-WINNER ORTEGA FOODS, WHICH PROVIDES MEAT TO SEVERAL LOCAL RESTAURANTS OTHER BUSINESSES AND HAS ALREADY BEEN CONTACTED BY COSTCO AS A PROVIDER FOR THEIR BEEF

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THE NOMINATION FOR APPOINTMENT BE APPROVED AS FOLLOWS:

CITIZENS REVIEW PANEL (LIBRARY SALES TAX)

APPOINTED LINDA RENN TO POSITION PREVIOUSLY HELD BY J. FITZGERALD KELLY (TERM TO EXPIRE 01/03/2023)

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 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)

HELD; NO REPORTABLE ACTION

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

HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY SUPERVISOR 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/ Brian Pacheco
BRIAN PACHECO, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

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

APPROVED ON SEPTEMBER 20, 2022

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 17, 17.1, 21, 22 AND 29 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 16. Approve minutes of meeting for August 23, 2022

APPROVED AS RECOMMENDED

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

Supervisor Brandau and Supervisor Magsig

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

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

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

Supervisor Brandau

- 17.1 Adjourn in Memory of Julie Rodriguez

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

Supervisor Magsig

- 17.2 Adjourn in Memory of Dr. Venu Gopal, Chief Forensic Pathologist at the Fresno County Sheriff-Coroner's Office

APPROVED AS RECOMMENDED

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

Supervisor Mendes

- 18. Adopt Resolution honoring the 25th Anniversary of Aera Energy LLC in Coalinga, California

APPROVED AS RECOMMENDED

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

Resolution No. 22-295

18.1 Adjourn in Memory of Mr. Earl Hudson, a member of a long-time farming family in the Sanger area

APPROVED AS RECOMMENDED

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

Supervisor Quintero

19. Adjourn in Memory of Vahan Chamlian

APPROVED AS RECOMMENDED

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

20. Proclaim September 2022 as Fresno Jr. Hockey Club's Try Hockey for Free Month

APPROVED AS RECOMMENDED

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

Resolution No. 22-296

21. Proclaim September 6, 2022 Media Day

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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

Resolution No. 22-297

22. Proclaim September 6, 2022 Media Recognition Day

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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

Resolution No. 22-298

Auditor Controller-Treasurer/Tax Collector

23. Adopt Resolution establishing tax rates and levying taxes on the secured roll for the countywide rate of 1%, voter approved indebtedness, ad valorem taxes for revenue districts, and unitary taxes in Fresno County for the FY 2022-23

APPROVED AS RECOMMENDED

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

Resolution No. 22-299

County Clerk/Registrar of Voters

- 24. Adopt a Resolution approving election consolidation requests filed by the entities included in the November 8, 2022 Statewide General Election as listed in the agenda item recommended action

APPROVED AS RECOMMENDED

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

Resolution No. 22-300

Administrative Office

- 25. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of services to promote and market the resources and economy of Fresno County; and approve and authorize the Chairman to execute a retroactive sole source Agreement with The Economic Development Corporation Serving Fresno County to promote and market the resources and economy of Fresno County, effective July 1, 2022 through June 30, 2023 (\$188,000)

APPROVED AS RECOMMENDED

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

Agreement No. 22-392

- 26. Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard

APPROVED AS RECOMMENDED

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

Resolution No. 22-301

- 27. Adopt Resolution proclaiming continuation of the local emergency status relating to the Severe Drought and request that the Governor provide resources and support to mitigate and recover from the drought

APPROVED AS RECOMMENDED

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

Resolution No. 22-302

28. Approve Panoche Drainage District, Panoche Water District and Mercy Springs Water District requests to move from odd to even-numbered year elections and set the date for the Panoche Drainage District and Panoche Water District's elections to occur on the same day as the November 2022 Statewide General Election and Mercy Springs Water District's election to occur on the same day as the November 2024 Statewide General Election

APPROVED AS RECOMMENDED

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

29. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Del Rey Community Service District in the amount of \$418,000 to fund the design, surveying and engineering, environmental review, and construction of a groundwater recharge project in the unincorporated Community of Del Rey; and, approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with the ACTS Foundation in the amount of \$500,000 to fund increased service capacity in its food and supplies distribution programs: Grocery Giveaway, CityServe, and the Senior Citizens Grocery Delivery for calendar years 2023 and 2024

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. 22-407, Agreement No. 22-408

Behavioral Health

30. Retroactively approve and authorize the Department of Behavioral Health Director's previous submittal of Chairman to execute the Biennial 2022-2024 Application / Agreement with the California Department of Health Care Services (DHCS) for Substance Abuse and Mental Health Services Administration (SAMHSA) Community Mental Health Services Block Grant (MHBG) funds for dual diagnosis mental health services in licensed residential board and care facilities, effective July 1, 2022 through June 30, 2024 (\$10,000,000.00); and approve and authorize the Director of the Department of Behavioral Health, or designee, as signatory on behalf of the Board of Supervisors on associated grant agreement documents, expenditure forms and reports, with no change to the compensation amount or term

APPROVED AS RECOMMENDED

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

Agreement No. 22-409

Human Resources

- 31. 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 George Hills Company is the only provider with specific knowledge of the County’s General Liability Program; and approve and authorize the Chairman to execute an Agreement with George Hills Company for general liability third party claims administration effective September 6, 2022, not to exceed four years, which includes a two-year base contract, and two optional one-year extensions, total not to exceed \$700,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-393

- 32. Resolutions Rejecting Claims for Damages

APPROVED AS RECOMMENDED

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

Resolution No. 22-303, Resolution No. 22-304, Resolution No. 22-305, Resolution No. 22-306

Internal Services

- 33. Approve and authorize the Chairman to execute Amendment No. 2 to Energy Services Agreement-Solar with ForeFront Power BTM Solar, LLC., effective upon execution, to extend the term by 90 days from March 24, 2045 to June 22, 2045, with no change to the compensation maximum; and, approve and authorize the Chairman to execute Amendment No. 1 to Energy Services Agreement-Energy Storage with ForeFront Power BTM Solar, LLC., to update provisions of the agreement to reflect the final overall size of the system, effective upon execution, with no change to the term of February 4, 2020 through June 22, 2045, or compensation maximum of \$814,600

APPROVED AS RECOMMENDED

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

Agreement No. 22-394, Agreement No. 22-395

Probation

34. Approve and authorize the Chairman to execute a First Amendment to an Agreement with the Board and State Community Corrections for the Edward Byrne Memorial Justice Assistance Grant Program, to extend the term of the existing Agreement by six months from December 31, 2022 to June 30, 2023, with no change to the compensation maximum (\$3,136,875)

APPROVED AS RECOMMENDED

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

Agreement No. 22-396

35. Retroactively approve and authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES), for the Probation Specialized Units Program (\$100,000), to provide funding for specialized supervision of high-risk domestic violence offenders and support to their victims through the Specialized Supervision Program; and approve and authorize the Chairman to execute a grant application/agreement with the State of California, Governor's Office of Emergency Services for the Probation Specialized Units Program with Cal OES, for the period of October 1, 2022 through September 30, 2023 (\$100,000); and approve and Authorize the Auditor-Controller/Treasurer-Tax Collector, or his designee, to execute the required Authorization for the Grant Subaward Certification of Assurance of Compliance

APPROVED AS RECOMMENDED

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

Agreement No. 22-397

Public Health

36. Accept termination letter from City of Selma for fire dispatch services, revenue Agreement 20-264, retroactively effective August 1, 2022; and, approve voluntary without cause termination of Agreement 20-265 with K.W.P.H, dba American Ambulance, for fire dispatch service for Selma Fire Department, retroactively effective August 1, 2022

APPROVED AS RECOMMENDED

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

37. Approve and authorize the Chairman to execute a retroactive Future of Public Health Award Agreement with California Department of Public Health, effective July 1, 2022 through June 30, 2023, with the allocated funds to be available for encumbrance or expenditure until June 30, 2024 (\$6,126,172); and retroactively authorize the Director of Public Health's previous submittal of the Acknowledgement of Allocation Letter acknowledging receipt of the letter and accepting the funds to be used as outlined under the submission requirements; and approve and authorize the Director of Public Health, or designee, as signatory on behalf of the Board of Supervisors on associated grant documents, including submission of all future reports, claims, and adjustments to subsequent Future of Public Health Funding work plans and spend plans, as well as the Annual Certification form

APPROVED AS RECOMMENDED

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

Agreement No. 22-398

Public Works and Planning

38. Approve and authorize the Chairman to execute Amendment I to Agreement No. 20-083 with Stearns Conrad, & Schmidt, Consulting Engineers, Inc., dba SCS Engineers for consultant services related to solid waste planning and implementation of solid waste management programs compliant with both State regulations and the Fresno County Ordinance Code, increasing the maximum compensation amount by \$190,000 to a total of \$480,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-399

39. Adopt and authorize Chairman to execute Resolution approving Measure C Extension Local Transportation Program Funds Claim for FY 2022-23, authorize the Director of the Department of Public Works or his designee to transmit a copy of the adopted Resolution to the Fresno County Transportation Authority (FCTA), and confirm County's intent to complete reporting requirements for prior year no later than November 15, 2022; and approve and authorize Chairman to execute six Measure C Extension Local Transportation Pass Through Revenues Certification and Claims for FY 2022-23, and certify that funds will not substitute property tax funds, which were previously used for local transportation purposes (\$9,619,126)

APPROVED AS RECOMMENDED

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

Resolution No. 22-307, Agreement No. 22-400, Agreement No. 22-401, Agreement No. 22-402, Agreement No. 22-403, Agreement No. 22-404, Agreement No. 22-405

40. Approve request by City of Clovis to acquire right-of-way, including eminent domain condemnation actions, from parcels adjacent to existing County right-of-way in an identified unincorporated area of County as needed in conjunction with City's development of utilities and street improvements adjacent to E. Shepherd Avenue east of N. Sunnyside Avenue; and authorization under full extent of Section 1810 of the Streets and Highways Code allows City of Clovis to acquire, by purchase or eminent domain, the right-of-way from these parcels

APPROVED AS RECOMMENDED

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

41. Retroactively authorize Department of Public Works and Planning's submittal of four 2023 Active Transportation Program Cycle 6 Applications to California Department of Transportation; Del Rey Sidewalk Project, Tranquillity Sidewalk Project, Calwa Sidewalk Project, and Cantua Creek & El Porvenir (Three Rocks) Sidewalk Project; and adopt a Resolution required by Fresno Council of Governments regarding the County's approval of and commitment to the projects, relating to Fresno County's application to the Active Transportation Program (\$14,382,000)

APPROVED AS RECOMMENDED

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

Resolution No. 22-308

42. Approve and authorize Chairman to execute Amendment to Escrow Agreement, amending the April 2, 2020 Escrow Agreement with Wells Fargo Bank, N.A. and Table Mountain Rancheria, providing a mechanism to release \$1,000,000.00 security (along with any interest) held in escrow by Wells Fargo Bank, N.A. and required under Security Agreement No. 09-615, between County and Table Mountain Rancheria, for the now-completed undergrounding of utilities along Millerton Road between Sky Harbour Road and Winchell Cove Road; and following approval of Recommended Action No. 1, authorize each of County officers specified in Exhibit B-3 to the recommended Amendment to Escrow Agreement to provide notice under Section 1.6 of the April 2, 2022, Escrow Agreement, as amended by recommended Amendment to Escrow Agreement, to Wells Fargo Bank, N.A. and Table Mountain Rancheria authorizing Wells Fargo Bank, N.A. to release the above-described \$1,000,000.00 security; and approve and authorize Chairman to execute the attached Reconveyance of the Deed of Trust, reconveying to Table Mountain Rancheria County's deed of trust (Document No. 98114187) recorded on August 14, 1998, as to four parcels along Millerton Road between Sky Harbour Road and Winchell Cove Road

APPROVED AS RECOMMENDED

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

Agreement No. 22-406

- 43.** Receive change order status report on West Annex Jail construction project, located at 2208 Merced Street, Fresno, CA 93721, regarding approval by Chairman of Change Order # 25, providing for a net increase in contract amount of \$102,945, leaving a remaining balance of \$363,342 from original contingency amount of \$4,087,800 which is 5% of original construction contract of \$81,756,000; and approve an increase of \$4,087,800 original contingency amount by \$1.1 Million, for a revised contingency amount of \$5,187,800 to address anticipated remaining change orders

APPROVED AS RECOMMENDED

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