



# County of Fresno

## Action Summary - Final

### Board of Supervisors

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

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

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Tuesday, August 6, 2024

9:30 AM

Hall of Records

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

#### **Invocation and Pledge of Allegiance**

*ANDREI SAVA, LEAD PASTOR AT TRINITY COMMUNITY CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE*

#### 1. Approve Agenda

**A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 15 WHICH WAS DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### 2. Approve Consent Agenda - Item Numbers 21-61

**A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 22 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEM 47 WHICH WAS DELETED AND WILL RETURN TO THE BOARD TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### **Board of Supervisors**

#### 3. Presentation of Retirement Plaque to Lidia Molano - Library Department - 39 Years of Service **PRESENTED RETIREMENT PLAQUE TO LIDIA MOLANO**

**Chairman Magsig**

4. Proclaim August 16, 2024, as Helms Pumped Storage Power Plant Day 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. 24-289

**Supervisor Brandau**

5. Conduct first hearing to amend the Fresno County Ordinance Code, Title 10, to add Chapter 10.70, "Unlawful Camping and Obstruction of Public Rights of Way"; waive reading of the Ordinance in its entirety and set the second hearing for August 20, 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 SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Public Works and Planning**

6. Consider appeal of the Planning Commission's approval of Variance No. 4165 proposing to allow a zero-foot front yard setback for an attached deck, and an eight-foot front yard setback to recognize an existing residential addition, where a minimum 20-foot front yard setback is required; and allow a 38-foot tall building height for the residential addition, where a maximum of 35 feet is permitted (the property is located on an approximately 6,435 square-foot parcel in the R-1(m) Single-Family Residential, 6,000 Square-Foot Minimum Parcel Size, Mountain Overlay Zone District); if the appeal is denied and the Planning Commission's approval of Variance No. 4165 is upheld, your Board should: a. Determine that the required Findings as specified in the Fresno County Zoning Ordinance Article 5, Chapter 860.5 can be made as recommended in the Planning Commission Staff Report; b. Approve Variance No. 4165, subject to the Conditions of Approval and project notes as listed in Attachment A, Exhibit B and the additional conditions as recommended by staff; and c. Direct Staff to file a Notice of Exemption prepared for the project with the County Clerk and State Clearinghouse (subject parcel is located on the north side of Dalton Avenue, approximately 55 feet west of its intersection with Lakeview Avenue, within the unincorporated community of Shaver Lake (44452 Dalton Avenue) (120-291-11) (Sup. Dist. 5))

**CONSIDERED APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF VARIANCE NO. 4165 PROPOSING TO ALLOW A ZERO-FOOT FRONT YARD SETBACK FOR AN ATTACHED DECK, AND AN EIGHT-FOOT FRONT YARD SETBACK TO RECOGNIZE AN EXISTING RESIDENTIAL ADDITION, WHERE A MINIMUM 20-FOOT FRONT YARD SETBACK IS REQUIRED, AND ALLOW A 38-FOOT TALL BUILDING HEIGHT FOR THE RESIDENTIAL ADDITION, WHERE A MAXIMUM OF 35 FEET IS PERMITTED (THE PROPERTY IS LOCATED ON AN APPROXIMATELY 6,435 SQUARE-FOOT PARCEL IN THE R-1(m) SINGLE-FAMILY RESIDENTIAL, 6,000 SQUARE-FOOT MINIMUM PARCEL SIZE, MOUNTAIN OVERLAY ZONE DISTRICT). CONDUCTED PUBLIC HEARING. APPELLANT WAS PRESENT. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING**

**A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR QUINTERO, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) DENY THE APPEAL; 2) UPHOLD PLANNING COMMISSION'S APPROVAL OF VARIANCE NO. 4165; 3) MAKE ALL THE REQUIRED FINDINGS AS SPECIFIED IN THE FRESNO COUNTY ZONING ORDINANCE ARTICLE 5, CHAPTER 860.5; 4) APPROVE VARIANCE NO. 4165, SUBJECT TO THE CONDITIONS OF APPROVAL AND PROJECT NOTES AS LISTED IN ATTACHMENT A, EXHIBIT B AND THE ADDITIONAL CONDITIONS AS RECOMMENDED BY STAFF; AND 5) DIRECT STAFF TO FILE A NOTICE OF EXEMPTION PREPARED FOR THE PROJECT WITH THE COUNTY CLERK AND STATE CLEARINGHOUSE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

7. Consider appeal of the Planning Commission's denial of Variance Application No. 4164 proposing to allow for the creation of a 1.4-acre parcel and an 18.6-acre parcel from an existing 20.00-acre parcel, in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District (subject parcel is located on the southeast corner of Maple Avenue and Clayton Avenue, approximately two miles from the nearest city limit of Fresno (APN: 334-310-06) (6532 S. Maple Avenue))

**CONSIDERED APPEAL OF THE PLANNING COMMISSION'S DENIAL OF VARIANCE APPLICATION NO. 4164 PROPOSING TO ALLOW FOR THE CREATION OF A 1.4-ACRE PARCEL AND AN 18.6-ACRE PARCEL FROM AN EXISTING 20.00-ACRE PARCEL, IN THE AE-20 (EXCLUSIVE AGRICULTURAL, 20-ACRE MINIMUM PARCEL SIZE) ZONE DISTRICT. CONDUCTED PUBLIC HEARING. APPELLANT WAS PRESENT. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING**

**A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) UPHOLD THE APPEAL AND APPROVE VARIANCE APPLICATION NO. 4164; AND 2) MAKE ALL THE REQUIRED FINDINGS AS SPECIFIED IN THE FRESNO COUNTY ZONING ORDINANCE SECTION 860.5.060, SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL AND PROJECT NOTES (ATTACHMENT D). THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

8. Consider and adopt Mitigated Negative Declaration including Mitigation Monitoring and Reporting Program based on Initial Study No. 7918 that was prepared for General Plan Amendment Application No. 561, Amendment Application No. 3847, and Classified Conditional Use Permit No. 3688; and adopt a Resolution approving General Plan Amendment No. 561 amending White Fox Creek Sub-Unit Plan of Millerton Specific Plan to allow a 200-unit multiple-family residential complex as an alternative to planned Hotel/Conference Center and three-Par Course use, and related text in Specific Plan [E.5(3) Recreation Corridors]; and approve Ordinance pertaining to Amendment Application No. 3847; thereby adjusting a portion of existing O(c) (Open Conservation, Conditional) to C-6(c) (General Commercial, Conditional) Zone District conditionally limited to uses permitted in C-6 Zone Districts and multiple-family dwellings (Section 812.2-H) limited to a maximum of 200-unit multiple-family residential complex; and designate County Counsel to prepare a fair and adequate summary of proposed Ordinance and direct Clerk of Board to post and publish required summary in accordance with Government Code, Section 25124(b)1; and adopt Resolution approving Classified Conditional Use Permit No. 3688, with conditions of Approval and Project Notes (Project site is comprised of a 23-acre site located on east side of Marina Drive, beginning approximately 150-foot south of Millerton Road; and site is approximately three miles east of unincorporated community of Friant (APN: 300-350-27s) (Sup. Dist. 5))

**CONSIDERED MITIGATED NEGATIVE DECLARATION INCLUDING THE MITIGATION MONITORING AND REPORTING PROGRAM BASED ON INITIAL STUDY NO. 7918 THAT WAS PREPARED FOR GENERAL PLAN AMENDMENT APPLICATION NO. 561, AMENDMENT APPLICATION NO. 3847, AND CLASSIFIED CONDITIONAL USE PERMIT NO. 3688. CONDUCTED PUBLIC HEARING. APPLICANT WAS PRESENT. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING**

**A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR QUINTERO, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) ADOPT THE MITIGATED NEGATIVE DECLARATION INCLUDING THE MITIGATION MONITORING AND REPORTING PROGRAM BASED ON INITIAL STUDY NO. 7918 THAT WAS PREPARED FOR GENERAL PLAN AMENDMENT APPLICATION NO. 561, AMENDMENT APPLICATION NO. 3847, AND CLASSIFIED CONDITIONAL USE PERMIT NO. 3688; 2) ADOPT A RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. 561 AMENDING THE WHITE FOX CREEK SUB-UNIT PLAN OF THE MILLERTON SPECIFIC PLAN TO ALLOW A 200-UNIT MULTIPLE-FAMILY RESIDENTIAL COMPLEX AS AN ALTERNATIVE TO THE PLANNED HOTEL/CONFERENCE CENTER AND THREE-PAR COURSE USE, AND RELATED TEXT IN THE SPECIFIC PLAN [E.5(3) RECREATION CORRIDORS]; 3) APPROVE ORDINANCE PERTAINING TO AMENDMENT APPLICATION NO. 3847; THEREBY ADJUSTING A PORTION OF THE EXISTING O(c) (OPEN CONSERVATION, CONDITIONAL) TO C-6(c) (GENERAL COMMERCIAL, CONDITIONAL) ZONE DISTRICT CONDITIONALLY LIMITED TO THE USES PERMITTED IN THE C-6 ZONE DISTRICTS AND MULTIPLE-FAMILY DWELLINGS (SECTION 812.2-H) LIMITED TO A MAXIMUM OF 200-UNIT MULTIPLE-FAMILY RESIDENTIAL COMPLEX; 4) 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; AND 5) ADOPT RESOLUTION APPROVING CLASSIFIED CONDITIONAL USE PERMIT NO. 3688, WITH CONDITIONS OF APPROVAL AND PROJECT NOTES. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Resolution No. 24-291, Ordinance No. R-500-3847, Resolution No. 24-292

**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)

**CHAIRMAN MAGSIG REPORTED ATTENDING THE NATIONAL ASSOCIATION OF COUNTIES (NACo) CONFERENCE IN TAMPA, FL, HELD ON JULY 11-15, 2024, AS THE BOARD'S VOTING REPRESENTATIVE, WHERE HE DRAFTED AND HELPED ADOPT A RESOLUTION ENCOURAGING CONGRESS TO PASS A BUDGET, ALLOWING THE COUNTY TO PASS ITS OWN BUDGET TIMELY; REPORTED ATTENDING A CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) CONFERENCE IN MONTEREY, CA WHERE THEY DISCUSSED SEWER PLANTS AND ADDITIONAL UPGRADES THAT MAY BE NEEDED IN THE NEXT FIVE YEARS; AND REPORTED ATTENDING A LOGGERS JAMBOREE AND CONCERT SERIES IN DISTRICT 5**

**Board Appointments**

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

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

**ASSESSMENT APPEALS BOARD**

**REAPPOINT MICHAEL KELLER TO A SUCCEEDING TERM, EFFECTIVE 09/02/2024 (TERM TO EXPIRE 09/06/2027)**

**BEHAVIORAL HEALTH BOARD**

**REAPPOINT BROOKE FROST (TERM TO EXPIRE 04/01/2027)**

**HOUSING AUTHORITY OF FRESNO COUNTY**

**APPOINT JOHN VALDEZ TO THE POSITION PREVIOUSLY HELD BY STACY FARMER SABLAN (TERM TO EXPIRE 02/03/2025)**

**SQUAW VALLEY CEMETERY DISTRICT**

**REAPPOINT ALBERT SCHROCK (TERM TO EXPIRE 01/04/2027)**

**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 - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Leonard Facio: ADJ7041961  
HELD; NO REPORTABLE ACTION
13. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)  
HELD; NO REPORTABLE ACTION
14. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)  
HELD; NO REPORTABLE ACTION
15. 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  
DELETED
16. Conference with legal counsel - Existing Litigation pursuant to Government Code section 54956.9(d)(1) - Jose Moreno Ramirez v. County of Fresno et al., Eastern District of California Superior Court Case No. 1:22-at-00169  
HELD; NO REPORTABLE ACTION
17. Conference with legal counsel - Existing Litigation pursuant to Government Code section 54956.9(d)(1) - Richard Charles Bernier III, et al. v. County of Fresno et al., Eastern District of California Superior Court Case No. 1:18-cv-01131-LJO-SKO  
HELD; NO REPORTABLE ACTION
18. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) City of Fresno v. County of Fresno, Fresno County Superior Court Case No. 24CECG01199  
HELD; NO REPORTABLE ACTION
19. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Quinten Hall v. County of Fresno, Fresno Superior Court - Eastern District, case No.: 1:11-cv-02047-JLT-BAM  
HELD; NO REPORTABLE ACTION
20. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) People of the State of California ex rel Rob Bonta, Attorney General of the State of California, et al. v. County of Fresno, et al.; Superior Court of the State of California for the County of Fresno  
HELD; NO REPORTABLE ACTION

**Adjourn**

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

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

APPROVED:



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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 AUGUST 20, 2024

**CONSENT AGENDA**

**A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 22 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEM 47 WHICH WAS DELETED AND WILL RETURN TO THE BOARD TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Board of Supervisors**

**21.** Approve minutes for July 9, 2024

**APPROVED AS RECOMMENDED**

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

**21.1** Appoint Palmer McCoy to the Mercy Springs Water District Board of Directors for a term expiring December 6, 2024, to fill a vacancy

**APPROVED AS RECOMMENDED**

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

**Supervisor Brandau**

**22.** Adopt Resolution authorizing staff to withdraw the County’s application for grant and loan funding from the California Department of Housing and Community Development program, No Place Like Home - Round Four development for Libre Commons supportive housing project (\$11,922,838)

**A MOTION WAS MADE BY SUPERVISOR BRANDAU TO ADOPT A RESOLUTION AUTHORIZING STAFF TO WITHDRAW THE COUNTY’S APPLICATION FOR GRANT AND LOAN FUNDING FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PROGRAM, NO PLACE LIKE HOME - ROUND FOUR DEVELOPMENT FOR LIBRE COMMONS SUPPORTIVE HOUSING PROJECT (\$11,922,838), WITH AN AMENDMENT TO DELETE THE WORDS “OR FUTURE PROJECTS” IN SECTIONS 1 AND 2 OF THE RESOLUTION. MOTION FAILED FOR LACK OF A SECOND**

**A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, TO ADOPT AN AMENDED RESOLUTION REQUIRING THE PROJECT TO DEMONSTRATE FUNDING TO FULLY FUND THE PROJECT BY JANUARY 1, 2025, AND IF THE PROJECT DOES NOT DEMONSTRATE THAT IT IS FULLY FUNDED, THE BOARD WITHDRAWS ITS SUPPORT FOR THE NO PLACE LIKE HOME GRANT APPLICATION. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Noes:** 1 - Brandau

Resolution No. 24-290

**Supervisor Pacheco**

23. Adopt Resolution to Recognize Nick C. Kazarian for his 33 Years as the only Optometrist in Easton

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-266

**Supervisor Quintero**

24. Adjourn in Memory of Alfonso O. Singh

**APPROVED AS RECOMMENDED**

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

**Auditor Controller-Treasurer/Tax Collector**

25. Receive and file the Fresno County Audit Committee Minutes from the January 5, 2024, meeting

**APPROVED AS RECOMMENDED**

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

26. Adopt Resolution authorizing the Silver Creek Drainage District (the "District") to replace its annual audit with a biennial audit covering a two-year period (a unanimous vote is required under Government Code, § 26909, subdivision (b))

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-267

27. Approve and authorize the Chairman to execute an agreement with Easton Community Services District (the "District") for the preparation of financial statements and engagement of an external auditor for Fiscal Year 2017-18 through Fiscal Year 2021-22 (Covered Fiscal Years)

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-411

**Sheriff/Coroner/Public Administrator**

28. Approve and authorize the Chairman to execute a Retroactive Revenue Agreement with the City of Fresno for the housing of local incarcerated persons effective July 1, 2024, not to exceed three consecutive years, total not to exceed \$542,025

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-412

29. Retroactively authorize the Sheriff's previous submittal of a Drug Cannabis Eradication Suppression Program application to the U.S. Department of Justice, Drug Enforcement Administration; approve and authorize the Chairman to execute retroactive Letter of Agreement and Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements and Assurances, effective October 1, 2023 through September 30, 2024 (\$250,000); authorize the Sheriff-Coroner-Public Administrator, or his designee, to act as the official representative of the County of Fresno, as required by the granting agency, to act in connection with the application and to provide such additional information as may be required pursuant to the Drug Cannabis Eradication Suppression Program; and approve and authorize the Clerk of the Board to execute Budget Transfer No. 28 transferring appropriations within the Sheriff-Coroner-Public Administrator's Org 3111, from Account 6300 (Overtime) (\$30,655) and 6500 (OASDI Contribution) (\$2,345) to Account 8300 (Equipment) for the purchase of one cannabis testing machine

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-431

30. Adopt and authorize Chairman to execute Resolution approving special tax amount and levying special tax in the maximum total amount of \$434,422, on developed real properties within (Mello-Roos) Countywide Community Facilities District (CFD) No. 2006-01 (District), including its Annexation Territories, for enhanced police protection services for FY 2024-25

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-268

**Administrative Office**

31. Approve and authorize the Chairman to execute a retroactive Fire Protection Reimbursement Agreement with California Department of Forestry and Fire Protection, to provide funding to keep four fire stations open in the foothill and mountain areas on the east side of Fresno County, to provide structural fire protection and other emergency responses in those areas, for the period of July 1, 2024 through June 30, 2025 (\$1,306,821); and Direct the County Administrative Officer to provide written notice to California Department of Forestry and Fire Protection that the County will extend or enter into a new fire protection reimbursement agreement for the 2025-2026 fiscal year with at least the same level of services as the recommended agreement

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-413

32. Adopt Resolution proclaiming continuation of the local emergency status relating to the Winter Storms and request that the Governor continue to provide resources and support to recover from this event

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-269

33. Adopt Resolution proclaiming continuation of the local emergency status relating to the February 2023 Winter Storms and request that the Governor provide resources and support to mitigate and recover from the event

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-270

34. 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. 24-271

- 35. Receive the Fresno County Zoo Authority 2022-23 Annual Report

**APPROVED AS RECOMMENDED**

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

- 36. Review the findings and recommendations of the 2023-24 Fresno County Civil Grand Jury Final Report No. 2, "Toward Lasting Improvement: A Review of Fresno County Vacant Property and Real Estate Practices," and adopt the recommended responses; and Order the Board's responses to the 2023-24 Fresno County Civil Grand Jury Final Report No. 2 be filed with the Presiding Judge of the Superior Court

**APPROVED AS RECOMMENDED**

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

- 37. Adopt Resolution terminating the local emergency status related to the June Lightning Complex Fire

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-272

**Behavioral Health**

- 38. 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 Third Sector Capital Partners, Inc. as it has the unique ability to provide technical assistance to the Fresno County Innovation Plan-California Reducing Disparities Projects (CRDPs); and approve and authorize the Chairman to execute Agreement with Third Sector Capital Partners, Inc. for technical assistance for the three existing CRDPs to maximize billing capabilities and alignment with California Advancing and Innovating Medi-Cal (Cal-AIM) initiative, and sustainability plans, effective upon execution through August 31, 2025, total not to exceed \$550,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-414

39. Approve and authorize the Chairman to execute Amendment I to Program Funding Agreement with the HORNE LLP for Community Care Expansion Preservation Projects, extending the deadlines for the obligation and liquidation component of the agreement to the deadlines issued by the California Department of Social Services, with no change to the term or maximum compensation, for Operating Subsidy Payments April 23, 2024 through June 30, 2029 (\$2,351,591) and Capital Project April 23, 2024 through December 31, 2026 (\$3,111,750)

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-415

**Human Resources**

40. Approve Amendments to the Salary Resolution, Sections 100 and 400, effective August 5, 2024, as reflected in Appendix "A"

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 24-022

41. Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for; Alexander Meyer, Sheriff Deputy; Sheriff's Department; Curtis Markson v County of Fresno, et al.

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-416

42. Approve and authorize the Chairman to execute Agreement to Defend Public Officer or Employee for: Humero Prado, Assistant Director; Department of Public Health; Universal Meditech, Inc. v County of Fresno, et al.

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-417

43. 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. 24-273, Resolution No. 24-274, Resolution No. 24-275, Resolution No. 24-276, Resolution No. 24-277, Resolution No. 24-278, Resolution No. 24-279, Resolution No. 24-280, Resolution No. 24-281, Resolution No. 24-282, Resolution No. 24-283, Resolution No. 24-284, Resolution No. 24-285

**Internal Services**

44. Approve and authorize the Chairman to execute First Amendment to Agreement No. A-23-632 with AssetWorks, Inc. for fleet management software system and hosting services, to update and correct Exhibit B, effective upon execution, with no change to the potential five-year term, which includes a three-year base contract and two optional one-year extensions, and no change to the maximum compensation payable under the Agreement of \$671,900

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-418

45. Approve and authorize the Chairman to execute a First Amendment to Agreement with TK Elevator Corporation for elevator maintenance and repair services, effective upon execution, with no change to the term of January 21, 2020, through January 20, 2025, and increasing the maximum compensation by \$500,000 to a total of \$6,000,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-419

46. Approve and authorize the Chairman to execute an Agreement with ACCO Engineered, Inc. to provide forced air, package unit, and other heating, ventilation, and air conditioning system parts, services, and repairs on an "as-needed" basis, effective August 8, 2024, through August 7, 2027, including a three-year initial term with 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. 24-420

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

**DELETED; WILL RETURN TO THE BOARD TO A DATE UNCERTAIN**

48. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP34), 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 interest of the County would be served by entering into an agreement with Tyler Technologies, Inc. as the vendor currently provides licensing and professional services and is the only vendor able to provide licensing and professional services for their proprietary cashier software; and Approve and authorize the Chairman to execute a retroactive Agreement with Tyler Technologies, Inc. for a cashier software system for the Assessor-Recorder's Office, effective February 1, 2024, and not to exceed six consecutive years, which includes a five-year base contract and one automatic one-year renewal, total not to exceed \$2,596,286

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-421

### **Probation**

49. Approve the Adult Compliance Team Operating Agreement, and retroactively authorize and ratify the execution of the Operating Agreement by County members of the Community Corrections Partnership, including the District Attorney, the Sheriff-Coroner, and the Chief Probation Officer

**APPROVED AS RECOMMENDED**

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

50. Under Administrative Policy No. 34, determine that an exception to the requirements for competitive bids or requests for proposals is satisfied due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with JBI, L.P. dba Justice Benefits, Inc. (JBI), the only vendor that provides its proprietary RMS system, which assists the Probation Department with all aspects of the Federal Title IV-E program; and approve and authorize the Chairman to execute a retroactive Agreement with JBI for grant-claiming services for the Federal Title IV-E program for the Probation Department, effective July 25, 2024, not to exceed five consecutive years, which includes a three-year base term and two optional one-year extensions, total not to exceed \$600,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-422

51. Adopt Resolution designating the Chief Probation Officer, or his designee, as the Official Designee, authorized to execute all Probation documents for current (2023-2024) California Governor's Office of Emergency Services (Cal OES) grants, including the application, agreement, required Authorization for the Grant Subaward Certification of Assurance of Compliance, the Federal Fund Grant Subaward Assurance, and all other required assurances and certifications; approve and authorize the Chief Probation Officer, or his designee, to execute a Grant Application/Agreement with Cal OES for the Unserved/Underserved Victim Advocacy and Outreach (UV) Program, including any amendments and extensions and the required Authorization for the Grant Subaward Certification of Assurance of Compliance, the Federal Fund Grant Subaward Assurance, and all other required assurances and certifications for the period of January 1, 2025 through December 31, 2025; approve and authorize the Chief Probation Officer, or his designee, to execute a Grant Application/Agreement with Cal OES for the Probation Specialized Units (PU) Program, including any amendments and extensions, and the required Authorization for the Grant Subaward Certification of Assurance of Compliance, the Federal Fund Grant Subaward Assurance, and all other required assurances and certifications for the period of October 1, 2024 through September 30, 2025; and approve and authorize the Chief Probation Officer, or his designee, to execute a Grant Application/Agreement with Cal OES for the Victim Witness Assistance (VW) Program, including any amendments and extensions, and the required Authorization for the Grant Subaward Certification of Assurance of Compliance, the Federal Fund Grant Subaward Assurance, and all other required assurances and certifications for the period of October 1, 2024 through September 30, 2025

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-286

**Public Health**

- 52. Approve and authorize the Chairman to execute an Agreement with the County of Madera, for temporary reciprocal Health Officer coverage, effective upon execution, 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. 24-423

**Public Works and Planning**

- 53. Retroactively approve and authorize Director of Public Works and Planning's previous submittal of two applications to the Fresno Council of Governments for the FY 2023-24 Mid-Cycle Carbon Reduction Program for the Central Avenue and Chestnut Avenue Left Turn Phasing and Intersection Improvements Project located just south of Malaga, CA (\$1,000,000); and for the Caruthers, CA Sidewalk Project (\$676,256)

**APPROVED AS RECOMMENDED**

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

- 54. Adopt and authorize Chairman to execute a Resolution dissolving County of Fresno's Agricultural Land Conservation Committee, an advisory committee to the Board of Supervisors concerning County's Williamson Act Program

**APPROVED AS RECOMMENDED**

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

Resolution No. 24-287

**Social Services**

- 55. Retroactively approve and authorize the Department of Social Services' previous submittal of a grant application to the California Department of Social Services for the Children's Crisis Continuum Pilot Program (\$8,500,000); and approve and authorize the Chairman to execute a retroactive Standard Agreement with California Department of Social Services for the Children's Crisis Continuum Pilot Program effective July 1, 2023, not to exceed five consecutive years, total not to exceed \$8,500,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-424

56. Approve and authorize the Chairman to execute First Amendment to Agreement with InTelegy Corp. for organizational consulting services, extending the term by two years from October 1, 2024 to September 30, 2026, and increasing the maximum by \$300,000 to a total of \$975,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-425

57. Retroactively approve and authorize the Director of the Department of Social Services' (DSS) previously submitted 30-day written notice to contracted Community Based Organizations within Master Agreement No. A-23-509 terminating the Agreement effective June 30, 2024, pursuant to the Non-Allocation of Funds provision of the Agreement, as required by the May 29, 2024, Termination Notice issued by the Department of Health Care Services (DHCS); and approve and authorize the Director of the Department of Social Services, and/or designee, subject to approval by County Counsel as to legal form, to execute any documents or certifications necessary to affect the termination of Agreement No. A-23-509

**APPROVED AS RECOMMENDED**

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

58. Authorize the Chairman to execute Amendment A1 to the Standard Agreement (State Agreement No. AT-2223-10) with the California Department of Aging for the provision of services under the Access to Technology Program, decreasing the terms by three months for a revised term of October 1, 2022 through September 30, 2024 and increasing the allocation amount by \$223,748 to a total of \$1,280,493; and adopt a Resolution authorizing the Chairman to execute Amendment A1 to the Standard Agreement (State Agreement No. AT-2223-10) as required by the California Department of Aging to identify the signatory official and accept the additional grant funding

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-426, Resolution No. 24-288

59. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Veterans Affairs (Agreement No. 24XS0010) for Proposition 63 Mental Health Services Act funding for Veteran Mental Health Outreach through the Fresno County Department of Social Services - Veterans Services Office, effective July 1, 2024 through June 30, 2026 (\$70,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-427

60. Approve and authorize the Chairman to execute retroactive California Department of Veterans Affairs Annual Subvention Certificate of Compliance FY 2024-25, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2024 to June 30, 2025 (\$267,337); and, Approve and authorize the Chairman to execute retroactive California Department of Veterans Affairs Annual Medi-Cal Cost Avoidance Program Certificate of Compliance FY 2024-25, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2024 to June 30, 2025 (\$4,118)

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-428, Agreement No. 24-429

61. 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 Regents of the University of California on behalf of its UC Davis campus as UC Davis is the only State-designated specialized provider able to provide services as soon as possible; and approve and authorize the Chairman to execute a retroactive Agreement with UC Davis, for consultation and facilitation services, effective January 1, 2024, through December 31, 2024, total not to exceed \$100,500

**APPROVED AS RECOMMENDED**

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

Agreement No. 24-430