



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, July 9, 2024

9:30 AM

Hall of Records

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

Invocation and Pledge of Allegiance

PRODUCTION PASTOR DANIEL AIELLO, CLOVIS HILLS COMMUNITY CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR QUINTERO, THAT THIS AGENDA BE APPROVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 16-63

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 17, 18.1, 47, 48 AND 52 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 Trevor D. Birkholz - Department of Behavioral Health - 28 Years of Service

PRESENTED RETIREMENT PLAQUE TO TREVOR D. BIRKHOLZ

Chairman Magsig

4. Proclaim July 8th through July 12th, 2024, as Eligibility Workers, Job Specialists, and Appeals Specialists Appreciation Week in Fresno County

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

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

Resolution No. 24-261

Supervisor Mendes

5. Proclaim July 21st through July 27th, 2024, as Pretrial, Probation, and Parole Supervision Week in Fresno County

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

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

Resolution No. 24-262

Public Works and Planning

6. Consider Appeal, pursuant to Public Resources Code Section 21151(c), of Planning Commission's adoption of Mitigated Negative Declaration prepared for Initial Study No. 8319, associated with Director Review and Approval No. 4720, to allow a trucking operation for transport of agricultural products, supplies and equipment; and uphold Planning Commission's adoption of Mitigated Negative Declaration and adopt Mitigated Negative Declaration prepared for Initial Study No. 8319 subject to recommended Mitigation Measures (subject parcel is located on east side of S. Brawley Avenue, approximately 927 feet south of W. Church Avenue, 0.9 miles west of City of Fresno (APN: 327-120-64) (1594 S. Brawley Avenue) (Sup. Dist. 1))

CONSIDERED APPEAL, PURSUANT TO PUBLIC RESOURCES CODE SECTION 21151(c), OF PLANNING COMMISSION'S ADOPTION OF MITIGATED NEGATIVE DECLARATION (MND) PREPARED FOR INITIAL STUDY NO. 8319, ASSOCIATED WITH DIRECTOR REVIEW AND APPROVAL NO. 4720, TO ALLOW A TRUCKING OPERATION FOR TRANSPORT OF AGRICULTURAL PRODUCTS, SUPPLIES AND EQUIPMENT. 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) DENY THE APPEAL; 2) UPHOLD PLANNING COMMISSION'S ADOPTION OF THE MND AND ADOPT THE MND PREPARED FOR INITIAL STUDY NO. 8319 SUBJECT TO THE RECOMMENDED MITIGATION MEASURES; AND 3) INCLUDE THE FOLLOWING INDEMNIFICATION CONDITION: THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR ALL LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF INITIAL STUDY NO. 8319 AS PART OF DIRECTOR REVIEW AND APPROVAL NO. 4720. THE AGREEMENT AND PAYMENT OF SECURITY SHALL BE DUE UNLESS THE LITIGATION PERIOD HAS EXPIRED, IN WHICH CASE THE REQUIREMENTS FOR THE INDEMNIFICATION AGREEMENT AND SECURITY SHALL BE CONSIDERED NULL AND VOID. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 24-263

7. Consider petition for partial cancellation of Agricultural Land Conservation Contract (Williamson Act Contract) No. 5834 filed by Dirk Poeschel Land Development Services, Inc. on behalf of The Gerdts Family Trust dated January 8, 1991, to remove a 2.00-acre portion of a 32.22-acre parcel from Williamson Act Contract to allow 2.00-acres to be created as a separate parcel for residential use through a Variance Application (VA) to waive minimum parcel size; and if your Board is able to make all five required findings listed under Government Code, Section 51282(b), take the following actions: adopt Negative Declaration prepared for Initial Study 7677; and adopt and authorize Chairman to execute Resolution authorizing partial cancellation of Agricultural Land Conservation Contract No. 5834; and authorize Chairman to execute Certificate of Tentative Cancellation and approve recording Certificate of Cancellation when all contingencies and conditions included in Certificate of Tentative Cancellation have been satisfied (subject parcel is located on south side of Rainbow Route, between Turney Avenue and Riverbend Avenue, approximately one and a half miles northeast of nearest city limits of City of Sanger (APNs 333-021-91 and 333-021-92))

CONSIDERED PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT (WILLIAMSON ACT CONTRACT) NO. 5834 FILED BY DIRK POESCHEL LAND DEVELOPMENT SERVICES, INC. ON BEHALF OF THE GERDTS FAMILY TRUST DATED JANUARY 8, 1991, TO REMOVE A 2.00-ACRE PORTION OF A 32.22-ACRE PARCEL FROM THE WILLIAMSON ACT CONTRACT TO ALLOW THE 2.00-ACRES TO BE CREATED AS A SEPARATE PARCEL FOR RESIDENTIAL USE THROUGH A VARIANCE APPLICATION (VA) TO WAIVE THE MINIMUM PARCEL SIZE. CONDUCTED PUBLIC HEARING. DIRK POESCHEL, REPRESENTATIVE FOR APPELLANT, WAS PRESENT. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING

A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) APPROVE PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT (WILLIAMSON ACT CONTRACT) NO. 5834 FILED BY DIRK POESCHEL LAND DEVELOPMENT SERVICES, INC. ON BEHALF OF THE GERDTS FAMILY TRUST DATED JANUARY 8, 1991, TO REMOVE A 2.00-ACRE PORTION OF A 32.22-ACRE PARCEL FROM THE WILLIAMSON ACT CONTRACT TO ALLOW THE 2.00-ACRES TO BE CREATED AS A SEPARATE PARCEL FOR RESIDENTIAL USE THROUGH A VA TO WAIVE THE MINIMUM PARCEL SIZE; 2) MAKE ALL FIVE REQUIRED FINDINGS LISTED UNDER GOVERNMENT CODE SECTION 51282(b); 3) ADOPT NEGATIVE DECLARATION PREPARED FOR INITIAL STUDY 7677; 4) ADOPT AND AUTHORIZE THE CHAIRMAN TO EXECUTE RESOLUTION AUTHORIZING PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 5834; 5) AUTHORIZE CHAIRMAN TO EXECUTE CERTIFICATE OF TENTATIVE CANCELLATION AND APPROVE RECORDING CERTIFICATE OF CANCELLATION WHEN ALL CONTINGENCIES AND CONDITIONS INCLUDED IN CERTIFICATE OF TENTATIVE CANCELLATION HAVE BEEN SATISFIED; AND 6) INCLUDE THE FOLLOWING CONDITIONS OF APPROVAL: THE APPLICANT SHALL OBTAIN THE NECESSARY LAND USE APPROVALS TO CREATE THE PROPOSED PARCELS; AND THE APPLICANT SHALL PAY THE CANCELLATION FEE IN THE AMOUNT OF \$31,250.00 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 2.00-ACRE AND 30.22-ACRE PARCELS. IF THE CANCELLATION FEE IS NOT PAID WITHIN ONE YEAR OF THE 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. 24-264

8. Consider petition for partial cancellation of Agricultural Land Conservation Contract No. 4826 filed by Dirk Poeschel Land Development Services, Inc. on behalf of Great Bigland LP., to remove a 37.29-acre parcel from Williamson Act Program to allow area to be developed as a residential subdivision following annexation of subject parcel to City of Clovis; and if your Board is able to make all five of required findings listed under Government Code, Section 51282(b), take following actions: adopt Resolution authorizing partial cancellation of Agricultural Land Conservation Contract No. 4826 for the 37.29-acres; and authorize Chairman to sign Certificate of Tentative Cancellation for 37.29-acres and approve recording Certificate of Cancellation for 37.29-acres when all contingencies and conditions included in Certificate of Tentative Cancellation have been satisfied (subject parcel is located approximately 0.35-miles southeast of the intersection of N. Minnewawa and E. Behymer, adjacent to boundary limits of City of Clovis (APN 556-030-16S))

PRIOR TO BOARD DISCUSSION, SUPERVISORS BRANDAU AND QUINTERO RECUSED THEMSELVES UNDER THE LEVINE ACT. CONSIDERED PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 4826 FILED BY DIRK POESCHEL LAND DEVELOPMENT SERVICES, INC. ON BEHALF OF GREAT BIGLAND LP., TO REMOVE A 37.29-ACRE PARCEL FROM THE WILLIAMSON ACT PROGRAM TO ALLOW THE AREA TO BE DEVELOPED AS A RESIDENTIAL SUBDIVISION FOLLOWING ANNEXATION OF THE SUBJECT PARCEL TO THE CITY OF CLOVIS. CONDUCTED PUBLIC HEARING. DIRK POESCHEL, REPRESENTATIVE FOR APPELLANT, WAS PRESENT. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING

A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE ACTED AS FOLLOWS: 1) APPROVE PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 4826 FILED BY DIRK POESCHEL LAND DEVELOPMENT SERVICES, INC. ON BEHALF OF GREAT BIGLAND LP., TO REMOVE A 37.29-ACRE PARCEL FROM THE WILLIAMSON ACT PROGRAM TO ALLOW THE AREA TO BE DEVELOPED AS A RESIDENTIAL SUBDIVISION FOLLOWING ANNEXATION OF THE SUBJECT PARCEL TO THE CITY OF CLOVIS; 2) MAKE ALL FIVE REQUIRED FINDINGS LISTED UNDER GOVERNMENT CODE, SECTION 51282(b); 3) ADOPT RESOLUTION AUTHORIZING PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 4826 FOR THE 37.29-ACRES; 4) AUTHORIZE THE CHAIRMAN TO SIGN THE CERTIFICATE OF TENTATIVE CANCELLATION FOR THE 37.29-ACRES AND APPROVE RECORDING THE CERTIFICATE OF CANCELLATION FOR THE 37.29-ACRES WHEN ALL CONTINGENCIES AND CONDITIONS INCLUDED IN THE CERTIFICATE OF TENTATIVE CANCELLATION HAVE BEEN SATISFIED; AND 5) INCLUDE THE FOLLOWING CONDITION OF APPROVAL: THE APPLICANT SHALL PAY THE CANCELLATION FEE IN THE AMOUNT OF \$1,048,500.00 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 PRIOR TO APPROVAL OF THE TRACT MAP APPLICATION NO. 6343 BY THE CITY OF CLOVIS TO SUBDIVIDE THE SUBJECT PARCEL INTO A RESIDENTIAL SUBDIVISION. 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: 3 - Magsig, Mendes, and Pacheco

Recuse: 2 - Brandau, and Quintero

Resolution No. 24-265

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR BRANDAU REPORTED ATTENDING NEIGHBORHOOD WATCH MEETINGS AND EVENTS WITH FRESNO COUNTY SHERIFF JOHN ZANONI, WHERE RESIDENTS CONCERNED ABOUT BREAK-INS COULD LEARN ABOUT NEIGHBORHOOD WATCH PROGRAMS; AND REPORTED SPEAKING AT THE GRADUATION FOR THE FRESNO ECONOMIC OPPORTUNITIES COMMISSION (EOC) VALLEY APPRENTICESHIP PROGRAM, WHICH PROVIDES CONSTRUCTION INDUSTRY TRAINING AND IS LED BY FORMER FRESNO CITY COUNCILMAN OLIVER BAINES. SUPERVISOR QUINTERO THANKED COUNTY STAFF FOR THEIR WORK DURING THE RECENT FIRES AND EXTREME HEAT. CHAIRMAN MAGSIG REPORTED ON THE BASIN FIRE AND THE FRESNO JUNE LIGHTNING COMPLEX FIRE; THANKED VOLUNTEERS AND THE SHERIFF'S DEPARTMENT FOR HELPING ANIMALS AFFECTED BY THE FIRES; THANKED THE U.S. FOREST SERVICE AND THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR THEIR EFFORTS; AND EXPRESSED APPRECIATION TO VOLUNTEER GROUPS FOR HOLDING COMMUNITY EVENTS THROUGHOUT THE COUNTY

Board Appointments

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

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

**HOUSING & COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE
APPOINT SALVADOR PARRA JR TO THE POSITION PREVIOUSLY HELD BY KEITH EUBANKS (TERM TO EXPIRE 1/6/2025)**

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

AT APPROXIMATELY 12:25 P.M., A MOTION WAS MADE BY CHAIRMAN MAGSIG, SECONDED BY VICE CHAIRMAN MENDES, TO RECONSIDER ITEM 10. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

**SQUAW VALLEY CEMETERY DISTRICT
APPOINT CAROLYN MARISCOTTI TO THE POSITION PREVIOUSLY HELD BY LENORA M. CANNON (TERM TO EXPIRE 1/3/2028)**

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

Closed Session

12. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
BY A 5-0 VOTE, THE BOARD AUTHORIZED THE COUNTY TO INITIATE LITIGATION FOR NUISANCE AND VIOLATION OF UNFAIR COMPETITION LAWS AGAINST SAMUEL COBIAN-GOMEZ, PROPERTY OWNER OF 4931 S. BUTTONWILLOW AVENUE, REEDLEY, CALIFORNIA, FOR VARIOUS COMMERCIAL EVENT CENTER VIOLATIONS IN AN AE-20 ZONE
13. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
14. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Hollis Magill; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment
HELD; NO REPORTABLE ACTION
15. Conference with Real Property Negotiators - Government Code, Section 54956.8; UMC Campus located at the corner of South Cedar Avenue and East Kings Canyon Road, Fresno, CA; County Negotiator: Paul Nerland or designee. Negotiating Parties: Sevak Khatchadourian: Instructions to County's negotiator may concern sale, lease and escrow terms and conditions including price
HELD; NO REPORTABLE ACTION

Adjourn

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

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

APPROVED:

/s/ Nathan Magsig
NATHAN MAGSIG, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: /s/ Bernice E. Seidel

BERNICE E. SEIDEL

CLERK OF THE BOARD OF SUPERVISORS

COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON AUGUST 6, 2024

CONSENT AGENDA

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 17, 18.1, 47, 48 AND 52 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

16. Approve minutes for June 18, 2024, and June 28, 2024, Special Meeting

APPROVED AS RECOMMENDED

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

Supervisor Quintero

17. Proclaim August 2024 as World Breastfeeding Awareness Month in Fresno County

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

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

Resolution No. 24-260

18. Adjourn in Memory of Billie Yancey

APPROVED AS RECOMMENDED

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

- 18.1 Adjourn in Memory of Robert "Bob" Specht

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

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

Auditor Controller-Treasurer/Tax Collector

19. Approve Resolution revising the distribution of excess proceeds resulting from the March 2022 sale of tax-defaulted property identified by Assessor's Parcel Number (APN) 053-322-06 in the aggregate total amount of \$19,321.64

APPROVED AS RECOMMENDED

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

Resolution No. 24-242

County Clerk/Registrar of Voters

20. Consider and appoint Andrew Groppetti to a vacancy in the James Resource Conservation District Board of Directors to a term set to expire on November 27, 2026

APPROVED AS RECOMMENDED

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

Sheriff/Coroner/Public Administrator

21. Approve and authorize the Chairman to execute revenue Agreement with the Central Unified School District for provision of law enforcement services by the Sheriff's Office at Central High School West campus, effective August 14, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,311,120

APPROVED AS RECOMMENDED

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

Agreement No. 24-362

22. Approve and authorize the Chairman to execute a retroactive Agreement with Reyna Enterprises for decedent removal services, effective July 1, 2024, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$7,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-363

Administrative Office

23. Receive the Children and Families Commission of Fresno County's (First 5) FY 2022-23 Financial Audit Report and State Annual Report, per County Ordinance Code, section 2.38.030

APPROVED AS RECOMMENDED

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

24. Approve and authorize the Chairman to execute a First Amendment to Subrecipient Agreement No. 22-531 with Fresno Metropolitan Ministry (Subrecipient) for provision of American Rescue Plan Act - State and Local Fiscal Recovery Funds (ARPA-SLFRF), which will reduce the administrative burden to implement the program by revising the expenditure plan and the modification clause, with no increase to the maximum compensation (\$512,000); and Authorize the County Administrative Officer or designee to approve and execute written changes to the 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 Subrecipient

APPROVED AS RECOMMENDED

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

Agreement No. 24-364

Behavioral Health

25. Approve and authorize the Chairman to execute a Memorandum of Understanding (MOU) with Blue Cross of California Partnership Plan, Inc. dba Anthem (Anthem), Fresno-Kings-Madera Regional Health Authority dba CalViva Health (CalViva Health), and Kaiser Foundation Health Plan, Inc. (Kaiser), for the coordination of Specialty Mental Health Services (SMHS) and Substance Use Disorder (SUD) treatment services provided to Medi-Cal beneficiaries, effective upon execution by all parties with unlimited (12) month auto-renewals unless terminated by either party (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 24-365

26. Approve and authorize the Chairman to execute Amendment 1 to Agreement 22-205 with Exodus Recovery, Inc. to revise specific clauses within the agreement, with no change to the term of July 1, 2022 through June 30, 2027 or maximum compensation of \$6,531,704; and approve and authorize the Department of Behavioral Health Director, or designee, to make non-material changes to services, staffing, and responsibilities of Exodus Recovery, Inc. through an amendment to the agreement, subject to approval by County Counsel as to legal form and by the Auditor-Controller/Treasurer-Tax Collector as to accounting form, and to be the signatory on behalf of the Board of Supervisors on associated 24/7 toll-free access line Program related reports and forms, without modifying the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 24-366

27. Approve and authorize the Chairman to execute Amendment II to Master Agreement to revise Supplemental Services rates and revise the Specialized Supplemental Board and Care Homes Scope of Work effective August 1, 2024 with no change to the term of July 1, 2022 to June 30, 2027 or the compensation maximum of \$54,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-367

28. Approve and authorize the Chairman to execute Retroactive Amendment III to Master Agreement adding CF Merced Behavioral, LLC, d.b.a. Merced Behavioral Center to the agreement, effective June 3, 2024, with no change to the term of July 1, 2021 to June 30, 2026, or compensation maximum of \$133,577,211

APPROVED AS RECOMMENDED

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

Agreement No. 24-368

29. Approve and authorize the Chairman to execute retroactive Amendment II to agreement with Mental Health Systems, Inc. dba TURN Behavioral Health Services (MHS), effective April 1, 2024 with no change to the term of January 1, 2020 to June 30, 2025 and increasing the maximum by \$1,588,174 to a total of \$7,981,892

APPROVED AS RECOMMENDED

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

Agreement No. 24-369

30. Approve and authorize the Chairman to execute an Agreement with Hinds Hospice for a Local Outreach to Suicide Survivors (LOSS) Team, effective upon execution, not to exceed five consecutive years, which includes a two-year base contract and three optional one-year extensions, total not to exceed \$1,378,393; and, approve and authorize the Department of Behavioral Health Director, or designee, to make non-material changes to services, staffing, and responsibilities of Hinds Hospice through an amendment to the agreement, subject to the approval by County Counsel as to legal form and by the Auditor-Controller/Treasurer-Tax Collector as to accounting form, and to be the signatory on behalf of the Board of Supervisors on associated LOSS Team related reports and forms, without modifying the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 24-370

31. Approve and authorize the Chairman to execute Amendment I to Kings View PATH Superseding Agreement No. 23-295 effective July 9, 2024, extending the term by one year from July 1, 2025, through June 30, 2026, and increasing the maximum compensation by \$1,569,264 to a total of \$4,161,520

APPROVED AS RECOMMENDED

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

Agreement No. 24-371

32. Approve and authorize the Chairman to execute Amendment IV to Master Agreement to add several Short-Term Residential Therapeutic Program vendors to the agreement as contracted providers, with no change to the term of July 1, 2023 to June 30, 2025, or maximum compensation of \$30,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-372

Child Support Services

33. Approve and authorize the Director of the Department of Child Support Services to execute an Amended Plan of Cooperation between the California Department of Child Support Services and the Fresno County Department of Child Support Services effective October 1, 2024 through September 30, 2025 (\$0)

APPROVED AS RECOMMENDED

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

Human Resources

34. Approve and authorize the Chairman to execute an Agreement with Career Nexus, effective July 8, 2024, for a standard term of three years with two optional one-year extensions (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 24-373

35. Approve Amendment to the Salary Resolution establishing the Deputy Retirement Administrator classification and adding two (2) Deputy Retirement Administrator positions in the Retirement Association, effective July 8, 2024, as reflected in Appendix "A"; and approve Amendment to the Salary Resolution deleting one (1) vacant Assistant Retirement Administrator position and one (1) vacant Administrative Assistant position, effective July 8, 2024, as reflected in Appendix "A"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 24-021

36. Approve and authorize the Chairman to execute Agreement to Defend Public Officers or Employees for: Roberto Cerda, Sheriff Sergeant, Mark Fam, Sheriff Sergeant, Christopher Lewis, Deputy Sheriff, Alexander Meyer, Deputy Sheriff, Justin Rangel, Deputy Sheriff; Sheriff's Department; Kwabena Watson, Jr. v County of Fresno, et al.

APPROVED AS RECOMMENDED

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

Agreement No. 24-374, Agreement No. 24-375, Agreement No. 24-376, Agreement No. 24-377, Agreement No. 24-378

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

APPROVED AS RECOMMENDED

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

Resolution No. 24-243, Resolution No. 24-244, Resolution No. 24-245, Resolution No. 24-246, Resolution No. 24-247, Resolution No. 24-248, Resolution No. 24-249, Resolution No. 24-250, Resolution No. 24-251, Resolution No. 24-252, Resolution No. 24-253, Resolution No. 24-254

Internal Services

38. Approve and authorize the Chairman to execute a Master Agreement with multiple vendors to provide external low voltage cabling services, effective July 9, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total compensation not to exceed \$8,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-379

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

APPROVED AS RECOMMENDED

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

Ordinance No. 24-012

- 40.** Approve and authorize the Chairman to execute a Master Agreement with multiple vendors for vehicle collision repair services for County vehicles, effective July 9, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,225,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-380

- 41.** Adopt Budget Resolution increasing FY 2024-25 appropriations for Internal Services Department Fleet Services-Equipment Org 8911 in the amount of \$15,008,525 for the purchase and replacement of light and heavy-duty vehicles, equipment for various departments, and for costs associated with building and improvements (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 24-255

- 42.** Approve and authorize the Chairman to execute an Agreement with ADT Commercial, LLC, dba Everon, through a cooperative agreement with Omnia Partners, to provide fire and intrusion alarm system maintenance, repair, inspection, and monitoring services, effective upon execution, including a three-year initial term with two optional one-year extensions, total not to exceed \$3,070,000; and Authorize the Director of Internal Services/Chief Information Officer, or their designee, to add and/or remove County service locations and related services from the alarm monitoring schedule, and to adjust the frequency of services pursuant to the methodology described in the recommended Agreement and as operational needs require, with no change to the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 24-381

Library

43. Approve and authorize the Chairman, the County Librarian, and the Library's Project Director of this grant to execute a grant Agreement from California Humanities for a California Humanities for All Project Grant, to be used at the Betty Rodriguez Regional Library for the Communities Read Together project, effective June 1, 2024, through May 31, 2026 (\$24,520); Authorize the County Librarian, or her designee, to sign expenditure forms and activity reports for the recommended Agreement; and Adopt Budget Resolution increasing FY 2024-25 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$24,520 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 24-382, Resolution No. 24-256

Probation

44. Approve and authorize the Chairman to execute Agreement with Turning Point of Central California, Inc., for transitional housing beds, sustenance and associated services for individuals being released from prison and placed in Post Release Community Supervision pursuant to Assembly Bill 109, effective August 1, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, not to exceed \$14,743,738

APPROVED AS RECOMMENDED

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

Agreement No. 24-383

45. Approve and authorize the Chairman to execute a retroactive Agreement with STOP, for continued GPS electronic monitoring and services and alcohol detection equipment and services, retroactively effective July 1, 2024, not to exceed four consecutive years and five months, which includes an approximately two-year, five-month base contract and two optional one-year extensions, total not to exceed \$5,712,778

APPROVED AS RECOMMENDED

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

Agreement No. 24-384

46. Approve and authorize the Chairman to execute Amendment I to Agreement with RDA Consulting, SPC to include a Health Insurance Portability and Accountability Act (HIPAA) Business Associate Agreement and a Data Security Exhibit with no change to the term of January 16, 2024 through January 15, 2027, or compensation maximum of \$300,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-385

47. Approve and authorize the Chairman to execute a retroactive Revenue Agreement with Tulare County to house detained youth from Tulare County at the Juvenile Justice Campus for a daily rate of \$380 per detained youth, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, effective July 1, 2024 through June 30, 2029

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

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

Agreement No. 24-394

Public Health

48. Approve and authorize the Chairman to execute First Amendment to Agreement with KWPH Enterprises, d.b.a. American Ambulance, for dispatching of ambulances in Kings County through the Fresno County Emergency Medical Services Communications Center, effective upon execution with no change to the term of July 1, 2023 through June 30, 2026 and increasing the maximum by \$144,168 to a total of \$252,294

PRIOR TO BOARD DISCUSSION, SUPERVISOR BRANDAU RECUSED HIMSELF UNDER THE LEVINE ACT. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Recuse: 1 - Brandau

Agreement No. 24-395

49. Approve and authorize the Chairman to execute a retroactive intergovernmental Transfer Certification with the California Department of Health Care Services for voluntary contribution of County non-Federal funds to cover the non-Federal share of Medicaid eligible expenditures through the Medi-Cal County Inmate Program for State Fiscal Year 2023-24, effective July 1, 2023 through June 30, 2024, estimated total \$371,638

APPROVED AS RECOMMENDED

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

Agreement No. 24-398

50. Approve and authorize the Chairman to execute a Second Amendment to Agreement with Fresno Metropolitan Ministry to continue the work with Fresno Community Health Improvement Partnership to provide health intervention activities for Fresno County's Community Health Worker Network, effective upon execution, extending the term by twenty-two (22) months from August 1, 2024 to May 31, 2026, and increasing the maximum by \$2,883,893 to a total of \$12,496,869

APPROVED AS RECOMMENDED

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

Agreement No. 24-386

51. 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 Hatching LLC as Hatching LLC is the only vendor suited and equipped to evaluate the County's animal control program; and approve and authorize the Chairman to execute an Agreement with Hatching LLC for consultation services for the County's animal control program, effective upon execution, not to exceed one year, total not to exceed \$40,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-387

52. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the City of Hanford, for dispatch services for the Hanford Fire Department through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2024, through June 30, 2027 (\$792,258); and Approve and authorize the Chairman to execute a retroactive Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for Hanford Fire Department dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2024, through June 30, 2027 (\$767,427)

PRIOR TO BOARD DISCUSSION, SUPERVISOR BRANDAU RECUSED HIMSELF UNDER THE LEVINE ACT. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Recuse: 1 - Brandau

Agreement No. 24-396, Agreement No. 24-397

53. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Sanger, for paramedic ambulance services, effective July 1, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$84,375; and Approve and authorize the Chairman to execute a retroactive Agreement with the City of Selma, for paramedic ambulance services, effective July 1, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$67,500

APPROVED AS RECOMMENDED

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

Agreement No. 24-388, Agreement No. 24-389

Public Works and Planning

54. Approve and authorize Chairman to execute Amendment I to Agreement No. 22-493 with MSW Consultants, Inc. for Senate Bill 1383 Reporting Software, effective upon execution, with no change to the term of October 25, 2022 through October 24, 2027, not to exceed five consecutive years, which includes a three-year base term and two optional one-year terms, and increasing the maximum compensation amount by \$29,320 to a total of \$189,000

APPROVED AS RECOMMENDED

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

Agreement No. 24-390

55. Approve and authorize Chairman to execute an Agreement with Kochergen Farms Composting Inc. for green waste removal services at American Avenue Disposal Site, effective July 9, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extension, total not to exceed \$290,097

APPROVED AS RECOMMENDED

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

Agreement No. 24-391

56. Approve and authorize Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Fowler; and determine that approval and authorization of Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Fowler is exempt from requirements of California Environmental Quality Act, Public Resources Code 21000, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk

APPROVED AS RECOMMENDED

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

Agreement No. 24-392

57. Adopt Resolution approving rescission of Agricultural Land Conservation Contract (ALCC) Numbers 3044, 3045, and 3046 and simultaneous entry into new ALCC Number 8349, based upon mutual agreement of the parties of the contract pursuant to Government Code Section 51254, and approving and authorizing the Chairman to execute the Rescission and Simultaneous Entry into New Land Conservation Contract for Contract Number 8349 on behalf of the County; the Clerk of the Board of Supervisors shall cause a certified copy of this resolution to be recorded together with recordation of the fully-executed Rescission and Simultaneous Entry into New Land Conservation Contract for Contract Number 8349 in the Office of the County Recorder for the County of Fresno (the subject 314.55-acre (± gross) parcel is generally located at W. Conejo Avenue and S. Dickenson Avenue between W. Kamm Avenue and W. Elkhorn Avenue approximately six miles southwest of the nearest boundary of the community of Caruthers (APN 041-110-57S))

APPROVED AS RECOMMENDED

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

Resolution No. 24-257

58. Reject the construction bid in the amount of \$2,695,928 from West Valley Construction Company, Inc., for Contract #23-29-C County Service Area 1 Tamarack Water Infrastructure Replacement because the allocated California Department of Water Resources funding is insufficient to cover the bid amount

APPROVED AS RECOMMENDED

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

59. Accept Property Owner Petition requesting dissolution of Zone "AI" of County Service Area No. 35 located off of Watts Valley Road, northeast of Ashlan Avenue; and adopt a Resolution of Intention to dissolve CSA 35-AI and set public protest hearing for 9:30 A.M. on August 20, 2024

APPROVED AS RECOMMENDED

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

Resolution No. 24-258

60. Approve proposed amendment to County of Fresno's American Rescue Plan Act - State and Local Recovery Fund (ARPA-SLFRF) expenditure plan by amending approved scope of work for improvements to Tenaya Park (County Service Area 2), which currently is limited to electrical lighting improvements, to include improvements to recreation and park spaces in Tenaya Park, with no change to approved allocation of \$400,000; and approve and authorize Director of Public Works and Planning, or designee, to potentially use annual Job Order Contracts to perform proposed project and other ARPA-SLFRF-funded park projects (improvements to various County parks, improvements to El Porvenir and Raisin City parks) authorized by your Board on December 13, 2022

APPROVED AS RECOMMENDED

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

61. 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 and N. Fowler Avenue. Authorization under full extent of Section 1810 of Streets and Highways Code allows City of Clovis to acquire, by purchase or eminent domain, right-of-way from these parcels

APPROVED AS RECOMMENDED

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

62. Adopt Resolution accepting Grant of Parking and Access Easement, dated March 5, 2024, from the City of Clovis, which will ensure perpetual parking and pedestrian access over the City-owned common areas at the new Clovis Regional Library to the County and all Library users; and Approve and authorize the Chairman to execute the Certificate of Acceptance for the interest in real property conveyed by the Grant of Parking and Access Easement

APPROVED AS RECOMMENDED

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

Resolution No. 24-259

Social Services

63. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 27 transferring FY 2023-24 appropriations from the Special Revenue Fund, Social Services Fund 0065, Subclass 17225, Welfare Advance Fund Org 1120 (\$317,802) from account 7910 to the Local Health and Welfare Trust Fund 0135, Subclass 13048, 1991-Realignment Family Support Org 5248 account 7910 in the amount of \$317,802

APPROVED AS RECOMMENDED

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