



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, August 9, 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

KEITH BERGHOLD, EXECUTIVE DIRECTOR OF FRESNO METRO MINISTRY, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR MENDES, THAT THIS AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 11 WHICH WAS CONTINUED TO A SPECIAL MEETING ON AUGUST 12, 2022, AT 3:00 P.M., AND ITEM 19.1 WHICH WAS CONTINUED TO AUGUST 23, 2022. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 20 - 62

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH ITEM 28 BEING CORRECTED TO REFLECT THE IMPACTED SUPERVISORIAL DISTRICTS AS 4 AND 5 RATHER THAN 3, 4, AND 5 AND WITH THE EXCEPTION OF ITEM 42 WHICH WAS DELETED AND WILL RETURN TO THE BOARD AT A LATER DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

3. Presentation of Retirement Plaque to Joy J. Moreno - Social Services - 32 Years of Service

RETIREMENT PLAQUE MAILED TO JOY J. MORENO, WHO WAS UNABLE TO ATTEND IN PERSON

4. Presentation of Retirement Plaque to Armando Hindman - Internal Services - 26 Years of Service

PRESENTED PLAQUE TO ARMANDO HINDMAN

Supervisor Brandau

5. Proclaim August 7-13, 2022 as International Assistance Dog Week in Fresno County

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

Resolution No. 22-288

Board of Supervisors

6. Approve and adopt the revised 2022 regular meeting schedule of the Board of Supervisors; and Direct the Clerk of the Board to publish the amended 2022 meeting schedule of the Board of Supervisors on the Fresno County website and to advise all County departments of the revised meeting schedule and submission dates for agenda items

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

Human Resources

7. Approve adjustments to the salaries of the County Administrative Officer, Assistant County Administrative Officers, and appointed Department Heads, effective August 8, 2022, as reflected in Appendix C

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

Salary Resolution No. 22-058

County Clerk/Registrar of Voters

8. Receive the Certified Statement of Vote for the June 7, 2022, Consolidated Statewide Primary Election and declare elected the candidates with majority vote totals and the results of each measure voted on in each consolidated election

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

- 8.1 Receive "Certificate of Sufficiency" dated August 4, 2022, with respect to the initiative petition entitled "California State University, Fresno Facility and Academic Program Improvement Initiative Measure" filed with the County Clerk/Registrar of Voters on July 25, 2022, pursuant to Elections Code Section 9114; and Pursuant to California Elections Code Section 9118, the Board of Supervisors shall take action on one of the following: a. Submit the "California State University, Fresno Facility and Academic Program Improvement Initiative Measure," without alteration, to the voters pursuant to Elections Code Section 1405; and adopt Resolution calling an election for the "California State University, Fresno Facility and Academic Program Improvement Initiative Measure" to be consolidated with the November 8, 2022 Consolidated Statewide General Election; or b. Refer the "California State University, Fresno Facility and Academic Program Improvement Initiative Measure" to a county agency or agencies for a report or reports on the effect of the proposed ordinance (e.g., fiscal impact), pursuant to Elections Code Section 9111, and direct staff to present the report(s) to the Board of Supervisors no later than 30 days after today's date, at which time your Board would adopt a Resolution calling for an election pursuant to Elections Code Section 1405

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

Resolution No. 22-289

Public Works and Planning

9. Approve the form of the Direct Payment Agreement (Agreement) with Horne LLP for the County to receive direct payments from Horne LLP for the benefit of the customers of County-maintained water systems who qualify for the California Department of Community Services and Development Low-Income Household Water Assistance Program except for the provisions of Section 2.5 of the Agreement (i.e., County's return of funds relating to previously discharged (written-off) customer account balances) and Section 2.6 of the Agreement (i.e., County's return of funds relating to previously closed customer accounts); and Authorize the Director of Public Works and Planning (Director) or his designee to complete negotiations with Horne LLP concerning the provisions of Sections 2.5 and 2.6 of the Agreement upon terms and conditions that would be in the Director's determination as in the best interest of the County; and Authorize the Director to approve and execute the Agreement with Horne LLP, including the provisions of Sections 2.5 and 2.6 of the Agreement that are in his determination as in the best interest of the County

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

10. Consider petition for partial Cancellation of Agricultural Land Conservation Contract No. 6899 filed by Walter James Bledsoe and Elizabeth D. Bledsoe to remove a 6.64-acre portion of a 79.89-acre parcel from Williamson Act contract to allow creation of a 4.62-acre parcel and a 2.02-acre parcel for residential use; and if your Board is able to make all five required Consistency Findings listed under Government Code, Section 51282(b), adopt a Resolution authorizing partial Cancellation of Agricultural Land Conservation Contract No. 6899; and authorize Chairman to sign Certificate of Tentative Cancellation and approve recordation of Certificate of Cancellation when all conditions included in Certificate of Tentative Cancellation have been satisfied (subject parcel is located on south side of Harlan Avenue and on east and west sides of Bryan Avenue, approximately one mile northeast of unincorporated community of Lanare (20141 Bryan Avenue) (APN: 053-031-03s)

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) APPROVE PETITION FOR PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 6899 FILED BY WALTER JAMES BLEDSOE AND ELIZABETH D. BLEDSOE TO REMOVE A 6.64-ACRE PORTION OF A 78.89-ACRE PARCEL FROM THE WILLIAMSON ACT CONTRACT TO ALLOW THE CREATION OF A 4.62-ACRE PARCEL AND A 2.02-ACRE PARCEL FOR RESIDENTIAL USE; 2) DETERMINE THAT ALL FIVE REQUIRED CONSISTENCY FINDINGS LISTED UNDER GOVERNMENT CODE, SECTION 51282(b), CAN BE MADE AND ADOPT A RESOLUTION AUTHORIZING PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 6899; AND 3) AUTHORIZE THE CHAIRMAN TO SIGN THE CERTIFICATE OF TENTATIVE CANCELLATION AND APPROVE RECORDATION OF THE CERTIFICATE OF CANCELLATION WHEN ALL CONDITIONS INCLUDED IN THE CERTIFICATE OF TENTATIVE CANCELLATION HAVE BEEN SATISFIED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 22-290

Administrative Office

11. Consider request by the Fresno County Transportation Authority (FCTA) and approve a resolution to place a ballot measure on the November 2022 general election ballot to extend for 30 years the current one-half percent local sales tax to be used for transportation purposes in accordance with the approved Transportation Expenditure Plan

CONTINUED TO AUGUST 12, 2022, AT 3:00 P.M.

Board of Supervisors' Committee Reports and Comments

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

COUNTY COUNSEL EXPLAINED THAT ITEM 11 IS BEING CONTINUED TO A SPECIAL MEETING ON AUGUST 12, 2022, AS NOT ENOUGH CITY COUNCILS REPRESENTING A MAJORITY OF INCORPORATED AREA POPULATIONS HAVE FORMALLY APPROVED OF THE MEASURE C PLAN. CHAIRMAN PACHECO FURTHER CLARIFIED THAT THE COUNTY IS WAITING FOR THE CITY OF FRESNO TO MEET ON AUGUST 11 AND PASS THEIR RESOLUTION BEFORE THE ITEM CAN PROPERLY COME TO THE BOARD. SUPERVISOR MAGSIG REPORTED THAT AT THE RECENT NACO CONFERENCE, THEIR FINANCE, PENSIONS AND INTERGOVERNMENTAL AFFAIRS COMMITTEE, OF WHICH HE CHAIRS, PASSED EIGHT RESOLUTIONS, ONE SUPPORTING HR 5735, AS IT ALLOWS MORE FLEXIBILITY WITH AMERICAN RESCUE PLAN ACT (ARPA) FUNDS, AND ANOTHER ENCOURAGING CONGRESS TO ALLOW FOR MORE LOCAL CONTROL; AND ANNOUNCED A COMMUNITY MEETING BEING HELD BY HIS OFFICE ON AUGUST 10 AT FOOTHILL ELEMENTARY SCHOOL BEGINNING AT 6:00 PM TO DISCUSS FUEL REDUCTION PROJECTS AND WILL INCLUDE THE U.S. FOREST SERVICE, FIRE SAFE COUNCILS, COUNTY PUBLIC WORKS, THE SHERIFF'S OFFICE AND CAL FIRE. VICE CHAIRMAN QUINTERO PROVIDED AN UPDATE TO THE CHERRY AVENUE CLEAN-UP: ON SATURDAY, FEW VENDORS WERE ONSITE DUE TO THE SUCCESS OF THE FIRST TWO EDUCATIONAL VISITS; DA INVESTIGATOR KELLY MAYFIELD, THE SHERIFF'S OFFICE, THE ENVIRONMENTAL HEALTH DIVISION, THE AGRICULTURE DEPARTMENT AND CHP PARTICIPATED; FRESNO STATE POLICE DEPARTMENT OBSERVED THE CLEAN-UP, HOPING TO SOLVE THEIR OWN ISSUES WITH VENDORS ON CHESTNUT AVENUE AFTER EVENTS; LOCAL RESIDENTS APPRECIATE THE CLEAN-UP AS IT ADDRESSED A SERIOUS HEALTH AND SAFETY ISSUE; AND STAFF WILL REVISIT THE AREA TO ENSURE VENDORS ARE STILL IN COMPLIANCE. VICE CHAIRMAN QUINTERO ALSO PROVIDED AN UPDATE ON A HOMELESS ENCAMPMENT AT 302 S. PEACH AVE., NORTH OF KINGS CANYON; THANKED DEPUTY CAO SONIA DE LA ROSA, DISTRICT 3 STAFF, CODE ENFORCEMENT AND COUNTY COUNSEL FOR WORKING WITH THE PROPERTY OWNER, WHO WAS GIVEN THE DATE OF THE CLEAN-UP AND WHEN TO POST NOTICES BY; AND NOTED THAT THOSE AT THE ENCAMPMENT WERE OFFERED ALTERNATE HOUSING, REHABILITATION AND OTHER SERVICES. SUPERVISOR BRANDAU RELAYED HIS CONCERN WITH THE COUNTRY'S ECONOMY; EXPRESSED DISAPPROVAL OF THE INFLATION REDUCTION ACT; AND SUGGESTED TO FRESNO COUNTY FAMILIES TO PREPARE FOR THE FUTURE: ELIMINATE PERSONAL DEBT, CREATE AN EMERGENCY FUND AND ADD TO LONG-TERM FOOD SUPPLY. SUPERVISOR MENDES COMMENTED ON THE INFLATION REDUCTION ACT. VICE CHAIRMAN QUINTERO REQUESTED CAO PAUL NERLAND PROVIDE A CONTACT FOR CONSTITUENTS NEEDING ASSISTANCE WITH THEIR PG&E BILL, AS WELL AS DISTRIBUTING THE CONTACT TO COMMUNITY-BASED ORGANIZATIONS. CAO NERLAND AGREED AND FURTHER OFFERED TO PROVIDE A GENERAL HUB FOR ASSISTANCE PROGRAMS. SUPERVISOR MAGSIG SUGGESTED THAT THE CAO CONNECT WITH THE FRESNO ECONOMIC OPPORTUNITIES COMMISSION (EOC) AND THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP). CAO NERLAND ANNOUNCED THIS IS THE FINAL BOARD MEETING FOR ASSISTANT CAO JOHN THOMPSON AS HIS FAMILY WILL MOVE BACK HOME TO MINNESOTA AND DETAILED THAT ASSISTANT CAO THOMPSON HAS BEEN WITH THE COUNTY FOR 14 YEARS, WAS PREVIOUSLY ASSISTANT DIRECTOR OF PUBLIC WORKS AND PLANNING, IS ONE OF THE HARDEST WORKING INDIVIDUALS HE'S EVER WORKED WITH, HAS UNDERTAKEN MANY DIFFICULT COUNTY ASSIGNMENTS, INCLUDING LEADING THE REDISTRICTING PROJECT AND COORDINATING ARPA FUNDING, IS VERY LOYAL TO THE COUNTY AND WILL BE MISSED. SUPERVISOR MENDES AGREED THAT ASSISTANT CAO THOMPSON NEVER HAD AN "EASY BUTTON" FOR HIS ASSIGNMENTS. SUPERVISOR BRANDAU EXPRESSED HIS TRUST AND APPRECIATION FOR ASSISTANT CAO THOMPSON'S WORK. VICE CHAIRMAN QUINTERO THANKED ASSISTANT CAO THOMPSON. ASSISTANT CAO THOMPSON EXPRESSED HIS LOVE FOR THE COUNTY FAMILY. SUPERVISOR MAGSIG STATED HIS APPRECIATION FOR ASSISTANT CAO THOMPSON'S WORK, SPECIFICALLY DURING THE CREEK FIRE AND ITS AFTERMATH, AND REITERATED THAT THE COUNTY FAMILY WILL MISS HIM

Board Appointments

- 13. 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 NOMINATIONS FOR APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

COMMISSION ON THE STATUS OF WOMEN

APPOINT SUSAN XIONG TO POSITION HELD BY JENNIFER PAN (TERM TO EXPIRE 06/30/23)

EMERGENCY MEDICAL CARE COMMITTEE

APPOINT VINCE ELLIS TO POSITION PREVIOUSLY HELD BY DAVID PARIS (TERM TO EXPIRE 01/06/25)

FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE

APPOINT KEVIN LISITSIN TO POSITION PREVIOUSLY HELD BY OSCAR WILLIAMS (TERM TO EXPIRE 01/03/23)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

REAPPOINT FRANK FOWLER (TERM TO EXPIRE 08/03/26)

FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD

REAPPOINT DENNIS MONTALBANO (TERM TO EXPIRE 11/01/23)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

- 14. 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

15. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - John Lee vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ10813919
HELD; NO REPORTABLE ACTION
16. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
COUNTY COUNSEL REPORTED OUT OF CLOSED SESSION THAT, BY A 5-0 VOTE, THE BOARD AUTHORIZED COUNTY COUNSEL TO INITIATE AN ACTION AGAINST TYLER ORTMAN, VICTORIA HINDERAKER AND SHOREBREAK BEACH VOLLEYBALL CLUB, LLC, THE PROPERTY OWNERS OF 13545 E. BULLARD AVE., CLOVIS, CA 93619 IN AN EXCLUSIVE AGRICULTURAL DISTRICT, OF AN UNPERMITTED AND UNLICENSED COMMERCIAL ACTIVITY THAT VIOLATES ZONING ORDINANCES, CREATES A PUBLIC NUISANCE AND IS AN UNFAIR BUSINESS PRACTICE. THE BOARD AUTHORIZED INITIATION OF LITIGATION UNDER ALL THOSE CAUSES OF ACTION
17. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
18. 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
19. Public Employee Performance Evaluation - County Administrative Officer (Government Code section 54957(b))
HELD; NO REPORTABLE ACTION
- 19.1 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
CONTINUED TO AUGUST 23, 2022
- 19.2 Conference with Legal Counsel - Existing Litigation - Government Code section 54956.9(d)(1) - Hall, et all. v. County of Fresno, et al., United States District Court, Eastern District of California, Case No. 1:11-CV-02047
HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MEETING BE ADJOURNED. 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 AUGUST 23, 2023

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH ITEM 28 BEING CORRECTED TO REFLECT THE IMPACTED SUPERVISORIAL DISTRICTS AS 4 AND 5 RATHER THAN 3, 4, AND 5 AND WITH THE EXCEPTION OF ITEM 42 WHICH WAS DELETED AND WILL RETURN TO THE BOARD AT A LATER DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 20. Approve minutes of meeting for July 12, 2022

APPROVED AS RECOMMENDED

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

Supervisor Magsig

- 21. Adopt a Resolution Commemorating the Grand Opening of Table Mountain Casino Resort on July 21, 2022

APPROVED AS RECOMMENDED

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

Resolution No. 22-268

Supervisor Magsig and Supervisor Mendes

- 21.1 Adjourn in Memory of Jack Hannah; a man of great faith in Jesus Christ, educator, coach, musician, and a larger-than-life legend in Fresno County

APPROVED AS RECOMMENDED

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

Supervisor Quintero

- 22. Adjourn in Memory of Andrew V. Ochoa Jr.

APPROVED AS RECOMMENDED

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

- 23. Adjourn in Memory of Ron A. Donaldson

APPROVED AS RECOMMENDED

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

24. Adjourn in Memory of Sidney Chun Tuck**APPROVED AS RECOMMENDED**

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

Auditor Controller-Treasurer/Tax Collector

- 25. Make a finding that it is in the best interest of the County to waive the competitive bidding process under Administrative Policy No. 34 under the “when the contract is with a federal, state, or local governmental agency” exception; and authorize the Chairman to execute an Agreement with the State of California Employment Development Department for the procurement of confidential wage and benefit information related to the collection of court ordered debt, effective September 1, 2022, through June 30, 2025 for a maximum amount of \$5,104; and Approve and authorize the Chairman to execute the standard, State-provided Indemnity Agreement**

APPROVED AS RECOMMENDED

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

Agreement No. 22-334

Sheriff/Coroner/Public Administrator

- 26. Approve and authorize Chairman to execute a Memorandum of Understanding (MOU) with the City of Fresno, which provides dedicated grant funds for equipment to the Internet Crimes Against Children (ICAC) task force member agencies to be used in the course of ICAC investigations, to allow a Fresno Police Department Officer to use a County vehicle (\$50,000); and approve and authorize the waiving of Administrative Policy No. 17 (regarding the use of County vehicles by County officials and employees only) to allow a Fresno Police Department Officer, as a member of the ICAC Task Force, to use a County vehicle**

APPROVED AS RECOMMENDED

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

Agreement No. 22-335

- 27. Approve and authorize the Chairman to execute a Second Amendment to Agreement with RR-M Reyna Inc., for decedent removal services, to update contractor rates, with no change to the term of May 16, 2019 through May 15, 2024 and increasing the maximum by \$100,000 to a total of \$2,100,000**

APPROVED AS RECOMMENDED

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

Agreement No. 22-336

28. Adopt and authorize Chairman to execute Resolution approving special tax amount, and levying special tax in the maximum total amount of \$387,030.46, 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 2022-23

APPROVED AS RECOMMENDED

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

Resolution No. 22-269

County Counsel

29. Approve and authorize Chairman to execute the Settlement Agreement and Release, by which the City of Fresno will pay \$25,000 to the County for its deductible for insurance coverage from Lexington Insurance Company for damage from the flooding of the Brix-Mercer Building

APPROVED AS RECOMMENDED

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

Agreement No. 22-337

Administrative Office

30. Retroactively approve the submittal of an engagement letter to CalRecycle, requesting CalRecycle's assistance in cleaning up an illegal dump located at 20526 S. Garfield Avenue, in Riverdale, CA; and Adopt Resolution authorizing the use of \$120,000 from the American Avenue Disposal Site Refund Trust account 0700/15060 for the cleanup of an illegal privately-operated dump located at 20526 S. Garfield Avenue, Riverdale, CA, and authorizing the Director of Public Works and Planning and the Auditor-Controller/Treasurer-Tax Collector to take all steps necessary to carry out this authorization

APPROVED AS RECOMMENDED

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

Resolution No. 22-270

31. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Tranquillity Public Utility District in the amount of \$661,500 to fund a sewer system rehabilitation project in the Community of Tranquillity; and approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Malaga County Water District in the amount of \$2,567,225 to fund the design and construction of a water storage tank in the Community of Malaga

APPROVED AS RECOMMENDED

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

Agreement No. 22-338, Agreement No. 22-339

- 32.** Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Fresno Community Hospital and Medical Center in the amount of \$2,720,670 to fund the purchase of six adult Stryker beds for its intensive care unit and a computed tomography scanner that will treat and diagnose patients with COVID-19 and serve patients in Community Medical Center's network of hospitals

APPROVED AS RECOMMENDED

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

Agreement No. 22-340

Behavioral Health

- 33.** Approve and authorize the Chairman to execute a retroactive Supersede Agreement with Pacific Clinics for the final year of the Assertive Community Treatment full service partnership mental health services for children and youth ages 10-18 with serious emotional disturbances, effective July 1, 2022 through June 30, 2023 (\$3,741,278); and, approve and authorize the Chairman to execute a retroactive Supersede Agreement with Pacific Clinics, Exceptional Parents Unlimited, Inc., and Comprehensive Youth Services of Fresno, Inc., for the final year of the Bright Beginnings For Families full services partnership mental health services for children ages 0-10 with serious emotional disturbances, effective July 1, 2022 through June 30, 2023 (\$7,408,023)

APPROVED AS RECOMMENDED

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

Agreement No. 22-341, Agreement No. 22-342

- 34.** Approve and authorize the Chairman to execute a Participation Agreement with California Mental Health Services Authority to provide support in developing Behavioral Health Quality Improvement Program projects, effective upon execution through June 30, 2024, total not to exceed \$200,590

APPROVED AS RECOMMENDED

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

Agreement No. 22-343

35. Approve and authorize the Chairman to execute a Lease Agreement with Fresno-Air LTD for 38,921 square feet of office space located at 2719 N. Air Fresno Drive, Ste 107, Fresno CA 93727, commencing on the Delivery of Possession for an initial term of two years (\$837,175 in rent plus approximately \$196,162 in operating costs, for a total of \$1,033,337 for the initial term), then converting to a month-to-month lease (\$35,932 per month), for use by the Department of Behavioral Health while the Olive and Heritage Campuses are under construction; and, authorize the Director of Internal Services to terminate the existing month-to-month Lease Agreement with Fresno-Air LTD at the same location of 2719 N. Air Fresno Drive, Suite 107, Fresno, CA 93727, upon completion of tenant improvements

APPROVED AS RECOMMENDED

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

Agreement No. 22-344

Human Resources

36. Adopt a Resolution increasing the minimum amount of claims that must be reviewed by the Claims Review Committee from \$5,000 to \$25,000

APPROVED AS RECOMMENDED

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

Resolution No. 22-271

37. Approve Addendum to the Memorandum of Understanding for Representation Unit 42, represented by the Association of County Engineers, effective August 8, 2022; and approve the successor MOU for Representation Unit 42, represented by the Association of County Engineers, effective November 14, 2022; and approve the related Salary Resolution Amendments as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-057

38. Adopt Resolutions Rejecting Claims for Damages

APPROVED AS RECOMMENDED

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

Resolution No. 22-272, Resolution No. 22-273, Resolution No. 22-274, Resolution No. 22-275, Resolution No. 22-276, Resolution No. 22-277, Resolution No. 22-278, Resolution No. 22-279, Resolution No. 22-280, Resolution No. 22-281, Resolution No. 22-282, Resolution No. 22-283, Resolution No. 22-284

Internal Services

39. 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 American Alarm Co., Inc., is the only provider with specified knowledge of the established Juvenile Justice Campus security electronic control system; and, approve and authorize the Chairman to execute an Agreement with American Alarm Co., Inc., for security electronic control system programming and upgrade services at the Juvenile Justice Campus, effective August 9, 2022, not to exceed five consecutive years, which includes a one-year base contract with four automatic one-year extensions, total not to exceed \$1,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-345

40. Approve and authorize the Chairman to execute an Agreement with R.F. MacDonald Co. to provide inspection, maintenance, monitoring, testing, and repair for boiler systems, effective upon execution, not to exceed five consecutive years with no optional extensions, total not to exceed \$2,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-346

41. Approve and authorize the Chairman to execute an Agreement with Core Business Interiors for purchase and installation of Haworth modular furniture systems at County facilities, effective August 22, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$25,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-347

42. 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, 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

DELETED

- 43.** Approve and authorize the Chairman to execute Second Amendment to Agreement No. 20-074 with Peraton State & Local, Inc. (formerly Perspecta State & Local Inc.) for Auditor-Controller / Treasurer-Tax Collector Property Tax Collection for mainframe hosting services, effective upon execution, to increase unit rate costs, effective March 1, 2023, adding fixed staff rates previously omitted, extending the term by one year with an optional one-year extension (February 27, 2023, to February 26, 2025), with no change to the compensation maximum of \$2,550,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-348

- 44.** Approve and authorize the Chairman to execute an Agreement with Lorbel, Inc., for maintenance and repair services of uninterruptible power supply systems in County facilities, effective upon execution, not to exceed five consecutive years, which includes a one-year base contract with four automatic one-year extensions, total not to exceed \$1,107,500; and, authorize the Internal Service Director/Chief Information Officer to add or replace systems and change service levels of systems pursuant to the methodology described in the recommended agreement, with no increase to the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 22-349

- 45.** Authorize a waiver of the nepotism rule in accordance with Management Directive, Chapter 200 - Personnel Practices & Procedures, section 230 - Nepotism and Section 43 of the Fresno County Charter for the son of the County Administrative Officer selected as an Information Technology Specialist I with the Internal Services Department and authorize the Chairman to sign the Employee Hire Data Form (Unanimous)

APPROVED AS RECOMMENDED

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

Public Defender

46. Approve and authorize the Chairman to execute a retroactive Revenue Agreement and all required forms and certifications with the Fresno Regional Workforce Development Board for post-conviction relief services to be provided by the Fresno County Public Defender, effective July 1, 2022, not to exceed one year (\$45,000); and adopt Budget Resolution increasing the FY 2022-23 appropriations and estimated revenues for the Public Defender Org 2880 in the amount of \$45,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-285, Agreement No. 22-350

Public Health

47. Approve the allocation of American Rescue Plan Act State and Local Fiscal Recovery Funds in the total amount of \$11,225,000 to the Department of Public Health Org 5620 for: a) Rural Mobile Health - Medical Services, up to \$6,000,000 in the underserved agricultural and rural communities; b) Rural Mobile Health - Medical System Navigation and Linkage, up to \$2,000,000 in the underserved agricultural and rural communities; c) Public Health Building Roof Repair - up to \$225,000; d) Public Health Building Basement Rebuild to support community meetings, health education forums and trainings, and health supply storage capacity - up to \$3,000,000; and, adopt Budget Resolution increasing FY 2022-23 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$6,225,000 for facility project costs related to the Brix/Mercer building and contracted services (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-286

48. Accept termination letter from City of Kingsburg for fire dispatch services, revenue Agreement 20-268, retroactively effective August 1, 2022; Approve voluntary without cause termination of Agreement 20-269 with K.W.P.H, dba American Ambulance, for fire dispatch service for Kingsburg Fire Department, retroactively effective August 1, 2022

APPROVED AS RECOMMENDED

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

Public Works and Planning

49. Approve and authorize Chairman to execute an Agreement with Willdan Engineering for engineering consultant services for update to Public Improvement Standard Plans and Specifications manual, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$226,247

APPROVED AS RECOMMENDED

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

Agreement No. 22-351

50. Approve and authorize Chairman to execute Amendment I to Agreement No. 20-512 with City of Fowler for Fowler Senior Meals, Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant Project No. 19232-CV, effective upon execution with no change in term through June 30, 2023, to provide additional senior meals, and increasing maximum Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding by \$9,026 to a total Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding amount not to exceed \$38,081

APPROVED AS RECOMMENDED

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

Agreement No. 22-352

51. Approve and authorize Chairman to execute Amendment I to Agreement No. 20-513 with City of Kingsburg for Kingsburg Senior Meals, Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant Project No. 19392-CV, effective upon execution with no change in term through June 30, 2023, to provide additional senior meals, and increasing maximum Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding by \$28,057 to a total Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant funding amount not to exceed \$80,661

APPROVED AS RECOMMENDED

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

Agreement No. 22-353

52. Approve and authorize the Chairman to execute a retroactive Second Amendment to Agreement 17-316 with Clean Earth Environmental Solutions, Inc. to extend the term of the agreement by six months from August 1, 2022, to January 31, 2023, and increase the maximum by \$750,000 total not to exceed \$5,404,500

APPROVED AS RECOMMENDED

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

Agreement No. 22-354

53. Approve and authorize Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Parlier; and determine that approval and authorization of Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Parlier is exempt from requirements of California Environmental Quality Act, Public Resources Code 2100, et seq., and direct staff to file a Notice of Exemption with Office of Fresno County Clerk

APPROVED AS RECOMMENDED

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

Agreement No. 22-360

54. Adopt a Resolution approving Classified Conditional Use Permit Application No. 3690 (project site is located on northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of city limits of City of Fresno (APN 512-120-19S) (3025 N. Chateau Fresno Avenue))

APPROVED AS RECOMMENDED

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

Resolution No. 22-287

55. Approve request by City of Fresno to acquire right-of-way from parcels adjacent to existing County right-of-way in an identified unincorporated area of County as needed in conjunction with development of street and intersection improvements on Veterans Boulevard, between W. Shaw Avenue and W. Gettysburg Avenue, and on N. Grantland Avenue, between W. Rialto Avenue and W. Gettysburg Avenue; authorization under full extent of Section 1810 of the Streets and Highways Code allows City of Fresno to acquire, by purchase or eminent domain, right-of-way from these parcels

APPROVED AS RECOMMENDED

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

56. Approve petition for waiver of absences for Austin Ewell to allow him to retain his position on Fresno County Planning Commission

APPROVED AS RECOMMENDED

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

Social Services

57. Approve and authorize the Chairman to execute Amendment No. 2 to Agreement with WestCare California, Inc. for Home Safe services to align the scope with updated California Department of Social Services guidance and augment services to utilize an expanded allocation, effective upon execution with no change to the term of August 20, 2019 through June 30, 2024 and increasing the maximum by \$2,142,558 to a total of \$3,601,483

APPROVED AS RECOMMENDED

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

Agreement No. 22-355

58. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Veterans Affairs for Proposition 63 Mental Health Services Act funding for the Fresno County Department of Social Services - Veterans Services Office, effective July 1, 2022 through June 30, 2024 (\$110,000)

APPROVED AS RECOMMENDED

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

Agreement No. 22-356

59. Approve and authorize the Chairman to execute retroactive California Department of Veterans Affairs Annual Subvention Certificate of Compliance FY 2022-23, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2022 to June 30, 2023 (\$149,525); and, retroactive California Department of Veterans Affairs Annual Medi-Cal Cost Avoidance Program Certificate of Compliance FY 2022-23, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2022 to June 30, 2023 (\$6,031)

APPROVED AS RECOMMENDED

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

Agreement No. 22-357, Agreement No. 22-358

60. Approve and authorize the Chairman to execute a retroactive Memorandum of Understanding between the Fresno Regional Workforce Development Board and the County of Fresno Department of Social Services for workforce development services, effective July 1, 2022 through June 30, 2025, total not to exceed \$48,726

APPROVED AS RECOMMENDED

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

Agreement No. 22-359

- 61. Authorize a waiver of the 28 hours per week maximum limitation for the Extra-Help Deputy Director position in the Department of Social Services as listed on Attachment A, pursuant to the provisions set forth in Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

APPROVED AS RECOMMENDED

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

- 62. Retroactively approve and authorize the Department of Social Services' submittal of two letters of intent to the California Department of Social Services to opt-in for Family First Transition Act Transition Grant Allocation (\$1,958,467) and Family First Prevention Services Program Block Grant Allocation (\$8,109,466)

APPROVED AS RECOMMENDED

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