



# County of Fresno

## Action Summary - Draft

### Board of Supervisors

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

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

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Tuesday, October 10, 2023

9:30 AM

Hall of Records

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

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

*FRESNO COUNTY SHERIFF'S DEPARTMENT SENIOR CHAPLAIN JANET GRIMSON GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE*

#### 1. Approve Agenda

**A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 10 WHICH WAS CONTINUED TO NOVEMBER 7, 2023. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### 2. Approve Consent Agenda - Item Numbers 26-70

**PRIOR TO BOARD APPROVAL OF THE CONSENT AGENDA, THE CLERK ANNOUNCED CORRECTIONS TO ITEMS 42 AND 45. ITEM 42: IN THE SECOND RECOMMENDED ACTION, "HABITAT FOR HUMANITY, INC." SHOULD INSTEAD BE LISTED BY THE SUBRECIPIENT AGENCY'S CORRECT NAME, "HABITAT FOR HUMANITY FRESNO, INC." ITEM 45: IN THE DEPARTMENT'S RECOMMENDED ACTION, THE CONTRACTOR AGENCY'S NAME IS INCORRECTLY SPELLED, APPEARING AS "CENTRO LA FAMILY" AND SHOULD INSTEAD APPEAR AS "CENTRO LA FAMILIA." A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED, INCLUDING THE CORRECTIONS TO ITEMS 42 AND 45, AND WITH THE EXCEPTION OF ITEM 32, WHICH WAS CONTINUED TO OCTOBER 24, 2023, AND ITEMS 34 AND 46, 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 Miiko L. Anderson - District Attorney's Office - 16 Years of Service

**PRESENTED RETIREMENT PLAQUE TO MIIKO L. ANDERSON**

- 4. Presentation of Retirement Plaque to Brenda K. Villanueva - Department of Social Services - 28 Years of Service

**PRESENTED RETIREMENT PLAQUE TO BRENDA K. VILLANUEVA**

**Chairman Quintero**

- 5. Proclaim October Breast Cancer Awareness Month and October 10th as Pink Day

**PRIOR TO BOARD APPROVAL OF THE PROCLAMATION, THE CLERK ANNOUNCED A CORRECTION AND DISTRIBUTED A REVISED PROCLAMATION: THE FIFTH RECITAL PARAGRAPH OF THE PROCLAMATION ORIGINALLY INCLUDED INFORMATION REGARDING THE POWER OF THE PINK RIBBON DINNER. DUE TO UNFORESEEN CIRCUMSTANCES, THAT DINNER HAS BEEN CANCELLED. STAFF HAS PROVIDED A REVISED PROCLAMATION FOR PRESENTATION, UPDATED TO OMIT THE FIFTH RECITAL PARAGRAPH. A MOTION WAS MADE BY CHAIRMAN QUINTERO, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS MATTER BE APPROVED AS REVISED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Resolution No. 23-321

- 6. Adopt Resolution to commemorate the 104th Central Valley Veteran's Day Parade

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

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

Resolution No. 23-322

**Supervisor Brandau**

- 7. Adopt a Resolution recognizing the 50th anniversary of the Poverello House

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

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

Resolution No. 23-323

**Supervisor Magsig**

- 8. Proclaim October 2023 as Domestic Violence Awareness Month in Fresno County

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

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

Resolution No. 23-324

**Sheriff/Coroner/Public Administrator**

- 9. Retroactively approve and authorize the Chairman to execute agreement with Riverdale Joint Unified School District, effective August 10, 2023, for five consecutive years, which includes an approximately three-year and two-month base contract and two optional one-year extensions, total not to exceed \$1,728,542; approve Amendment to the Salary Resolution adding one Deputy Sheriff position to provide law enforcement services for Riverdale Joint Unified School District schools to the Sheriff-Coroner-Public Administrator Org 3111, effective October 30, 2023, as reflected in Appendix "D"; and adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for the Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$283,130 to provide law enforcement services to Riverdale Joint Unified School District

**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

Resolution No. 23-325, Salary Resolution No. 23-030, Agreement No. 23-551

**Administrative Office**

- 10. Consider and take action on request for Determination of Public Convenience or Necessity on application for Alcoholic Beverage License Type 21 filed by Gurmej Singh to be used at the southwest corner of Millerton Road and Marina Drive, Friant, CA 93626

**CONTINUED TO NOVEMBER 7, 2023**

**Agriculture**

- 11. Accept the Annual Fresno County Crop and Livestock Report for 2022 from the Department of Agriculture

**ACCEPTED**

**Human Resources**

- 12. Approve a 5-step salary range system for classifications currently designated as Senior Management and Department Heads within the Salary Resolution, effective October 16, 2023; and approve related Salary Resolution Amendments, effective October 16, 2023, as reflected on Appendix “B”

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

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

Salary Resolution No. 23-031

**Internal Services**

- 13. 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 eCivis is the only available grant management platform to offer a curated database that is updated in near real-time; and Approve and authorize the Chairman to execute Service Agreement with eCivis, Inc. for grant management software and support, effective October 1, 2023, for an initial three-year term with two optional one-year extension, total not to exceed \$600,000

**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

Agreement No. 23-552

14. Acknowledge receipt, open and consider all sealed written bids; call for oral bids, consider all bids received, and accept the highest bid (an accepted oral bid must be at least 5% higher than the highest written bid) for the sale of approximately 30 acres with improvements of County owned surplus real property located at the northeast corner of E. Kings Canyon Road and S. Cedar Avenue, Fresno, CA, commonly known as the old University Medical Center Campus (APN 461-020-03T), pursuant to Resolution 23-314 adopted by your Board on September 19, 2023 to sell such surplus real property at a minimum sale price of \$6,000,000; and Authorize the County Administrative Officer and/or the Director of Internal Services/Chief Information Officer to execute the Sale Agreement, Grant Deed, Lease Agreement, and any other documents associated with and necessary for the sale, subject to review and approval of such documents as to legal form by County Counsel and as to financial form by the Auditor Controller/Treasurer Tax Collector

**A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, TO ACKNOWLEDGE RECEIPT, OPEN AND CONSIDER ALL SEALED BIDS, OF WHICH ONE (1) WAS RECEIVED BY THE CLERK; CALL FOR ORAL BIDS, OF WHICH NONE WERE RECEIVED, CONSIDER ALL BIDS RECEIVED, AND ACCEPT THE HIGHEST BID, RECEIVED FROM SEVAK KHATCHADOURIAN FOR \$6,000,000, FOR THE SALE OF APPROXIMATELY 30 ACRES WITH IMPROVEMENTS OF COUNTY OWNED SURPLUS REAL PROPERTY LOCATED AT THE NORTHEAST CORNER OF E. KINGS CANYON ROAD AND S. CEDAR AVENUE, FRESNO, CA, COMMONLY KNOWN AS THE OLD UNIVERSITY MEDICAL CENTER CAMPUS (APN 461-020-03T), PURSUANT TO RESOLUTION 23-314 ADOPTED BY THE BOARD ON SEPTEMBER 19, 2023 TO SELL SUCH SURPLUS REAL PROPERTY AT A MINIMUM SALE PRICE OF \$6,000,000; AND AUTHORIZE THE COUNTY ADMINISTRATIVE OFFICER AND/OR THE DIRECTOR OF INTERNAL SERVICES/CHIEF INFORMATION OFFICER TO EXECUTE THE SALE AGREEMENT, GRANT DEED, LEASE AGREEMENT, AND ANY OTHER DOCUMENTS ASSOCIATED WITH AND NECESSARY FOR THE SALE, SUBJECT TO REVIEW AND APPROVAL OF SUCH DOCUMENTS AS TO LEGAL FORM BY COUNTY COUNSEL AND AS TO FINANCIAL FORM BY THE AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

### **Board of Supervisors' Committee Reports and Comments**

15. 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 PACHECO REQUESTED THAT THE CHAIRMAN CREATE AN AD HOC COMMITTEE CONSISTING OF HIMSELF AND SUPERVISOR MENDES TO WORK WITH THE FRESNO CITY COUNCIL REGARDING THE TAX SHARING AGREEMENT. CHAIRMAN QUINTERO AGREED WITH THE AD HOC COMMITTEE FORMATION. VICE CHAIRMAN MAGSIG COMMENTED ON THE OPENING OF THE BIG FRESNO FAIR AND CONGRATULATED SUPERVISOR PACHECO, AS HIS COWS COMPETED IN AND WON THE INTERNATIONAL BROWN SWISS SHOW AT THE WORLD DAIRY EXPO IN WISCONSIN. SUPERVISOR PACHECO COMMENTED THAT THIS WAS FIRST TIME IN THE EXPO'S 56-YEAR HISTORY THAT A MOTHER COW AND A DAUGHTER COW WON GRAND CHAMPION AND RESERVE CHAMPION, RESPECTIVELY**

**Board Appointments**

- 16. Receive Boards, Commissions and Committees Vacancy Report; and appoint Applicants as necessary

**RECEIVED VACANCY REPORT. A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THE NOMINATIONS FOR APPOINTMENTS BE APPROVED AS FOLLOWS:**

**ASSESSMENT APPEALS BOARD**

**APPOINT TEDDY TOURIAN TO THE POSITION PREVIOUSLY HELD BY DAVID HAMILTON (TERM TO EXPIRE 09/01/25)**

**EMERGENCY MEDICAL CARE COMMITTEE**

**APPOINT GREG GARNER TO THE POSITION PREVIOUSLY HELD BY JOHN GOLDEN (TERM TO EXPIRE 01/06/25)**

**HISTORICAL LANDMARKS & RECORDS ADVISORY COMMISSION**

**APPOINT WILLIAM J. BERTOLANI, JR. TO THE POSITION PREVIOUSLY HELD BY JANICE STEVENS (TERM TO EXPIRE 01/06/25)**

**SELMA CEMETERY DISTRICT**

**APPOINT JENNIFER EARLE TO THE POSITION PREVIOUSLY HELD BY ROBERT ALLEN (TERM TO EXPIRE 01/06/25)**

**THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Public Presentations**

- 17. 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**

- 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. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)  
**BY A 5-0 VOTE, THE BOARD AUTHORIZED INITIATION OF LITIGATION FOR VARIOUS CODE VIOLATIONS OF THE ZONING CODE AND HEALTH AND SAFETY PROVISIONS FOR THE PROPERTY AT 358 SOUTH PEACH AVENUE, FRESNO, CA 93727, AND AGAINST THE OWNERS, GUMERSINDO SANCHEZ AND SHANE KELLY. THIS ACTION MAY ALSO INCLUDE A VIOLATION OF CALIFORNIA'S UNFAIR COMPETITION LAW UNDER BUSINESS & PROFESSIONS CODE § 17200**
20. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)  
**HELD; NO REPORTABLE ACTION**
21. Conference with legal counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Karen Tombs: ADJ16516121  
**HELD; NO REPORTABLE ACTION**
22. Conference with legal counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Fernando Macias: ADJ16190533  
**HELD; NO REPORTABLE ACTION**
23. Conference with Real Property Negotiators - Government Code, Section 54956.8; Property: Building located at 29595 W. Latta, Cantua Creek, CA; County Negotiator: Paul Nerland, County Administrative Officer or designee. Instructions to County's negotiator may concern sale and lease terms and conditions including price  
**HELD; NO REPORTABLE ACTION**
24. Conference with Real Property Negotiators - Government Code 54956.8. Property: 755 3rd Street, Clovis CA 93611; County Negotiator: Paul Nerland, County Administrative Officer or Designee. Negotiating Parties: City of Clovis, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions  
**HELD; NO REPORTABLE ACTION**
25. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Jasbir Singh, et al. v. County of Fresno, et al., Fresno County Superior Court Case No. 18CECG00076  
**HELD; NO REPORTABLE ACTION**
- 25.1 Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - County of Fresno v. Gary Bredefeld, et al., Fresno County Superior Court Case No. 23CECG00814  
**HELD; NO REPORTABLE ACTION**

**Adjourn**

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

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

APPROVED:

\_\_\_\_\_  
SAL QUINTERO, 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 \_\_\_\_\_

**CONSENT AGENDA**

PRIOR TO BOARD APPROVAL OF THE CONSENT AGENDA, THE CLERK ANNOUNCED CORRECTIONS TO ITEMS 42 AND 45. ITEM 42: IN THE SECOND RECOMMENDED ACTION, "HABITAT FOR HUMANITY, INC." SHOULD INSTEAD BE LISTED BY THE SUBRECIPIENT AGENCY'S CORRECT NAME, "HABITAT FOR HUMANITY FRESNO, INC." ITEM 45: IN THE DEPARTMENT'S RECOMMENDED ACTION, THE CONTRACTOR AGENCY'S NAME IS INCORRECTLY SPELLED, APPEARING AS "CENTRO LA FAMILY" AND SHOULD INSTEAD APPEAR AS "CENTRO LA FAMILIA." A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED, INCLUDING THE CORRECTIONS TO ITEMS 42 AND 45, AND WITH THE EXCEPTION OF ITEM 32, WHICH WAS CONTINUED TO OCTOBER 24, 2023, AND ITEMS 34 AND 46, 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**

- 26. Approve minutes for September 19, 2023

**APPROVED AS RECOMMENDED**

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

- 27. Approve amendments to Conflict of Interest Codes for Mid Valley Water District and Raisin City Water District

**APPROVED AS RECOMMENDED**

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

**Chairman Quintero**

- 28. Adjourn in memory of Ken Hart

**APPROVED AS RECOMMENDED**

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

- 29. Adjourn in memory of Bill Vukovich Jr.

**APPROVED AS RECOMMENDED**

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

**Supervisor Magsig**

- 30. Approve and Authorize the use of District 5 funds, Pursuant to Administrative Policy No. 75, in the amount of \$1,000 for the Sheriff’s Memorial Auction and Dinner Fundraiser benefiting the Fresno Sheriff’s Memorial Foundation

**APPROVED AS RECOMMENDED**

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

**Auditor Controller-Treasurer/Tax Collector**

- 31. Discharge Auditor-Controller/Treasurer-Tax Collector from accountability for a cash shortage in the amount of \$1,293.00 in the Tax Collection Division, and approve reimbursement of \$1,293.00 from Org 2540, Miscellaneous Expenditures to cover the cash shortage which will be deposited to Fund 2025, Subclass 30650, Tax Collector Deposit Clearing fund

**APPROVED AS RECOMMENDED**

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

- 32. Authorize the Auditor-Controller/Treasurer-Tax Collector to deposit into the General Fund of the County \$123.59 in money that was found on County property, for which the name of the depositor is unknown, and which has been unclaimed for a period of more than one year, as provided by Government Code section 50055

**CONTINUED TO OCTOBER 24, 2023**

- 33. Approve and authorize the Chairman to execute First Amendment to extend the term of Agreement No. 18-618 with Heartland Payment Systems, LLC, through June 30, 2024, for electronic check payment and processing transaction services and credit and debit card payment transaction services through an Internet interface and an interactive telephone voice response system, with a total compensation amount during the term extension not to exceed \$64,166.67

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-525

**County Clerk/Registrar of Voters**

34. Approve and authorize the Chairman to execute an Agreement with Integrated Voting Systems, Inc., dba Integrated Voting Solutions, for ballot printing, vote by mail processing, vote by mail envelopes, and other mailer services, retroactive to August 1, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$7,725,000

**A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR PACHECO, TO DENY STAFF’S RECOMMENDED ACTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Noes:** 1 - Magsig

**A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, TO RECONSIDER AGENDA ITEM 34. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**FOLLOWING DISCUSSION OF AGENDA ITEM 34, A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, TO AUTHORIZE THE COUNTY CLERK/REGISTRAR OF VOTERS TO ENTER INTO A CONTRACT WITH INTEGRATED VOTING SYSTEMS, INC., DBA INTEGRATED VOTING SOLUTIONS, UNDER THE SAME TERMS AND CONDITIONS AS THE ORIGINALLY PRESENTED AGREEMENT, THROUGH DECEMBER 31, 2024, AND RETURN TO THE BOARD FOR APPROVAL. THE MOTION FAILED DUE TO A LACK OF AFFIRMATIVE VOTES:**

**Ayes:** 2 - Magsig, and Mendes

**Noes:** 3 - Brandau, Pacheco, and Quintero

**District Attorney**

35. Authorize a waiver of the 960 hours per calendar year 2023 maximum hours limitation for the Extra-Help position(s) 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

**Sheriff/Coroner/Public Administrator**

36. 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 sole source 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 Axon Enterprise, Inc., as Axon Enterprise, Inc. is the sole distributor and manufacturer of all TASER brand Body-Worn cameras and firmware management through Evidence.com; and approve and authorize the Chairman to execute a retroactive Agreement with Axon Enterprise, Inc. for the purchase of body-worn cameras, hardware, software, data storage, data maintenance and individual licensing service, effective October 1, 2023, through September 30, 2028, for a term of five years, total not to exceed \$2,559,523

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-526

37. Retroactively approve, ratify, and authorize the Sheriff's previous submittal of a grant application to the State of California Department of Alcoholic Beverage Control (ABC) 2023 Alcohol Policing Partnership Program (\$97,719) and approve and ratify any and all of Sheriff's or his designee's actions related thereto; approve resolution authorizing the Chairman to execute a retroactive Award/Agreement 23-APP17 with ABC for the project period from July 1, 2023 through June 30, 2024 (\$97,719); and authorize the Sheriff, or their authorized representative, to sign claims for reimbursement and activity reports for this retroactive Agreement

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-550, Resolution No. 23-315

38. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 1 transferring FY 2023-24 appropriations in the amount of \$51,165 from account 7308 (Hardware, Parts and Supplies) to Account 8300 (Equipment) within the Sheriff-Coroner-Public Administrator Org 3111 (\$51,165) for the purchase of one OSCR camera system and forensic laser

**APPROVED AS RECOMMENDED**

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

- 38.1** Approve and authorize the Chairman to execute a second amendment to License Agreement D-21-021, between the Sheriff's Office and the Sheriff's Foundation for Public Safety, for the Sheriff's Office's use of the shooting range and training facilities, located at 7633 North Weber Avenue, in Fresno, shortening the term to ninety-two (92) days from October 10, 2023 through January 10, 2024 with no change to compensation maximum of \$657,600 with the following: (1) Shorten the term of the License Agreement to expire in ninety-two (92) days on January 10, 2024, as the Sheriff's Foundation's general liability policy will expire on October 10, 2023, and will not be renewed; (2) Remove the Foundation's requirement of indemnification of the County under the License Agreement; and (3) Allow time for the Sheriff's Office and Foundation to negotiate a new agreement subject to Board approval, to begin upon termination of the License Agreement

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-527

**County Counsel**

- 39.** Approve and authorize the Chairman to execute a Settlement Agreement to fully resolve the County's lawsuit against John and Lucretia Emmett (Defendants) for the unlawful operation of a contractor's storage yard at 10452 E. Kings Canyon Road for a settlement sum of \$75,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-528

**Administrative Office**

- 40.** Approve and authorize the Clerk of the Board of Supervisors to certify a Designation of Applicant's Agent Resolution for Non-State Agencies (Cal OES Form 130)

**APPROVED AS RECOMMENDED**

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

41. Approve and authorize the Chairman to execute a First Amendment to Subrecipient Agreement No. 23-0216 with Poverello House for provision of American Rescue Plan Act - State and Local Fiscal Recovery Funds (ARPA-SLFRF), which will revise the Expenditure Plan for the kitchen remodel with updated information, revise the modification clause, and increase maximum compensation by \$1,500,000 to a total not to exceed \$2,500,000; 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 Poverello House

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-529

42. Approve and authorize the Chairman to execute First Amendment to Subrecipient Agreement No. 22-224 with Habitat for Humanity Fresno, Inc. for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) to correct Habitat for Humanity Fresno, Inc.'s legal name, revise the expenditure plan and modification clause, and increase maximum compensation by \$573,200 to a total not to exceed \$1,363,200; and authorize the County Administrative Officer, or designee to approve and execute written changes to line items in the project budget, which, when added together during the term of the Agreement do not exceed ten percent (10%) of the total maximum compensation payable to Subrecipient, and which do not result in any change to the maximum compensation amount payable to Habitat for Humanity, Inc.

**PRIOR TO BOARD APPROVAL OF THE CONSENT AGENDA, THE CLERK ANNOUNCED A CORRECTION TO ITEM 42: IN THE SECOND RECOMMENDED ACTION, "HABITAT FOR HUMANITY, INC." SHOULD INSTEAD BE LISTED BY THE SUBRECIPIENT AGENCY'S CORRECT NAME, "HABITAT FOR HUMANITY FRESNO, INC." APPROVED AS REVISED**

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

Agreement No. 23-530

43. Adopt resolution authorizing County Auditor-Controller/Treasurer-Tax Collector to make one or more loans to the Coalinga-Huron Recreation and Parks District under Government Code section 23010 for fiscal year 2023-24 in the aggregate maximum amount of \$250,000

**APPROVED AS RECOMMENDED**

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

Resolution No. 23-316

**Behavioral Health**

44. Approve and Authorize the Chairman to execute a retroactive Intergovernmental Agreement with the California Department of Health Care Services to withhold a fixed percentage of funding allocated to the County from the Local Revenue Fund, Local Revenue Fund 2011, and the Mental Health Services Fund to fund the County’s non-Federal share of Medi-Cal payments associated with the provision of Specialty Mental Health Services effective July 1, 2023, through December 31, 2026; and approve and Authorize the Chairman to execute a retroactive Intergovernmental Agreement with the California Department of Health Care Services to withhold a fixed percentage of funding allocated to the County from the Local Revenue Fund 2011 to fund the county’s nonfederal share of Medi-Cal payments associated with the provision of Expanded Substance Use Disorder Treatment services effective July 1, 2023, through December 31, 2026

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-531, Agreement No. 23-532

45. Approve and authorize the Chairman to execute a retroactive Agreement with Centro La Family Advocacy Services, Inc. for consumer/family advocacy services, effective July 1, 2023, not to exceed four consecutive years, which includes a one-year base contract and three optional one-year extensions, total not to exceed \$454,272

**PRIOR TO BOARD APPROVAL OF THE CONSENT AGENDA, THE CLERK ANNOUNCED A CORRECTION TO ITEM 45: IN THE DEPARTMENT’S RECOMMENDED ACTION, THE CONTRACTOR AGENCY’S NAME IS INCORRECTLY SPELLED, APPEARING AS “CENTRO LA FAMILY” AND SHOULD INSTEAD APPEAR AS “CENTRO LA FAMILIA.” APPROVED AS REVISED**

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

Agreement No. 23-533

**Human Resources**

46. Approve the County's Health Premium Contribution for Plan Year 2024 for Unrepresented and Management (including Senior Management, Department Head, and Elected Officials) classifications, effective December 11, 2023; and approve the Addenda to the Memorandum of Understanding (MOU) regarding County Health Premium Contribution for Plan Year 2024, effective December 11, 2023, for the following Representation Units: Representation Unit 2 - Sheriff's and Probation Personnel, Representation, Unit 3 - Mental Health Professionals & Social Workers, Representation Unit 4 - Eligibility Workers, Representation Unit 7 - California Nurses Association, Representation Unit 10 - District Attorney Investigators Association, Representation Unit 11 - Deputy Probation Officers Association, Representation Unit 12 - Clerical, Paramedical, Building & Service Employees, Representation Unit 22 - Professional, Para-Professional & Technical, Representation Unit 25 - Association of Engineering Technicians, Representation Unit 36 - Supervisory Employees, Representation Unit 42 - Association of County Engineers

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

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

47. Approve the Salary Resolution Amendments associated with the adoption of the FY 2023-24 Budget as reflected on Appendix "A", effective October 16, 2023

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 23-028

48. Approve Addendum to the Memorandum of Understanding (MOU) for Representation Unit 1 - Law Enforcement Personnel, represented by the Fresno Deputy Sheriff's Association, effective October 16, 2023; and approve Addendum to the Memorandum of Understanding for Representation Unit 14 - Supervisory Peace Officers, represented by Fresno Sheriff's Sergeants Association, effective October 16, 2023

**APPROVED AS RECOMMENDED**

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

49. Approve Addendum to the Memorandum of Understanding (MOU) for Representation Unit 4 - Eligibility Workers, represented by Service Employees International Union (SEIU) Local 521, effective October 16, 2023; and approve Addendums to the Memorandum of Understanding (MOU) for Representation Unit 12 - Clerical, Paramedical, Building & Service Employees, and Representation Unit 36 - Supervisory Employees, which are represented by Service Employees International Union (SEIU) Local 521, effective October 16, 2023; and approve related Salary Resolution Amendments, effective October 16, 2023, as reflected in Appendix "C"

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 23-029

**Internal Services**

50. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administration Policy No. 34 for unusual or extraordinary circumstances, as Microsoft Corporation is the only provider of necessary maintenance and support of Microsoft products used by the County; and approve and authorize the Chairman to execute an Agreement with Microsoft Corporation (Enterprise Services Work Order) for maintenance and technical support services of Microsoft products, effective October 12, 2023, not to exceed one year, total not to exceed \$187,046

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-534

51. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with the exception to Administrative Policy No. 34, for "unusual or extraordinary circumstances," as Granicus, LLC currently provides webhosting services for the County and is the only vendor which can provide continued, licensing, maintenance, and support for the existing software products and County websites; and Approve and authorize the Chairman to execute Agreement to amend, restate, replace, and supersede existing Purchasing Agreement with Granicus, LLC, retroactive to that Agreement's effective date of February 7, 2022, to continue web hosting and maintenance services for the County, not to exceed five consecutive years, which include a one-year base term with four optional one-year extensions, and increasing the maximum Agreement cost by \$1,305,000, for a potential five-year cost not to exceed \$1,500,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-535

52. Approve and authorize the Chairman to execute a Master Agreement for emergency response and supplemental plumbing services, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,000,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-536

53. Approve the allocation of American Rescue Plan Act (ARPA) - State and Local Fiscal Recovery Funds (SLFRF) in the total amount of \$490,761 to the Internal Services Department - Facility Services Org. 8935 to fund facility improvements in support of improved ventilation to the County of Fresno Facility Services Headquarters; Adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for the Internal Services Department - Facility Services Org 8935 in the amount of \$490,761 for facility improvements to County of Fresno Facility Services Headquarters (4/5 vote); and Approve and authorize the Director of Internal Services Department/Chief Information Officer to potentially use annual Job Order Contracting agreements for the implementation of the proposed project

**APPROVED AS RECOMMENDED**

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

Resolution No. 23-317

### **Public Health**

54. Approve and authorize the Chairman to execute a retroactive Revenue Agreement for the Lab Aspire Director Program, with the California Department of Public Health for the allocation of Local Assistance funds specifically authorized by Assembly Bill 179 and are designated for training and preparing qualified professionals to direct local California Public Health Laboratories, effective July 1, 2022 through June 30, 2025, total not to exceed \$85,800; and approve and authorize the Director of Public Health to execute the State Contractor's Release for the final invoice

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-537

55. Approve retroactive submission of the FY 2023-24 California Department of Health Care Services allocation plan for child health services under the Child Health and Disability Prevention Program and authorize the Chairman to execute Certification Statements as required by the California Department of Health Care Services, effective July 1, 2023 to June 30, 2024 (\$1,132,109); and approve retroactive submission of the FY 2023-24 California Department of Health Care Services allocation plan for child health services under the Health Care Program and Children in Foster Care and authorize the Chairman to execute the Certification Statements as required by the California Department of Health Care Services, effective July 1, 2023 to June 30, 2024 (\$2,387,854)

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-553, Agreement No. 23-554

56. Approve and authorize the Chairman to execute a retroactive Agreement Funding Application with California Department of Public Health, for the California Home Visiting Program - Maternal, Infant, and Early Childhood Home Visiting and the California Home Visiting Program - State General Fund - Evidence-Based Home Visiting, effective July 1, 2023 through June 30, 2028 (\$2,531,710)

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-538

57. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with the Fresno County Superintendent of Schools as this vendor is the current provider of the after-school programs in the four (4) targeted school districts; and approve and authorize the Chairman to execute an Agreement with Fresno County Superintendent of Schools to implement nutrition education and physical activity education into the after-school program settings in four (4) rural school districts for the Department of Public Health, effective October 10, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,991,750

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-539

58. Approve and authorize the Chairman to execute a retroactive Future of Public Health Award Agreement with California Department of Public Health, effective July 1, 2023 through June 30, 2026 (\$18,378,516); retroactively authorize the Director of Public Health's previous submittal of the Acknowledgement of Allocation Letter acknowledging receipt of the letter and accepting the funds to be used as outlined under the Submission Requirements; and approve and authorize the Director of Public Health, or designee, as signatory on behalf of the Board of Supervisors on associated grant documents, including submission of all future reports, claims, and work plan and spend plans, as well as the Annual Certification forms

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-540

**Public Works and Planning**

59. Approve and authorize Chairman to execute a retroactive First Amendment to Agreement No. A-21-182 with A-C Electric Company, for site servicing and repairing of electrical controls and software for programmable logic controllers that help run the water and sewer facilities of Fresno County Special Districts and Juvenile Justice Campus, effective upon execution with no change in term to May 25, 2026, and increasing maximum compensation, retroactive to May 25, 2022, by \$200,000 for a maximum cumulative total of \$950,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-541

60. Approve and authorize Chairman to execute a retroactive First Amendment to Agreement No. 19-327 with Enviroscope, a sole proprietorship, for landscape maintenance and weed control services for various Special Districts, effective upon execution with no change in term to July 8, 2024, and increasing the maximum compensation, retroactive to July 9, 2022, by \$80,000, for a maximum cumulative total of \$380,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-542

61. Adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for the Department of Public Works and Planning - Grants Org 5512 in the amount of \$150,000 for funding from a U.S. Economic Development Administration grant to be used for the update to the County's Comprehensive Economic Development Strategy (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 23-318

62. Approve and authorize Chairman to execute Agreement with City of Sanger for the Sanger Cesar Chavez Park Improvements, Community Development Block Grant Project No. 22611, effective upon execution through March 7, 2025, and authorize Director of Public Works and Planning to evaluate and grant timeline extensions for completion of Project, total Community Development Block Grant funding amount not to exceed \$840,939

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-543

63. Approve and authorize Chairman to execute Agreement with the City of Kingsburg for the Kingsburg Mariposa Street Reconstruction, Community Development Block Grant Project No. 22391, effective upon execution through January 3, 2025, and authorize the Director of Public Works and Planning to evaluate and grant timeline extensions for completion of the Project, total Community Development Block Grant funding amount not to exceed \$274,893

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-544

64. Approve and authorize Chairman to execute Agreement with Riverdale Public Utility District for Riverdale Water Valve Improvements, Community Development Block Grant Project No. 21591 (Project), effective upon execution through January 8, 2025, and authorize Director of Public Works and Planning to evaluate and grant timeline extensions for completion of Project, total Community Development Block Grant funding amount not to exceed \$250,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-545

65. Approve and authorize Chairman to execute a retroactive reimbursement Agreement with Toro Energy of California, LLC, for preparation of an ordinance granting a franchise for placement of landfill gas transmission lines in County's right of way, effective May 1, 2023, until total costs have been paid in full to County, unless terminated by either party subject to provisions in agreement (\$12,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-546

66. Approve and authorize Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Sanger; and determine that approval and authorization of Chairman to execute Second Amended and Restated Memorandum of Understanding between County of Fresno and City of Sanger 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. 23-547

67. Conduct second hearing and adopt proposed amendments to Fresno County Ordinance Code, Title 17 - Divisions of Land, Chapter 17.92 - Clovis Development Fees Applicable within Sphere of Influence of the City of Clovis, and a Schedule of Fees; and waive reading of proposed Ordinance in its entirety

**APPROVED AS RECOMMENDED**

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

Ordinance No. 23-009

## **Social Services**

68. Approve and authorize the Chairman to execute a retroactive Infrastructure Funding Agreement between the Fresno Regional Workforce Development Board and the County of Fresno Department of Social Services for the provision of workforce development services, effective July 1, 2023 through June 30, 2024, total not to exceed \$15,599

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-548

69. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with InTelegy Corp. as the vendor has the capacity and long-standing expertise in Child Welfare services and is able to assist the Department immediately; and, approve and authorize the Chairman to execute a retroactive Agreement with InTelegy Corp. for organizational consultation services, effective September 1, 2023, not to exceed three consecutive years, which includes a one-year base contract and two optional one-year extensions, total not to exceed \$675,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 23-549

70. Retroactively approve and authorize the Department of Social Services (DSS), Sheriff-Coroner-Public Administrator (Sheriff), and Probation's (Departments) previous submittal of a grant application to the Department of Health Care Services (DHCS) for Providing Access and Transforming Health (PATH) Justice-Involved Capacity Building Program Round 2; and approve and authorize the Director of DSS, Sheriff, and Chief Probation Officer or their designees, to electronically sign and submit the Acknowledgement of Grant Terms and Conditions form, and execute any documents necessary with DHCS to accept and collect the grant in the amount of: a. DSS: \$599,494, b. Sheriff: \$1,002,290, c. Probation: \$73,631; adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for the Sheriff-Coroner-Public Administrator's Org 3111 in the amount of \$1,002,290 (4/5 vote); and adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for Probation Org 3440 in the amount of \$73,631 (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 23-319, Resolution No. 23-320