



County of Fresno

Action Summary - Draft

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, June 7, 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

ASSOCIATE PASTOR JACKIE MILIAN-SOTO, LIFEBRIDGE COMMUNITY CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

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

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

2. Approve Consent Agenda - Item Numbers 26 - 73

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 28 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

3. Presentation of Retirement Plaque to Deanna Sepulveda - Social Services Department - 26 Years of Service

PRESENTED PLAQUE TO DEANNA SEPULVEDA

Chairman Pacheco

- 4. Proclaim June 2022 Child Friendly Business Appreciation Month in Fresno County

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

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

Resolution No. 22-230

Supervisor Mendes

- 5. Adopt Resolution in Recognition and Adjourn in Memory of Dr. Fareed Nader, a professor who taught geomatics engineering for 30 years at Fresno State

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

Resolution No. 22-231

Supervisor Quintero

- 6. Proclaim June 2022 as Family Reunification Month

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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. 22-232

- 7. Proclaim June 2022 as Alzheimer's and Brain Awareness Month and Tuesday, June 21, 2022, as The Longest Day

A MOTION WAS MADE BY VICE CHAIRMAN 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. 22-233

Child Support Services

8. Approve Amendment to the Salary Resolution deleting 5 vacant positions and adding 32 positions to the Department of Child Support Services Org 5110, effective June 13, 2022, as reflected in Appendix "C"

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

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

Salary Resolution No. 22-041

Internal Services

9. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Section 4300 - Information Technology Services, where subsections 4302 - Telecom Network Connection, 4303 - Telecom Integrated Voice Response Seat Charges, 4304 - Financial Transaction, 4305 - HR Transaction, 4308 - Application Hosting, 4309 - GIS Support, 4310 - Information Storage and Admin, 4313 - Enterprise Base, 4314 - IT Labor, 4315 - Pager, 4317 - Radio Access for 24-7 Radios, 4320 - SQL Database, 4321 - Oracle Database, 4322 - Static Storage, 4323 - Host on Demand, 4326 - Graphics Labor, 4327 - Messenger Service, 4328 - Black & White Copy, 4329 - Color Copy, and 4330 - Active User are to be amended; waive the reading of the Ordinance in its entirety; and, set the second hearing for June 21, 2022; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and, direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1)

A MOTION WAS MADE BY SUPERVISOR 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. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Section 3800 - General Services, where subsections 3804 - Badge Identification, Hirsch Security System, 3809 - Fleet Labor, 3810 - Motor Pool Car Rental, 3811 - Fuel Tank Inspection, 3812 - Building Maintenance Labor and 3813 - Janitorial Labor are to be amended; waive the reading of the Ordinance in its entirety; and, set the second hearing for June 21, 2022; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and, direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1)

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

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

Public Works and Planning

11. Consider Appeal of Planning Commission's technical denial of Classified Conditional Use Permit Application No. 3690 proposing to allow a value-added agricultural facility consisting of a processing facility for raw agricultural materials and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District; and if Appeal is granted and Planning Commission's technical denial of Classified Conditional Use Permit Application No. 3690 is overturned: a. adopt Mitigated Negative Declaration prepared for Initial Study No. 7938 and approve proposal subject to proposed Mitigation Measures and Conditions of Approval; and b. make required Findings specified in Fresno County Zoning Ordinance, Section 873(f) for approval of Classified Conditional Use Permit Application No. 3690; and c. adopt Resolution approving Classified Conditional Use Permit Application No. 3690, with Conditions of Approval and Project Notes (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))

CONSIDERED APPEAL OF PLANNING COMMISSION'S TECHNICAL DENIAL OF CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3690 PROPOSING TO ALLOW A VALUE-ADDED AGRICULTURAL FACILITY CONSISTING OF A PROCESSING FACILITY FOR RAW AGRICULTURAL MATERIALS AND DISTRIBUTION OF PRODUCED PRODUCTS ON A 20-ACRE PORTION OF AN EXISTING 38.33-ACRE PARCEL IN AE-20 (EXCLUSIVE AGRICULTURAL, 20-ACRE MINIMUM PARCEL SIZE) ZONE DISTRICT. A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) GRANT APPEAL AND OVERTURN THE PLANNING COMMISSION'S TECHNICAL DENIAL OF CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3690; 2) ADOPT THE MITIGATED NEGATIVE DECLARATION PREPARED FOR INITIAL STUDY NO. 7938 AND APPROVE THE PROPOSAL SUBJECT TO THE PROPOSED MITIGATION MEASURES AND CONDITIONS OF APPROVAL; 3) MAKE THE REQUIRED FINDINGS SPECIFIED IN FRESNO COUNTY ZONING ORDINANCE, SECTION 873(f) FOR APPROVAL OF CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3690; 4) ADOPT RESOLUTION APPROVING CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3690, WITH CONDITIONS OF APPROVAL AND PROJECT NOTES; 5) THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR ALL LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF INITIAL STUDY NO. 7938 AND CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3690 AND PROVIDE SECURITY IN AN AMOUNT DETERMINED BY THE COUNTY FOR ANY SUCH LEGAL COSTS INCURRED. 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; 6) INCLUDE ADDITIONAL CONDITIONS AS FOLLOWS: A) AN ODOR STUDY/ODOR CONTROL PLAN MUST BE SUBMITTED TO THE DEPARTMENT FOR COORDINATED REVIEW AND MUST BE DEEMED ACCEPTABLE TO THE COUNTY PRIOR TO ISSUANCE OF ANY PERMITS, B) A TRUCK ROUTING PLAN MUST BE SUBMITTED TO THE DEPARTMENT FOR COORDINATED REVIEW AND MUST BE DEEMED ACCEPTABLE TO THE COUNTY PRIOR TO ISSUANCE OF ANY PERMITS, AND C) HEMP SHALL NOT BE GROWN ON THE SUBJECT SITE; AND 7) DIRECT STAFF TO RETURN TO THE BOARD WITH A REVISED RESOLUTION THAT INCLUDES THE FOLLOWING CHANGES AND MITIGATION FACTORS: STAFF'S RECOMMENDED INDEMNIFICATION CONDITION, A PLAN REGARDING ODOR CONTROL, A CONDITION THAT HEMP IS NOT TO BE GROWN ON THE PROPERTY AND A TRUCK ROUTING PLAN/TRAFFIC STUDY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 22-234

12. Conduct public hearing to consider all oral statements and all written protests made or filed by any interested person, if any, to annual assessment for street lighting services, open space maintenance and public right-of-way landscape maintenance costs in County Service Area No. 34, zone D, Renaissance at Bella Vista; and adopt Resolution approving and levying an annual assessment on real property for Fiscal Year 2022-23 under Chapter 3 of Landscaping and Lighting Act of 1972 in Renaissance at Bella Vista Lighting, Open Space, and Landscape Maintenance for street lighting services, open space maintenance and public right-of-way landscape maintenance in County Service Area No. 34, zone D, Renaissance at Bella Vista, which includes 106 residential parcels

CONDUCTED PUBLIC HEARING. NO PUBLIC TESTIMONY RECEIVED AND NO WRITTEN PROTESTS OR ORAL STATEMENTS MADE. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT RECOMMENDED ACTION TWO (2) OF AGENDA ITEM BE APPROVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 22-235

13. Receive presentation on Multijurisdictional Local Road Safety Plan; and approve and adopt Fresno County portion of a Multijurisdictional Local Road Safety Plan to identify, prioritize, and plan for critical transportation safety improvements

RECEIVED PRESENTATION ON MULTIJURISDICTIONAL LOCAL ROAD SAFETY PLAN. 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

14. Approve the waiver of nepotism rule in accordance with Management Directive 230 - Nepotism and Section 43 of the Fresno County Charter for the son of the Director of Human Resources selected as an Engineer I in the Public Works and Planning Department and authorize the Chairman to sign the Job Change Information form (Unanimous)

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

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

Social Services

15. Approve Amendment to the Salary Resolution adding a Deputy Director, a Social Services Program Manager, two Administrative Assistant I/II, two Social Worker Supervisor, two Program Technician I/II positions to the Department of Social Services Org 5610, effective June 13, 2022, as reflected on Appendix F.

A MOTION WAS MADE BY VICE CHAIRMAN 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

Salary Resolution No. 22-042

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR MAGSIG ACKNOWLEDGED THE 78TH ANNIVERSARY OF D-DAY. SUPERVISOR QUINTERO THANKED THE SHERIFF'S FOUNDATION, PROSECUTORS' ASSOCIATION AND DEPUTY SHERIFF'S ASSOCIATION FOR THEIR COMMUNITY OUTREACH AND PUTTING ON AN EVENT THIS PAST WEEKEND IN CALWA PARK. SUPERVISOR MENDES CRITIQUED THE STATE AND FEDERAL GOVERNMENT FOR THEIR INACTION REGARDING THE RISING PRICE OF GAS AND DIESEL

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THE NOMINATIONS FOR APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

BEHAVIORAL HEALTH BOARD

REAPPOINT MARY LOU BRAUTI-MINKLER (TERM TO EXPIRE 04/01/2025)

COMMISSION ON THE STATUS OF WOMEN

REAPPOINT PAMELA FREEMAN FOBBS (TERM TO EXPIRE 06/30/2023)

LOWER SAN JOAQUIN LEVEE DISTRICT

APPOINT STEPHEN SHEHADEY TO POSITION PREVIOUSLY HELD BY DONALD P. SKINNER (TERM TO EXPIRE 06/01/2026)

PARLIER CEMETERY DISTRICT

APPOINT LILLY RENTERIA TO POSITION PREVIOUSLY HELD BY PEDRO CORTEZ (TERM TO EXPIRE 01/05/2026)

RETIREMENT BOARD

REAPPOINT STEVEN JOLLY (TERM TO EXPIRE 12/31/2024)

TREASURY OVERSIGHT COMMITTEE

APPOINT TEDDY TOURIAN TO POSITION PREVIOUSLY HELD BY NATHAN MAGSIG (TERM TO EXPIRE 12/31/2023)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

- 18. 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

19. 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
20. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
HELD; NO REPORTABLE ACTION
21. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
22. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Louis Brookman vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ12911167; ADJ12911166; ADJ13090231; ADJ13091650
HELD; NO REPORTABLE ACTION
23. Conference with Real Property Negotiators - Government Code, Section 54957(a); 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: City of Fresno, under negotiations: Instructions to County's negotiator may concern sale, lease and escrow terms and conditions including price
HELD; NO REPORTABLE ACTION
24. Conference with Legal Counsel - Existing Litigation - Government Code section 54956.9 (d) (1) - Hall, et al. v. County of Fresno, et al., United States District Court, Eastern District of California, Case No. 1:11-CV-02047
HELD; NO REPORTABLE ACTION
25. Conference with Real Property Negotiators - Government Code, Section 54956.8; Property: Main Courthouse Building, 1100 Van Ness Avenue, Fresno, CA 93724; County Negotiator: Paul Nerland, County Administrative Officer or designee. Negotiating Parties: Judicial Council of the State of California. Under negotiations: Instructions to County's negotiator may concern terms and conditions to transfer fee title or other interest to Judicial Council
HELD; NO REPORTABLE ACTION

Adjourn

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

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

APPROVED:

BRIAN PACHECO, 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

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 28 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 26. Approve minutes of meeting for May 17, 2022

APPROVED AS RECOMMENDED

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

Chairman Pacheco

- 27. Proclaim the week of August 15-19, 2022 Environmental Health Week in Fresno County

APPROVED AS RECOMMENDED

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

Resolution No. 22-189

Supervisor Brandau

- 28. Proclaim May 2022 as Asian-American and Pacific Islander Heritage Month

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. 22-190

Supervisor Magsig

- 29. Adopt a resolution recognizing Greg Marks for originating and organizing the Shaver Lake Youth Fishing Derby for 25 years

APPROVED AS RECOMMENDED

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

Resolution No. 22-191

30. Adopt resolution supporting the 44th Annual Climb to Kaiser event and restriction of State Route 168 as deemed appropriate and necessary by the State of California Department of Transportation

APPROVED AS RECOMMENDED

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

Resolution No. 22-192

31. Adopt a resolution recognizing the achievements of Muajkoob Vang Hmong for his life-long commitment serving Hmong refugees and residents in the greater Fresno community

APPROVED AS RECOMMENDED

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

Resolution No. 22-193

Auditor Controller-Treasurer/Tax Collector

32. Authorize the Auditor-Controller/Treasurer-Tax Collector to distribute \$87,121.46 in State Highway Rental Property revenues from Fiscal Years 2013-14 through 2020-21 in accordance with Streets and Highways Code section 104.10

APPROVED AS RECOMMENDED

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

District Attorney

33. Approve and authorize the Chairman to execute an Agreement with the San Joaquin College of Law to provide the District Attorney's Office access to and utilize law students from San Joaquin College of Law to provide case support, effective June 18, 2022 through June 17, 2023, not to exceed three consecutive years, which includes a one-year base contract and two automatic one-year extensions, total not to exceed \$22,000; and authorize the District Attorney, or her designee, to execute the supplement to the recommended Agreement, in the form substantially as attached to this Board Agenda Item, to authorize each student intern to be employed at the District Attorney's Office

APPROVED AS REVISED

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

Agreement No. 22-221

- 34.** Approve and authorize the Chairman to execute First Amendment to Agreement No. 19-192, with an electronic signature, for continued funding of the Victim Restitution Program with the California Victim Compensation Board, extending the term by one year from July 1, 2022 to June 30, 2023 and increasing the maximum by \$63,596 to a total of \$254,384; and authorize the District Attorney, and/or her designees, to execute required policies or statements necessary to carry out the Grant Amendment

APPROVED AS RECOMMENDED

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

Agreement No. 22-222

Sheriff/Coroner/Public Administrator

- 35.** Approve and authorize the Chairman, and the Sheriff, to execute a Memorandum of Understanding (MOU) with the Superior Court of California (Court) for court security services effective July 1, 2022 through June 30, 2027, which includes a three-year base and two optional one-year extensions; and authorize the Sheriff to execute amendments modifying the Staffing Plan and/or the Court Security Plan, subject to the review and approval of County Counsel

APPROVED AS RECOMMENDED

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

Agreement No. 22-223

- 36.** Adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for the Sheriff-Coroner-Public Administrator's Org 31112401 in the amount of \$450,000 for the purchase of a new Civil Specialty vehicle for the Civil Unit (4/5 vote); and adopt Budget Resolution increasing the FY 2021-22 appropriations in the Sheriff Automated GC 26731 Org 1455 in the amount of \$450,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-194, Resolution No. 22-195

37. Adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Sheriff Org 3111 in the amount of \$849,088 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Special Revenue Fund Sheriff-Coroner-Public Administrator State Asset Forfeiture Fund 0095, Subclass 17659, Org 1460 in the amount of \$250,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations for Special Revenue Fund Sheriff-Coroner-Public Administrator Standard and Training for Corrections Fund 0095, Subclass 17652, Org 1452 in the amount of \$24,088 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations for Special Revenue Fund Sheriff-Coroner-Public Administrator Debtor Assessment Fee Fund 0095, Subclass 17653, Org 1454 in the amount of \$35,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations for the Special Revenue Fund Sheriff-Coroner-Public Administrator HIDTA State Forfeiture Treasury Fund 0095, Subclass 17663, Org 1464 in the amount of \$400,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations for the Special Revenue Fund Sheriff-Coroner-Public Administrator HIDTA Asset Forfeiture Treasury Fund 0095, Subclass 17666, Org 1467 in the amount of \$100,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations for COPS Sheriff Front Line Services Org 31190100 in the amount of \$20,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations for COPS Sheriff Detention Org 31190200 in the amount of \$20,000 (4/5 vote); Adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for the Sheriff-Coroner-Public Administrator Fund 0001, Subclass 10000, Org 31113213 in the amount of \$2,105,000 (4/5 vote); and adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for the Sheriff-Coroner-Public Administrator Fund 0001, Subclass 10000, Org 31114000 in the amount of \$175,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-196, Resolution No. 22-197, Resolution No. 22-198, Resolution No. 22-199, Resolution No. 22-200, Resolution No. 22-201, Resolution No. 22-202, Resolution No. 22-203, Resolution No. 22-204, Resolution No. 22-205

Administrative Office

38. Approve the Workforce Innovation and Opportunity Act Mandated Partner Memorandum of Understanding template, in substantially similar form as Attachment A, for use with the Fresno Regional Workforce Development Board's mandated partners; and, authorize the County Administrative Officer to approve and execute, on behalf of the County, all Memoranda of Understanding between the Fresno Regional Workforce Development Board and its mandated partners, subject to approval by the County Counsel as to legal form, and by the Auditor-Controller/Treasurer-Tax Collector as to accounting form, with the exception of the Memorandum of Understanding with the Department of Social Services, which will be brought before the Board for approval

APPROVED AS RECOMMENDED

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

39. Ratify the County's election of the standard allowance of \$10 million in revenue loss for provision of traditional government services, as provided by the American Rescue Plan Act State Local Fiscal Recovery Funds, (\$10,000,000); and adopt Budget Resolution increasing FY 2021-22 revenues for the Countywide Revenues / Discretionary Revenue Fund Org 0415 in the amount of \$10,000,000 (4/5 vote); and direct the County Administrative Office to utilize the \$10,000,000 to fund operational expenses for government services in general funded departments

APPROVED AS RECOMMENDED

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

Resolution No. 22-206

40. Adopt Resolution proclaiming continuation of the local emergency status relating to the 2020 Creek Fire and request that the Governor continue to provide resources and support to mitigate and recover from this wildfire; and adopt Resolution proclaiming continuation of the Local Health Emergency, due to the public health threat of the 2020 Creek Fire

APPROVED AS RECOMMENDED

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

Resolution No. 22-207, Resolution No. 22-208

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

APPROVED AS RECOMMENDED

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

Resolution No. 22-209

42. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Habitat for Humanity Fresno Incorporated (Firebaugh) in the amount of \$790,000 to assist with unanticipated construction costs for the construction of the seven-affordable homes to be built in the City of Firebaugh

APPROVED AS RECOMMENDED

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

Agreement No. 22-224

43. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act State Local Fiscal Recovery Funds with Riverdale Public Utility District in the amount of \$3,175,000 to fund the engineering design, planning, and construction of a groundwater well, as well as offsite improvements, in the Community of Riverdale

APPROVED AS RECOMMENDED

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

Agreement No. 22-225

Agriculture

44. Approve and authorize the Fresno County Agricultural Commissioner/Sealer of Weights and Measures to approve, and execute on behalf of the County of Fresno, specific revenue agreements for FY 2022-23 (estimated \$5,631,100), subject to approval as to legal form by County Counsel, and approval as to accounting form by the Auditor-Controller/Treasurer -Tax Collector; and Approve and authorize the Fresno County Agricultural Commissioner/Sealer to approve, and execute on behalf of the County of Fresno, amendments to these same revenue agreements on behalf of the County of Fresno, which may increase or decrease each agreement maximum by an amount not to exceed the greater of 15% of the agreement maximum, or \$10,000, subject to approval as to legal form by County Counsel, and approval as to accounting form by the Auditor-Controller/Treasurer-Tax Collector

APPROVED AS RECOMMENDED

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

Behavioral Health

45. Approve and authorize the Chairman to execute Agreements with Alliant International University, Inc., for: a. research and grant-writing opportunities for its students; and, b. clinical and field experience for its students, effective July 1, 2022, not to exceed five consecutive years, which include three-year base contracts and two optional one-year extensions (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 22-226, Agreement No. 22-227

46. Approve and authorize the Chairman to execute a Participation Agreement with the California Mental Health Services Authority for the Psychiatric Advanced Directives Implementation effective upon execution to June 30, 2024, total not to exceed \$550,000; and, Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated California Mental Health Services Authority for the Psychiatric Advanced Directives Implementation related reports and forms, without modifying the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 22-228

47. Approve and authorize the Chairman to execute Amendment No. 1 to Agreement with the California Mental Health Services Authority for Central Valley Suicide Prevention Hotline services, effective upon execution through June 30, 2022 and increasing the maximum compensation by \$3,940 to a total of \$425,948

APPROVED AS RECOMMENDED

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

Agreement No. 22-229

48. Approve and authorize the Chairman to execute a Master Agreement with licensed residential care facilities for Supplemental Board and Care Home services to severely and persistently mentally ill adult persons served, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$54,000,000 and authorize the Director of the Department of Behavioral Health, or designee, to add or delete licensed residential care facilities to the Master Agreement, as necessary, and approve and authorize the Department of Behavioral Health Director, or designee, upon review by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to approve minor changes to program requirements and budgets, as needed, to accommodate regulatory changes relating to Supplemental Board and Care Home services, with no change to the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 22-230

49. Approve and authorize the Chairman to execute a Resolution authorizing: a. Fresno County's participation in the California Department of Housing and Community Development No Place Like Home - Housing Accelerator Program; and, b. Once the related Standard Agreement comes before your Board, upon your Board's approval, the Chairman will be authorized to execute the documents related to the Housing Accelerator Program

APPROVED AS RECOMMENDED

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

Resolution No. 22-210

50. 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 for the solicitation of an integrated mental health electronic information system as Netsmart Technologies, Inc., has been modified to meet the needs for the Department of Behavioral Health and the State Department of Health Care Services reporting requirements; approve and authorize the Chairman to execute an Agreement with Netsmart Technologies, Inc., to provide support and maintenance of an integrated mental health electronic information system for the Department of Behavioral Health, effective July 1, 2022 not to exceed five consecutive years, which includes a two-year base contract and three one-year extensions (\$4,492,272); and, approve and authorize the Director of the Department of Behavioral Health, or designee, as signatory on behalf of the Board of Supervisors on a Business Associate agreement and other related documents, with no change to the compensation amount or term

APPROVED AS RECOMMENDED

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

Agreement No. 22-231

Human Resources

51. Adopt Resolutions Rejecting Claims for Damages

APPROVED AS RECOMMENDED

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

Resolution No. 22-211, Resolution No. 22-212, Resolution No. 22-213, Resolution No. 22-214

52. Approve the successor Memorandum of Understanding for Representation Unit 10 - District Attorney Investigators, effective June 13, 2022, through June 8, 2025; and approve the related Salary Resolution Amendment, as reflected on Appendix "E"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 22-040

Internal Services

53. Adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Internal Services Department, Security Services Org 8970 in the amount of \$200,000 for higher than anticipated requests related to the installation and programming of video surveillance and alarm systems (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-215

Probation

54. Receive and approve the Fresno County Juvenile Justice Realignment Plan and Addendum

APPROVED AS RECOMMENDED

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

55. Adopt Budget Resolution increasing FY 2021-22 appropriations for Probation's Second Strike Post Release Community Supervision Fund 0075, Subclass 17304, Org 1144 in the amount of \$12,787 (4/5 vote); and adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Probation Org 3430 in the amount of \$22,002 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-216, Resolution No. 22-217

56. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 53 transferring FY 2021-22 appropriations in the amount of \$2,000,000 from Account 6100 (Regular Salaries) to Account 7345 (Facility Operations and Maintenance) and Account 7430 (Utilities) within Probation's Org 3440

APPROVED AS RECOMMENDED

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

57. Adopt Budget Resolution increasing FY 2021-22 appropriations in the Public Safety Realignment Act of 2011 (AB 109) Planning Grant Org 3439 in the amount of \$60,000 (4/5 vote); and adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Probation Org 3430 in the amount of \$60,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-218, Resolution No. 22-219

Public Health

58. Approve and authorize the Chairman to execute a revenue Agreement and related Contractor Certification Clauses and Civil Rights Laws Certification with the California Department of Public Health for the Local Oral Health Program grant, effective July 1, 2022, not to exceed five consecutive years, total not to exceed \$2,644,280

APPROVED AS RECOMMENDED

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

Agreement No. 22-232

59. Adopt Budget Resolution increasing FY 2021-22 appropriations for the Department of Public Health Org 5620 in the amount of \$221,055 and estimated revenues for Org 5620 in the amount of \$4,221,055 (4/5 vote); adopt Budget Resolution decreasing FY 2021-22 estimated revenues for the Department of Public Health Org 5620 in the amount of \$4,000,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations for the Health and Welfare Special Revenue Fund 0135, Org 52430301 in the amount of \$4,000,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Health Special Deposit Fund 0080, Org 1152 in the amount of \$30,000 (4/5 vote); adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Dairy Surcharge Special Revenue Fund 0080, Org 1155 in the amount of \$30,000 (4/5 vote); and, adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for Hospital Preparedness Special Revenue Fund 0080, Org 1160 in the amount of \$161,055 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-220, Resolution No. 22-221, Resolution No. 22-222, Resolution No. 22-223, Resolution No. 22-224, Resolution No. 22-225

60. 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 2021-22, effective July 1, 2021 through June 30, 2022, estimated total \$295,762

APPROVED AS RECOMMENDED

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

Agreement No. 22-233

61. Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Resources Recycling and Recovery for 2021-22 Waste Tire Enforcement Agency Grant funding, effective June 30, 2022 through September 30, 2023 (\$300,000)

APPROVED AS RECOMMENDED

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

Agreement No. 22-234

Public Works and Planning

62. Approve and authorize Chairman to execute an Agreement with Central California Food Bank for Food Distribution Coronavirus Aid, Relief, and Economic Security Act Community Development Block Grant Project No. CV19251, effective upon execution through May 31, 2023 (\$595,403)

APPROVED AS RECOMMENDED

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

Agreement No. 22-235

63. Adopt Resolution authorizing Rescission of Agricultural Land Conservation Contract (ALCC) Nos. 6168, 7 and 7103 and Simultaneous Entry into new ALCC Nos. 8345 and 8346, and making findings required by Government Code Section 51257; and authorize Chairman to execute new Agricultural Land Conservation Contracts and allow for recordation of new Contracts following signature by Chairman (subject parcels are located at southwest corner of Powerhouse Road and Wish-I-Ah Road, within unincorporated community of Auberry)

APPROVED AS RECOMMENDED

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

Resolution No. 22-226

64. Approve and authorize Chairman to execute an Agreement with Malaga County Water District for Malaga Wastewater Treatment Plant Nitrogen Reduction, Community Development Block Grant Project No. 21451, effective upon execution through June 12, 2024, total not to exceed \$250,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-236

65. Re-conduct second hearing on and re-adopt an Ordinance to amend Chapter 4.08 of the County of Fresno Ordinance Code to update the County's Bidding Procedures under the Uniform Public Construction Cost Accounting Act to conform to the current limitations provided under Section 22034 of the Public Contract Code; and waive the reading of the Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 22-006

66. Conduct second hearing on and adopt an Ordinance to add Chapter 8.27 - Organics Disposal Reduction as a result of the enactment of California Senate Bill 1383 and subsequent adoption of regulations governing the reduction of Short-Lived Climate Pollutants; and waive the reading of the Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 22-007

67. Retroactively approve and authorize Director of Public Works and Planning's previous submittal of a grant application to United States Department of Transportation's FY 2022-23 Rebuilding American Infrastructure with Sustainability and Equity Discretionary Grant Program (\$11,899,529)

APPROVED AS RECOMMENDED

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

68. Adopt Budget Resolution increasing FY 2021-22 appropriations for Resources-Solid Waste Surcharge Fund Org 90155002 in amount of \$3,053,000 for architecture services, completion of Environmental Compliance Center construction and purchase of modular hazardous material containers and other HHW programs (4/5 vote); and adopt Budget Resolution increasing FY2021-22 appropriations and estimated revenues in Resources Org 9015 in amount of \$3,053,000 for Permanent Regional Household Hazardous Waste Management Facility (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 22-227, Resolution No. 22-228

69. Approve request by City of Fresno to acquire right-of-way, excluding 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 street improvements on W. Dakota Avenue, east of N. Cornelia Avenue

APPROVED AS RECOMMENDED

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

70. Adopt a Resolution approving Classified Conditional Use Permit Application No. 3727 (The Millerton Specific Plan is located approximately 1.5 miles east of the unincorporated community of Friant and encompasses approximately 1,420 acres. The spray field components of the project site are comprised of five areas totaling 158 acres of open land located on the south side of Millerton Road within the Millerton Specific Plan boundary. The effluent distribution lines to the spray fields will be located within the public rights-of-ways. (APNs: 300-340-13, 300-340-60, 300-542-07, 300-542-08, 300-542-13, 300-542-54, 300-542-55, 300-542-16, 300-542-27 and 300-542-51))

APPROVED AS RECOMMENDED

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

Resolution No. 22-229

Social Services

71. 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 for the purchase of bus tokens and passes from the City of Fresno - Fresno Area Express, which is the only public bus transportation service in the greater Fresno metropolitan area; and, Approve and authorize the Chairman to execute a sole source Agreement with City of Fresno - Fresno Area Express for the purchase of bus tokens and passes for consumers of the Departments of Social Services, Probation, Public Health, and Behavioral Health, effective July 1, 2022, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$3,701,000

APPROVED AS RECOMMENDED

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

Agreement No. 22-237

72. Approve and authorize the Chairman to execute an Agreement with Breaking the Chains for supportive services for commercially sexually exploited children (CSEC) and youth at-risk of commercial sexual exploitation (CSE), effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,247,342

APPROVED AS RECOMMENDED

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

Agreement No. 22-238

73. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Social Solutions Global Inc., has developed a unique database consistent with the Department of Social Services' needs and is the only vendor that can support this service; and, approve and authorize the Chairman to execute an agreement with Social Solutions Global, Inc., for case management database software, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$648,685

APPROVED AS RECOMMENDED

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

Agreement No. 22-239