



County of Fresno

Action Summary - Final

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

Tuesday, May 23, 2023

9:30 AM

Hall of Records

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

Invocation and Pledge of Allegiance

PASTOR JERMAINE JACKSON, NORTHWEST CHURCH, 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 7 WHICH WAS DELETED TO RETURN TO THE BOARD ON JUNE 6, 2023. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 18-54

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 32 WHICH WAS DELETED TO RETURN TO THE BOARD AT A LATER DATE AND ITEM 51 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Chairman Quintero

3. Proclaim May 21 through May 27, 2023 as Public Works Week

A MOTION WAS MADE BY 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

Resolution No. 23-186

4. Proclaim June 2023 Elder and Dependent Adult Abuse Awareness Month

A MOTION WAS MADE BY 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. 23-187

Supervisor Magsig

5. Adopt a resolution recognizing the 25th anniversary of Project Survival's Cat Haven

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

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

Resolution No. 23-188

Supervisor Pacheco

6. Proclaim May 2023 Community Action Month in Fresno County

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

Resolution No. 23-189

Administrative Office

7. Recognize Fresno County Public Information Officer Sonja Dosti and District Attorney Public Information Officer Taylor P. Long as they are presented with the CAPIO Award in the Communication & Marketing Process category for their Fentanyl Awareness Campaign and Recognize Fresno County Communications & Media Production Specialist Joshua Dean as he is presented with the CAPIO Award in the Video Production category for his Juvenile Correctional Officer Promotional Video

DELETED. ITEM WILL RETURN ON JUNE 6, 2023

Supervisor Brandau

8. Conduct first hearing and take action to: Waive first reading in its entirety and approve proposed Ordinance for the County of Fresno Ordinance Code amending Title 13, Chapter 13.24 (Grounds and Buildings), to add 13.24.050 - Flags permitted to be flown at County Facilities, and amending Title 10 to delete Chapter 10.28 (Flags); Set the second hearing for June 6, 2023; 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 require summary in accordance with Government Code, Section 25124(b)(1)

A MOTION WAS MADE BY SUPERVISOR BRANDAU, 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

Public Works and Planning

9. Consider petition for partial cancellation of Agricultural Land Conservation Contract No. 152 filed by Patrick W. Sample and Georgia J. Sample family Trust to remove a 2.41-acre portion of a 42.93-acre parcel from the Williamson Act contract to allow the creation of a 2.41-acre parcel for residential use; and if your Board is able to make all five required findings listed under Government Code, Section 51282(b), take the following actions: a. adopt Negative Declaration prepared for the Initial Study 8242; and b. adopt Resolution authorizing partial cancellation of Agricultural Land Conservation Contract No. 152; and c. authorize Chairman to sign Certificate of Tentative Cancellation and approve recording Certificate of Cancellation when all conditions included in Certificate of Tentative Cancellation have been satisfied (subject parcel is located on west side of Watts Valley Road approximately one quarter mile north of its intersection with Bull Run Lane, approximately eight miles east of the nearest city limits of City of Clovis (18613 Watts Valley Road) (APN: 158-021-61))

A MOTION WAS MADE BY VICE CHAIRMAN MAGSIG, SECONDED BY SUPERVISOR BRANDAU, TO CONTINUE THIS ITEM IN ORDER FOR STAFF TO MAKE CONTACT WITH THE APPLICANT, WITHIN 30 DAYS, TO ADDRESS FINDING NOS. 2, 3, AND 5 OF THE FIVE REQUIRED FINDINGS LISTED UNDER GOVERNMENT CODE, SECTION 51282(b), AND HAVE THE APPLICANT SUBMIT THEIR COMMENT IN WRITING, OR, MORE APPROPRIATELY, APPEAR BEFORE THE BOARD WHEN THIS ITEM RETURNS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Noes: 1 - Pacheco

Administrative Office

10. Conduct public forum in accordance with Government Code section 7283.1(d); receive statistical report from the Sheriff regarding the United States Immigration and Customs Enforcement access provided to incarcerated individuals in the Jail during 2022; and receive public comment

CONDUCTED PUBLIC FORUM IN ACCORDANCE WITH GOVERNMENT CODE SECTION 7283.1(d). RECEIVED STATISTICAL REPORT FROM THE SHERIFF REGARDING THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS PROVIDED TO INCARCERATED INDIVIDUALS IN THE JAIL DURING 2022. NO PUBLIC TESTIMONY RECEIVED. CLOSED PUBLIC FORUM

Board of Supervisors' Committee Reports and Comments

11. 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 MENDES REPORTED THE PASSING OF FARMING ICONS RICHARD SCHULTZ, OF THE RIVERDALE/BURREL AREA, AND JULIET CAMPOS, OF CARUTHERS, FOR WHOM HE WILL SPONSOR ADJOURN IN MEMORY ITEMS WITH SUPERVISOR PACHECO AT THE NEXT BOARD MEETING; REPORTED PARTICIPATING IN THE KINGSBURG SWEDISH FESTIVAL PARADE LAST WEEKEND; ANNOUNCED HE WILL PARTICIPATE IN THE COALINGA HORNED TOAD DERBY PARADE THIS WEEKEND; AND THANKED ROSALIE ROSA FOR PROVIDING A CAR AND ASSISTING IN PARADES. VICE CHAIRMAN MAGSIG THANKED TERRI MEJORADO, COUNTY OFFICE OF EMERGENCY SERVICES (OES) MANAGER, FOR COORDINATING WITH SEVERAL AGENCIES TO PROTECT PROPERTIES BY PLACING SUPER SACKS ALONG THE KINGS RIVER; REPORTED JOINING THE FRESNO CYCLING CLUB FOR A BIKE RIDE LAST SATURDAY; REPORTED ATTENDING THE BIG SANDY RANCHERIA'S RECENT POW WOW WHERE FIRST RESPONDERS WERE RECOGNIZED, AND THE COUNTY WAS PRESENTED WITH AN AWARD FOR THE RESPONSE TO THE CREEK FIRE; DISCUSSED THE TRAGIC DROWNING OF TWO CHILDREN IN THE KINGS RIVER LAST WEEKEND; AND NOTED SONJA DOSTI, COUNTY PUBLIC INFORMATION OFFICER, IS WORKING WITH VALLEY CHILDREN'S HOSPITAL ON MORE PUBLIC OUTREACH, INCLUDING MORE SIGNS ALONG THE RIVER IN MULTIPLE LANGUAGES, TO WARN THE PUBLIC ABOUT THE KINGS AND SAN JOAQUIN RIVERS. SUPERVISOR BRANDAU REPORTED ATTENDING LAST WEEK'S GRAND OPENING FOR THE NEW OFFICE OF KINGS VIEW, A PARTNER PROGRAM OF COUNTY BEHAVIORAL HEALTH THAT OVERSEES THE SUICIDE CALL CENTER WITH A 48-HOUR FOLLOW-UP SERVICE; REPORTED RECENTLY VISITING THE FRESNO CHAFFEE ZOO'S BUTTERFLY GARDEN, A LIMITED-TIME EXHIBIT, AND ANNOUNCED HE WILL ATTEND THE KINGDOMS OF ASIA PERMANENT EXHIBIT'S GRAND OPENING ON WEDNESDAY. CHAIRMAN QUINTERO REPORTED ATTENDING THE CALIFORNIA RESTAURANT ASSOCIATION – FRESNO CHAPTER'S BEST OF THE VALLEY AWARDS WHERE THE LAROCCA FAMILY RECEIVED THE LIFETIME ACHIEVEMENT AWARD, VINCENT PAPAGNI WAS INDUCTED INTO THE HALL OF FAME, AND MONEY RAISED AT THE EVENT WILL BE USED TO HELP A LOCAL THAI RESTAURANT FACING POSSIBLE CLOSURE DUE TO ACCUSATIONS ON SOCIAL MEDIA

Board Appointments

12. 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 BRANDAU, THAT THE NOMINATIONS FOR APPOINTMENT AND REAPPOINTMENT BE APPROVED AS FOLLOWS:

BEHAVIORAL HEALTH BOARD

APPOINT JENNIFER ANN MONREAL (TERM TO EXPIRE 04/01/26)

FRESNO-KINGS-MADERA REGIONAL HEALTH AUTHORITY

REAPPOINT JOYCE FIELDS-KEENE (TERM TO EXPIRE 05/04/26)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

13. 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; RECIEVED

Closed Session

14. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Hollis Magill; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment

HELD; NO REPORTABLE ACTION

15. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)

HELD; NO REPORTABLE ACTION

16. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)

HELD; NO REPORTABLE ACTION

Sitting as the Fresno County In-Home Supportive Services Public Authority Governing Board:

17. Sitting as the In-Home Supportive Services Public Authority Governing Board: Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Oralia Gomez; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment

HELD; NO REPORTABLE ACTION

Adjourn

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

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

APPROVED:

/s/ Sal Quintero
SAL QUINTERO, 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 JUNE 6, 2023

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 32 WHICH WAS DELETED TO RETURN TO THE BOARD AT A LATER DATE AND ITEM 51 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

18. Approve minutes for May 9, 2023

APPROVED AS RECOMMENDED

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

Supervisor Brandau and Supervisor Magsig

19. Adjourn in memory of H Spees

APPROVED AS RECOMMENDED

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

Supervisor Magsig

20. Adopt Resolution to approve and consent to the proposed "Climb to Kaiser" cycling event

APPROVED AS RECOMMENDED

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

Resolution No. 23-156

Supervisor Mendes and Supervisor Pacheco

21. Adopt Resolution recognizing June 2023 as Portuguese Heritage Month in Fresno County

APPROVED AS RECOMMENDED

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

Resolution No. 23-157

Sheriff/Coroner/Public Administrator

22. Approve and authorize the Chairman to execute retroactive Amendment VII to Agreement with California Forensic Medical Group, Incorporated for payment of a Medication Assisted Treatment (MAT) Care Coordinator to identify Opioid Use Disorder (OUD) inmates upon intake and enroll them in MAT services while incarcerated in the Fresno County Jail (FCJ), effective February 1, 2023 through June 30, 2023 and increasing the maximum by \$53,125, to a total of \$142,650,613; Adopt Budget Resolution increasing FY 2022-23 appropriations for Sheriff-Coroner-Public Administration's Org 3111 in the amount of \$53,125 to allow for the payment for MAT Care Coordinator expenses (4/5 vote); Adopt Budget Resolution increasing FY 2022-23 appropriations for Special Revenue Fund Sheriff-Coroner-Public Administrator Incarcerated Person's Welfare Fund Org 1500 in the amount of \$17,708 (4/5 vote); Retroactively approve and authorize the Sheriff's, or his authorized representative's, previous submittal of a grant application and award acceptance, to the California Department of Health Care Services (DHCS) to pay for a MAT Care Coordinator; and Approve and authorize the Sheriff, or his authorized representative, to execute the Memorandum of Understanding with Health Management Associates, Inc. for distribution of the DHCS Opioid Crisis Grant

APPROVED AS RECOMMENDED

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

Resolution No. 23-158, Resolution No. 23-159, Agreement No. 23-219

23. Retroactively approve and authorize the Sheriff-Coroner-Public Administrator's previous submittal of a grant application to the State of California Department of Parks and Recreation for Off-Highway Motor Vehicle Grant funds (\$447,075); and approve and authorize the Chairman to execute a Resolution approving the Sheriff to submit an application to the State of California Department of Parks and Recreation for Off-Highway Motor Vehicle Grant funds and approving required certifications

APPROVED AS RECOMMENDED

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

Resolution No. 23-160

County Counsel

24. Retroactively authorize a waiver of the 28 hours per week maximum hours limitation for the Extra-Help position listed on Attachment A in the Department of County Counsel, Org 0710, 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

Administrative Office

25. Approve and authorize the Chairman to execute the 2023-24 Fresno County Child Care and Development Local Planning Council County Priorities Report for State funding for preschool and infant/toddler programs, by zip code, under Welfare and Institutions Code 10486

APPROVED AS RECOMMENDED

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

26. Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard

APPROVED AS RECOMMENDED

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

Resolution No. 23-161

27. Adopt Resolution designating the Fresno Arts Council to serve as the County of Fresno's local partner with the California Arts Council for FY 2023-24

APPROVED AS RECOMMENDED

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

Resolution No. 23-162

Behavioral Health

28. Authorize the Purchasing Manager, or designee (Director Department of Behavioral Health, Division Manager Managed Care), to continue approving payment to mental health providers for services provided in other counties to Fresno County Medi-Cal beneficiaries without an agreement up to a maximum \$200,000 per provider, the Purchasing Manager's limit, as established by your Board, effective July 1, 2023 through June 30, 2026; and authorize the Purchasing Manager, or designee (Director Department of Behavioral Health, Division Manager Managed Care), to continue approving payment to psychiatric inpatient hospitals for services provided in other counties to Fresno County Medi-Cal beneficiaries without an agreement up to a maximum \$200,000 per hospital, the Purchasing Manager's limit, as established by your Board, effective July 1, 2023 through June 30, 2026

APPROVED AS RECOMMENDED

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

29. Approve and authorize the Chairman to execute Amendment I to Agreement with the California Department of State Hospitals to extend the term for Jail Diversion Program funding by one year from July 1, 2023 through June 30, 2024, with no change to the compensation maximum of \$7,012,440; and approve and authorize the Director of the Department of Behavioral Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated Jail Diversion Program funding documents, expenditure forms and reports

APPROVED AS RECOMMENDED

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

Agreement No. 23-220

Human Resources

30. Adopt Resolutions Rejecting Claims for Damages

APPROVED AS RECOMMENDED

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

Resolution No. 23-163, Resolution No. 23-164, Resolution No. 23-165, Resolution No. 23-166, Resolution No. 23-167, Resolution No. 23-168, Resolution No. 23-169, Resolution No. 23-170, Resolution No. 23-171, Resolution No. 23-172

31. Approve Amendment to Salary Resolution, Section 100, footnote "V", effective May 29, 2023, as reflected on Appendix "F"; and Approve Amendment to Salary Resolution, Section 100, footnote "y", effective May 29, 2023, as reflected on Appendix "F"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-021

Internal Services

32. Approve and authorize the Chairman to execute Second Amendment to Agreement with NOBICO Inc., dba Integrated Electronics, for Alarm Maintenance, Repair, Inspection, and Monitoring Services for Notifier Systems ("Agreement"), effective upon execution, with no change in the term through November 5, 2023, and increasing the maximum compensation amount by \$500,000 to a total of \$1,500,000

DELETED. ITEM WILL RETURN AT A LATER DATE

- 33.** Approve and authorize the Chairman to execute a Master Agreement with Action Towing Dive Team, Inc. (Action Towing) and Herndon Towing, Inc. (Herndon Towing) for towing and emergency roadside assistance services, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract with two optional one-year extensions, total not to exceed \$500,000

APPROVED AS RECOMMENDED

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

Agreement No. 23-221

- 34.** Approve and authorize the Chairman to execute Agreement with Crown Window Cleaning and Building Services, Inc ("Crown") for window washing services in County Buildings, effective upon approval, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$500,000; and authorize the Director of Internal Services/Chief Information Officer, or his designee, to add or remove county building locations to the recommended agreement with no change to any other terms

APPROVED AS RECOMMENDED

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

Agreement No. 23-222

Probation

- 35.** Retroactively authorize and ratify the submittal by the Chief Probation Officer of a report to the State of California showing the loss of revenue resulting from the passage of AB 177; and authorize the allocation of backfill funds distributed to the County by the State of California for revenue loss due to repeal of certain administrative County fees, as required by AB 177, to the Probation Department (\$2,090,630.55)

APPROVED AS RECOMMENDED

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

- 36.** Retroactively approve, authorize, and ratify the Chief Probation Officer's previous submittal of a grant application to the Board of State and Community Corrections for the Mobile Probation Service Centers Grant Program, effective May 1, 2023 through September 30, 2027 (\$470,000), including execution of a required Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement; adopt a resolution authorizing the Chairman to execute the retroactive grant Agreement and any extensions or amendments thereto with Board of State and County Corrections for the Mobile Probation Service Centers Grant Agreement, subject to review and approval as to legal form by County Counsel, and as to accounting form by the Auditor-Controller/Treasurer-Tax Collector, total not to exceed \$470,000; and adopt Budget Resolution increasing FY 2022-23 appropriations and estimated revenues for the Probation Department Org 34322000 in the amount of \$470,000 for the purchase of two new vehicles and necessary equipment and supplies for the Mobile Probation Service Center (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 23-173, Resolution No. 23-174, Agreement No. 23-223

- 37.** Approve and Authorize the Clerk of the Board to execute Budget Transfer No. 74 transferring FY 2022-23 appropriations from Probation Org 3440 (\$1,470,000), from accounts 6100 (Regular Salaries) and 6400 (Retirement Contribution) to accounts: 7430 (Utilities) in the amount of \$800,000, 7345 (Facility Operation & Maint) in the amount of \$400,000, 7295 (Professional & Specialized Ser) in the amount of \$219,000, and 7611 (Security Services) in the amount of \$51,000, to fund unanticipated operating expenses at the Juvenile Justice Campus

APPROVED AS RECOMMENDED

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

Public Health

- 38.** Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health to implement the Syphilis Outbreak Strategy, effective July 1, 2022 through June 30, 2027, total not to exceed \$1,751,673

APPROVED AS RECOMMENDED

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

Agreement No. 23-224

39. Approve and authorize the Chairman to execute a retroactive California Strengthening Public Health Initiative Award Agreement with California Department of Public Health, effective December 1, 2022 through November 30, 2027 (\$1,275,543); retroactively approve and 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 award documents, including submission of all future reports, claims, certification forms and adjustments to subsequent California Strengthening Public Health Initiative work plans and spend plans

APPROVED AS RECOMMENDED

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

Agreement No. 23-225

Public Works and Planning

40. Approve and adopt Resolution initiating annual assessment proceedings under Chapter 3 of the Landscaping and Lighting Act of 1972 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, and appointing an Assessment Engineer to prepare and file an Engineer's Report; and receive and approve "Engineer's Report Renaissance at Bella Vista Lighting, Open Space, and Landscape Maintenance District, Fresno County Service Area No. 34, Zone D, Annual Benefit Assessment for Street Lighting, Open Space Maintenance, and Public Right-of-Way Landscape Maintenance," prepared by Steven E. White, P.E.; and approve and adopt Resolution of Intention to levy an annual assessment under Chapter 3 of Landscaping and Lighting Act of 1972 in County Service Area No. 34, Zone D, and set a public hearing on the proposed assessment for June 20, 2023, at 9:30 a.m., or as soon after as practicable, to consider an assessment for street lighting services, open space maintenance and public right-of-way landscape maintenance, benefiting properties within County Service Area 34, Zone D, Renaissance at Bella Vista, which includes 106 residential parcels

APPROVED AS RECOMMENDED

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

Resolution No. 23-175, Resolution No. 23-176

41. Approve Salary Resolution amendment adding two (2) Planners I/II/III and one (1) Senior Planner - Org 4360, as reflected in Appendix "C", effective May 29, 2023; approve Salary Resolution amendment deleting two (2) Staff Analyst I/II/III and one (1) Senior Staff Analyst - Org 4360, as reflected in Appendix "C", effective May 29, 2023; approve Salary Resolution amendment adding one (1) Deputy Director of Planning - Org 4360, as reflected in Appendix "C", effective May 29, 2023; approve Salary Resolution amendment deleting one (1) Supervising Engineer - Org 4510, as reflected in Appendix "C", effective May 29, 2023; and approve Salary Resolution amendment adding one (1) Senior Staff Analyst allocation - Org 4365, as reflected in Appendix "C", effective May 29, 2023

APPROVED AS RECOMMENDED

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

Salary Resolution No. 23-022

42. Approve and authorize Chairman to execute a Second Amendment to Agreement No. A-16-241 with Tetra Tech BAS, Inc., for its continued operation, maintenance, monitoring and regulatory reporting for the LFGCCS at AADS, extending the term by 8 months from June 1, 2023 through January 31, 2024 and increasing the maximum by \$342,479.00 to a total of \$4,067,549.00

APPROVED AS RECOMMENDED

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

Agreement No. 23-226

43. Retroactively approve and authorize Director of Public Works and Planning's previous submittal of a grant application to the United States Department of Transportation's FY 2023-24 Rebuilding American Infrastructure with Sustainability and Equity Discretionary Grant Program (\$4,189,000)

APPROVED AS RECOMMENDED

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

44. Retroactively approve and authorize Director of Public Works and Planning's previous submittal of a grant application to the California Department of Transportation (Caltrans) for FY 2023-24 Sustainable Transportation Planning Grant (\$300,000)

APPROVED AS RECOMMENDED

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

- 45.** Approve and adopt Resolution initiating annual assessment proceedings under Chapter 3 of Landscaping and Lighting Act of 1972 for operation and maintenance of Tenaya Park in County Service Area No. 2, Tenaya Estates, and appointing an Assessment Engineer to prepare and file an Engineer's Report; and receive and approve "Engineer's Report Tenaya Park Assessment District, County Service Area No. 2 Annual Benefit Assessment for Tenaya Park Operations & Maintenance," prepared by Steven E. White, P.E.; and approve and adopt Resolution of Intention to levy an annual assessment under Chapter 3 of Landscaping and Lighting Act of 1972 in Tenaya Park Assessment District in County Service Area No. 2 and set a public hearing on June 20, 2023, at 9:30 a.m., or as soon as practicable, to consider an assessment for operation and maintenance of Tenaya Park, benefitting properties within County Service Area 2, Tenaya Estates, which includes 142 residential parcels

APPROVED AS RECOMMENDED

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

Resolution No. 23-177, Resolution No. 23-178

- 46.** Approve and authorize Chairman to execute Quitclaim Deed conveying a segment of Right-of-Way, on Lanes Road, west of Rice Road, to City of Fresno (\$0) (4/5 vote)

APPROVED AS RECOMMENDED

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

- 47.** Adopt and authorize Chairman to execute a Resolution revising the number of miles of maintained Fresno County roads as of December 31, 2022, as approximately 3,479.676 miles, and authorizing and directing the Director of the Department of Public Works and Planning or his designee to transmit a copy of the adopted Resolution to the California Department of Transportation (Caltrans)

APPROVED AS RECOMMENDED

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

Resolution No. 23-179

48. Adopt specifications for Contract Nos. 22-24-J, 22-25-J, 22-26-J, and 22-27-J Class A (General Engineering) Job Order Contracts; and Award Contract No. 22-24-J to the bidder with the lowest bid, Emmett's Excavations Inc., 1477 Menlo Avenue Clovis, CA, total not to exceed \$3,000,000; and Award Contract No. 22-25-J to the bidder with the second lowest bid, Terra West Construction Incorporated, 1030 Gettysburg Ave Ste 107, Clovis, CA, total not to exceed \$3,000,000; and Award Contract No. 22-26-J to the bidder with the third lowest bid, Exbon Development Inc., 13831 Newhope St., Garden Grove, CA 92843, total not to exceed \$3,000,000; and Award Contract No. 22-27-J to the bidder with the fourth lowest bid, Avison Construction Inc., 40434 Brickyard Dr., Madera, CA 93636, total not to exceed \$3,000,000; and Adopt specifications for Contract Nos. 22-J-02, 22-J-03, and 22-J-04 Class B (General Building) Job Order Contracts; and Award Contract No. 22-J-02 to the bidder with the lowest bid, Exbon Development Inc., 13831 Newhope St., Garden Grove, CA 92843, total not to exceed \$5,700,000; and Find that Durham Construction Company Inc., 1025 Holland Avenue Clovis, CA, is the second lowest responsible bidder for Contract No. 22-J-03, Class B (General Building) Job Order Contract, and that the deviation from strict bidding requirements is immaterial and is hereby waived, in the discretion of the Board and in furtherance of the best interests of the County; and Award Contract No. 22-J-03, to the bidder with the second lowest bid, Durham Construction Company Inc., 1025 Holland Ave. Clovis, CA, total not to exceed \$5,700,000; and Award Contract No. 22-J-04 to the bidder with the third lowest bid, Better Enterprises, Inc., 1148 N. Cypress Avenue, Fresno, CA, total not to exceed \$5,700,000

APPROVED AS RECOMMENDED

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

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

APPROVED AS RECOMMENDED

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

Agreement No. 23-227

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

APPROVED AS RECOMMENDED

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

Agreement No. 23-228

51. Approve and authorize Chairman to execute Standalone Tax Sharing Agreement with City of Fresno for California-Willow No. 4 Reorganization proposal in area located on southeast and southwest corners of East California Avenue alignment (railroad right-of-way) and S. Willow Avenue consisting of approximately 79.75 acres in unincorporated area proposed to be developed with a 199-lot urban residential subdivision (the "California-Willow No. 4 Reorganization"), subject to certain conditions, including but not limited to City of Fresno accepting conveyances from County for or otherwise acquire all road rights-of-way along S. Willow Avenue north of proposed California-Willow No. 4 Reorganization to existing city limit boundary prior to LAFCO's completion of California-Willow No. 4 Reorganization; determine that approval and authorization of Chairman to execute Standalone Tax Sharing Agreement and conveyance of S. Willow Avenue Segments between County of Fresno and City of Fresno 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 the Fresno County Clerk

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR PACHECO, TO CONTINUE THIS ITEM UNTIL THE COUNTY RECEIVES CONFIRMATION, IN WRITING, WITHIN 120 DAYS, FROM THE CITY OF FRESNO, ADDRESSING THE CITY'S ACTION REGARDING THE PREVIOUS STANDALONE TAX SHARING AGREEMENT BETWEEN THE CITY OF FRESNO AND THE COUNTY OF FRESNO REGARDING THE DAKOTA-HAYES NO. 4 REORGANIZATION (FANUCCHI ANNEXATION, AGREEMENT NO. 21-315). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Recuse: 1 - Quintero

Social Services

52. Adopt Budget Resolutions increasing the FY 2022-23: a. appropriations and estimated revenues for the Aid to Adoptions Org 6415 in the amount of \$1,680,479 (4/5 Vote), b. appropriations and estimated revenues for the Department of Social Services In-Home Supportive Services Org 6420 in the amount of \$500,000 (4/5 Vote), c. appropriations and estimated revenues for the Social Services Fund 0065, Subclass 17225, Welfare Advance Fund Org 1120 in the amount of \$1,486,133 (4/5 Vote), d. estimated revenues for the GASB 87 Lease Designation Org 1117 in the amount of \$2,608,804 (4/5 Vote), e. appropriations for the Local Health and Welfare Trust Fund 0135, Subclass 13046, 1991 Realignment- Social Services Org 5246 in the amount of \$2,608,804 (4/5 Vote), and f. appropriations for the Local Revenue Fund 2011 Fund 0271, Subclass 13030, Protective Services Subaccount Org 6210 in the amount of \$694,346 (4/5 Vote); approve and authorize the Clerk of the Board to execute Budget Transfer No. 70 transferring FY 2022-23 appropriations from the Local Health and Welfare Trust Fund 0135, Subclass 13048, 1991- Realignment Family Support Org 5248 (\$22,475,870) from account 7910 to the Social Services Fund 0065, Subclass 17225, Welfare Advance Fund Org 1120 account 7910 in the amount of \$22,475,870 to offset State's share of costs; and, approve and authorize the Clerk of the Board to Execute Budget Transfer No. 71 transferring FY 2022-23 appropriations within the Department of Social Services Organization 56108550 from account 7296 (Data Processing Services) to account 8300 (Equipment) in the amount of \$541,467

APPROVED AS RECOMMENDED

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

Resolution No. 23-180, Resolution No. 23-181, Resolution No. 23-182, Resolution No. 23-183, Resolution No. 23-184, Resolution No. 23-185

53. 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 Department of Social Services to purchase kiosks through the CalSAWS Consortium as CalSAWS Consortium is a Joint Powers Authority formed by all 58 California counties; and approve and authorize the Chairman to execute the County Purchase Agreement with the CalSAWS Consortium for the purchase of kiosks on behalf of the County, with a total cost not to exceed \$756,955

APPROVED AS RECOMMENDED

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

Agreement No. 23-229

- 54.** Approve and authorize the Chairman to execute Amendment No. 2 to Agreement with Fresno Economic Opportunities Commission for youth bridge housing services extending the term by one year from July 1, 2023 to June 30, 2024 and increasing the maximum by \$204,269 to a total of \$860,037; approve and authorize the Chairman to execute Amendment No. 3 to Agreement with Turning Point of Central California, Inc. for triage emergency shelter services, extending the term by eleven months and amending the final term to align with the Fiscal Year beginning July 1, 2023 through June 30, 2024 and increasing the maximum by \$1,092,520 to a total of \$4,542,058; and approve and authorize the Chairman to execute Amendment No. 2 to Agreement with WestCare California, Inc., for rapid rehousing case management services, extending the term by one year from July 1, 2023 to June 30, 2024 and increasing the maximum by \$706,512 to a total of \$4,090,421

APPROVED AS RECOMMENDED

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

Agreement No. 23-230, Agreement No. 23-231, Agreement No. 23-232