



County of Fresno

Action Summary - Final

Board of Supervisors

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

Jean M. Rousseau, County Administrative Officer
Daniel C. Cederborg, County Counsel
Bernice E. Seidel, Clerk of the Board of Supervisors

Tuesday, October 5, 2021

10:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

SENIOR CHAPLAIN BILL HALE, FRESNO COUNTY SHERIFF DEPARTMENT, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, 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 14 - 38

A MOTION WAS MADE BY SUPERVISOR QUINTERO, SECONDED BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 17, 18, 19 AND 19.1 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 Amparo Gonzalez - Sheriff's Department - 19 Years of Service

PRESENTED RETIREMENT PLAQUE TO AMPARO GONZALEZ. A MOTION WAS MADE BY CHAIRMAN 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

County Clerk/Registrar of Voters

4. Presentation on Departmental Voter Registration Maintenance Activities and the Sept 14, 2021 California Gubernatorial Recall Election in Fresno County

RECEIVED PRESENTATION ON DEPARTMENTAL VOTER REGISTRATION MAINTENANCE ACTIVITIES AND THE SEPTEMBER 14, 2021 CALIFORNIA GUBERNATORIAL RECALL ELECTION IN FRESNO COUNTY

Administrative Office

5. Confirm appointment of David Luchini, effective October 18, 2021, to the position of Director of the Department of Public Health pursuant to Fresno County Charter Section 16

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

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

6. Receive presentation on the status of the Redistricting of County Supervisorial Districts

RECEIVED PRESENTATION; BY CONSENSUS, THE BOARD DIRECTED STAFF TO PREPARE AN ORDINANCE AMENDMENT TO ALLOW ADOPTION OF FINAL SUPERVISORIAL BOUNDARY MAP BY RESOLUTION AND RETURN TO THE BOARD FOR CONSIDERATION ON OCTOBER 19, 2021

7. Approve and authorize the County Administrative Officer to execute a Capital Financing Letter of Commitment of \$2,350,000 to be used for construction of the Crossroads Village project to Sponsor UPholdings California, LLC's application to the California Debt Limit Allocation Committee and Tax Credit Allocation Committee

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

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

Board of Supervisors' Committee Reports and Comments

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

VICE CHAIRMAN PACHECO ANNOUNCED A SURGE OF ILLEGAL DUMPING IN FRESNO COUNTY AND STATED HE IS PREPARING AN ITEM FOR THE BOARD TO DETERMINE BEST COURSE OF ACTION TO RESOLVE THE ISSUE. SUPERVISOR MAGSIG STATED THE KNP COMPLEX FIRE IN TULARE COUNTY IS MOVING CLOSER TO FRESNO COUNTY AND IS CAREFULLY MONITORED BY THE SHERIFF AND OFFICE OF EMERGENCY SERVICES DEPARTMENTS OF FRESNO COUNTY WHO ARE WORKING CLOSELY WITH CALFIRE, PREPARING FOR THE TIME THE FIRE CROSSES COUNTY LINES

Board Appointments

9. Board Appointments - Receive Boards, Commissions and Committees Vacancy Report; and Appoint Applicants as necessary

A MOTION WAS MADE BY CHAIRMAN BRANDAU, SECONDED BY SUPERVISOR MAGSIG, THAT THE NOMINATIONS FOR REAPPOINTMENTS BE APPROVED AS FOLLOWS:

ASSESSMENT APPEALS BOARD

REAPPOINT SCOTT RURIK (TERM TO EXPIRE 09/02/24)

AUDIT COMMITTEE

REAPPOINT KULWINDER BRAR (TERM TO EXPIRE 12/30/22)

PLANNING COMMISSION

REAPPOINT ESTHER CARVER (TERM TO EXPIRE 01/06/25)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

10. 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

11. Conference with Legal Counsel - Initiation of Litigation; Government Code, section 54956.9(d) (4) (2 Cases)

HELD; NO REPORTABLE ACTION

12. Conference with Legal Counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)

HELD; NO REPORTABLE ACTION

13. 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

Adjourn

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, 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/ Steve Brandau
STEVE BRANDAU, 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 October 19, 2021

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR QUINTERO, SECONDED BY SUPERVISOR MENDES, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 17, 18, 19 AND 19.1 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

- 14. Approve minutes of meeting for September 21, 2021

APPROVED AS RECOMMENDED

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

- 15. Approve amendments to Conflict of Interest Code for Coalinga Healthcare District

APPROVED AS RECOMMENDED

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

Chairman Brandau

- 16. Adopt proclamation in recognition of the Centennial Anniversary of the Fig Garden Woman's Club

APPROVED AS RECOMMENDED

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

Resolution No. 21-279

- 17. Adopt proclamation in recognition of the 40th Anniversary of the Fresno County Economic Development Corporation

A MOTION WAS MADE BY CHAIRMAN 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. 21-280

Supervisor Magsig and Supervisor Pacheco

- 18. Recognize the Extraordinary Achievements of Mark A. Wilson

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

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

Resolution No. 21-281

Supervisor Pacheco

18.1 Adjourn in Memory of Peter Kezirian

APPROVED AS RECOMMENDED

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

Supervisor Quintero

19. Adjourn in Memory of Satoshi "Fibber" Hirayama

A MOTION WAS MADE BY SUPERVISOR 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

19.1 Proclaim October 5, 2021 as Satoshi "Fibber" Hirayama Day

A MOTION WAS MADE BY SUPERVISOR 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. 21-282

Auditor Controller-Treasurer/Tax Collector

20. Receive and file the Fresno County Audit Committee Minutes from January 15, 2021 and May 14, 2021 meetings

APPROVED AS RECOMMENDED

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

Administrative Office

21. 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. 21-283, Resolution No. 21-284

- 22. 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. 21-285

Child Support Services

- 23. Approve and authorize the Director of the Department of Child Support Services to execute a Plan of Cooperation between the Fresno County Department of Child Support Services and the Fresno Superior Court of California effective upon execution through July 1, 2025, which includes one automatic 2-year extension (\$0)

APPROVED AS RECOMMENDED

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

Human Resources

- 24. Approve Amendment to the Salary Resolution establishing the new classification of Infection Preventionist and adding one (1) allocation within the Department of Public Health, effective October 18, 2021, as reflected in Appendix "C"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 21-026

- 25. Approve amendments to Department Conflict of Interest Codes, on file with the Clerk of the Board, to become effective immediately

APPROVED AS RECOMMENDED

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

- 26. Approve the Salary Resolution Amendments associated with the adoption of the FY 2021-22 Budget as reflected on Appendix "A", effective October 18, 2021

APPROVED AS RECOMMENDED

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

Salary Resolution No. 21-027

Internal Services

27. Approve and authorize the Chairman to execute Third Amendment to Lease Agreement No. 08-075 with Land Management Opportunities, LLC for 8,480 square feet of office space and adjacent parking at 5717 E. Shields, Fresno, CA for the Sheriff's substation, to extend the lease term to month to month, with annual rent of \$144,000

APPROVED AS RECOMMENDED

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

Agreement No. 21-395

28. Approve and authorize the Chairman to execute a Seventh Amendment to Master Agreement No. 18-302 for Heating, Ventilation, and Air Conditioning parts, service, and repairs, effective upon execution, with no change in the term of June 5, 2018 to June 4, 2022 and increasing the maximum by \$1,000,000 to a total of \$4,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 21-396

29. Approve and authorize the Chairman to execute Lease Agreement with Span Development, LLC, for warehouse space at 2909 S. Elm, Suite 105, Fresno, CA, effective September 1, 2021, not to exceed five consecutive years, which includes a two-year base contract and three optional one-year extensions, total not to exceed \$553,056

APPROVED AS RECOMMENDED

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

Agreement No. 21-397

Probation

30. Retroactively approve and authorize the Chief Probation Officer's previous submittal of a grant application for the State of California Office of Traffic Safety's Intensive Probation Supervision for High-Risk Felony and Repeat DUI-Offenders Program, to fund Probation's Repeat DUI caseload positions for the period of October 1, 2021 through September 30, 2022; and Approve and authorize the Chairman to execute a retroactive grant agreement, with the State of California Office of Traffic Safety (Grant Number AL22023) to provide Intensive Probation Supervision for High-Risk Felony and Repeat DUI-Offenders for the period of October 01, 2021 through September 30, 2022 (\$325,000)

APPROVED AS RECOMMENDED

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

Agreement No. 21-398

Public Health

31. Approve and authorize the Chairman to execute a retroactive award from the California Department of Public Health for Tuberculosis Control Local Assistance Base Award (\$342,571) and Food, Shelter, Incentives and Enablers Allotment (\$20,546), effective July 1, 2021 through June 30, 2022

APPROVED AS RECOMMENDED

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

Agreement No. 21-399

32. Approve and authorize the Chairman to execute Amendment to Revenue Agreement and Form 1229A to Agreement No. A-18-047 (State Agreement No. 17-10690, A02) with the California Department of Public Health, for the California Oral Health Program Local Oral Health Plan, effective upon execution with no change to the term of February 6, 2018 through June 30, 2022 and increasing the maximum by \$98,647 to a total of \$2,742,927; and approve and Authorize the Chairman to execute a retroactive Second Amendment to Agreement No. A-20-025 with the Fresno County Economic Opportunities Commission to continue the implementation of a school-based sealant program and modify the budget, effective upon execution with no change in the term of January 7, 2020 through June 30, 2022, or compensation maximum of \$520,000

APPROVED AS RECOMMENDED

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

Agreement No. 21-400, Agreement No. 21-401

Public Works and Planning

33. Adopt a Resolution authorizing Rescission of Agricultural Land Conservation Contract Nos. 1334 and 5961 and Simultaneous Entry into new Agricultural Land Conservation Contract Nos. 8338 and 8339, pursuant to Government Code Section 51257; and authorize Chairman to execute new Agricultural Land Conservation Contracts and allow for recordation of new Contracts following signature by the Chairman

APPROVED AS RECOMMENDED

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

Resolution No. 21-286

34. Approve and authorize Chairman to execute Exhibit 9-B Local Agency Disadvantaged Business Enterprise Annual Submittal Form with California Department of Transportation for Federal FY 2021-22; and authorize Director of Department of Public Works and Planning to execute future Local Agency Disadvantaged Business Enterprise Annual Submittal Forms on behalf of the County

APPROVED AS RECOMMENDED

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

Agreement No. 21-402

35. Adopt Resolution approving Measure C Extension Local Transportation Program Funds Claim for FY 2021-22; and approve and authorize Chairman to execute six Measure C Extension Local Transportation Pass Through Revenues Certification and Claims for FY 2021-22, certify that funds will not substitute property tax funds, which were previously used for local transportation purposes, and confirm County's intent to complete reporting requirements for prior year no later than November 15, 2021 (\$7,661,515)

APPROVED AS RECOMMENDED

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

Resolution No. 21-287, Agreement No. 21-403, Agreement No. 21-404, Agreement No. 21-405, Agreement No. 21-406, Agreement No. 21-407, Agreement No. 21-408

Social Services

36. Approve and authorize the Chairman to execute an Agreement to Apply with the California Business, Consumer Services and Housing Agency affirming the County's intent to submit a joint application for the Homeless Housing, Assistance and Prevention Program Round 3 Grant funding allocated to the County of Fresno and the Fresno Madera Continuum of Care

APPROVED AS RECOMMENDED

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

Agreement No. 21-409

37. Adopt Resolution approving the County of Fresno, through the Department of Social Services, to submit an application on behalf of the Fresno Madera Continuum of Care for 2021 Emergency Solutions Grant funding administered by the California Department of Housing and Community Development; and approve and authorize the Vice-Chairman to execute the Resolution as required by the California Department of Housing and Community Development

APPROVED AS RECOMMENDED

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

Resolution No. 21-288

- 38.** Authorize a waiver of the 28 hours per week and 960 hours per year maximum limitations for Extra-Help positions in the Department of Social Services as listed on Attachments A and B for calendar years 2021 and 2022, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

APPROVED AS RECOMMENDED

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