



# Board of Supervisors

## Agenda - Final-Revised

Hall of Records, Room 301  
2281 Tulare Street  
Fresno, California  
93721-2198  
Telephone: (559) 600-3529  
Toll Free: 1-800-742-1011  
[www.co.fresno.ca.us](http://www.co.fresno.ca.us)

*Buddy Mendes, 4th District, Chairman*  
*Steve Brandau, 2nd District, Vice-Chairman*  
*Brian Pacheco, 1st District*  
*Sal Quintero, 3rd 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, August 4, 2020

9:00 AM

Hall of Records

---

### **\*IMPORTANT NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19\***

Due to the current Shelter-in-Place Order covering the State of California and Social Distance Guidelines issued by Federal, State, and Local Authorities, the County is implementing the following changes for attendance and public comment at all Board of Supervisors meetings until notified otherwise. The Board chambers will be open to the public. Any member of the Board of Supervisors may participate from a remote location by teleconference pursuant to California Governor Gavin Newsom's Executive Order N-25-20.

- The meeting will be webcast. The public may observe the live stream of the Board of Supervisors Meeting at: <https://fresnocounty.Legistar.com>
- If you attend the Board of Supervisors meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals. Due to Shelter-in-Place Order requirements, the number of people in the Board of Supervisors Chambers will be limited. Members of the public who wish to make public comments will be allowed in on a rotating basis even if seating in the chambers is limited.
- If you choose not to attend the Board of Supervisors meeting but desire to make general public comment, or comment on a specific item on the agenda, you may do so as follows:

#### **Written Comments**

• Members of the public may submit written comments as follows: by email to [BOscomments@fresnocountyca.gov](mailto:BOscomments@fresnocountyca.gov), by mail or by hand delivery at the Clerk of the Board's office in the Hall of Records at the above address. Comments should be submitted as soon as possible but not later than 15 minutes before start of meeting. You will need to provide the following information:

- Board Meeting Date
- Item Number
- Comments

- Please submit a separate e-mail for each item you are commenting on.
- Please be aware that public comments received that do not specify a particular agenda item will be made part of the record of proceedings as a general public comment.
- If a written comment is received after the start of the meeting it will be made part of the record of proceedings, provided that such comments are received prior to the end of the Board meeting.
- Written comments will be provided to the Board members. Comments received during the meeting may not be distributed to Board members until after the meeting has concluded.

**PROGRAM ACCESSIBILITY AND ACCOMMODATIONS:** The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities.

Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Clerk of the Board of Supervisors staff, as soon as possible during office hours at (559) 600-3529, option 4 or at [Clerk/BOS@fresnocountyca.gov](mailto:Clerk/BOS@fresnocountyca.gov). Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

The Fresno County Board of Supervisors welcomes you to this meeting and encourages your participation. This agenda contains a brief general description of each item to be considered. The number of the item being heard is indicated on the Clerk's desk. Please see note below regarding consent agenda items. The Chairman will call for public testimony as each item is heard. For those who are present and wish to speak to an individual item please step to the podium during this time period and state your name for the record. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Presentation period at the end of the regular session.

All supporting documentation is available online at: <http://fresnocounty.legistar.com>.

**Invocation and Pledge of Allegiance**

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 22 - 55

*These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the Board Members and the public will be given the opportunity to remove any item from the Consent Calendar. Items removed from the Consent Calendar may be heard immediately following approval of this Consent Calendar or set aside until later in the day*

**Board of Supervisors**

3. Presentation of Retirement Plaque to Eric I. Shardlow - Department of Library - 30 Years of Service

**County Counsel**

4. Conduct first hearing to amend the Fresno County Ordinance Code, Title 2, Chapter 2.62 to add new section 2.62.040 "Campaign Contribution Limits," and to amend current section 2.62.055 "Penalty for violation," waive reading of the Ordinance in its entirety and set the second hearing for August 18, 2020; 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)

**Sheriff/Coroner/Public Administrator**

5. Approve and authorize the Chairman to execute Amendment II to Agreement No. A-18-169 with California Forensic Medical Group effective August 5, 2020 for additional medical services for jail inmates due to the COVID-19 pandemic with no change to the term of July 1, 2018 through June 30, 2023, and increasing the maximum by \$3,256,970 to a total of \$124,366,023

**Human Resources**

6. Make a finding that it is in the best interest of the County to suspend the competitive bidding process in an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property, consistent with Administrative Policy No. 34, for urgent and necessary COVID-19 testing at Fresno County Jail facilities; and approve and authorize the Chairman to execute an Agreement with Pinnacle Training Systems, LLC., to replace, restate, and supersede existing Purchase Order No. P02-0000020180, retroactive to that Purchase Order's effective date of July 9, 2020, and to provide urgent and necessary COVID-19 testing through December 30, 2020, total not to exceed \$2,665,600

7. Conduct first hearing to amend the County of Fresno Ordinance Code by amending Section 3.08.010 of Title 3, Chapter 3.08, related to unclassified service designations; waive the reading of the Ordinance in its entirety; and set second hearing for August 18, 2020; 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)

### **Public Works and Planning**

8. Conduct a majority protest hearing on a proposed standby charge assessment for water and sewer services in County Service Area No. 1, Tamarack Estates; and, if there is not a "majority protest" to the standby charge assessment, adopt Resolution approving and levying a standby charge assessment on real property under the Uniform Standby Charge Procedures Act for water and sewer services in County Service Area No. 1
9. Conduct a public hearing and adopt Resolution making required findings necessary to approve the vacation of certain road right-of-way of East Cole Avenue, that portion of East Cole Avenue as dedicated with Tract No. 3057 Book 38, Page 38-39 of Plats of Fresno County Records
10. Conduct public hearing and adopt Resolution making required findings necessary to approve the vacation of certain road right-of-way of South Barton Square (aka Calwa Alley), that portion of South Barton Square (aka Calwa Alley) lying to the East of the intersection of South Barton Square and East Barton Square and more accurately described as a portion of Lot 1 of Barton Addition to Calwa, in the County of Fresno, state of California, Recorded July 23, 1946, in Volume 13 of Maps at Page 5, Fresno County Records
11. Receive report and provide direction to staff regarding recommended amendments to the Fresno County Zoning Ordinance relating to urban residential fence standards; and if no action taken provide direction to staff regarding the continued suspension of code enforcement activities related to fence violations in the County's urban residential zoning districts

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

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

### **Board Appointments**

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

### **Public Presentations**

14. Public Presentations - This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda - Pursuant to Administrative Policy No. 29, presentations are limited to 3 minutes per person and no more than 15 minutes total per topic

**Closed Session**

*The public may comment on Closed Session items prior to the Board's recess to Closed Session*

15. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
16. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
17. Threat to public services or facilities – Government Code, Section 54957(a) – Consultation with Jean Rousseau, CAO and Emergency Services Director, Robert Bash, Director of ISD or Designee and David Pomaville, Director of Public Health or Designee
18. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - State of California ex rel. OnTheGo Wireless, LLC v. Cellco Partnership d/b/a Verizon Wireless, et al., Superior Court of the State of California for the County of Sacramento, Case No. 34-2012-00127517
19. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment
20. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - In re Apple Inc. Device Performance Litigation, United States District Court for the Northern District of California, Case No. 18-MD-2827-EJD
21. 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: Jean M. Rousseau or designee. Negotiating Parties: CMG, Inc. Under negotiations: Instructions to County's negotiator may concern sale, lease and escrow terms and conditions including price
- 21.1 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - County of Fresno v. Ralph Kazarian Jr., Trustee of the Sadie Saghatelian GST-Exempt Trust, et al. Case No. 17CECG03366
- 21.2 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Fresno Superior Court County of Fresno v. R.K. Ltd., a California Limited Partnership, et al. Case No. 17CECG03254

**Adjourn****NEXT MEETINGS:**

*August 18, 2020 - 9:00 AM*

*September 1, 2020 - 9:00 AM*

**CONSENT AGENDA**

*(Any Board Member may pull any consent item for discussion or separate vote)*

**Board of Supervisors**

22. Approve minutes of meeting for July 7, 2020, and July 28, 2020 Workshop

**Chairman Mendes**

23. Proclaim the week of July 19 - 25, 2020 as Pretrial, Probation and Parole Supervision Week in Fresno County

**Supervisor Pacheco**

24. Adjourn in Memory of Anthony White
25. Adjourn in Memory of George Kenneson

**Supervisor Quintero**

26. Adjourn in Memory of Robert "Bobby Magic" Boyajian, long time business entrepreneur
27. Adjourn in Memory of Maria Else, community activist

**Administrative Office**

28. Adopt Resolution designating the Fresno Arts Council to serve as the County of Fresno's local partner with the California Arts Council for FY 2020-21
29. 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
30. Approve Plan of Action for Countywide Americans with Disabilities Transition Plan Development

**Behavioral Health**

31. Approve and authorize the Chairman to execute retroactive Amendment I to Agreement 19-291 with Health Career Connection for a healthcare management student internship program, effective June 1, 2020 with no change to the term of July 1, 2019 through June 30, 2022 (\$0)

32. Approve and authorize the Chairman to execute Agreement No. 19MHSOAC052 with the California State Mental Health Services Oversight and Accountability Commission for receipt of awarded competitive grant funds to Fresno County that will allow expansion of school-based mental health and prevention and early intervention services, effective September 1, 2020 through August 31, 2024, not to exceed \$6,000,000
33. Approve and authorize the Chairman to execute a retroactive Agreement with Reading and Beyond, Inc. for the provision of family advocacy services, effective March 24, 2020 through June 30, 2025, which includes a three-year and three-month base contract and two optional one-year extensions, total not to exceed \$1,294,694

### **Human Resources**

34. Adopt Resolution implementing amendments to the County of Fresno 457(b) Deferred Compensation Plan related to the Coronavirus Aid, Relief, and Economic Security (CARES) Act
35. Adopt Resolutions Rejecting Claims for Damages

### **Internal Services**

36. Approve and authorize the Chairman to execute an Option and Lease Agreement with Central Valley Independent Network, LLC dba VAST Networks, for use of county-owned property on the northeast corner of East Jensen and the Fowler Switch Canal for an Option Term of six months, and if the Option to Lease is exercised, the initial term of the lease will be fifteen years, with an option to extend for three additional five-year terms (\$500)
37. Conduct second hearing on and adopt the Master Schedule of Fees, Charges, and Recovered Costs Section 4300 - Information Technology Services, by deleting subsections 4306 - LAN Admin, 4307 - Device Admin, 4311 - I-Net Line, 4312 - I-Net Logon, and 4319 - Virtual Desktop Infrastructure, adding 4330 - Active User, and amending 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, and 4329 - Color Copy; and waive the reading of the Ordinance in its entirety
38. Conduct second hearing on and adopt the Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Section 3800 - General Services, subsections 3804 - Badge Identification, 3809 - Fleet Labor, 3810 - Motor Pool, 3811 - Fuel Tank Inspection, 3812 - Building Maintenance Labor and 3813 - Janitorial Labor; and waive the reading of the Ordinance in its entirety

39. Approve and authorize the Chairman to execute an Assignment of Agreement No. 16-154-1 from Valley Petroleum & Lift, Inc. to Central Cal Services, Inc. for fuel site repair, maintenance, and inspection services, effective upon execution
40. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Rimini Street, Inc. (Rimini) is the only third-party vendor that will provide support of Oracle Peoplesoft, Database, and Technology licenses for custom Fresno County code; and, approve and authorize the Chairman to execute an Agreement with Rimini to provide maintenance and support for Oracle Peoplesoft, Database, and Technology licenses, effective upon execution through December 31, 2023, total not to exceed \$3,152,741

### **Probation**

41. Approve and Authorize the Chairman to execute an Agreement with Turning Point of Central California, Inc. for evidence-based case management services, effective upon execution, not to exceed four consecutive years, which includes a three-year base contract, and an optional one-year extension, total not to exceed \$1,474,092
42. 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 for the solicitation of data analysis and detail program evaluation for the Probation Department; and approve and authorize the Chairman to execute an Agreement with California State University, Fresno Foundation for data analysis and detailed evaluation of the Adult Reentry Planning Program, effective upon execution not to exceed three consecutive years, total not to exceed \$156,846

### **Public Health**

43. Approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Public Health for core sexually transmitted disease prevention program management, effective July 1, 2019 through June 30, 2024 (\$1,260,910); and approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Public Health for a sexually transmitted disease prevention collaboration program, effective July 1, 2019 through June 30, 2024 (\$972,755)
44. Approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Public Health for the AIDS Drug Assistance Program, effective July 1, 2020 through June 30, 2023 (\$5,000); and authorize assigned Department staff to execute Exhibit L, Agreement by Employee/Contractor to Comply with Confidentiality Requirements
45. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Emergency Medical Services Authority, for multi-county emergency medical services coordination, effective July 1, 2020 through June 30, 2021 (\$405,921)

46. Approve Amendment to the Salary Resolution adding 10 Communicable Disease Specialist I/II positions to the Public Health's Org 5620, effective August 10, 2020, as reflected in Appendix D

### **Public Works and Planning**

47. Approve and authorize Chairman to execute Amendment II to Agreement No. 18-561 with the City of Kerman for the Kerman Stanislaus Avenue Park Development, Community Development Block Grant Project No. 17371, effective upon execution with no change in the term to February 26, 2021 and increasing the maximum by \$131,963 to a total of \$698,007
48. Approve and authorize Chairman to execute Amendment I to Agreement No. 20-042 with the City of Fowler for the Fowler Panzak Park ADA Restroom, Community Development Block Grant Project No. 19231, effective upon execution with no change in the term to March 12, 2021 and increasing the maximum by \$47,614 to a total of \$164,058
49. Approve and authorize Chairman to execute Amendment I to Agreement No. 19-597 with the City of Kingsburg for the Kingsburg Senior Center Improvements, Community Development Block Grant Project No. 19391, effective upon execution, with no change in the term to January 8, 2021 and increasing the maximum by \$89,372 to a total of \$279,332
50. Approve and authorize Chairman to execute the First Amendment to Agreement No. 14-736 with Kitchell CEM, Inc., for construction management services for West Annex Jail (WAJ), currently under construction, effective upon execution with no change in term and increasing the extra services allocation by \$579,739 to \$1,656,134, which will increase the total maximum compensation amount to \$5,379,986
51. Adopt Resolution designating the intersection of American Avenue and Cedar Avenue an all-way stop

### **Social Services**

52. Make a finding that is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for contracts with a federal, state, or local governmental agency; and, approve and authorize the Chairman to execute a retroactive Memorandum of Understanding with the California VACS Association for shared ongoing software maintenance, system enhancements, and telephone support with member counties for the Ventura Automated Collection System, effective July 1, 2020 through June 30, 2021, total not to exceed \$13,210
53. Approve and authorize the Chairman to approve the California - Child and Family Services Review Fresno County System Improvement Plan for the period of December 27, 2019 to December 26, 2024; and, approve and authorize the Chairman to execute the notice of County's intent to meet assurances for the Child Abuse Prevention, Intervention and Treatment, Community Based Child Abuse Prevention, and Promoting Safe and Stable Families funds will be used as outlined in state and federal statute

54. Approve Without Cause Termination of Agreement No. 18-701 with DNA Diagnostics Center, Inc.; and, approve and authorize the Director of the Department of Social Services to give 30 days prior written notice to DNA Diagnostics Center, Inc. terminating Agreement No. 18-701 pursuant to the Without Cause provisions within the agreement effective September 4, 2020
  
55. Approve and authorize the Chairman to execute the Opt-In Letter to the California Complete Count - Census 2020 Office for an additional allocation of \$100,000 for county outreach activities to promote participation in the 2020 Census; and, approve and authorize the Chairman to execute Amendment No. 2 to the Census 2020 Standard Agreement No. 19-111 with California Complete Count - Census 2020 Office for county outreach activities to promote participation in the 2020 Census, effective upon execution through December 31, 2020 (\$1,345,793)