



Board of Supervisors

Agenda - Final

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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, November 7, 2023

9:30 AM

Hall of Records

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 ClerkBOS@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 for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Records building, 2281 Tulare Street, Room 301, Fresno, 93721, during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday. Agenda items are also available online at: <http://fresnocounty.legistar.com>.

Roll Call**Invocation and Pledge of Allegiance**

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 28-63

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 Bruce Roberts - Sheriff's Office - 31 Years of Service

Chairman Quintero

4. Adopt Proclamation recognizing Veterans Day
5. Proclaim November 15, 2023 as Geographic Information Systems (GIS) Day

Supervisor Pacheco

6. Proclaim November 2023 "Prematurity Awareness Month" in the County of Fresno

Supervisor Magsig

7. Proclaim November 2023 as National Adoption Month in the County of Fresno
8. Receive verbal presentation by the Sierra Resource Conservation District

Administrative Office

9. Receive verbal update on Measure C and provide direction to staff

Supervisor Brandau

10. Adopt a Resolution establishing a "Parents Matter" approach to reviewing age-appropriate children's books in Fresno County Libraries; and Direct staff to return to the board within 90 days with bylaws for implementation of Community Parent and Guardian Review Committee

County Clerk/Registrar of Voters

11. Consider and take action on one of the following options: Option 1: Approve and authorize the Chairman to execute an Agreement with Integrated Voting Systems, Inc., dba Integrated Voting Solutions, for ballot printing, vote by mail processing, vote by mail envelopes, and other mailer services, effective November 7, 2023 to June 30, 2024, not to exceed \$1,645,000; or Option 2: Approve and authorize the Chairman to execute an Agreement with Pro Document Solutions, Inc., dba ProVoteSolutions, for ballot printing, vote by mail processing, vote by mail envelopes, and other mailer services, effective November 7, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$8,000,000

Administrative Office

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

Human Resources

13. Approve a salary adjustment of 5% for Unrepresented (including confidential classifications covered by Footnote "y"), Management, Senior Management, Senior Management Supervisors, Assistant or Deputy Department Heads, Department Heads (excluding the Public Defender and Elected Officials), and Extra-Help classifications within U98 (as outlined in Salary Resolution Section 100), effective November 13, 2023, as reflected on Appendix "C"

Public Works and Planning

14. Adopt a Resolution approving the Stamoules Airport Plan for Construction pursuant to California Public Utilities Code Section 21661.5 to allow development of a private airport on a portion of a 493.34-acre parcel located approximately one half-mile northeast of the intersection of W. California Avenue and S. Lyon Avenue, and approximately four miles southwest of the nearest city limits of the City of Mendota (APN: 019-040-28S) (904 S. Lyon Avenue)

15. Conduct first hearing on an Ordinance amending the Ordinance Code of Fresno County, Chapter 2.52 - Department of Public Works and Planning to update Paragraph N to Section 2.52.040 - Duties of Director of Public Works and Planning, to continue to delegate certain authority to the Director of the Department of Public Works and Planning to acquire, on behalf of the Board, subject to approval of County Counsel as to legal form and as to accounting form by the Auditor-Controller/Treasurer-Tax Collector, any interest in any real property necessary for certain transportation projects and for certain non-transportation projects for which the Board has expressly authorized funding or has otherwise expressly approved the project; waive reading of the proposed Ordinance in its entirety; set the second hearing for November 28, 2023; and 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)
16. Consider petition for partial cancellation of Agricultural Land Conservation Contract No. 152 filed by Dale G. Mell on behalf of Patrick W. Sample and Georgia J. Sample family Trust to remove a 2.41-acre portion of a 42.93-acre parcel from Williamson Act contract to allow creation of a 2.41-acre homesite exception parcel for residential use; and if your Board is able to make all five required findings listed under Government Code, Section 51282(b), take following actions: adopt Negative Declaration prepared for Initial Study 8242; and adopt Resolution authorizing partial cancellation of Agricultural Land Conservation Contract No.152; and 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 nearest city limits of City of Clovis (18613 Watts Valley Road) (APN: 158-021-61))
17. Adopt Third Amendment to extend the Interim Urgency Ordinance pursuant to Government Code Section 25123(d) and 25131 authorizing the occupation of temporary housing (including recreational vehicles, travel trailers, and tiny houses) by individuals displaced as a result of Creek Fire disaster from December 31, 2023, to December 31, 2025 (4/5 vote)

Board of Supervisors' Committee Reports and Comments

18. 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)

Board Appointments

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

Public Presentations

20. 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

Closed Session

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

21. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
22. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
23. 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
24. Conference with Real Property Negotiators - Government Code, Section 54956.8; Property: Building located at 3002 N Cedar Ave, Fresno, CA 93703; County Negotiator: Paul Nerland, County Administrative Officer or designee. Negotiating Parties: Sokhom Phorth & Amy Chung, Instructions to County's negotiator may concern sale and lease terms and conditions including price
25. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - County of Fresno v. State of California, et al., Fresno County Superior Court Case No. 23CECG01368
26. Conference with legal counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Stephen Wilkins: ADJ12297349
- 26.1 Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - County of Fresno v. Gary Bredefeld, et al., Fresno County Superior Court Case No. 23CECG00814

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

27. 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

Adjourn**NEXT MEETINGS:**

November 28, 2023 - 9:30 A.M.

December 12, 2023 - 9:30 A.M.

CONSENT AGENDA

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

Board of Supervisors

28. Approve minutes for October 24, 2023
29. Approve amendments to Conflict of Interest Code for School of Unlimited Learning

Chairman Quintero

30. Proclaim November 25, 2023 as Small Business Saturday
31. Adjourn in Memory of Colonel Thai C. Vang

Supervisor Magsig

32. Adopt a Resolution recognizing Stan Oken for receiving the 2023 Leader for America Award

County Clerk/Registrar of Voters

33. Consider and appoint candidate Joshua P. Viau to the Freewater County Water District Board of Directors to a term set to expire December 3, 2027

District Attorney

34. Approve and authorize the Chairman to execute First Amendment to Agreement A-22-449 with Univision Television Group, Inc. to continue the Fentanyl Awareness advertising campaign, effective upon execution with no change in the term through September 19, 2025, with two optional one-year extensions, amending the scope of services and increasing the maximum compensation amount by \$100,000, to a total of \$150,000

Sheriff/Coroner/Public Administrator

35. Authorize a waiver of the 28 hours per week and/or 960 hours per calendar year maximum hours limitation for the Extra-Help position listed on Attachment A in the Sheriff's Office, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240
36. Approve Salary Resolution Amendment adding one (1) Financial Analyst I/II/III position, and adding two Program Technician I/II - Confidential, one Supervising Program Technician - Confidential, while deleting three vacant Office Assistant I/II - Confidential and one Supervising Program Technician with no net increase in positions for the Sheriff-Coroner-Public Administrator's Office, effective November 13, 2023, as reflected in Appendix D

County Counsel

37. Conduct second hearing and adopt an Ordinance calling for a special election to be held on March 5, 2024, for the purpose of submitting to the voters of the County a measure to amend Section 15 of the Fresno County Charter related to the election date and term of office of the County's elective officers, and directing the consolidation of the special election with the Statewide Primary Election to be held on the same day; and waive reading of the Ordinance in its entirety
38. Conduct second hearing and adopt an Ordinance calling for a special election to be held on March 5, 2024, for the purpose of submitting to the voters of the County a measure to amend Section 12 of the Fresno County Charter related to the Board's duties and powers, and directing the consolidation of the special election with the Statewide Primary Election to be held on the same day; and waive reading of the Ordinance in its entirety

Administrative Office

39. Retroactively receive the Fresno County Public Law Library Annual Reports for the Fiscal Years Ending June 30, 2021 and June 30, 2022
40. Adopt Resolution proclaiming continuation of the local emergency status relating to the Winter Storms and request that the Governor continue to provide resources and support to recover from this event
41. Adopt Resolution proclaiming continuation of the local emergency status relating to the February 2023 Winter Storms and request that the Governor provide resources and support to mitigate and recover from the event
42. 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

43. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) with the Fresno City & County Historical Society (Subrecipient) in the amount of \$514,725, to help fund needed facility repairs and improvements to the learning spaces at the Kearney Mansion Museum & Gallery so that Subrecipient may safely reinstate in-person academic programs that benefit students, history researchers, and Kearney Park visitors, which is responsive to the negative social and economic impacts exacerbated by pandemic due to the required closures to indoor activities to contain the spread of COVID-19; and Authorize the County Administrative Officer, or designee to approve and execute written changes to line items in the project budget, which, when added together during the term of the Agreement do not exceed ten percent (10%) of the total maximum compensation payable to Subrecipient, and which do not result in any change to the maximum compensation amount payable to Subrecipient

Behavioral Health

44. Retroactively approve and authorize the Department of Behavioral Health, Sheriff-Coroner-Public Administrator and Probation's previous submittals of a grant application to the California Department of Health Care Services for the Providing Access and Transforming Health Justice-Involved Capacity Building Program Round 3 Grant related to the implementation of the Statewide California Advancing and Innovating Medi-Cal Initiative; and receive award letter and authorize the Director of Behavioral Health or designee, the Sheriff-Coroner-Public Administrator or designee, and Chief Probation Officer or designee, to electronically sign and submit the Acknowledgement of Grant Terms and Conditions form, and execute any documents necessary with DHCS to accept and collect the grant in the amount of a. Sheriff-Coroner-Public Administrator: \$5,000,000, b. Probation: \$2,500,000, c. Department of Behavioral Health: \$1,984,121
45. Approve and authorize the Chairman to execute Amendment III to Master Agreement for Locum Tenens Services to add Lavaca Street Ventures, LLC and Orbit Health, A Professional Corporation and their rates as contractors, with no change to term of May 7, 2019 through June 30, 2025, or compensation maximum of \$51,500,000; and approve and authorize the Chairman to execute Amendment III to Master Agreement for Telemedicine Services to add Lavaca Street Ventures, LLC and Orbit Health, A Professional Corporation and their rates as contractors, with no change to term of January 7, 2020 through June 30, 2025, or compensation maximum of \$40,863,680
46. Approve and authorize the County Behavioral Health Director/Alcohol and Other Drug Program Administrator to execute Amendment A02 to Agreement with the California Department of Health Care Services (State No. 21-10028), to revise several agreement exhibits to align with State requirements related to the CalAIM initiative including required certifications, effective upon execution by the State, with no change to the term of July 1, 2021 through June 30, 2024 or compensation maximum of \$209,216,883

47. Approve and authorize the Chairman to execute a retroactive Agreement with Central Star Behavioral Health, Inc. for operation of the 24/7 Youth Psychiatric Health Facility, effective July 1, 2023, not to exceed two consecutive years, which includes a one-year base contract and one optional one-year extension, total not to exceed \$11,713,393; approve and authorize the Chairman to execute a retroactive Agreement with Kings View, Poverello House, and Centro La Familia Advocacy Services for Multi-Agency Access Program (MAP) services, effective July 1, 2023, not to exceed a one-year contract term, total not to exceed \$900,000; approve and authorize the Chairman to execute a retroactive Agreement with University of California, San Francisco (UCSF) for psychiatric residency services, effective July 1, 2023, not to exceed two consecutive years, which includes a one-year base contract and one optional one-year extension, total not to exceed \$895,555; approve and authorize the Chairman to execute a retroactive Memorandum of Understanding with UP Holdings California, LLC for identification, application, and development of permanent supportive housing services utilizing the No Place Like Home Program, effective July 1, 2023, not to exceed a one-year contract term (\$0); and approve and authorize the Chairman to execute a retroactive Amendment with Mental Health Systems, Inc. dba Turn Behavioral Health Service, for mental health and substance use disorder (SUD) services full service partnership (FSP) program, effective July 1, 2023, not to exceed two consecutive years, which includes a one-year base contract and one optional one-year extension, total not to exceed \$1,331,892

Human Resources

48. Adopt a Resolution amending and restating the Cafeteria Plan for the Employees of County of Fresno
49. Approve Amendment to the Salary Resolution creating the Financial Program Manager classification as reflected on Appendix "B", effective November 13, 2023; and approve Amendment to the Salary Resolution deleting one Business Systems Analyst position and adding one Financial Program Manager position in Org 8905, as reflected on Appendix "B", effective November 13, 2023
50. Adopt Resolution Rejecting Claim for Damages
51. Approve Salary Resolution Amendment reclassifying one (1) Senior Staff Analyst in the Sheriff's Office Org 3111 upwards to a Sheriff's Human Resources Manager, with no change to Senior Staff Analyst position allocations, effective November 13, 2023, as reflected on Appendix "A"

Internal Services

52. Approve reclassification of FY 2022-23 Internal Services Department - Information Technology Org 8905, Facility Services Org 8935, and Security Org 8970 expenditures determined to be Capital Assets as identified on Exhibits A, B, and C pursuant to County Administrative Office Management Directive 400 - Property and Equipment

53. Approve and authorize the Chairman to execute an Agreement with EMTS, Inc. dba Elite Maintenance and Tree Services, for landscape maintenance services, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$3,100,000; and Authorize the Director of Internal Services/Chief Information Officer, or his or her designee, to add and/or remove County service locations and adjust the frequency of services, pursuant to the methodology described in the recommended Agreement and as operational needs require, with no change to the maximum compensation

Probation

54. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Reedley to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2023 through June 30, 2024 (\$198,996)
55. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Selma to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2023 through June 30, 2024 (\$262,392)
56. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Sanger to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2023 through June 30, 2024 (\$242,935)
57. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Kerman to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2023 through June 30, 2024 (\$158,340)
58. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Kingsburg to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2023 through June 30, 2024 (\$182,834)
59. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Clovis to assign a sworn Police Officer and one Crime Specialist and to provide payment for training to the Public Safety Realignment Adult Compliance Team, effective July 1, 2023 through June 30, 2024 (\$592,835)

Public Health

60. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with California State University, Fresno as it is a State governmental agency and the only option open and available for these services to students on campus; and approve and authorize the Chairman to execute an Agreement with California State University, Fresno, for the provision of Sexually Transmitted Infection screening and treatment services, effective upon execution through June 30, 2028, which includes two optional one-year extensions, total not to exceed \$500,000
61. Approve and authorize the Chairman to ratify a Provider Participation Agreement with the California Department of Public Health provided through the California Bridge Access Program to order and receive COVID-19 vaccines at no cost, previously executed on September 20, 2023 by the Director of the Department of Public Health, effective September 20, 2023 through December 31, 2024 (\$0); and authorize the Director of the Department of Public Health or designee to sign for any future agreements related to the California Bridge Access Program for COVID-19 vaccines at any time during the term of the recommended agreement

Public Works and Planning

62. Authorize County of Fresno to participate in a proposed multijurisdictional Compost Rebate Program, and act as the lead agency in administering program on behalf of 15 incorporated cities under Assembly Bill 939 Memorandum of Understanding Agreement; and approve Template for Compost Rebate Program Procurement Agreement which authorizes payment to Direct Service Providers who procure compost from designated facilities in accordance with Senate Bill 1383; and authorize Director of Public Works and Planning and/or his designee(s) to execute the Agreement effective upon execution through calendar year December 31, 2023; renewing annually and remaining open until Assembly Bill 939 Memorandum of Understanding Committee or County of Fresno notifies cessation of Compost Rebate Program
63. Approve and authorize Chairman to execute Agreement with the City of Reedley for the Reedley North Avenue Improvements, Community Development Block Grant Project No. 23571, effective upon execution through February 10, 2025, and authorizing the Director of Public Works and Planning to evaluate and grant timeline extensions for completion of the Project, total Community Development Block Grant funding amount not to exceed \$254,022