



Board of Supervisors

Agenda - Final-Revised

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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 18, 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 BOSScomments@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. 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 17 - 46

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 Della Damian - Department of Social Services - 20 Years of Service

Supervisor Brandau

4. Presentation of the Recycler of the Year Award

Supervisor Pacheco

5. Review, discuss, and provide direction to staff regarding a proposal and possible contract with Centro La Familia for a housing retention program with an emphasis on essential agriculture workers, total not to exceed \$250,000; and Review, discuss, and provide direction to staff regarding a proposal and possible contract with the Fresno-Area Hispanic Foundation for grants for small businesses with an emphasis on minority and women owned small businesses, total not to exceed \$250,000

Public Works and Planning

6. Consider and approve Resolution adopting a Countywide Policy addressing Encroachments in the County Right-of-Way and making certain delegations of authority relative to Encroachments to the Director of Public Works and Planning, or designee

Public Health

7. Presentation by Public Health, Behavioral Health and Department of Social Services Regarding COVID-19 Response

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)

Board Appointments

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

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

Closed Session

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

11. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
12. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
13. 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
14. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Jami Lucas v. County of Fresno, et al., Eastern District Court Case No.: 1:18-CV-01488-DAD-EPG; Risk Management Claim No.: 9968
15. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Anthony Perez, et al., v. County of Fresno, et al., Eastern District Court Case No.: 1:18-CV-00127-AWI - EPG; Risk Management Claim No.: 9766
16. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Carlos Herrera, et al., v. County of Fresno, et al., Eastern District Court Case No.: 1:18-CV-01297-AWI - EPG; Risk Management Claim No.: 9886
- 16.1 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

Adjourn**NEXT MEETINGS:**

*September 1, 2020 - 9:00 AM
Budget Hearings September 14 - 18, 2020
September 22, 2020 - 9:00 AM*

CONSENT AGENDA

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

Board of Supervisors

17. Approve minutes of meeting for August 4, 2020

Chairman Mendes

18. Adjourn in Memory of John "Jack" Woolf, a 102 year old Fresno County farming pioneer who played a major role in the development of farming on the west side of the Valley and was the founder of Woolf Farms

Supervisor Pacheco

19. Adjourn in Memory of Manjit Singh who sacrificed his life on the Kings River to save three children from drowning

Supervisor Quintero

20. Adjourn in Memory of Nicolas Frank Pantaleo, local business entrepreneur
21. Adjourn in Memory of Peter Hanoian III (Junior), local business owner

District Attorney

22. Approve and authorize Chairman to execute an Equitable Sharing Agreement with the Federal Government authorizing the District Attorney's Office to participate in the Federal Equitable Sharing Program from September 1, 2020 through August 31, 2021, and certifying as to funds received and expended during FY 2019-20; and Authorize the District Attorney to submit the Equitable Sharing Agreement and Certification and any and all "Applications for Transfer of Federally Forfeited Property (Form DAG-71)" as appropriate, and any related documents, as necessary, and designate a department employee to accept forfeited property, transfer documents, and/or receive funds

Sheriff/Coroner/Public Administrator

23. Approve and authorize the Chairman and the Sheriff to execute an Equitable Sharing Agreement with the Federal Government authorizing the Sheriff's Office to participate in the Federal Equitable Sharing Program from September 1, 2020 through August 31, 2021 and certifying as to funds received and expended during FY 2019-20; and authorize the Sheriff to submit Equitable Sharing Agreement and Certification and any and all "Applications for Transfer of Federally Forfeited Property (DAG-71)" as appropriate and authorize the Sheriff to designate a Sheriff employee to accept forfeited property, transfer documents, and/or receive money

Behavioral Health

24. Approve and authorize the Chairman to execute Amendment III to Agreement A-16-432 with LPC Consulting Services Inc., to modify and expand Substance Use Disorder Prevention Evaluation and Strategic Prevention Planning services extending the term by one year from January 1, 2021 to December 31, 2021 and increasing the maximum by \$105,000 to a total of \$540,000
25. Approve and authorize the Chairman to execute a retroactive Agreement with Mental Health Systems for master lease housing services to Department of Behavioral Health permanent supportive housing tenants for transition costs, effective May 1, 2020, eliminating the optional two one-year renewals of Agreement No. 17-145 for new term of May 1, 2017 through June 30, 2020 and decreasing the maximum by \$1,755,731 to a total of \$2,698,613; make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy Number 34 for unusual or extraordinary circumstances as RH Community Builders is the owner of the housing units where the Department of Behavioral Health permanent supportive housing tenants reside; and, approve and authorize the Chairman to execute a retroactive Agreement with RH Community Builders to provide tenant lease and property management services for Department of Behavioral Health permanent supportive housing tenants, effective July 1, 2020 through June 30, 2022, which includes a one-year base contract and an optional one-year extension, total not to exceed \$2,073,416
26. Approve and authorize the Chairman to execute a retroactive Application / Agreement with the California Department of Health Care Services for the Federal Stewart B. McKinney Homeless Block Grant, through the McKinney Projects for Assistance in Transition from Homelessness Grant, effective July 1, 2020 through June 30, 2021 (\$422,910); the Director of the Department of Behavioral Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated grant agreement documents, expenditure forms, reports or modifications that do not exceed 10% of the maximum compensation; and, the Chairman to execute retroactive Amendment IV to Agreement No. A-15-257 with Kings View Corporation for the Projects for Assistance in Transition from Homelessness Program to extend the deadline for expenditure of the Homeless Mentally Ill Outreach and Treatment grant funding from June 30, 2020 to August 31, 2020 and add a Mobile Outreach Project component using one-time Community Development Block Grant-Coronavirus funding, increasing the maximum by \$279,613 to a total of \$4,578,437

27. 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 under the “unusual or extraordinary circumstances” provision for the selection of this vendor to as the Regents of the University of California on behalf of the University of California, San Francisco - Fresno, Medical Education Program is the only accredited University in Fresno County eligible to provide psychiatric residents; and, approve and authorize the Chairman to execute a retroactive Agreement with the Regents of the University of California on behalf of the University of California, San Francisco (UCSF) - Fresno, Medical Education Program for psychiatric resident services provided at the Department of Behavioral Health facilities effective July 1, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,113,768.28

County Counsel

28. Conduct second 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,' and waive reading of the Ordinance in its entirety

Human Resources

29. Conduct second hearing and adopt an Ordinance 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; and waive the reading of the Ordinance in its entirety
30. Approve the Addendum to Memorandum of Understanding that extends the term of the Memorandum of Understanding for Representation Unit 1, Law Enforcement Personnel, represented by the Fresno Deputy Sheriff's Association, through October 31, 2021; Approve the Addendum to Memorandum of Understanding for Representation Unit 1 regarding County Health Premium Contributions for plan year 2021, effective December 14, 2020

Internal Services

31. Approve and authorize the Chairman to execute a retroactive License Agreement with the City of Madera for a communication equipment site located at 325 South D Street, Madera, CA 93638, effective July 1, 2020, not to exceed 15 consecutive years, which includes a five-year base contract with two optional five-year extensions, total not to exceed \$50,000; and, Delegate authority to the County Administrative Officer, or his designee, to execute and deliver written notice pursuant to the License Agreement, and to amend the license fee schedule, as needed, to support radio operations

32. Approve and authorize the Director of Internal Services/Chief Information Officer to execute Subordination, Non-disturbance and Attornment Agreement and Estoppel Certificate regarding Lease AGT 17-644/L-327 with Wells Fargo Trust Company, National Association and Pontiac 3 & 5, LLC, a California limited liability company, owner of facilities located at 200 W. Pontiac, Clovis, CA 93612, for a financial transaction between the property owner and Wells Fargo Trust Company, National Association; and, Authorize the Director of Internal Services/Chief Information Officer to approve and execute future Subordination, Non-disturbance and Attornment Agreements and Estoppel Certificates as requested by the Lessor for Lease AGT 17-644/L-327, subject to approval as to legal form by County Counsel

Probation

33. Approve and Authorize the Chairman to execute an Agreement with Justice System Partners to provide full implementation services of an evidence-based court assessment tool 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 \$350,000
34. Approve and authorize the Chairman to execute Equitable Sharing Agreement with the Federal Government authorizing the Probation Department to participate in the Federal Equitable Sharing Program from September 1, 2020 through August 31, 2021, and certifying as to funds received and expended during FY 2019-20; and authorize the Chief Probation Officer to submit the Equitable Sharing Agreement and Certification and any and all "Application for Transfer of Federally Forfeited Property (Form DAG-71)," and other required documents, as appropriate, and authorize the Chief Probation Officer to designate a department employee to accept forfeited property, transfer documents, and/or receive money
35. Approve and authorize Chairman to execute a retroactive revenue Agreement with the Kings Canyon School District to provide partial funding for services provided by two Deputy Probation Officers assigned to Kings Canyon Unified School District campuses, effective July 1, 2020, not to exceed five consecutive years, which includes a one-year base contract and four optional one-year extensions, total not to exceed \$375,000

Public Health

36. Retroactively ratify the Memorandum of Understanding (MOU) with the University of California San Francisco (UCSF) for provision of testing services in support of the COVID-19 Public Health Emergency previously executed by the County Administrative Officer, acting as Emergency Services Director, effective May 18, 2020 through July 31, 2020; retroactively ratify the data use agreement with the California Department of Public Health (CDPH) for use of its CalConnect System previously executed by the County Administrative Officer, acting as Emergency Services Director, effective June 17, 2020 through June 16, 2023; and Retroactively ratify the revenue Agreement with the State of California Emergency Medical Services Authority, for designation of the Fresno County Emergency Medical Services as the Regional Transfer Center for Ambulance Transports to Alternate Care Sites previously executed by the County Administrative Officer, acting as Emergency Services Director, effective July 1, 2020 through June 30, 2021 (\$150,000)

37. Adopt Resolution accepting and expressing gratitude for a monetary donation of \$500,000 from CalViva Health to the County of Fresno, Department of Public Health to support COVID19 activities aimed at outreach and promoting access to testing in under served communities

Public Works and Planning

38. Approve and authorize Chairman to execute an Agreement with Habitat for Humanity Fresno, Inc. for HOME Investment Partnerships Program funds for development of the Country Meadows II Project, an affordable housing project in the unincorporated community of Riverdale, California (\$450,000); and, authorize Director of the Department of Public Works and Planning, or designee, upon review and approval by County Counsel as to legal form, to execute all loan and related necessary documents for the Country Meadows II Project, including any amendments thereto, as shall be necessary for the purpose of developing the Project
39. Conduct second hearing on and adopt an Ordinance to amend Chapter 11.24 - Speed Limits of Fresno County Ordinance Code, Sections 11.24.040 through 11.24.090, to reflect various changes to Ordinance Code as a result of recent traffic studies; and waive the reading of the Ordinance in its entirety
40. Adopt an Amended and Restated Resolution authorizing the Department of Public Works and Planning to submit the Permanent Local Housing Allocation Plan and a grant application to the California Department of Housing and Community Development for Senate Bill 2 Permanent Local Housing Allocation, which specifies that the use of the grant funds is for multi-family developments, the duration of the Allocation Plan is five-years, and that the public comment period was from May 22, 2020 to June 23, 2020
41. Approve request by City of Clovis to acquire right-of-way, excluding eminent domain condemnation actions, from parcels adjacent to existing County right-of-way in an identified unincorporated area of the County as needed in conjunction with the City's development of a traffic signal and intersection improvements at the intersection of E. Shepherd Avenue and N. Sunnyside Avenue in conjunction with the development of City of Clovis Tract Map No. 6200
42. Approve City of Fresno's request to acquire a water line easement and a public road easement on a parcel of land owned by County of Fresno at the University Medical Center campus and intersection of E. Kings Canyon Road and S. Chance Avenue, as needed for a preexisting City water line and road; and, approve and authorize Internal Services to execute the easements on behalf of the County of Fresno to the City of Fresno (\$0)

Social Services

43. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Veterans Affairs for Proposition 63 Mental Health Services Act funding for the Fresno County Department of Social Services - Veterans Services Office, effective July 1, 2020 through June 30, 2022 (\$94,420)

44. Approve and authorize the Clerk of the Board to Execute Budget Transfer No. 29 transferring FY 2019-20 appropriations within the Department of Social Services Organization 56107001 from account 7295 (Professional & Specialized Services) to account 8300 (Equipment) in the amount of \$6,720
45. Approve and authorize the Chairman to execute a retroactive Amendment I to Agreement No. 20-198 with Selma Community Outreach Ministries for homeless shelter services in eastern Fresno County in response to the COVID-19 pandemic to increase shelter, meals and security services, with no change to the term of May 8, 2020 through January 3, 2021 and increasing the maximum by \$251,728 to a total of \$781,400.
46. Retroactively authorize the Department of Social Services joint submittal with RH Community Builders of a grant to California Department of Housing and Community Development for Homekey Program to purchase, rehabilitate, and convert a hotel into long-term housing (\$13,500,000); and, approve Chairman to execute resolution authorizing the joint application and authorizing the Director of the Department of Social Services to execute the application and documents for participation in the Homekey Program