



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, October 24, 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 21-52

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 Renee Rachel Garcia-Widjaja - Department of Behavioral Health - 28 Years of Service
4. Appoint a Member and Alternate of the Board of Supervisors to the California State Association of Counties (CSAC) Board of Directors for 2023-2024 and direct the Clerk of the Board to provide notification to CSAC

Supervisor Brandau

5. Adopt a Resolution condemning the Hamas terror attacks of October 7, 2023

County Clerk/Registrar of Voters

6. Receive "Certificate of Sufficiency" dated September 25, 2023, with respect to the initiative petition entitled "California State University, Fresno Facility and Academic Program Improvement Initiative Measure" filed with the County Clerk/Registrar of Voters on September 6, 2023, pursuant to Elections Code Section 9114; and Pursuant to California Elections Code Section 9118, the Board of Supervisors shall take action on one of the following: a) Submit the "California State University, Fresno Facility and Academic Program Improvement Initiative Measure", without alteration, to the voters pursuant to Elections Code Section 1405; and adopt Resolution calling an election for the "California State University, Fresno Facility and Academic Program Improvement Initiative Measure" to be consolidated with the March 5, 2024, Consolidated Statewide Primary Election; or b) Refer the "California State University, Fresno Facility and Academic Program Improvement Initiative Measure" to a county agency or agencies for a report or reports on the effect of the proposed ordinance (e.g., fiscal impact), pursuant to Elections Code Section 9111, and direct staff to present the report(s) to the Board of Supervisors no later than 30 days after today's date, at which time your Board would adopt a Resolution calling for an election pursuant to Elections Code Section 1405

District Attorney

7. Adopt resolution to fill a Senior Deputy District Attorney position with Extra-Help retiree, Susan Rand, effective October 30, 2023, finding, pursuant to Government Code Section 7522.56 (f) (1), that a 180-day separation period for retired employees returning to employment as Extra-Help is not applicable based on your Board's certification that the nature of employment and appointment is necessary to fill a critically needed position before the 180-day separation period

Sheriff/Coroner/Public Administrator

8. Conduct first hearing to amend the Fresno County Master Schedule of Fees (MSF), Charges and Recovered Costs Ordinance by amending Subsection 2609 of Section 2600 - Sheriff-Coroner-Public Administrator, waive reading of the Ordinance in its entirety; and set second hearing for November 28, 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 required summary in accordance with Government Code Section 25124(b)(1)

County Counsel

9. Conduct first hearing on 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; waive reading of the proposed Ordinance in its entirety; and set the second hearing for November 7, 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 required summary in accordance with Government Code Section 25124(b)(1)
10. Conduct first hearing on 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; waive reading of the proposed Ordinance in its entirety; and set the second hearing for November 7, 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 required summary in accordance with Government Code Section 25124(b)(1)

Internal Services

11. Approve and authorize the Chairman to execute a Lease Agreement with Pitney Bowes, Inc., through a cooperative agreement with Sourcewell, for the lease of two mailing machines, effective November 11, 2023, for a five-year term, total not to exceed \$138,130

Public Works and Planning

12. Conduct a public hearing on the Fresno County Pathways to Removing Obstacles to Housing (PRO Housing) Grant Application; and authorize the Department of Public Works and Planning to submit PRO Housing Grant Application to U.S. Department of Housing and Urban Development for up to \$9,000,000 to fund removal of barriers to affordable housing and seek to increase housing production in Fresno County

Board of Supervisors' Committee Reports and Comments

13. 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

14. Receive Boards, Commissions and Committees Vacancy Report; and appoint Applicants as necessary

Public Presentations

15. 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

16. 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
17. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
18. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
19. Conference with Real Property Negotiators - Government Code, Section 54956.8; Property: Buildings located at 5542 E. Kings Canyon Rd. Fresno, CA 93727; County Negotiator: Paul Nerland, County Administrative Officer or designee. Negotiating Parties: Sage Kings Fresno, LLC., Instructions to County's negotiator may concern sale and lease terms and conditions including price
20. Conference with legal counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Stephen Wilkins: ADJ12297349

Adjourn**NEXT MEETINGS:**

November 7, 2023 - 9:30 A.M.

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

CONSENT AGENDA

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

Board of Supervisors

21. Approve minutes for October 10, 2023
22. Approve amendments to Conflict of Interest Code for International Water District

Chairman Quintero

23. Adjourn in Memory of Robert Cabral
- 23.1 Adjourn in memory of Roselyn "Roz" Clark

Chairman Quintero and Supervisor Pacheco

- 23.2 Adjourn in Memory of Dr. Fred G. Valles and Selina Valles

Auditor Controller-Treasurer/Tax Collector

24. Adopt Resolution authorizing the Auditor-Controller/Treasurer-Tax Collector to deposit into the General Fund of the County \$123.59 in money that was found on County property, for which the name of the depositor is unknown, and which has been unclaimed for a period of more than one year, as provided by Government Code section 50055

District Attorney

25. Approve Amendment to the Salary Resolution for District Attorney Org 2860, increasing the allocation of Senior Deputy District Attorneys from 28 to 33, effective October 30, 2023, as reflected on Appendix "C"

Sheriff/Coroner/Public Administrator

26. Retroactively authorize the Sheriff's previous submittal of grant application to the State of California Department of Parks and Recreation Division of Boating and Waterways for grant funds to purchase a river patrol boat for the Sheriff's Office's Boating Safety Unit (\$133,416); approve and authorize Chairman to execute Grant Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for a supplemental grant, including all required certifications, effective October 24, 2023 through September 30, 2039 (\$133,416); adopt Budget Resolution increasing FY 2023-24 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$133,416 (4/5 vote); approve and authorize the Chairman to execute the Certificate of Adoption of Resolution authorizing the Chairman and Sheriff, or their authorized representative to sign all instruments for the recommended grant; and authorize the Sheriff, or their authorized representative, to sign requests for reimbursement documents

Administrative Office

27. 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 Carpi & Clay, Inc. for the provision of Federal legislative advocacy services; and approve and authorize the Chairman to execute an Agreement with Carpi & Clay, Inc., for Federal Legislative Advocacy Services in Washington D.C., effective January 1, 2024, not to exceed two consecutive years, which includes a one-year base contract and one optional one-year extension, total not to exceed \$168,000
28. 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 Shaw Yoder Antwih Schmelzer & Lange, Inc. for the provision of State legislative advocacy services; and approve and authorize the Chairman to execute an Agreement with Shaw Yoder Antwih Schmelzer & Lange, Inc. to provide State legislative advocacy services in Sacramento, effective January 1, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$510,348

29. Approve and Authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act - State Local Fiscal Recovery Funds (ARPA-SLFRF) with Auberry Sawmill, Inc. in the amount of \$140,000 to address negative economic impacts of the pandemic on small business, provide job training opportunities, and provide emergency relief for disaster preparedness by providing funding to restore three-phase power to the sawmill; 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 Auberry Sawmill, Inc.; and, Approve and authorize the Chairman to execute Subrecipient Agreement for ARPA-SLFRF with Westside Family Preservation Services Network in the amount of \$349,039, to fund the extension of community violence intervention programs through the implementation of a Youth Empowerment Center in San Joaquin, which is necessary to assist and benefit area youth whose physical, mental health, and emotional needs were impacted by the pandemic in San Joaquin and neighboring rural communities; 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 Westside Family Preservation Services Network; and, Approve and Authorize the Chairman to execute Subrecipient Agreement for ARPA-SLFRF with Valley Center for the Blind in the amount of \$50,000, to increase service level capacity to provide transportation for individuals with disabilities, blindness, and vision impairments to attend medical appointments, work, and access to other community resource through the Subrecipient's transportation program; 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 Valley Center for the Blind; and, Approve and Authorize the Chairman to execute Subrecipient Agreement for ARPA-SLFRF with Fresno Area Hispanic Foundation in the amount of \$500,000 to address negative economic impacts of the pandemic by providing technical assistance focused on the areas of licensing, permits, financial management, and marketing and start-up and expansion grants to impacted small businesses and individuals, which will assist eligible participants to fund a portion of the cost to purchase mobile food carts or fund improvements of a mobile vendor cart to meet the requirements of the Department of Public Health; 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 Fresno Area Hispanic Foundation

30. Approve and authorize the Chairman to execute Subrecipient Agreement for American Rescue Plan Act-State Local Fiscal Recovery Fund (ARPA-SLFRF) with Self-Help Enterprises in the total amount of \$210,000, in support of a strong and equitable recovery from the pandemic and economic downturn by funding the purchase of a play structure and recreation equipment for the community center at the Cherry Crossing I Sanger affordable housing project, that will benefit the children, youth, and future residents of the Cherry Crossing I project and neighboring areas who have been disproportionately impacted by the COVID-19 pandemic; and Approve and authorize the Chairman to execute Subrecipient Agreement for ARPA-SLFRF with Self-Help Enterprises in the total amount of \$210,000, in support of a strong and equitable recovery from the pandemic and economic downturn by funding the purchase of a play structure and recreation equipment for the community center at the Guardian Village Reedley affordable housing project, that will benefit the children, youth, and future residents of the Guardian Village project and neighboring areas who have been disproportionately impacted by the COVID-19 pandemic

Behavioral Health

31. Approve and authorize the Chairman to execute Amendment I to Agreement with Community Health Improvement Partners, to correct and revise language within the compensation and modification sections, effective upon execution with no change to the term of July 1, 2023, through June 30, 2025, or compensation maximum of \$800,000
32. Approve and authorize the Chairman to execute a retroactive License Agreement with Central California Faculty Medical Group, Inc., to provide psychiatric services at various County-owned facilities, effective July 1, 2023 through June 30, 2025 (\$0)
33. 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 the Tulare County Superintendent of Schools as the sole vendor identified by Department of Health Care Services to issue funding for the Friday Night Live program; and approve and authorize the Chairman to execute a retroactive Agreement with Tulare County Superintendent of Schools to receive Friday Night Live funding, effective July 1, 2023 through June 30, 2024, total not to exceed \$45,000
34. Authorize the Director of the Department of Behavioral Health to provide 30-days written notice to the Fresno County Superintendent of Schools and Resiliency Center of Fresno to terminate Agreement No. 22-041 for a pilot mental health innovation project, pursuant to the Without Cause provision of the Agreement, to be effective November 30, 2023
35. Approve and authorize the Chairman to execute Amendment II to Master Agreement to add Brighter Horizon Treatment Centers as a contracted provider with no change to the term of July 1, 2023 to June 30, 2024, or maximum compensation of \$30,000,000

36. Approve and authorize the Chairman to execute a retroactive Amendment I to Agreement No. 23-278 with Central Star Behavioral Health, Inc. to update rates for the Transitional Age Youth (TAY) Full Service Partnership (FSP) program, effective July 1, 2023 with no change to the term of July 1, 2023 through June 30, 2025, or maximum compensation of \$6,896,782

Fresno County Employees' Retirement Association

37. Receive Retirement Administrator's certification to the Board of Supervisors that Jacob Woesner, a duly nominated and eligible candidate for the 2023 Board of Retirement Election of the Fresno County Employees' Retirement Association ("Board of Retirement"), for Safety Member Seat No. 7, was unopposed at the close of nominations under the Board of Supervisors elections procedures for Board of Retirement elections ("Election Procedures"); As provided by the Election Procedures, order that no election be held for such seat; and As provided by the Election Procedures, direct the Clerk of the Board of Supervisors, pursuant to Government Code § 31523, to cast a unanimous ballot, in the form of the official ballot accompanying this agenda item, in favor of Jacob Woesner as Safety Member Seat No. 7 on the Board of Retirement for a three-year term commencing January 1, 2024 and expiring December 31, 2026, and deliver the casted ballot to the Board of Retirement and a copy thereof to the Fresno County Clerk/Registrar of Voters

Human Resources

38. Approve amendment to the Salary Resolution consolidating Agricultural/Standards Specialist Trainee with the Agricultural/Standards Specialist I classification, effective October 30, 2023, as reflected in Appendix "A"; and approve amendment to the Salary Resolution adjusting the salaries of the of the Agricultural/Standards Specialist I/II/III/Supervising, Agricultural/Standards Investigator, and Entomologist effective October 30, 2023, as reflected in Appendix "A"
39. Adopt Resolutions Rejecting Claims for Damages
40. Approve the Addendum to the Memorandum of Understanding (MOU) regarding County Health Premium Contribution for Plan Year 2024, effective December 11, 2023, for Representation Unit 30 - Deputy District Attorneys

Internal Services

41. Approve and authorize the Chairman to execute the Purchase and Sale Agreement for the County's purchase of 815 G Street, Reedley, CA 93654 (APN 368-010-06T) ("Property") from the State of California, ("Seller"), with an expected closing date on or before November 30, 2023, for the sum of \$312,520 ("Purchase Agreement"); Authorize staff to undertake additional due diligence investigations, including any further environmental studies or appraisals of the Property, as deemed necessary or appropriate by staff, in connection with the County's purchase of the Property; Authorize and direct the Director of ISD/CIO, or their designee, to take any action as deemed necessary or appropriate, all of which shall be consistent with the Purchase Agreement, and the foregoing Board approvals and actions, to: a. Open, carry out, and close escrow for the County's purchase of the Property from Seller; deliver the County's \$100,000 deposit; deliver the County's acceptance of Seller's Grant Deed; and obtain title insurance in favor of the County for the Property in the amount of the purchase price of the Property at escrow closing; b. Review, approve, execute, and/or deliver any Agreements, documents, certificates, notices, and instruments, and any Amendments to any of the foregoing (subject to prior review and approval as to legal form by County Counsel, and, as applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector), and to take any other actions to initiate, carry out, and finalize the County's purchase of the Property from the Seller; and, c. Perform any other obligations, or exercise any other rights, of County under the Purchase Agreement to finalize the County's purchase of the Property; and Adopt Budget Resolution increasing the FY 2023-24 appropriations and estimated revenues for County Buildings Org 0131 in the amount of \$315,000 (4/5 vote)
42. Approve and authorize the Chairman to execute a Memorandum of Understanding between the State of California Department of Motor Vehicles and the County of Fresno Internal Services Department, for direct online information access, for a term of forty-eight months, effective upon execution by the State of California (\$0)
43. Approve and authorize the Chairman to execute the First Amendment to Agreement A-18-709 with Granicus, LLC, for the implementation and upgrade of the AMANDA software, effective upon execution, with no change to the potential ten-year term, which include a five-year initial term and five optional one-year extensions, from December 11, 2018 through December 3, 2028, and increase the maximum compensation by \$1,000,000 to a total of \$5,000,000, to address higher than anticipated use of professional and maintenance service hours

Probation

44. 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 Spire Soft LLC, as the founder was the lead developer in creating the primary enterprise management system used by the Probation Department and justice partners; and approve and authorize the Chairman to execute an Agreement with Spire Soft LLC to provide software maintenance for Department-specific applications, software development, software integration, and reporting data requests for the Probation Department, effective October 24, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,264,265

Public Health

45. Approve and authorize the Chairman to execute a retroactive revenue Agreement with California Department of Public Health for the Maternal, Child and Adolescent Health and Black Infant Health programs, effective July 1, 2023 through June 30, 2024 (\$9,798,974)

Public Works and Planning

46. Approve and authorize Chairman to execute a First Amendment to Agreement No. A-23-043 with Clean Earth Environmental Solutions, Inc. to revise the Household Hazardous Waste Operator's Compensation to include the mobile collection program costs for Clean Earth Environmental Solutions, Inc. to provide services at the Local HHW Network Temporary Event Collection Programs, with no change in term and no additional compensation added to the Agreement (\$7,500,000)
47. Adopt plans and specifications for Contract 23-06-C Juvenile Justice Campus Groundwater Well Replacements and award to lowest bidder ABC Liovin Drilling Inc., 1180 East Burnett Street, Signal Hill, CA 90755, in total amount of \$271,029
48. Approve and authorize Chairman to execute Agreement with Del Rey Community Services District for Del Rey Wastewater Treatment Plant Hazard Reduction, Community Development Block Grant Project No. 23151, effective upon execution through January 27, 2025, and authorize Director of Public Works and Planning to evaluate and grant timeline extensions for completion of Project, total Community Development Block Grant funding amount not to exceed \$300,000
49. Approve and authorize Chairman to execute a retroactive Cost Share Agreement for Consultant Services Related to Legislative Support for Big Dry Creek Reservoir's Operational Changes, effective January 1, 2022, through December 31, 2022, not to exceed four consecutive years, which includes a one-year base and three optional one-year extensions, total not to exceed \$60,000

Social Services

50. Approve and authorize the Chairman to execute an Agreement with the Fresno Economic Opportunities Commission to provide technology-related educational training and outreach services, effective upon execution through September 30, 2024, total not to exceed \$786,543
51. Receive the California CalWORKs Outcomes and Accountability Review (Cal-OAR) CalWORKs System Improvement Plan (Cal-SIP) Report to be submitted to the California Department of Social Services (CDSS) describing how the Department of Social Services will improve the CalWORKs program; and approve and authorize the Chairman to execute the Cal-SIP signature page that will be submitted with the Cal-OAR report to CDSS
52. Approve Amendment to the Salary Resolution deleting one vacant Staff Analyst I/II/III position and adding a Departmental Public Information Officer classification to the Department of Social Services Org 5610, effective October 30, 2023, as reflected on Appendix E