



County of Fresno

Action Summary - Final

Board of Supervisors

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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, September 22, 2020

9:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

PASTOR DEAN YOUNGBLOOD, THE POTTER'S HOUSE CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BRANDAU, THAT THIS AGENDA BE APPROVED WITH THE DELETION OF ITEM 5. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 17 - 73

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 36, 47, 48 WHICH WERE DELETED. CLERK ANNOUNCED CORRECTION TO PAGE ONE (1), PARAGRAPH ONE (1), LINE THREE (3), OF AGENDA ITEM 37 (FOLLOWING RECOMMENDED ACTIONS) TO REFLECT THE DATE OF DECEMBER 30, 2020, RATHER THAN DECEMBER 30, 2021. ITEMS 33 AND 37 WERE PULLED FOR SEPARATE DISCUSSION AND VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Vice Chairman Brandau and Supervisor Pacheco

- 3. Authorize funding to 14 of Fresno County incorporated cities to address COVID-19 issues within their jurisdictions using Federal CARES Act funding in the amount of \$3,000,000 as detailed in Exhibit A to be expended by December 30, 2020

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

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

Sheriff/Coroner/Public Administrator

- 4. Conduct first hearing to amend the Fresno County Master Schedule of Fees, 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 October 20, 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)

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE APPROVED WITH THE EXCEPTION TO THE FEE AMOUNT FOR DEPUTY SHERIFF III. THE BOARD APPROVED A RATE ADJUSTMENT OF EIGHT PERCENT (8%) FOR DEPUTY SHERIFF III FOR REGULAR AND OVERTIME AS FOLLOWS: \$114.98 (REGULAR) AND \$65.26/HOUR (OVERTIME). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 4 - Mendes, Magsig, Pacheco, and Quintero

Noes: 1 - Brandau

Behavioral Health

5. Approve the form of the Real Estate Sale Contract with Seller (Purchase Agreement) for the County's purchase of 5555 E. Olive Ave. and 5520 E. Hedges Ave., Fresno, CA 93727 (APN 455-223-12) (Property) from Pacific Bell Telephone Company (Seller), for the sum of \$9,500,000, which includes the assumption of a lease of a portion of the Property by AT&T Services, Inc., for up to 18 months after the County's purchase of the Property, assumption of an existing cell tower license, and three easement agreements granting easements to the Seller for existing communication equipment; authorize and direct the Director of Internal Services/Chief Information Officer (Director of ISD/CIO) to execute the final form of the Purchase Agreement, with an expected closing date on or before December 14, 2020 (and initialing approval of the "sale as-is" clause), subject to prior, final review and approval as to legal form by the County Counsel, and, as applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector; 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 his designee, to take any action as he deems 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 \$500,000 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, if 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; adopt Budget Resolution increasing the FY 2020-21 appropriations for Capital Facilities Org 1055 in the amount of \$9,500,000 (4/5 vote); adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for DBH Org 5630 in the amount of \$9,500,000 (4/5 vote); and, adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for County Buildings Org 0131 in the amount of \$9,500,000 (4/5 vote)

DELETED

Public Health

- 6. Approve Amendment to the Salary Resolution adding 8 Communicable Disease Specialist I/II and 4 Health Education Specialist positions to the Public Health’s Org 5620, effective October 5, 2020, as reflected in Appendix C

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

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

Salary Resolution No. 20-025

Administrative Office

- 7. Conduct public forum in accordance with Government Code section 7283.1(d); receive statistical report from the Sheriff regarding the United States Immigration and Customs Enforcement access provided to incarcerated individuals in the Jail during 2019; and receive public comment

CONDUCTED PUBLIC FORUM IN ACCORDANCE WITH GOVERNMENT CODE SECTION 7283.1(D). RECEIVED STATISTICAL REPORT FROM THE SHERIFF REGARDING THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS PROVIDED TO INCARCERATED INDIVIDUALS IN THE JAIL DURING 2019. NO PUBLIC TESTIMONY RECEIVED. CLOSED THE PUBLIC FORUM

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)

SUPERVISOR MAGSIG EXPRESSED GRATITUDE TO MANY INDIVIDUALS AND ORGANIZATIONS WORKING TOGETHER TO ASSIST WITH THE CREEK FIRE INCLUDING, BUT NOT LIMITED TO: FRESNO COUNTY SHERIFF’S DEPARTMENT, ALL LAW ENFORCEMENT AGENCIES ACROSS FRESNO COUNTY, FIRE DEPARTMENTS WORKING WITH CAL FIRE, SIERRA UNIFIED SCHOOL DISTRICT, CLOVIS COMMUNITY HOSPITAL, AMERICAN RED CROSS, AND THE MEMBERS OF THE BOARD OF SUPERVISORS AND THEIR SUPPORT FOR DISTRICT 5. SUPERVISOR MAGSIG RECOGNIZED TODAY AS THE FIRST DAY INDIVIDUALS WHO LOST THEIR HOMES WILL HAVE THE CHANCE TO RETURN TO THEIR PROPERTIES AND THE EMOTIONAL ROLLER COASTER THEY’VE ENDURED SINCE THE CREEK FIRE STARTED 17 DAYS AGO. SUPERVISOR QUINTERO ANNOUNCED APPRECIATION TO THE PUBLIC WORKS DEPARTMENT AND THE EMPLOYEES WHO ASSISTED ON THE OUTSTANDING JOB OF CLEANING UP THE ALLEYS IN THE MAYFAIR COMMUNITY. CHAIRMAN MENDES THANKED SUPERVISOR MAGSIG FOR THE OUTSTANDING JOB HE IS DOING IN PROVIDING INFORMATION TO THE PUBLIC REGARDING THE CREEK FIRE. CHAIRMAN ALSO THANKED THE INTERNAL SERVICES DEPARTMENT IN ASSISTING THE SHERIFF DEPARTMENT AND CAL FIRE TO INCREASE COMMUNICATION ABILITIES DURING THE CREEK FIRE

Board Appointments

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

A MOTION WAS MADE BY VICE CHAIRMAN BRANDAU, SECONDED BY SUPERVISOR MAGSIG, THAT THE NOMINATION FOR REAPPOINTMENT AND APPOINTMENT BE APPROVED AS FOLLOWS:

**DUNLAP CEMETERY DISTRICT
REAPPOINTED RICK HILL (TERM TO EXPIRE 1/03/2024)**

**HOUSING AUTHORITY
APPOINTED EDUBIGEN (SYLVIA) ORTIZ (TERM TO EXPIRE 02/01/2021)**

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

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

HELD; RECEIVED

Closed Session

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

HELD; NO REPORTABLE ACTION

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

HELD; NO REPORTABLE ACTION

13. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment

HELD; NO REPORTABLE ACTION

14. Conference with Legal Counsel- Existing Litigation - Government Code, section 54956.9(d)(1) - Valentin Gonzales vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ9793562

HELD; NO REPORTABLE ACTION

15. Conference with Legal Counsel- Existing Litigation- Government Code, Section 54956.9 (d)(1) - Edward Rodriguez vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ7774582

HELD; NO REPORTABLE ACTION

16. Public Employee Appointment or Employment, Government Code Section 54957(b)(1) – Title: Chief Operating Officer Recruitment

HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BRANDAU, THAT THIS MEETING BE ADJOURNED FOLLOWING CLOSED SESSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

APPROVED:

/s/ Ernest Buddy Mendes
ERNEST BUDDY MENDES, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: /s/ Bernice E. Seidel
BERNICE E. SEIDEL
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON October 6, 2020

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 36, 47, 48 WHICH WERE DELETED. CLERK ANNOUNCED CORRECTION TO PAGE ONE (1), PARAGRAPH ONE (1), LINE THREE (3), OF AGENDA ITEM 37 (FOLLOWING RECOMMENDED ACTIONS) TO REFLECT THE DATE OF DECEMBER 30, 2020, RATHER THAN DECEMBER 30, 2021. ITEMS 33 AND 37 WERE PULLED FOR SEPARATE DISCUSSION AND VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 17. Approve minutes of meeting for September 1, 2020, September 10, 2020, Special Meeting and September 14, 2020, Budget Hearing

APPROVED AS RECOMMENDED

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

- 18. Appoint Bill Pierce to the Broadview Water District Board of Directors, for the term expiring December 2021, to fill a vacancy

APPROVED AS RECOMMENDED

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

- 19. Approve and Adopt the 2021 regular meeting schedule for the Board of Supervisors as outlined in Attachment "A"; and direct the Clerk of the Board to publish the 2021 regular meeting schedule of the Board of Supervisors on the Fresno County website and to advise all County departments of the meeting schedule and submission dates for agenda items

APPROVED AS RECOMMENDED

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

Chairman Mendes

- 20. Proclaim September 14-25, 2020 as California High School Voter Education Weeks and September 22, 2020 as National Voter Registration Day in Fresno County

APPROVED AS RECOMMENDED

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

Resolution No. 20-285

- 21. Adjourn in Memory of Fresno County Sheriff's Detective Jose Mora

APPROVED AS RECOMMENDED

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

Supervisor Pacheco

22. Proclaim September 6, 2020 Jaswant Singh Khalra Day in Fresno County in recognition of the humanitarian efforts of a celebrated Sikh leader

APPROVED AS RECOMMENDED

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

Resolution No. 20-286

Supervisor Quintero

23. Adjourn in Memory of Tom Seaver, Hall of Fame Baseball Pitcher

APPROVED AS RECOMMENDED

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

24. Adjourn in Memory of Robert Spencer, CSU Fresno Basketball Coach

APPROVED AS RECOMMENDED

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

Auditor Controller-Treasurer/Tax Collector

25. Adopt amended Resolution establishing tax rates, and levying taxes on the secured roll, for the Countywide rate of one percent, voter approved indebtedness, ad valorem taxes for revenue districts, and unitary taxes in Fresno County for the Fiscal Year 2020-21

APPROVED AS RECOMMENDED

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

Resolution No. 20-287

County Clerk/Registrar of Voters

26. Approve and authorize the Chairman to execute Agreement No. 20G26110 with the State of California for reimbursement funds for the November 2020 General Election effective upon execution by the California Department of General Services through December 31, 2020 (\$1,392,877). Adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for the County Clerk - Elections Org 28500500 in the amount of \$1,392,877 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 20-339, Resolution No. 20-288

Behavioral Health

- 26.1** Approve and authorize the Chairman to execute a retroactive Agreement with the California Department of State Hospitals for non-competitive, one-time funding for a Jail Diversion Program, effective July 1, 2020 through June 30, 2023, total not to exceed \$7,012,440; approve and authorize the Director of the Department of Behavioral Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated Jail Diversion Program funding documents, expenditure forms and reports; approve and authorize the Director of the Department of Behavioral Health, or designee, to approve payment to Superior Court of California, County of Fresno for mental health diversion court training without an agreement up to a maximum of \$4,000 through Jail Diversion Program funding, effective upon execution through June 30, 2023; and, approve and authorize the Chairman to execute an Agreement with Turning Point of Central California, Inc. to provide forensic behavioral health jail diversion services, effective upon execution through June 30, 2023, which includes one optional one-year extension, total not to exceed \$8,518,804

APPROVED AS RECOMMENDED

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

Agreement No. 20-340, Agreement No. 20-341

County Counsel

- 27.** Approve, and authorize the Chairman to sign Conflict Waiver for County Counsel to represent the County, including, but not limited to, the Department of Public Works and Planning (PWP), and the Fresno County Transportation Authority (FCTA) in drafting a written agreement for PWP to provide construction management services to the FCTA for the Golden State Corridor Infrastructure Improvements Project

APPROVED AS RECOMMENDED

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

Agreement No. 20-342

District Attorney

- 28.** Approve and authorize the Chairman to execute retroactive Second Amendment to Agreement No. 19-193 with the California Office of Emergency Services (Cal OES) for the Violence Against Women Vertical Prosecution grant effective upon execution, with no change in term to December 31, 2020 and decreasing the grant maximum by \$33,757 to a total of \$371,332

APPROVED AS RECOMMENDED

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

Agreement No. 19-193-2

Sheriff/Coroner/Public Administrator

29. Approve and authorize the Chairman to re-execute the Certification of Assurance of Compliance of 2019 Coverdell Forensic Grant Application as required by CalOES given that the Certification has been revised since its submission; and approve and authorize the Clerk of the Board to execute Budget Transfer No. 2 (\$7,624) transferring appropriations within the Sheriff-Coroner-Public Administrator's Org 3111, from Account 7415 (Transportation, Travel and Education) to Account 8300 (Equipment) for the purchase of forensic ballistic testing equipment (4/5 vote)

APPROVED AS RECOMMENDED

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

30. Retroactively approve and authorize the Sheriff's previous submittal of a grant application to the State of California Department of Alcoholic Beverage Control (ABC) 2021 Alcohol Policing Partnership Program (\$88,852); and approve and ratify any and all of Sheriff's or his or her designee's actions related thereto; and Approve resolution authorizing the Chairman to execute a retroactive Award/Agreement 20-APP15 with ABC for the project period from July 1, 2020 through June 30, 2021 (\$88,852); and Authorize the Sheriff, or their authorized representative, to sign claims for reimbursement and activity reports for this retroactive Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 20-343, Resolution No. 20-289

31. Accept annual report of expenditures from the Inmate Welfare Trust Fund for FY 2019-20

APPROVED AS RECOMMENDED

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

Administrative Office

32. 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

APPROVED AS RECOMMENDED

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

Resolution No. 20-290

- 33. Ratify the Agreement with Centro La Familia for a housing retention program, previously executed by the County Administrative Officer acting as the Emergency Services Director, effective September 1, 2020 through December 30, 2020, total not to exceed \$550,000 and ratify the Agreement with the Fresno Area Hispanic Foundation for grants for small businesses, previously executed by the County Administrative Officer acting as Emergency Services Director, effective September 1, 2020 through December 30, 2020, total not to exceed \$275,000

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

Ayes: 4 - Mendes, Magsig, Pacheco, and Quintero

Noes: 1 - Brandau

- 34. Approve revised Administrative Policy 59 - Lactation Accommodation

APPROVED AS RECOMMENDED

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

- 34.1 Adopt Resolution ratifying the Fresno County Health Officer’s Local Health Emergency, due to the public health threat of the 2020 Creek Fire

APPROVED AS RECOMMENDED

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

Resolution No. 20-291

Agriculture

- 35. Approve and authorize the Chairman to execute State Agreement No. 20-0322-000-SA with the California Department of Food and Agriculture for the Industrial Hemp Cultivation Program with Registration, effective July 1, 2020 through June 30, 2022, with a total reimbursement amount of \$158,875

APPROVED AS RECOMMENDED

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

Agreement No. 20-344

Behavioral Health

36. Approve and authorize the Chairman to execute Standard Agreements 18-NPLH-12657 and 18-NPLH-12658 with the California Department of Housing and Community Development for construction of two supportive housing projects funded in Round One of the No Place Like Home Competitive Allocation Program, effective upon execution by the Chairman, the Fresno Housing Authority and the State of California Department of Housing and Community Development for a 30-year term (\$10,100,000)

DELETED

Human Resources

37. 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 for County employees; and approve and authorize the Chairman to execute an Agreement with United Health Centers of San Joaquin Valley, to replace, restate, and supersede existing Purchase Order No. P02-0000040405, retroactive to that Purchase Order's effective date of June 19, 2020, to provide urgent and necessary COVID-19 testing and test results for County staff through June 30, 2021, with two optional one-year extensions, total not to exceed \$2,100,000; 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, in order to conduct urgent and necessary COVID-19 telephonic registered nursing services for County employees; and approve and authorize the Chairman to execute an Agreement with CarivaCare, Inc., to replace, restate, and supersede existing Purchase Order No. M02-0000020404, retroactive to that Purchase Order's effective date of June 19, 2020, to provide urgent and necessary COVID-19 telephonic registered nursing services for County staff through June 30, 2021, with two optional one-year extensions, total not to exceed \$3,300,000

PRIOR TO BOARD TAKING ACTION, CLERK ANNOUNCED CORRECTION TO PAGE ONE (1), PARAGRAPH ONE (1), LINE THREE (3), OF AGENDA ITEM 37 (FOLLOWING RECOMMENDED ACTIONS) TO REFLECT THE DATE OF DECEMBER 30, 2020, RATHER THAN DECEMBER 30, 2021. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BRANDAU, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Agreement No. 20-345, Agreement No. 20-346

- 38.** Conduct the second hearing to amend the Fresno County Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Section 1600 - Human Resources; and waive reading of the Ordinance; and adopt proposed Ordinance

APPROVED AS RECOMMENDED

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

Ordinance No. 20-017

- 39.** Approve the Addenda to the Memoranda of Understanding (MOU) regarding County Health Premium Contributions for Plan Year 2021, effective December 14, 2020, for the following Representation Units: Unit 11 - Deputy Probation Officers, Unit 30 - Deputy District Attorneys, Unit 37 - Sheriff's Correctional Sergeants, Unit 42 - Engineers; approve the County's Health Premium Contributions for Plan Year 2021 for Unrepresented and Management (including Senior Management, Department Head and Elected Official) classifications, effective December 14, 2020

APPROVED AS RECOMMENDED

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

- 40.** Approve the Memoranda of Understanding for the following representation units, represented by the Stationary Engineers - Local 39, effective November 2, 2020, through November 14, 2021: Unit 13 - Crafts and Trades, Unit 39 - Operating Engineers; Effective September 21, 2020, through November 14, 2021: Unit 43 - Computer Employees

APPROVED AS RECOMMENDED

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

- 41.** Approve the Salary Resolution Amendments associated with the adoption of the FY 2020-21 Budget as reflected on Appendix "A", to become effective as indicated on Appendix "A"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 20-024

- 42.** Approve the Memorandum of Understanding for Representation Unit 25, Engineering Technicians, represented by the Association of Engineering Technicians, effective September 21, 2020, through October 3, 2021

APPROVED AS RECOMMENDED

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

43. Approve the Memorandum of Understanding for Representation Unit 2, Sheriff's and Probation Personnel, represented by the Fresno County Public Safety Association, effective October 19, 2020, through October 31, 2021
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Mendes, Brandau, Magsig, Pacheco, and Quintero
44. Approve the Memorandum of Understanding for Representation Unit 7, Nurses, represented by the California Nurses Association, effective November 2, 2020, through November 14, 2021
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Mendes, Brandau, Magsig, Pacheco, and Quintero
45. Approve the Memorandum of Understanding for Representation Unit 10, District Attorney Investigators, represented by the District Attorney Investigators Association, effective November 2, 2020, through November 14, 2021
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Mendes, Brandau, Magsig, Pacheco, and Quintero
46. Approve the Memorandum of Understanding for Representation Unit 19, Professional Employees, represented by the Professional Association of Employees, effective October 6, 2020, through October 17, 2021
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Mendes, Brandau, Magsig, Pacheco, and Quintero
47. Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Andres Borgeas, State Senator, Susan Anderson, Deborah Poochigian, Judy Case McNairy and Henry Perea, Former Board of Supervisors; William Jesse Gilliam v County of Fresno, et al
- DELETED**
48. Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Ernest Buddy Mendes, Supervisor, District 4, Brian Pacheco, Supervisor, District 1: William Jesse Gilliam v County of Fresno, et al
- DELETED**
49. Approve the biweekly premiums for active employees and dependents for Plan Year 2021, effective December 14, 2020 (Exhibit A); approve the monthly premiums for retirees and dependents for Plan Year 2021, effective January 1, 2021 (Exhibit B)
- APPROVED AS RECOMMENDED**
- Ayes:** 5 - Mendes, Brandau, Magsig, Pacheco, and Quintero

50. Adopt Resolutions Rejecting Claims for Damages**APPROVED AS RECOMMENDED**

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

Resolution No. 20-292, Resolution No. 20-293, Resolution No. 20-294, Resolution No. 20-295, Resolution No. 20-296, Resolution No. 20-297

Internal Services

- 51. Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Internal Services Department (ISD), Fleet Services - Equipment Org 8911 in the amount of \$196,128 for the purchase of generators at various fuel sites (4/5 vote); Adopt Budget Resolution increasing the FY 2020-21 appropriations for the ISD, Information Technology Services - Org 8908 in the amount of \$173,241 for the purchase of mobile generators (4/5 vote); Adopt Budget Resolution increasing the FY 2020-21 appropriations for the Public Health Special Revenue Fund 0080, Subclass 17366, Miscellaneous Public Health Org 1166 in the amount of \$412,675 (4/5 vote); and Adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for Department of Public Health Org 5620 in the amount of \$412,675 for generator and future costs related to mitigating impacts of Public Safety Power Shutoff activities (4/5 vote)**

APPROVED AS RECOMMENDED

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

Resolution No. 20-298, Resolution No. 20-299, Resolution No. 20-300, Resolution No. 20-301

- 52. 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, as Microsoft Corporation is the only provider of necessary maintenance and support of Microsoft products used by the County; and approve and authorize the Chairman to execute a Unified Support Services Agreement with Microsoft Corporation for maintenance and technical support of Microsoft products, effective October 2, 2020 through October 1, 2021, total not to exceed \$284,366**

APPROVED AS RECOMMENDED

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

Agreement No. 20-347

Library

- 53. Adopt Resolution accepting and expressing gratitude for a monetary donation of \$20,000 to the Fresno County Public Library from the Al & Alma Radka Family Trust

APPROVED AS RECOMMENDED

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

Resolution No. 20-302

Probation

- 54. Approve and authorize the Chairman to execute First Amendment to Human Trafficking Advocacy Program Grant Agreement No. A-20-078 with the State of California, Governor's Office of Emergency Services (Cal OES), effective upon execution with no change in term to December 31, 2020, and decreasing the maximum by \$37,500, to a total of \$150,000

APPROVED AS RECOMMENDED

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

Agreement No. 20-078-1

- 55. 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, 2020 through June 30, 2021 (\$156,394)

APPROVED AS RECOMMENDED

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

Agreement No. 20-348

- 56. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Clovis to assign two sworn Police Officers, and one Crime Analyst; and to provide payment for training services to the Public Safety Realignment Act Adult Compliance Team, effective July 1, 2020 through June 30, 2021 (\$657,716)

APPROVED AS RECOMMENDED

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

Agreement No. 20-349

- 57.** Retroactively authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES), for the Probation Specialized Units Program (\$100,000); approve and authorize the Chairman to execute a Grant Application/Agreement for the Probation Specialized Units Program with Cal OES, for the period of October 1, 2020 through September 30, 2021; and adopt resolution retroactively authorizing the Chairman to sign the grant application, and to execute the Grant Award Agreement and any extensions or amendments thereto with Cal OES for the period of October 1, 2020 through September 30, 2021, subject to the approval of County Counsel's Office as to legal form, and subject to approval as to accounting form by the Auditor-Controller/Treasurer-Tax Collector (\$100,000)

APPROVED AS RECOMMENDED

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

Agreement No. 20-350, Resolution No. 20-303

- 58.** Retroactively authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES) for the Victim Witness (VW) Program (\$1,633,176); approve and authorize the Chairman to execute a Grant Application/Agreement for the VW Program with Cal OES, effective October 1, 2020 through September 30, 2021; and adopt resolution authorizing the Chairman to execute the retroactive grant Application and Agreement and any extensions or amendments thereto with Cal OES for the period of October 1, 2020 through September 30, 2021, subject to review and approval as to legal form by County Counsel's Office, and as to accounting form by the Auditor-Controller/Treasurer-Tax Collector, not to exceed \$1,633,176

APPROVED AS RECOMMENDED

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

Agreement No. 20-351, Resolution No. 20-304

Public Health

59. 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 for countywide hosted web-based customized Health Insurance Portability and Accountability Act and Health Information Technology Economics and Clinical Health Act Privacy and Security Training services; and Approve and authorize the Chairman to execute an Agreement with Terranova Worldwide Corporation for hosted web-based customized Health Insurance Portability and Accountability Act and Health Information Technology Economics and Clinical Health Act Privacy and Security Training, effective January 25, 2021, not to exceed five consecutive years, which includes a three-year base agreement and two optional 12-month extensions, total not to exceed \$98,000

APPROVED AS RECOMMENDED

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

Agreement No. 20-352

60. Approve and authorize the Chairman to execute a retroactive award from the California Department of Public Health for Tuberculosis Control Local Assistance Base Award (\$342,571) and Food, Shelter, Incentives and Enablers Allotment (\$20,546), effective July 1, 2020 through June 30, 2021

APPROVED AS RECOMMENDED

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

Agreement No. 20-353

61. Approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Public Health for the Childhood Lead Poisoning Prevention Program, effective July 1, 2020 through June 30, 2023 (\$4,213,323); and, approve and authorize the Director of Public Health, or designee, to execute the State Contractor's Release for the final invoice

APPROVED AS RECOMMENDED

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

Agreement No. 20-354

Public Works and Planning

62. Approve and authorize Chairman to execute an Agreement with West Coast Arborists, Inc. for on-call tree services effective upon execution, not to exceed April 22, 2024, total not to exceed \$450,000

APPROVED AS RECOMMENDED

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

Agreement No. 20-355

63. Accept, pursuant to Section 15162 of the California Environmental Quality Act, that there have not been any changes in circumstances or new information provided subsequent to the environmental documents previously adopted by the County of Fresno for Environmental Impact Report (SCH # 84050705), Supplemental Environmental Impact Report (SCH # 98091036), and Initial Study Nos. 3986, 4877 and 6631 as it relates to the project and project area; and approve and authorize Chairman to execute a resolution establishing a road right-of-way over eight properties owned by the County on behalf of the American Avenue Disposal Site Enterprise Fund, as necessary for public convenience, accepting said existing roadway to be part of the County's Maintained Mileage System, directing that the Department of Public Works and Planning add improvements constructed upon the roadway be established to the list of the County's maintained public roadway mileage, and directing the Fresno County Assessor-Recorder to record the resolution once executed

APPROVED AS RECOMMENDED

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

Resolution No. 20-305

64. Adopt Resolution approving Measure C Extension Local Transportation Program Funds Claim for FY 2020-21; and approve and authorize Chairman to execute the six Measure C Extension Local Transportation Pass Through Revenues Certification and Claims for FY 2020-21, certify that the funds will not substitute property tax funds, which were previously used for local transportation purposes, and confirm the County's intent to complete reporting requirements for the prior year no later than November 15, 2020 (\$6,284,430)

APPROVED AS RECOMMENDED

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

Resolution No. 20-306, Agreement No. 20-361, Agreement No. 20-362, Agreement No. 20-363, Agreement No. 20-364, Agreement No. 20-365, Agreement No. 20-366

65. Adopt Resolution designating the intersection of W. Excelsior and S. Cornelia Avenues a stop intersection and authorizing a stop sign at the intersection, stopping westbound traffic on Excelsior Avenue, making it a one-way stop

APPROVED AS RECOMMENDED

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

Resolution No. 20-307

66. Approve and authorize the Chairman to execute the First Amendment to the Amended and Restated Memorandum of Understanding No. 06-123 between the County of Fresno and City of Kerman regarding the addition of 17.81 acres of addition growth area to the City's Sphere of Influence; and determine that the City's proposed 17.81-acre annexation is consistent with the Standards for Annexation contained in the Amended and Restated Memorandum of Understanding; and determine that the approval and authorization of Chairman to execute First Amendment to the Amended and Restated Memorandum of Understanding No. 06-123 between the County of Fresno and City of Kerman is exempt from the requirements of the California Environmental Quality Act, Public Resources Code 21000, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk

APPROVED AS RECOMMENDED

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

Agreement No. 06-123-1

67. Consider and take the following actions for Tract No. 4870, Bella Vista, which is located on the south side of Millerton Road, approximately eight miles north of the City of Fresno: 1. consider and approve reduction of Performance and Maintenance Security Bond to the amount of \$600,000.00 for Phase I On-site Improvements and \$390,000.00 for Phase II Off-Site Improvements to guarantee performance and maintenance of improvements; and 2. consider and approve reduction of the Labor and Materials Security to \$300,000.00; 3. release the Monumentation Security; and 4. authorize Director of Public Works and Planning or designee to release the remaining balance of the Performance and Maintenance Security Bond when the Subdivider has faithfully performed all contractual obligations necessary for the release as determined by the Director or designee

APPROVED AS RECOMMENDED

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

Social Services

68. Ratify amendment I to Agreement No. 20-126 with RH Community Builders for Emergency Shelter Services in response to the COVID-19 pandemic, previously executed on September 9, 2020 by the County Administrative Officer acting as the Emergency Services Director, to extend the term by a month from September 22, 2020 to October 31, 2020 with two optional one-month renewals through December 30, 2020 and increasing the maximum by \$881,364 to a total of \$3,006,954; and, ratify amendment I to Agreement No. 20-147 with Poverello House for Emergency Shelter Services in response to the COVID-19 pandemic, previously executed on September 9, 2020 by the County Administrative Officer acting as the Emergency Services Director, to add one optional one-month renewal and one optional 40-day renewal through December 30, 2020 and increasing the maximum by \$180,554 to a total of \$475,850

APPROVED AS RECOMMENDED

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

69. 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 Centro La Familia Advocacy Services, Inc. is the only service provider that can meet the specified requirements for the Bringing Families Home Program services for the Department of Social Services; and, approve and authorize the Chairman to execute an Agreement with Centro La Familia Advocacy Services, Inc. for Bringing Families Home Program services, effective upon execution through June 30, 2022, total not to exceed \$408,275

APPROVED AS RECOMMENDED

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

Agreement No. 20-356

70. Approve and authorize the Chairman to execute an Agreement with the Marjaree Mason Center, Inc., for the provision of Domestic Violence Shelter-Based Services funded through the County's Domestic Violence Fund effective October 1, 2020, not to exceed five consecutive years, which includes a one-year base contract and four optional one-year extensions

APPROVED AS RECOMMENDED

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

Agreement No. 20-357

71. Approve and authorize the Chairman to execute Amendment No. 1 to Agreement #19-295 with the Regents of the University of California, on behalf of the University of California, at Davis, for the University's in-kind contribution for social services training, with no change to the term of July 1, 2019 through June 30, 2021, or compensation maximum of \$850,000

APPROVED AS RECOMMENDED

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

Agreement No. 19-295-1

72. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the City of Fresno for Coronavirus Aid, Relief, and Economic Security Act Emergency Solutions Grant funds, effective June 11, 2020 through June 10, 2021, total not to exceed \$1,998,335

APPROVED AS RECOMMENDED

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

Agreement No. 20-358

73. Approve and authorize the Chairman to execute a Master Agreement for Expanded Subsidized Employment, effective October 1, 2020 through September 30, 2025, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$15,000,000; authorize the Department Director or designee to add or delete Contractors from the Expanded Subsidized Employment Master Agreement; 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 as the Fresno County Economic Development Corporation owns a proprietary website essential to the Expanded Subsidized Employment program; and, approve and authorize the Chairman to execute an Agreement with the Fresno County Economic Development Corporation for job creation, marketing, subcontracted training, and website maintenance, effective October 1, 2020 through September 30, 2025, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$8,880,250

APPROVED AS RECOMMENDED

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

Agreement No. 20-359, Agreement No. 20-360