



County of Fresno

Action Summary - Draft

Board of Supervisors

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Steve Brandau, 2nd District, Chairman
Brian Pacheco, 1st District, Vice-Chairman
Sal Quintero, 3rd District
Buddy Mendes, 4th 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, February 23, 2021

10:00 AM

Hall of Records

PURSUANT TO CALIFORNIA GOVERNOR GAVIN NEWSOM'S EXECUTIVE ORDER N-25-20 ON MARCH 12, 2020, RELATING TO THE CONVENING OF PUBLIC MEETINGS IN LIGHT OF THE COVID-19 PANDEMIC, SUPERVISOR QUINTERO ATTENDED THE MEETING TELEPHONICALLY AND PARTICIPATED IN THE MEETING TO THE SAME EXTENT AS HE WAS PRESENT

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

Invocation and Pledge of Allegiance

PASTOR CESAR GARCIA RODRIGUEZ GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS AGENDA BE APPROVED WITH AGENDA ITEM 17 TO FOLLOW AGENDA ITEM 1. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

AT APPROXIMATELY 10:28 A.M., THE BOARD RECESSED TO CLOSED SESSION TO DISCUSS AGENDA ITEM 17. AT APPROXIMATELY 10:50 A.M., THE BOARD RECONVENED (SEE PAGE FOUR (4) FOR BOARD ACTION TO AGENDA ITEM 17)

2. Approve Consent Agenda - Item Numbers 18 - 35

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

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

Board of Supervisors

- 3. Presentation of Retirement Plaque to Brandi Orth, Fresno County Clerk/Registrar of Voters
PRESENTED RETIREMENT PLAQUE TO BRANDI ORTH, FRESNO COUNTY CLERK/REGISTRAR OF VOTERS

- 4. Presentation of Retirement Plaque to Elizabeth Diaz - Public Defender Department - 30 years of service
PRESENTED RETIREMENT PLAQUE TO ELIZABETH DIAZ, PUBLIC DEFENDER

Public Health

- 5. Receive verbal update regarding COVID-19 vaccinations in Fresno County and provide direction to staff
RECEIVED UPDATE REGARDING COVID-19 VACCINATIONS IN FRESNO COUNTY

Administrative Office

- 6. Receive presentation from Carpi & Clay, federal lobbyists, regarding legislative actions
RECEIVED PRESENTATION

- 7. Adopt recommended changes to the Fresno County Federal Legislative Platform; authorize the Chairman to execute letters of support, or opposition, in accordance with the platform; and authorize the County Administrative Office to work with the County's Federal Congressional Delegation, federal advocates, and/or other necessary parties to support or oppose legislation in accordance with the platform
A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:
Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

- 8. Receive presentation by the Children and Families Commission of Fresno County on the Commission's FY 2019-20 Financial Audit Report and State Annual Report, per County Ordinance Code, section 2.38.030
A MOTION WAS MADE BY VICE CHAIRMAN PACHECO, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:
Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

9. Ratify the acceptance of award terms by the County Administrative Officer, acting as the Emergency Services Director, for US Department of the Treasury Emergency Rental Assistance, to support eligible renter households within the County of Fresno in the amount of \$13,900,330

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

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

Public Works and Planning

10. Consider petition for partial Cancellation of Agricultural Land Conservation Contract No. 2823 filed by Laurice J. Blayney and Pauline P. Blayney located on the north side of East Huntsman Avenue, between South Fowler Avenue and South Temperance Avenue, approximately one mile west of the nearest city limits of City of Selma (6819 E. Dinuba Avenue) (APN 348-110-17); and adopt Resolution authorizing partial Cancellation of Agricultural Land Conservation Contract No. 2823 based on five Consistency Findings listed under Government Code, Section 51282(b); and authorize Chairman to sign Certificate of Tentative Cancellation and approve recordation of Certificate of Cancellation when all conditions included in Certificate of Tentative Cancellation have been satisfied

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

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

Resolution No. 21-040

Board of Supervisors' Committee Reports and Comments

11. 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 MENDES SUGGESTED THE BOARD CONSIDER MOVING THE MEETING START TIMES TO 9:00 A.M.

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THE NOMINATION FOR REAPPOINTMENTS BE APPROVED AS FOLLOWS:

**COALINGA-HURON CEMETERY DISTRICT
REAPPOINTED CHERI KEKAHA (TERM TO EXPIRE 01/04/2021)**

**FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE
REAPPOINTED PAMELA HANCOCK (TERM TO EXPIRE 01/06/2025)**

**HOUSING AUTHORITY OF FRESNO COUNTY
REAPPOINTED SOPHIA RAMOS (TERM TO EXPIRE 02/03/2025)**

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

- 13. 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

- 14. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)

HELD; NO REPORTABLE ACTION

- 15. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)

HELD; NO REPORTABLE ACTION

- 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

HELD; NO REPORTABLE ACTION

17. Public Employee Appointment or Employment, Government Code Section 54957 - Title: County Clerk / Registrar of Voters

HELD (FOLLOWING AGENDA ITEM ONE (1)); RECEIVED PUBLIC TESTIMONY PRIOR TO RECESSING TO CLOSED SESSION. THE BOARD, BY A 5-0 VOTE, APPOINTED JAMES KUS, CONTINGENT UPON A FINAL BACKGROUND CHECK, TO THE OFFICE OF COUNTY CLERK/REGISTRAR OF VOTERS IN THE COUNTY OF FRESNO

Adjourn

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

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

APPROVED:

STEVE BRANDAU, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: _____
BERNICE E. SEIDEL
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON _____

CONSENT AGENDA

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

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

Board of Supervisors

18. Approve minutes of meeting for February 9, 2021

APPROVED AS RECOMMENDED

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

Chairman Brandau

18.1 Proclaim March 2021 as Professional Social Worker Appreciation Month

APPROVED AS RECOMMENDED

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

Resolution No. 21-034

Supervisor Mendes

19. Adjourn in Memory of Mr. Richard "Dick" Sheppard, former editor of the Sanger Herald Newspaper

APPROVED AS RECOMMENDED

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

Supervisor Pacheco

19.1 Adjourn in Memory of Aristeo Castro

APPROVED AS RECOMMENDED

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

Supervisor Quintero

20. Adopt Proclamation Honoring Tom Flores, Professional Football Hall of Fame Inductee

APPROVED AS RECOMMENDED

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

Resolution No. 21-035

20.1 Adopt Proclamation Honoring Dr. Wangyee Vang

APPROVED AS RECOMMENDED

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

Resolution No. 21-036

District Attorney

21. Approve and authorize the Chairman to execute the Certification of Assurance of Compliance for the Electronic Suspected Child Abuse Report System grant with the California Governor’s Office of Emergency Services (Cal OES), for the period January 1, 2021 through December 31, 2021

APPROVED AS RECOMMENDED

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

Agreement No. 21-049

Sheriff/Coroner/Public Administrator

22. Approve and authorize the Chairman to execute a First Amendment to Master Agreement No. A-21-007 for Polygraph Testing Services to add new vendor Global Polygraph Analysis LLC for polygraph testing services, with no change to the term of January 15, 2021 through January 14, 2026, or compensation maximum of \$705,000

APPROVED AS RECOMMENDED

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

Agreement No. 21-007-1

Human Resources

23. Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for; Bryan D. Dillard, Road Maintenance Supervisor, Calvin Norman, Road Equipment Operator II, Department of Public Works and Planning; Kevin Kester, et al. v County of Fresno, et al.

APPROVED AS RECOMMENDED

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

Agreement No. 21-050, Agreement No. 21-051

Internal Services

24. Approve and authorize the Chairman to execute a Second Amendment to Agreement No. 19-012 with EAN Services, LLC, to extend the existing Agreement for continued vehicle rental services by six months from March 1, 2021 to August 31, 2021, with no change to the compensation maximum of \$500,000

APPROVED AS RECOMMENDED

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

Agreement No. 19-012-2

Probation

25. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the Fresno County Superintendent of Schools to provide partial funding of one Deputy Probation Officer position at the Violet Heintz Education Academy - Day Reporting Center, 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 \$187,500

APPROVED AS RECOMMENDED

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

Agreement No. 21-052

Public Health

26. Approve and authorize the Chairman to execute Second Amendment to Agreement No. 18-252 with Two Q, Inc. dba JP Marketing for communication and advertising services, effective March 1, 2021 with no change to the term of May 8, 2018 through June 30, 2023 and increasing the maximum by \$2,292,223 to a total of \$6,072,223; and Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$506,741 for media related services (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 18-252-2, Resolution No. 21-037

Public Works and Planning

27. Adopt Resolution approving Rescission of Agricultural Land Conservation Contract Nos. 6303 and 6568 and Simultaneous Entry into new Agricultural Land Conservation Contract No. 8335, pursuant to Government Code Section 51254, filed on behalf of Billy L. and Rebecca D. Vanoni located on south side of West California Avenue, between South Hayes and South Polk Avenues (5959 W. California Avenue); and approve and authorize Chairman to execute new Land Conservation Contract and allow for recordation of Contract following Chairman's signature

APPROVED AS RECOMMENDED

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

Resolution No. 21-038

28. Retroactively approve and authorize Department of Public Works and Planning's previous submittal of a grant application to California Governor's Office of Emergency Services for FY 2020-21 Community Power Resiliency Allocation to Special Districts Program Grant, effective July 1, 2020 through October 31, 2021 (\$157,500)

APPROVED AS RECOMMENDED

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

29. Approve and authorize Chairman to execute an Agreement with Golder Associates, Inc. to provide annual monitoring, maintenance, and regulatory reporting for the landfill gas collection and control system at Southeast Regional Disposal Site effective February 23, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$500,000

APPROVED AS RECOMMENDED

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

Agreement No. 21-053

30. Approve amended template for Non-Exclusive Waste Hauler Agreement and authorize Director of Public Works and Planning, or designee, to execute on County's behalf each separate individual agreement based on that template, including successor agreements, with all Non-Exclusive Waste Haulers

APPROVED AS RECOMMENDED

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

31. Approve request by the 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 City's development of subdivision improvements along west side of N. Leonard Avenue, south of East Bullard Avenue

APPROVED AS RECOMMENDED

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

32. Consider and approve City of Clovis' request to acquire road easements, without eminent domain action, from five parcels adjacent to a proposed City street in the unincorporated area of the County located at the Fowler and Teague intersection and at Herndon east of Locan

APPROVED AS RECOMMENDED

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

33. Adopt Resolution authorizing Department of Public Works and Planning to apply for Fresno Council of Governments Housing Planning Grants for current grant funding available, and future planning grant rounds related to 2019-2020 Regional Early Action Planning Grant Program (REAP) funding; and approve and authorize Director of Public Works and Planning or his designee, upon review and approval by County Counsel as to legal form, and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute any necessary Agreements and documents to secure Fresno Council of Governments Housing Planning Grant funding

APPROVED AS RECOMMENDED

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

Resolution No. 21-039

34. Remove the condition to award Contract No. 20-10-C County Service Areas 30 & 32 Water System Improvements, SWRCB Project Number 1000359-005C, DWR Project Number 4600011626, based upon approval of State Water Resources Control Board, as previously imposed in the second recommended action of Board Agenda Item Number 84 dated December 15, 2020; and award Contract No. 20-10-C County Service Areas 30 & 32 Water System Improvements, SWRCB Project Number 1000359-005C, DWR Project Number 4600011626, to lowest bidder, Teichert Construction, 400 Sunrise Avenue, Suite 300, Roseville, CA 95661, in amount of \$2,866,888.00; and direct Department of Public Works and Planning staff to issue to contractor a Limited Notice to Proceed, which will authorize work only on the Water System portion of project funded by Department of Water Resources, until such time as State Water Resources Control Board has executed financing agreement amendment to fund remaining portion of project

APPROVED AS RECOMMENDED

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

- 35.** Approve and authorize the Chairman to execute the annual Water Transfer Agreement with Arvin-Edison Water Storage District, for the transfer of 950 acre-feet of surface water for County Service Area No. 34 benefitting the residences and golf course in Zone A (Brighton Crest), residences in Zone C (Bella Vista), residences in Zone D (Renaissance at Bella Vista), residences in Zone F (The Vistas), and residences in Zone G (Granville), effective during the 2021 water year of March 1, 2021 through February 28, 2022, for a total maximum cost of \$574,750

APPROVED AS RECOMMENDED

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

Agreement No. 21-054