



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, February 25, 2020

9:00 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 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. If you 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>.

Invocation and Pledge of Allegiance

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 22 - 61

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 Wayne A. Fox - Department of Public Health - 15 Years of Service
4. Presentation of Retirement Plaque to Oladehinde B. Sangokoya - Department of Social Services - 25 Years of Service

Chairman Mendes

5. Proclaim the month of March 2020 as Professional Social Worker Appreciation Month in Fresno County

Supervisor Brandau

6. Presentation of Certificate to Reuben Macias for the Fresno Regional Workforce Development Board Outstanding Achievement Award

County Clerk/Registrar of Voters

- 6.1 Provide update to Voter's Choice Act Implementation

Sheriff/Coroner/Public Administrator

7. Conduct first hearing to amend the Fresno County Ordinance Code, Title 6, to add Chapter 6.39, "County of Fresno Massage Establishment and Out Call Massage Services Ordinance;" waive reading of the Ordinance in its entirety; and set the second hearing for March 24, 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)

Administrative Office

8. 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 Legislative Delegation, Washington lobbyist, and/or other necessary parties to support or oppose legislation in accordance with the platform

Public Health

- 8.1 Adopt Resolution proclaiming a Local Emergency as a result of accumulating livestock carcasses

Public Works and Planning

9. Conduct a public hearing; adopt required findings; and conduct public hearing and adopt Resolution making required findings necessary to approve Mary Avenue Vacation Application No. V18-02 relating to vacation of public right-of-way of Mary Avenue from the north right-of-way line of Daleville Avenue, continuing northerly approximately 178 feet, as shown on Vicinity Map. The Board finds that: 1. The vacation is determined to meet criteria for general vacation pursuant to Chapter 3 of Part 3 of Division 9 of Streets and Highways Code (collectively "Vacation Laws") 2. The right-of-way, other than easement for benefit of Pacific Gas & Electric Company being retained, is unnecessary for present or prospective public use 3. The right-of-way is not useful as a nonmotorized transportation facility, pursuant to Section 892 of the Streets and Highways Code 4. The vacation is consistent with the County General Plan. Subject property is located less than one mile southwest from the nearest city limits of City of Fresno
10. Consent to assignment of Consultant Services Agreement No. 14-668-1 and On-Call Consultant Agreement No. 17-477-1 by Drake Haglan & Associates, Inc. to Dewberry | Drake Haglan, retroactive to September 27, 2019; and consent to assignment of On-Call Consultant Agreement No. 17-477 by Drake Haglan & Associates, Inc. to Dewberry | Drake Haglan, retroactive to September 27, 2019

11. Consider appeal of Planning Commission's denial of Unclassified Conditional Use Permit Application (UCUP) No. 3648, proposing to allow construction of a new unmanned wireless telecommunications facility consisting of a 150-foot lattice tower with associated antennas and equipment on a 40-foot by 50-foot fenced area on a 1.45-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District; and if your Board grants the appeal and overturns the Planning Commission's denial of UCUP Application No. 3648: a) adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7611 and approved proposal subject to project Mitigation Measures and Conditions of Approval; and b) make the required findings specified in County Zoning Ordinance, Section 873(F) for approval of the UCUP No. 3648; and c) adopt Resolution approving UCUP No. 3648 for a wireless communications facility, with staff's recommended Conditions of Approval. Subject property is located on west side of South Elm Avenue approximately 1,764 feet north of its nearest intersection with East Elkhorn Avenue and is located approximately 3.36 miles southeast of the unincorporated community of Caruthers (SUP. DIST. 4) (APN 042-200-06S) (16629 S. Elm Avenue, Caruthers, CA)

Social Services

12. Approve and authorize the Chairman to execute a lease with 380 Ashlan LLC, a California limited liability company, for 138,290 square feet of office space, located at 380 W. Ashlan Ave., Clovis, CA 93612, for use by the County's Department of Social Services, effective the date the County takes occupancy, not to exceed nineteen years, total not to exceed (\$166,072,374); authorize the Director of Internal Services/Chief Information Officer to approve and execute Occupancy Notice confirming the building square footage, not to exceed 138,290 square feet, rent schedule, and final tenant improvement amortization schedule; and, authorize the Director of Internal Services/Chief Information Officer or his/her representative, to approve and execute a Memorandum of Lease for the premises, as well as any Estoppel Certificate and/or Subordination and Attornment Agreement required by the Lessor, and any other such necessary agreements, certificates, notices, instruments, or documents, subject to the approval of the County Counsel's Office as to legal form and, if applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector
13. Approve and authorize the Chairman to execute the Opt-In Letter to the California Complete Count - Census 2020 Office for an additional allocation of \$157,350 for county outreach activities to promote participation in the 2020 Census; and, approve and authorize the Chairman to execute Amendment No. 1 to the Census 2020 Standard Agreement No. 19-111 with California Complete Count - Census 2020 Office for county outreach activities to promote participation in the 2020 Census, effective upon execution through December 31, 2020 (\$1,245,793)

Board of Supervisors' Committee Reports and Comments

14. 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

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

Public Presentations

16. 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

17. 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
18. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
19. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 2 Cases
20. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Mariagladysz Duque-Douglas v. County of Fresno, et al., Fresno Superior Court Case No.: 18CECG02006; Risk Management Claim No.: 9887
21. Conference with Real Property Negotiators – Government Code 54956.8; Property: Plaza Building, 2220 Tulare Street, Fresno, CA 93721, Floors 3 & 4; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee; Negotiating Parties: State of California Department of Child Support Services; Negotiations: Instructions to County's negotiator may concern terms for additional floors in subject property to be occupied by County Child Support Services
- 21.1 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - PG&E Corporation and Pacific Gas and Electric Company, United States Bankruptcy Court, Northern District of California, San Francisco Division, Case No. 19-30088 (DM)
- 21.2 Conference with Real Property Negotiators - Government Code, Section 54956.8; Property: UMC Campus located at the northeast corner of South Cedar Avenue and East Kings Canyon Road, Fresno, CA; County Negotiator: Jean M. Rousseau, County Administrative Officer or designee. Negotiating Parties: CMG, Inc. Under negotiations: Instructions to County's negotiator may concern sale and lease terms and conditions including price

Adjourn

NEXT MEETINGS:

March 10, 2020 - 9:00 AM

March 24, 2020 - 9:00 AM

CONSENT AGENDA

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

Board of Supervisors

22. Approve minutes of meeting for February 4, 2020

Chairman Mendes

23. Approve Certificates in Recognition of Wall of Honor Honoree: Monique S. Kelly, Yolanda Randles and Dolphas Windell Trotter, in Honor of the State Center Community College District for their dedication to service and empowering citizens in our community

Supervisor Magsig

24. Adjourn in memory of Jack Schwass who was a student at Gateway High School in Clovis
25. Adjourn in memory of Thomas Brown who was a student at Clovis High School

Supervisor Quintero

26. Adjourn in Memory of Margaret Hudson, local native and artist
27. Adjourn in Memory Enrique Reade, local businessman

Auditor Controller-Treasurer/Tax Collector

28. Receive and file the Fresno County Audit Committee Minutes from August 16, 2019 meeting

County Clerk/Registrar of Voters

29. Approve and authorize the Chairman to execute Agreement No. 19S10055 with the State of California for reimbursement funds for the Voter's Choice Act implementation effective upon execution by the California Department of General Services through December 30,2020 (\$760,911). Adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the County Clerk - Elections Org 28500500 in the amount of \$760,911 (4/5 vote)
30. Consider candidate and appoint director to the Tranquillity Public Utility District Board of Directors, Keith Eubanks term expiring in 2023

District Attorney

31. Approve and authorize the Chairman to execute the updated Certification of Assurance of Compliance for the Violence Against Women Vertical Prosecution program with the California Governor's Office of Emergency Services (Cal OES), for the period July 1, 2019 through June 30, 2020

Sheriff/Coroner/Public Administrator

32. Approve and authorize the Chairman to execute a retroactive Agreement with the Central Unified School District for law enforcement services, effective August 14, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$935,870
33. Retroactively approve and authorize the Sheriff's previous submittal of a 2019 Coverdell Forensic Grant Application to California Office of Emergency Services (Cal OES), including the "Grant Subaward Face Sheet", the "Signature Authorization" form, the "Certificate of Assurance of Compliance" required by CalOES, the "Subrecipient Grants Management Assessment" form, the "Certificate as to External Investigations" form, and the "Baseline Data Sheet" form, to expand the training of the Fresno County Sheriff's Forensic Services staff and facilitate the purchase of forensic ballistic testing equipment, effective January 1, 2020 through December 31, 2020 (\$53,722); approve and authorize the Sheriff or her designee to execute retroactive grant award from Cal OES, for the 2019 Coverdell Forensic Grant for the period of January 1, 2020 through December 31, 2020 (\$53,722); adopt Resolution in support of 2019 Paul Coverdell Forensic Science Improvement Program; approve and authorize the Sheriff or her designee to execute any and all notices, certificates, applications, reports, amendments, extensions, and other documents which she or her designee may deem necessary or advisable in order to consummate the grant, except those that alter fiscal or material terms of the Grant which are subject to approval by both County Counsel's Office and the Auditor-Controller/Treasurer-Tax Collector's Office; approve and authorize the Chairman to execute the Certification of Assurance of Compliance as required by CalOES; adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$96,722 (4/5 vote); and adopt Budget Resolution increasing the FY 2019-20 appropriations in the Sheriff's Criminalistic Laboratory Fund, Org 1451 in the amount of \$43,000 (4/5 vote)

Administrative Office

34. 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
35. Approve and Adopt Administrative Policy 78 - Employment Background Check Process

36. Ratify the North Central Fire Protection District Ordinance No. 2019-01, which modifies or changes the 2019 California Fire Code based on local climatic, geological and topographical conditions; and, delegate authority for the enforcement of Ordinance No. 2019-01 to the chief of the North Central Fire Protection District, or his/her authorized representative

Behavioral Health

37. Approve and authorize the Chairman to execute Amendment I to Agreement No. 19-178 with Two Q, Inc., to add market research groups for diverse populations, effective upon execution, with no change in the term to June 30, 2022 and increasing the maximum by \$70,000 to a total of \$2,420,000
38. Make a finding that 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 for Community Planning Process Around Transition Aged Youth Innovation Programs for the Department of Behavioral Health; and, approve and authorize the Chairman to execute an Agreement with San Diego State University Research Foundation for Community Planning Process Around Transition Aged Youth Innovation Programs, effective upon execution through June 30, 2020, total not to exceed \$92,001
39. Approve Without Cause Termination of Agreement No. 14-292 with Family Development Center, LLC.; and, approve and authorize the Director of the Department of Behavioral Health to give 30 days prior written notice to the Family Development Center, LLC terminating Agreement No. 14-292 pursuant to the Without Cause provisions within the agreement effective March 31, 2020

Human Resources

40. Approve and authorize the Chairman to execute an Agreement with ReliaStar Life Insurance Company to provide optional employee-paid Accident, Critical Illness, and Hospital Indemnity insurance coverage to County of Fresno employees, effective May 1, 2020, not to exceed three (3) consecutive years
41. Authorize the Chairman to approve the appointment of the position of Director of Human Resources to serve as an alternate representative of the County of Fresno to the California State Association of Counties (CSAC) Excess Insurance Authority Board of Directors
42. Approve the successor Memorandum of Understanding for Representation Unit 11 - Deputy Probation Officers, represented by the Fresno County Deputy Probation Officers Association, effective February 24, 2020, through February 20, 2022; and, approve the related Salary Resolution Amendment as reflected on Appendix "B"
43. Approve and authorize the Chairman to execute an Agreement with First 5 Fresno County and the County of Fresno Human Resources Department to provide recruitment services to First 5 to recruit a new Executive Director

Internal Services

44. 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 for mainframe hosting services for the County's Property Tax System; and approve and authorize the Chairman to execute an agreement with Perspecta State & Local, Inc. for hosting services for the County's Property Tax System, effective February 27, 2020, not to exceed three consecutive years, total not to exceed \$2,550,000
45. Approve and authorize the Chairman to execute a Sale and Purchase Agreement with the Fresno County Superintendent of Schools for the purchase of a communication tower and equipment storage shed located in Tranquillity, CA, total not to exceed One Dollar (\$1.00); approve and authorize the Chairman to execute a Lease Agreement with Golden Plains Unified School District, effective upon execution, which includes an 11-year base term and eight automatic 11-year extensions, total not to exceed \$99; approve and authorize the Chairman to execute a License Agreement with Golden Plains Unified School District and North Central Fire Protection District, effective upon execution, which includes an 11-year base term and eight automatic 11-year extensions (\$0); and authorize the Director of Internal Services/Chief Information Officer or his designee to execute amendments to add additional licensees to the recommended License Agreement as they are identified, who will agree to the terms and conditions of the License Agreement, without returning to the Board of Supervisors with amendment(s), subject to the review and approval of County Counsel

Probation

46. Retroactively authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services for the Human Trafficking Advocacy Program (\$187,500); approve and authorize the Chairman to execute a retroactive Grant Application/Agreement for the Human Trafficking Advocacy Program with the State of California, Governor's Office of Emergency Services for the period of January 1, 2020 to December 31, 2020; and adopt resolution authorizing the Chairman to sign the retroactive grant application and to execute the retroactive Grant Award Agreement and any extensions or amendments thereto with Cal OES for the period of January 1, 2020 through December 31, 2020, subject to the maximum of \$187,500, and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector

Public Health

47. Approve and retroactively authorize the Department of Public Health Director to execute the Notification of Subrecipient Allocation Agreement with the California Governor's Office of Emergency Services for Public Safety Power Shutoff program, with a period of performance of July 1, 2019 to October 31, 2022 (\$412,675); and, authorize the Department of Public Health Director to sign all corresponding reports, claims and necessary documents as required by the California Governor's Office of Emergency Services

48. Approve and Authorize Chairman to execute a Retroactive Revenue Agreement with Manifest MedEx for implementation of the +EMS Program portion of the Health Information Exchange, effective December 31, 2019 to September 30, 2021 (\$219,900); and adopt Budget Resolution increasing the Fiscal Year 2019-20 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$109,950 (4/5 vote)
49. Approve and authorize the Chairman to execute an Affiliation Agreement with Touro University California to provide educational and training experiences and observational opportunities through County facilities for students, effective February 25, 2020, for a period of one-year (\$0)

Public Works and Planning

50. Authorize the Chairman to execute a Memorandum of Understanding with the Pleasant Valley Groundwater Sustainability Agency for implementation of the Sustainable Groundwater Management Act in the Pleasant Valley Groundwater Subbasin
51. Adopt Resolution establishing Infrastructure Plan Fees to provide for Millerton New Town Infrastructure Facilities for Tract No. 6189 (Phase 2 of Vesting Tentative Tract No. 4968); and adopt Resolution establishing Specific Plan Fees to provide for Millerton New Town Facilities
52. Adopt Resolution establishing Infrastructure Plan Fees to provide for Millerton New Town Infrastructure Facilities for Tract No. 4934; and adopt Resolution establishing Specific Plan Fees to provide for Millerton New Town Facilities
53. Adopt Resolution amending the Schedule of Drainage Costs and Fees for local drainage areas and Storm Drainage and Flood Control Master Plan pursuant to Section 17.64.050 of the Fresno County Ordinance Code
54. Approve City of Fresno's request to acquire an exclusive water line easement on a parcel of land owned by County of Fresno, as needed in conjunction with City of Fresno Project No. J5758 for water main pipeline replacement in the Congo Alleyway between Merced Street and Fresno Street; and approve and authorize Chairman to execute Grant of Exclusive Water Line Easement on behalf of County of Fresno to, and for benefit of, City of Fresno (\$0); and approve and authorize Director of Department of Public Works and Planning to execute, upon review and approval by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, an Agreement with City of Fresno Granting of Exclusive Water Line Easement with City of Fresno, in substantial form as attached Agreement, on file with Clerk, including any revisions thereto as may be approved by Director as he deems to be in best interest of the County
55. Approve and authorize Chairman to execute Agreement with Sierra Unified School District for Sierra Oaks Senior and Community Center Solar, Roofing and Americans with Disabilities Act Improvements, Community Development Block Grant Project No. 18011, effective upon execution through January 15, 2021 (\$158,220)
56. Adopt Resolution to approve the Central Valley Project Interim Renewal Contract and authorize Chairman to execute the Contract as the designated County Representative

57. Approve and authorize Chairman to execute an Agreement with Stearns Conrad, & Schmidt, Consulting Engineers, Inc., dba SCS Engineers to assist in evaluating solid waste programs and planning programs compliant with both State regulations and Fresno County Ordinance Code and to develop and prepare a strategic and comprehensive solid waste management master plan, and execute related tasks 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 \$290,000
58. 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 2020 water year of March 1, 2020 through February 28, 2021, for a total maximum cost of \$574,750
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 as Professional Asbestos Removal Corporation, d.b.a. PARC Environmental, is the only vendor that meets the requirements of asbestos and lead abatement, hazardous waste disposal, homelessness encampment cleanup, and emergency response services; and approve and authorize the Chairman to execute an Agreement with Professional Asbestos Removal Corporation, d.b.a. PARC Environmental, effective upon execution, not to exceed five consecutive years, which includes a three years, four months and six days-base term and two optional one-year extensions, total not to exceed \$620,000
- 59.1 Approve and authorize the Chairman to execute a retroactive Agreement for Architectural Services with DLR Group, Inc., for West Annex Jail Project architectural services extending the term by one year from December 31, 2019 to December 31, 2020, with one optional one-year extension, with no increase in the maximum of \$7,326,400

Social Services

60. Approve and authorize the Chairman to execute an Agreement with the Housing Authority of the City of Fresno, effective March 1, 2020, which includes a 15-month base contract and two optional 12-month extensions, total not to exceed \$2,034,000; and, approve and authorize the Chairman to execute an Agreement with Centro La Familia Advocacy Services, Inc., effective March 1, 2020, which includes a 15-month base contract and two optional 12-month extensions, total not to exceed \$1,300,000
61. Retroactively authorize the Department of Social Services' prior submittal of a grant application in the amount of \$100,000 to the California Department of Veterans Affairs for the 2020/2021/2022 Proposition 63 Funding Mental Health Outreach and Services Grant