



# Board of Supervisors

## Agenda - Final-Revised

Hall of Records, Room 301  
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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*

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Tuesday, April 28, 2020

9:00 AM

Hall of Records

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### **\*SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19\***

Due to the current Shelter-in-Place Order covering the State of California and Social Distance Guidelines issued by Federal, State, and Local Authorities, the County is implementing the following changes for attendance and public comment at all Board of Supervisors meetings until notified otherwise. The Board chambers will not be open to the public. Any member of the Board of Supervisors may participate from a remote location by teleconference.

- The meeting will be webcast and can be accessed at: <https://fresnocounty.Legistar.com>

#### **Written Comments**

- Members of the public are encouraged to submit written comments to: [BOSScomments@fresnocountyca.gov](mailto:BOSScomments@fresnocountyca.gov). Comments should be submitted as soon as possible but not later than 15 minutes before start of meeting. You will need to provide the following information:
  - Board Meeting Date
  - Item Number
  - Comment (please limit to 250 words or less)
- Please submit a separate e-mail for each item you are commenting on.
- Please be aware that public comments received that do not specify a particular agenda item will be made part of the record of proceedings as a general public comment.
- If a written comment is received after the start of the meeting it will be made part of the record of proceedings, provided that such comments are received prior to the end of the Board meeting.
- Written comments will be provided to the Board members. Comments received during the meeting may not be distributed to Board members until after the meeting has concluded.

**Noticed Public Hearings**

- For agenda items involving noticed public hearings, the Board will recess for ten (10) minutes during the agenda item to allow the public the opportunity to email written comments to BOScomments@fresnocountyca.gov. All written comments must be received by the close of the ten (10) minutes public comment period. All written comments received by the close of the ten (10) minutes public comment period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within three (3) minutes allotted to each speaker. Any portion of comments received that extend past three (3) minutes may not be read aloud due to time restrictions, but will be included in the record of proceedings.
- If a comment on a public hearing item is received after the close of the ten (10) minutes public comment period, such comment will be treated like a general public comment and made part of the record of proceedings, provided that such comment is received prior to the end of the meeting.
- If the agenda item involves a quasi-judicial matter or other matter that includes members of the public as parties to a hearing, those parties should make arrangements with the Clerk of the Board to provide any written materials or presentation in advance of the meeting date so that the materials may be presented to the Board of Supervisors for consideration. Arrangements should be made by contacting the Clerk of the Board at (559) 600-3529, option 4.

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 online at: <http://fresnocounty.legistar.com>.

### **Invocation and Pledge of Allegiance**

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 17 - 41

*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*

### **Administrative Office**

3. Retroactively approve and authorize the submittal of required documentation and certification to the United States Treasury Department to secure the County of Fresno's portion of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding; and, adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for ACTTC - Disaster Recovery Fund 0026, Subclass 91019, Org 1031 in the amount of \$82,000,000(4/5 vote)

**Public Works and Planning**

4. Adopt Resolution setting aside the October 17, 2017 adoption of Mitigated Negative Declaration prepared for Initial Study Application No. 7104, including the Mitigation Monitoring and Reporting Program, and the approval of Unclassified Conditional Use Permit No. 3528 (collectively "Project Approvals"), which authorized an Interstate Freeway Interchange Commercial Development on 10.10 acres of property zoned Exclusive Agricultural with a 40-acre minimum parcel size, pending further work on the Initial Study and recirculation of the Project Approvals through the standard County land use approvals process as appropriate; direct staff to prepare a revised Initial Study addressing the issues identified by the Court of Appeal in case no. F078035 and Superior Court in case no. 17CECGO3813, once the applicant pays all additional fees deemed appropriate by the Department of Public Works and Planning; and, direct staff to recirculate the Project Approvals through the standard County land use approvals process if appropriate, after staff completes a revised initial study, identified above, and such further environmental review as might be identified by the initial study. The subject parcel is located on the northwest corner of Interstate 5 (I-5) and Nees Avenue, approximately 17 miles west of the nearest city limits of the City of Firebaugh (APN 005-100-47s)
5. Approve amendment to the Fresno County Housing and Community Development Citizen Participation Plan, including the addition of policies on citizen participation requirements during declared emergencies; conduct public hearing to receive testimony on proposed County community development, housing, and homeless grant programs; approve 2020-24 Consolidated Plan, including use of Community Development Block Grant, HOME Investment Partnerships Grant, and Emergency Solutions Grant funds; authorize Director of the Department of Public Works and Planning to execute Standard Form 424, Certifications, and Entitlement Grant Agreements for Community Development Block Grant and HOME Investment Partnerships Grant; and, authorize Director of the Department of Social Services to execute Standard Form 424, Certification, and Entitlement Agreement for Emergency Solutions Grant

**Board of Supervisors' Committee Reports and Comments**

6. 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**

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

**Public Presentations**

8. 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*

9. 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
10. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
11. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
12. Threat to public services or facilities – Government Code, Section 54957(a) – Consultation with Jean Rousseau, CAO and Emergency Services Director, Robert Bash, Director of ISD or Designee and David Pomaville, Director of Public Health or Designee
13. 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
14. Conference with Real Property Negotiators - Government Code, Section 54956.8 Properties: 2100 Tulare Street, Fresno, CA 93721; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Lance-Kashian & Co., Under Negotiations: Instructions to County's negotiator may concern lease and option to purchase of properties, price, terms and conditions
15. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) -.BNSF v. Alameda County, et al, United States District Court, Northern District of California, Case No. 4:19-cv-07230-HSG
16. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) California Sportfishing Alliance Protection v. All Persons Interested in the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al, Stanislaus County Superior Court, Case No. CV-20-001748

**Adjourn****NEXT MEETINGS:**

*May 12, 2020 - 9:00 AM*

*May 26, 2020 - 9:00 AM*

**CONSENT AGENDA**

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

**Board of Supervisors**

17. Approve minutes of meeting for April 14, 2020

**Chairman Mendes**

18. Proclaim the month of May 2020 as Foster Care Month in Fresno County
19. Proclaim May 2020 as Mental Health Awareness Month in Fresno County
20. Proclaim the month of May 2020 as Older Americans Month in Fresno County

**Supervisor Magsig**

21. Adopt resolution supporting the 44th Annual Climb to Kaiser event and restriction of State Route 168 as deemed appropriate and necessary by the State of California Department of Transportation

**Supervisor Pacheco**

- 21.1 Proclaim April 2020 as Friday Night Live Month in Fresno County

**Supervisor Quintero**

22. Adjourn in Memory Dorothy Manjarrez, art cultural educator and avid golf promoter
- 22.1 Recognize Bill and Carol Chandler for being named Agriculturists of the Year

**County Clerk/Registrar of Voters**

23. Accept the Certified Statement of Vote for the March 3, 2020 Consolidated Presidential Primary Election
24. Consider candidate and appoint a director to the Sierra Resource Conservation District Board of Directors. Gary L. Temple term expiring in 2022

**District Attorney**

25. Adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the amount of \$58,212 in the District Attorney's Special Revenue Fund 0060, DOI Disability and Healthcare Insurance Fraud Program, Org 1102 (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the amount of \$58,212 in the District Attorney-Grants Org 2862 (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the amount of \$331,505 in the District Attorney's Special Revenue Fund 0060, DOI Auto Insurance Fraud Program, Org 1104 (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the amount of \$331,505 in the District Attorney-Grants Org 2862 (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the amount of \$439,712 in the District Attorney's Special Revenue Fund 0060, DOI Workers Comp Fraud Program, Org 1107 (4/5 vote); and adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the amount of \$439,712 in the District Attorney-Grants Org 2862 (4/5 vote)
26. Approve and authorize the Chairman to execute Amendment No. 1 to Agreement No. 19-193 with the California Office of Emergency Services (Cal OES) for the Violence Against Women Vertical Prosecution grant extending the term by six months from June 30, 2020 to December 31, 2020 and increasing the grant award by \$135,029 to \$405,089

**Sheriff/Coroner/Public Administrator**

27. Adopt Budget Resolution increasing FY 2019-20 appropriations for the Sheriff-Coroner-Public Administrator Fund 0095, Subclass 17665, Federal Asset Forfeiture Treasury Org 1466 in the amount of \$30,000 (4/5 vote); and adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 31113000 in the amount of \$30,000 for the purchase of two (2) narcotic detection canines (4/5 vote)
28. Adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$2,600,000 to offset an anticipated increase in salaries and benefits (4/5 vote)
29. 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 Law Enforcement Policy Manual and Daily Training bulletin subscription services used by the Sheriff's Office; and approve and authorize the Chairman to execute a Retroactive Agreement with Lexipol, LLC., for subscription services effective April 1, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$249,680
30. Approve and authorize the Chairman to execute a revenue Agreement with the U.S. Army Corps of Engineers for the Sheriff's Office to provide law enforcement services for Pine Flat Lake campsites for the period of May 1, 2020 through April 30, 2021 (\$68,967.36)

- 30.1** Approve and authorize the Chairman to execute Amendment I to Agreement No. A-18-169 with California Forensic Medical Group effective April 28, 2020 with no change in the term to June 30, 2023, to allow the Sheriff-Coroner-Public Administrator's Office to approve pre-payments and accept 1% discount for the months of May, June, July and August of 2020

### **Agriculture**

- 31.** Approve and authorize the Chairman to execute First Amendment to State Agreement No. 18-0683-000-SA-1 with the California Department of Food and Agriculture for the Industrial Hemp Cultivation Program with Registration, effective upon execution with no change to the term of April 30, 2019, through June 30, 2020, and increasing the maximum reimbursement by \$252,577 to a total of \$254,577

### **Behavioral Health**



**31.1** Approve and Authorize the Chairman to execute the following Amendments to existing Agreements with various contractors (Attachment 1) for contract term extensions with increases to the maximum compensations for FY 2020-21, effective upon execution; Amendment I to Agreement No. 18-685 with Beacon Health Options for 24/7 Substance Use Disorder (SUD) Access Line, SUD Residential Authorizations, Mental Health Inpatient Concurrent Reviews, effective upon execution; Amendment III to Agreement No. 16-430 with California Health Collaborative for SUD Prevention Services: Performing Above the High and Lock It Up, effective upon execution; Amendment I to Agreement No. 15-318 with Envolve Pharmacy Solutions for Pharmacy Benefit Management: Prescription Services, effective upon execution; Amendment I to Agreement No. 15-210 with Housing Authority of the City and County of Fresno for Shelter Plus Care Program: Rental Assistance Vouchers to Qualified Homeless Individuals, effective upon execution; Amendment III to Agreement No. 15-257 with Kings View Corporation for Homeless Outreach, Engagement and Linkage Services and Specialty Mental Health Services (PATH Grant), effective upon execution; Amendment II to Agreement No. 15-317 with Kings View Behavioral Health for Crisis Intervention Team Services - Rural Triage Mental Health Services in East and West Cities, effective upon execution; Amendment II to Agreement No. 15-248 with Master Agreement - Translation Services for Verbal Interpreting and Written Translation Services, effective upon execution; Amendment I to Agreement No. 20-071 with San Diego State University Research Foundation for Community Planning Process Around Transition Aged Youth (TAY) Innovation Programs, effective upon execution; Amendment III to Agreement No. 16-431 with Youth Leadership Institute for SUD Prevention Services: Friday Night Live & Alcohol Initiative, effective upon execution; Approve and Authorize the Chairman to execute Amendments to the following existing Agreements with various contractors (Attachment 2) for increased budget modification request allowances for FY 2019-20, effective retroactive to March 1, 2020 through June 30, 2020; Amendment III to Agreement No. 14-704 with Central Star Behavioral Health, Inc. for Adolescent Psychiatric Health Facility, effective retroactive to March 1, 2020; Amendment I to Agreement No. 17-580 with Central Star Behavioral Health, Inc. for Crisis Residential Treatment Services, effective retroactive to March 1, 2020; Amendment I to Agreement No. 18-576 with Central Star Behavioral Health, Inc. for Full Service Partnership Services to Transitional Age Youth, effective retroactive to March 1, 2020; Amendment I to Agreement No. 17-579 with Clinica Sierra Vista for Integrated Mental Health and Substance Use Disorder Services at Primary Care Clinics, effective retroactive to March 1, 2020; Amendment I to Agreement No. 20-014 with Mental Health Systems, Inc. for Full Service Partnership Co-occurring Services; Program Name: "IMPACT", effective retroactive to March 1, 2020; Amendment I to Agreement No. 18-327 with Turning Point of Central California, Inc. for Full Service Partnership Services; Program Name: "VISTA", effective retroactive to March 1, 2020; Amendment II to Agreement No. 15-215 with Turning Point of Central California, Inc. for Outpatient, Intensive Case Management, and Full Service Partnership Services to Rural Areas, effective retroactive to March 1, 2020; Approve and Authorize the Chairman to execute a Retroactive First Amendment to Agreement No. 18-233 with Central Star Behavioral Health Inc. for wraparound services to provide for a compensation structure change for FY 2019-20, effective March 1, 2020 through June 30, 2020

**Human Resources**

32. 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 the solicitation of health and ancillary benefits plan proposals for Plan Year 2021; and authorize the Director of Human Resources to solicit competitive bids for health and ancillary benefit plans and directly negotiate agreements with vendors to provide health and ancillary benefits to active and retired County employees and their dependents for Plan Year 2021
33. Adopt Resolutions Rejecting Claims for Damages; Adopt Resolution Rejecting Application for Leave to Present a Late Claim

**Internal Services**

34. Make a finding that it is in the best interest of the County to waive the competitive bidding process under Administrative Policy No. 34 due to unusual or extraordinary circumstances for document indexing services and document storage solutions for historical vital records; and approve and authorize the Chairman to execute an Agreement with Kofile Technologies, Inc. for document indexing services and document storage solutions for historical vital records, effective upon execution, not to exceed five consecutive years, which included a three-year base contract and two optional one-year extensions, total not to exceed \$646,000

**Public Defender**

35. Approve and authorize the Chairman to execute a Revenue Agreement with the Fresno Economic Opportunities Commission, effective upon execution through September 30, 2021 (\$60,000); and adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$3,000 (4/5 vote)

**Public Works and Planning**

36. Adopt plans and specifications for Contract No. 19-20-C, Slurry Seals at various locations in Fresno County and award to the low bidder, American Pavement Systems, 1012 11th Street, Suite 1000, Modesto, CA 95354, in the total amount of \$911,556.45, including the base bid and all the additive bids; and, adopt plans and specifications for Contract No. 19-21-C, Bituminous Seal Coats at various locations in Fresno County and award to the low bidder, Talley Oil, 12483 Road 29, Madera, CA 93638, in the total amount of \$957,331.19
37. Approve and authorize the Chairman to execute Amendment II to Agreement No. 17-054 with AAA Quality Services, Inc. for portable chemical toilet rental and maintenance services and to adjust rates at the request of AAA Quality Services for the remainder of this term with no change to the term or maximum compensation amount, total not to exceed \$260,000

**Sitting as the Board of Directors for Waterworks District No. 38 and as the Fresno County Board of Supervisors:**

38. Adopt Budget Resolution increasing FY 2019-20 appropriations for County Service Area 2 - Tenaya Estates in amount of \$10,000 using available fund balance for operational costs (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations for County Service Area 14 - Belmont Manor in amount of \$35,000 for operational costs and increasing FY 2019-20 estimated revenues with funds received from Settlement Agreement No. 19-518 in amount of \$2,000,000 (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations for County Service Area 31 - Shaver Lake in amount of \$200,000 using available fund balance for purchase of a fire truck for district (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations for County Service Area 34F - The Vistas in amount of \$12,288, for operational costs and increasing FY 2019-20 estimated revenues with funds received from Subdivider Agreement 10-533 (4/5 vote); adopt Budget Resolution increasing FY 2019-20 appropriations for County Service Area 34G - Granville in amount of \$168,974, for operational costs and increasing FY 2019-20 estimated revenues with funds received from Subdivider Agreement 10-534 (4/5 vote); and adopt Budget Resolution increasing FY 2019-20 appropriations for County Service Area 35AT - Bretz Mountain in amount of \$6,000 using available fund balance for operational costs (4/5 vote); and adopt Budget Resolution increasing FY 2019-20 appropriations for County Service Area 35CI - Quartz Mountain in amount of \$6,000 using available fund balance for operational costs (4/5 vote)

Sitting as Board of Directors for Waterworks District No. 38

Adopt Budget Resolution increasing FY 2019-20 appropriations for Waterworks District 38 - Sky Harbour in amount of \$140,000 using available fund balance for operational costs (4/5 vote)

**Social Services**

39. Approve and authorize the Chairman to execute an Agreement with the California Department of Housing and Community Development for California Emergency Solutions and Housing Program (19-CESH-12962) funds, effective upon execution by the California Department of Housing and Community Development, for a maximum term of five years, total not to exceed \$879,281
40. Approve and authorize the Chairman to execute a retroactive Memorandum of Understanding with the City of Fresno for revenue to support the COVID-19 Emergency Homelessness Response plan, effective March 19, 2020, total not to exceed \$1,012,869

41. Approve and authorize the Chairman to execute an Agreement with Community Action Partnership of Madera County for homeless services in Madera County, effective upon execution through December 31, 2022, which includes an eight-month base contract and two optional one-year extensions, total not to exceed \$660,480; 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 the solicitation of rapid rehousing homeless services for the Department of Social Services; and, approve and authorize the Chairman to execute an Agreement with Turning Point of Central California, Inc. for rapid rehousing services, effective upon execution through December 31, 2020, total not to exceed \$89,305