



Board of Supervisors

Agenda - Final-Revised

Hall of Records, Room 301
2281 Tulare Street
Fresno, California
93721-2198
Telephone: (559) 600-3529
Toll Free: 1-800-742-1011
www.co.fresno.ca.us

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, August 24, 2021

10:00 AM

Hall of Records

IMPORTANT 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 be open to the public. Any member of the Board of Supervisors may participate from a remote location by teleconference pursuant to California Governor Gavin Newsom's Executive Order N-25-20.

- The meeting will be webcast. The public may observe the live stream of the Board of Supervisors Meeting at: <https://fresnocounty.Legistar.com>
- If you attend the Board of Supervisors meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals. Due to Shelter-in-Place Order requirements, the number of people in the Board of Supervisors Chambers will be limited. Members of the public who wish to make public comments will be allowed in on a rotating basis even if seating in the chambers is limited.
- If you choose not to attend the Board of Supervisors meeting but desire to make general public comment, or comment on a specific item on the agenda, you may do so as follows:

Written Comments

• Members of the public may submit written comments as follows: by email to BOscomments@fresnocountyca.gov, by mail or by hand delivery at the Clerk of the Board's office in the Hall of Records at the above address. 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
- Comments

- 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.

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities.

Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Clerk of the Board of Supervisors staff, as soon as possible during office hours at (559) 600-3529, option 4 or at ClerkBOS@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

The Fresno County Board of Supervisors welcomes you to this meeting and encourages your participation. This agenda contains a brief general description of each item to be considered. The number of the item being heard is indicated on the Clerk's desk. Please see note below regarding consent agenda items. The Chairman will call for public testimony as each item is heard. For those who are present and wish to speak to an individual item please step to the podium during this time period and state your name for the record. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Presentation period at the end of the regular session.

All supporting documentation is available online at: <http://fresnocounty.legistar.com>.

Roll Call**Invocation and Pledge of Allegiance**

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 20 - 45

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 Lois Sloan - Department of the Library - 16 Years of Service

Chairman Brandau and Supervisor Mendes

4. Consider and approve a location consisting of approximately 2,940 acres generally bounded by North Avenue to the north, Peach Avenue and State Route 99 to the west, Fowler Avenue to the east, and American Avenue to the south, for further County staff study for a proposed future Fresno County Business and Industrial Campus (Fresno County BIC); and Direct staff to develop an Initial Infrastructure Assessment assessing infrastructure availability and needs to serve the proposed future Fresno County BIC, and return to the Board of Supervisors with the assessment information and for further direction; and Determine that approval of Recommended Actions Nos. 1 and 2 are exempt from the requirements of the California Environmental Quality Act, Public Resources Code 2100, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk
5. Authorize the Board of Supervisors to sign a Letter of Concern to the Federal Delegation regarding U.S. Surface Transportation Board's proposed railroad access regulations

Administrative Office

6. Receive verbal report and provide direction regarding County homelessness activities
7. Receive update on the American Rescue Plan Act of 2021 - initial funding categories; Direct staff to submit initial Recovery Plan Performance Report to the U.S. Treasury by August 31, 2021; Authorize the CAO, or his designee, to sign required documents pertaining to the submittal of reports to the U.S. Treasury

Public Works and Planning

8. Adopt Specifications and Award Contract No. 21-01-C, Travers Creek at Manning Avenue Tree Removal, Federal Project No. BRLS-5942(198), receive verbal report on bid opening, and award to bidder with lowest responsive bid
9. Consider appeal of Planning Commission's denial of Classified Conditional Use Permit Application No. 3657, proposing to allow a religious facility with related improvements on an approximately 1.52-acre portion of a 5.02-acre parcel in RR (Rural Residential, two-acre minimum parcel size) Zone District; and if Appeal is granted and Planning Commission's denial of Classified Conditional Use Permit Application No. 3657 is overturned: a. adopt a Mitigated Negative Declaration based on Initial Study No. 7705 with recommended Mitigation Measures and Conditions of Approval; and b. make required Findings specified in Section 873(F) for approval of Classified Conditional Use Permit Application No. 3657 as recommended in Staff Report to Planning Commission; and c. adopt Resolution approving Classified Conditional Use Permit Application No. 3657 for a religious facility, with Conditions of Approval

Board of Supervisors' Committee Reports and Comments

10. 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

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

Public Presentations

12. 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

13. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
14. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
15. 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

16. Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1) - Tom Lee ADJ11082334
17. Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1) - Michael Estrada ADJ9787389
18. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - BNSF Railway Company v. Alameda County, et al., United States District Court, Northern District of California, Case No. 4:19-cv-07230-HSG
19. Conference with Real Property Negotiators - Government Code, Section 54957(a); UMC Campus located at the corner of South Cedar Avenue and East Kings Canyon Road, Fresno, CA; County Negotiator: Jean M. Rousseau or designee. Negotiating Parties: City of Fresno, Under negotiations: Instructions to County's negotiator may concern sale, lease and escrow terms and conditions including price
- 19.1 Conference with Real Property Negotiators - Government Code, section 54956.8. Property: In the Vicinity of DeWolf and Huntsman Avenues, near Selma, CA 93662 (APN's 348-130-69ST and 348-130-71ST); County Negotiator: Robert W. Bash, Director of Internal Services/Chief Information Officer. Negotiating Parties: City of Selma. Under Negotiations: Instructions to County's negotiator may concern sale of property, price, terms and conditions

Adjourn

NEXT MEETINGS:

September 7, 2021 - 10:00 AM

Budget Hearings September 13 - 17, 2021 - 10:00 AM

September 21, 2021 - 10:00 AM

CONSENT AGENDA

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

Board of Supervisors

20. Approve minutes of meeting for August 10, 2021

Supervisor Mendes

21. Adjourn in Memory of Michael Del Puppo, a resident of Sanger and a long-time member of the Fresno County Fire Protection District

Supervisor Quintero

22. Adjourn in Memory of Helen Torres Arciga

County Clerk/Registrar of Voters

23. 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 Elections Systems and Software, LLC is the only vendor that provides ongoing license, support, and maintenance for their proprietary hardware and software; and approve and authorize the Chairman to execute a retroactive Agreement with Election Systems and Software, LLC for signature capture and comparison equipment maintenance and support, effective July 1, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$405,570

District Attorney

24. Receive and file annual report of the Real Estate Fraud Prosecution program pursuant to California Government Code Section 27388
25. Approve and authorize Chairman to execute an Equitable Sharing Agreement with the Federal Government authorizing the District Attorney's Office to participate in the Federal Equitable Sharing Program from September 1, 2021 through August 31, 2022, and certifying as to funds received and expended during FY 2020-21; and Authorize the District Attorney to submit the Equitable Sharing Agreement and Certification, and any and all "Applications for Transfer of Federally Forfeited Property (Form DAG-71)," and other required documents, as appropriate, and any related documents, as necessary, and designate a department employee to accept forfeited property, transfer documents, and/or receive funds

Administrative Office

26. Adopt resolution authorizing the County Auditor-Controller/Treasurer-Tax Collector to make one or more loans to the Coalinga-Huron Recreation and Parks District under Government Code section 23010 for fiscal year 2021-22 in the aggregate maximum amount of \$400,000

Behavioral Health

27. Approve and authorize the Chairman to execute Amendment I to Agreement No. 18-328 with Superior Court of California, County of Fresno for coordination services to additional specialty treatment courts, with no change to term of July 1, 2018 through June 30, 2023, or compensation maximum of \$752,225
28. Approve and authorize the Chairman to execute an Amendment I to Agreement No. 20-283 (State Agreement No. 19MHSOAC052) with the California State Mental Health Services Oversight and Accountability Commission to move unspent funds to subsequent grant years, extending the term by one year from September 1, 2024 through August 31, 2025 with no change to the compensation maximum of \$6,000,000; and, Amendment I to Agreement No. 21-111 with the Fresno County Superintendent of Schools, to extend the term for school-based mental health and prevention and early intervention services by one year from September 1, 2024 through August 31, 2025 with no change to the compensation maximum of \$6,000,000
29. Approve and authorize the Chairman to execute an Agreement with Westside Family Preservation Services Network for implementation and operation of youth empowerment centers, effective September 1, 2021, not to exceed five consecutive years, which includes a three-year base contract with two optional one-year extensions, total not to exceed \$2,078,333
30. Approve and authorize the Chairman to execute retroactive Amendment I to Agreement No. 21-214 with Kings View Corporation to add a mobile outreach project component in FY 2021-22, effective July 1, 2021 with no change to the term of July 1, 2021 through June 30, 2026 and increasing the maximum by \$233,900 to a total of \$3,461,436
31. Approve and authorize the Chairman to execute retroactive Amendment III to Master Agreement No. 18-250, to increase the annual maximums for out-of-county inpatient psychiatric services and update insurance language, effective February 1, 2021 with no change in term of July 1, 2017 to June 30, 2023 and increasing the maximum by \$16,500,000 to a total of \$47,000,000
32. Approve and authorize the Chairman to execute retroactive Amendment I to Master Agreement No. 17-377 with various licensed residential care facilities to provide supplemental board and care home services to persistently and severely mentally ill adult and older adult individuals, effective March 1, 2021 with no change in term of July 1, 2017 through June 30, 2022 and increasing the maximum by \$3,775,000 to a total of \$28,775,000

Human Resources

33. 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 obtaining the services of special counsel to assist the County; and approve and authorize the Chairman to execute an Agreement with the firm Ferguson, Praet & Sherman to represent the County and its employees in General Liability, Auto liability, Employment Law and Medical Malpractice legal services cases, effective August 24, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$7,500,000; 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 obtaining the services of special counsel to assist the County; and approve and authorize the Chairman to execute an Agreement with the firm Aleshire & Wynder, LLP to represent the County and its employees in General Liability, Auto liability, Employment Law and Medical Malpractice legal services cases, effective August 24, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$7,500,000

Internal Services

34. Approve and authorize the Chairman to execute a retroactive Lease Agreement with Fresno-Air LTD., a California Limited Partnership, for approximately 10,933 square feet of combined office and warehouse space, effective July 1, 2021, not to exceed five years and two months, total not to exceed \$511,462; and, Director of Internal Services /Chief Information Officer, or designee, upon review by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute an Estoppel Certificate and/or Subordination and Attornment Agreement required by the Lessor, and any other such necessary agreements, certificates, notices, instruments, or documents
35. Approve and authorize the Chairman to execute an Agreement with EAN Services, LLC dba Enterprise Rent-A-Car, for products and vehicle rental services, 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 \$750,000
36. Approve and authorize the Chairman to execute a retroactive Master Agreement for architectural consulting services for the Internal Services Department - Facility Services Division, effective July 8, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,000,000; and approve and authorize the Director of the Department of Internal Services/Chief Information Officer, or designee, to add qualified consultants to the Master Agreement, as necessary

Probation

37. Approve and authorize the Chairman to execute a retroactive Agreement with the Fresno County Superintendent of Schools to provide educational services to youth realigned from the Division of Juvenile Justice, effective July 1, 2021, not to exceed five consecutive years, which includes a one-year base contract with four optional one-year extensions, total not to exceed \$828,845

Public Works and Planning

38. Approve and authorize Chairman to execute an Agreement with Caruthers Community Services District for Caruthers Wastewater Treatment Plant Sludge Drying Bed, Community Development Block Grant Project No. 20111, effective upon execution through March 14, 2023, total not to exceed \$250,000
39. Consider and adopt resolution canceling the existing Speed Undulations Installation Policy, and adopting proposed Speed Undulations (Speed Humps) Policy, which prohibits the installation of Speed Humps on Fresno County-maintained roads and provides a procedure for removal of existing Speed Humps
40. Approve and authorize Chairman to execute Transportation Funding Claim for FY 2020-21 in amount of \$7,699,255 to provide transit services in unincorporated areas and for other transportation purposes; and adopt Resolution requesting Fresno Council of Governments to allocate specified funds from Local Transportation Fund and State Transit Assistance Fund to County of Fresno for transit services in unincorporated areas and for other transportation purposes
41. Approve and authorize Chairman to execute Amendment III to Agreement No. 18-561 with City of Kerman for Kerman Stanislaus Avenue Park Development, Community Development Block Grant Project No. 17371, effective upon execution with no change in term to September 15, 2021, and increasing maximum Community Development Block Grant funding by \$290,906 to a total not to exceed \$988,913
42. Approve and authorize Chairman to execute Amendment II to Agreement No. 20-042 with City of Fowler for Fowler Panzak Park ADA Restroom, Community Development Block Grant Project No. 19231, effective upon execution with no change in term to September 30, 2021, and increasing maximum Community Development Block Grant funding by \$108,591 to a total Community Development Block Grant funding amount not to exceed \$272,649
43. Approve and authorize Chairman to execute a Master Agreement with C.B. Roadways, Inc., Terry Johnson Trucking, Inc., Clay Miranda Trucking, Inc., and Dragon Material Transport, Inc. for trucking/hauling services, effective August 24, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, cumulative total not to exceed \$7,000,000

Social Services

44. Approve and authorize the Chairman to execute retroactive California Department of Veterans Affairs Annual Subvention Certificate of Compliance FY 2021-22, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2021 to June 30, 2022 (\$145,295); and, retroactive California Department of Veterans Affairs Annual Medi-Cal Cost Avoidance Program Certificate of Compliance FY 2021-22, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2021 to June 30, 2022 (\$4,396)

45. 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 Reading and Beyond is the only partner that provided CalFresh Employment and Training services under the Supplemental Nutrition Assistance Program Employment & Training Pilot; and, Approve and authorize the Chairman to execute a retroactive Agreement with Reading and Beyond for CalFresh Employment and Training services, effective July 12, 2021 through September 30, 2021, total not to exceed \$817,773