



# Board of Supervisors

## Agenda - Final

*Steve Brandau, 2nd District, Chairman  
Brian Pacheco, 1st District, Vice-Chairman  
Sal Quintero, 3rd District  
Buddy Mendes, 4th District  
Nathan Magsig, 5th District*

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*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, September 21, 2021

10:00 AM

Hall of Records

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### **\*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](mailto: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](mailto: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 16 - 50

*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*

**Chairman Brandau**

3. Adopt proclamation in honor of KMPH's 50th Anniversary

**Chairman Brandau and Supervisor Pacheco**

4. Adopt proclamation in recognition of the 30th Anniversary Celebration of Independence of the Republic of Armenia

**District Attorney**

5. Retroactively authorize the District Attorney's previous submittal of a grant application to the California Office of Traffic Safety for continuation of the Alcohol and Drug Impaired Driver Vertical Prosecution Program for FY 2021-22 (\$739,487); and Approve and authorize the Chairman to execute Grant Agreement (Grant Number DI22025), with an electronic signature, for the Alcohol and Drug Impaired Driver Vertical Prosecution Program with the California Office of Traffic Safety (OTS) for the period October 1, 2021 through September 30, 2022 (\$505,500); and Approve Amendment to the Salary Resolution adding one Deputy District Attorney to the District Attorney Org 2862, effective October 04, 2021 as reflected in Appendix "C"; and Adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues in the amount of \$256,396 in the District Attorney Org 2862 (4/5 vote)

**Administrative Office**

6. Confirm appointment of David Luchini, effective October 4, 2021, to the position of Director of the Department of Public Health pursuant to Fresno County Charter Section 16

**Human Resources**

7. Approve a one-time \$500 contribution to the County of Fresno 457(b) Deferred Compensation Plan account of permanent active employees who demonstrate proof that they are fully vaccinated against the COVID-19 virus on or before November 16, 2021

**Public Works and Planning**

8. Provide direction to staff regarding its recommendations relating to public requests in response to County's recent release of Draft General Plan Background Report, Policy Document, and Zoning Ordinance Update for public review, including recommendations to identify approximately 7,000 acres generally located north of State Route 180/Trimmer Springs Road interchange for future study of mixed educational/residential uses, and to further explore extension of lifespan of conditional use permits authorized within County approved specific plan areas; and determine that approval of Recommended Action No. 1 is exempt from requirements of California Environmental Quality Act, Public Resources Code 2100, et seq., and direct staff to file a Notice of Exemption with Office of the Fresno County Clerk

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

9. 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**

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

**Public Presentations**

11. 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*

12. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
13. Conference with legal counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
14. 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
15. Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Yolanda Armenta: ADJ12235556
- 15.1 Public Employee Appointment or Employment, Government Code Section 54957 - Title: County Administrative Officer

**Adjourn**

**NEXT MEETINGS:**

*October 5, 2021 - 10:00 AM*

*October 19, 2021 - 10:00 AM*

**CONSENT AGENDA**

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

**Board of Supervisors**

16. Approve minutes of meeting for September 7, 2021 and September 13, 2021, Budget Hearing
17. Approve and adopt the 2022 regular meeting schedule for the Board of Supervisors as outlined in Attachment "A"; and direct the Clerk of the Board to publish the 2022 regular meeting schedule of the Board of Supervisors on the Fresno County website and to advise all County departments of the meeting schedule and submission dates for agenda items

**Chairman Brandau**

18. Adjourn in Memory of Gloria Soto, a former Fresno County employee who cared deeply about her job and for those with whom she worked

**Supervisor Magsig**

19. Adjourn in Memory of Michael B. Rossi, Special Investigator for the Fresno County District Attorney's Office, former Fresno Police Officer, loving husband and father
- 19.1 Adjourn in Memory of Keith Sanford Jackson whose actions toward others were displayed by his faith and love for the Lord

**Supervisor Pacheco**

20. Adjourn in memory of Ray Alvarado, an Information Technology Specialist for the Fresno County Information Technology Services Department

**Supervisor Quintero**

21. Proclaim September 21, 2021 as Jenna Prandini Day

**County Clerk/Registrar of Voters**

22. Accept County Clerk Certificate of Facts regarding declarations of candidacy for positions eligible to be elected at the November 2, 2021 General Election. Appoint, in lieu of holding an election, the special district candidates listed in Attachment A who filed declarations of candidacy and are all unopposed

23. Approve and authorize the Chairman to execute Agreement No. 21S10051 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 October 30, 2021 (\$80,472), and adopt Budget Resolution increasing the FY 2021-22 appropriations and estimated revenues for the County Clerk - Elections Org 28500500 in the amount of \$80,472 (4/5 vote)

**Sheriff/Coroner/Public Administrator**

24. Approve and authorize the Chairman and the Sheriff to execute an Equitable Sharing Agreement with the Federal Government authorizing the Sheriff'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 Sheriff to submit Equitable Sharing Agreement and Certification and any and all "Applications for Transfer of Federally Forfeited Property (DAG-71)" as appropriate and authorize the Sheriff to designate a Sheriff employee to accept forfeited property, transfer documents, and/or receive money
25. Accept annual report of expenditures from the Inmate Welfare Trust Fund for FY 2020-21
26. Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances, as Cook's Communications Corp. is the only local authorized parts and service provider meeting specified requirements; and approve and authorize the Chairman to execute a retroactive Agreement with Cook's Communications Corp. to provide vehicle upfitting parts and services for the Sheriff-Coroner-Public Administrator's Office and Internal Services Department, effective August 1, 2021 through July 31, 2026, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$6,000,000

**Administrative Office**

27. Approve and authorize the Chairman to execute a retroactive Agreement with the Veterans Memorial Museum, Inc. for the continued promotion, improvement, operation, and maintenance of the Veterans Memorial Museum effective July 1, 2021 through June 30, 2022 (\$20,000)

**Agriculture**

28. Approve and authorize the Chairman to execute a Retroactive Revenue Agreement with the California Department of Food and Agriculture for the Cucumber Green Mottle Mosaic Virus Program effective June 18, 2021, through June 17, 2022 (\$3,222)

**Behavioral Health**

29. Make a finding that 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 the Fresno County Superintendent of Schools and the Fresno Police Chaplaincy's Resiliency Center are local government agencies and the sole, unique vendors to provide rapid trauma response services for the Department of Behavioral Health's innovation project; approve and authorize the Chairman to execute an Agreement with the Fresno County Superintendent of Schools and The Fresno Police Chaplaincy's Resiliency Center, for piloting a mental health innovation project to provide and evaluate the effectiveness of rapid response to traumatic experiences for youths 4-11 years of age, effective upon execution through June 30, 2024, total not to exceed \$1,061,460; and, approve and authorize the Department of Behavioral Health Director, or designee, upon review by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to approve minor changes to program services and budgets, as needed, to accommodate changes in the laws relating to mental health treatment, with no change to the maximum compensation
30. Approve and authorize the Chairman to execute a retroactive Participation Agreement with the California Mental Health Services Authority (No. 599-EHR-2021-FC) for the electronic health record program, effective July 1, 2021 through June 30, 2022, total not to exceed \$150,000; and approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated California Mental Health Services Authority Electronic Health Record Program related reports and forms, without modifying the maximum compensation
31. Approve and authorize the Chairman to execute a retroactive Agreement with Turning Point of Central California, Inc., for the Stasis Program for permanent supportive housing, effective February 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 \$598,430

**Human Resources**

32. Approve and authorize the Chairman to execute a Memorandum of Understanding with California Counties Foundation, Inc., to provide 10 California State Association of Counties (CSAC) Institute leadership training courses for up to 55 Fresno County leaders in Fresno County provided facilities, effective January 1, 2022 to October 31, 2022, total not to exceed \$70,950
33. Adopt Resolutions Rejecting Claims for Damages

34. Approve salary adjustments of 2.5% for Unrepresented classifications (excluding confidential classifications covered by Footnote "y" and Supervising Communications Dispatcher), Management classifications (excluding Deputy County Counsel I/II/III/IV/Senior), Senior Management classifications (excluding Chief Deputy District Attorney, Assistant District Attorney, Assistant County Counsel, Principal County Counsel, Chief Deputy County Counsel, Chief Defense Attorney, Chief Child Support Attorney, and Assistant Public Defender), and Department Heads (excluding Elected Officials), effective September 20, 2021, as reflected on Appendix "B"; approve salary adjustments of 2.5% for Unrepresented classifications (excluding confidential classifications covered by Footnote "y" and Supervising Communications Dispatcher), Management classifications (excluding Deputy County Counsel I/II/III/IV/Senior), Senior Management classifications (excluding Chief Deputy District Attorney, Assistant District Attorney, Assistant County Counsel, Principal County Counsel, Chief Deputy County Counsel, Chief Defense Attorney, Chief Child Support Attorney, and Assistant Public Defender), and Department Heads (excluding Elected Officials), effective September 19, 2022, as reflected on Appendix "B"; approve the County's Health Premium Contributions for Plan Year 2022 for Unrepresented and Management (including Senior Management, Department Head and Elected Officials) classifications, effective December 13, 2021; approve the County's Health Premium Contributions for Plan Year 2023 for Unrepresented and Management (including Senior Management, Department Head and Elected Officials) classifications, effective December 12, 2022; approve the County's supplemental retirement plan match for County employees in Retirement Tiers IV and V for classifications designated as Unrepresented, Management, Senior Management, and Department Heads (including Elected Officials), up to \$25 per pay period, to be effective in fiscal year 2021-22
35. Approve and Authorize the Chairman to execute a Second Amendment to Agreement No. 18-708 with ReliaStar Life Insurance Company extending the term by two years from December 31, 2021 to December 31, 2023, which includes one optional one-year extension, and increasing the maximum by \$440,000 to a total of \$1,100,000
36. Adopt Resolution authorizing the provision of Workers' Compensation Coverage for County of Fresno Volunteers pursuant to Section 3363.5 of the California Labor Code
37. Approve the biweekly premiums for active employees and dependents for Plan Year 2022, effective December 13, 2021 (Exhibit A); approve the monthly premiums for retirees and dependents for Plan Year 2022, effective January 1, 2022 (Exhibit B)
38. Conduct the second hearing and adopt an Ordinance adding Section 5.02 - Delegated Settlement Authority to the Fresno County Ordinance Code delegating authority to staff to resolve, reject, and settle litigation against the County of Fresno for claims up to \$50,000; and waive reading of the Ordinance in its entirety

**Internal Services**

39. Approve and authorize the Chairman to execute an Agreement with Fire Solution Systems Inc. for backflow device inspection, testing, and repair services, effective October 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 \$300,000

**Probation**

40. Approve and authorize the Chairman to execute the first Amendment to Agreement No. 20-470 with the Superior Court of California, County of Fresno for increased services levels in the Driving Under the Influence Treatment Court, effective October 1, 2021 with no change to the term of October 1, 2020 through September 30, 2025 and increasing the maximum by \$110,395 to a total of \$338,001 per year

**Public Health**

41. Approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Resources Recycling and Recovery for FY 2021-22 Local Enforcement Agency Grant Program funding, effective July 1, 2021 through October 27, 2022 (\$28,816)

42. Approve and Authorize the Chairman to execute a retroactive Memorandum of Understanding with Fresno Community Hospital and Medical Center dba Community Regional Medical Center, effective December 16, 2020 through the end of the Proclamation of State of Emergency declared by the Governor dated March 4, 2020 (\$0)

43. Conduct second hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs by amending Section 900 - Environmental Health, sections 902 through 906, 908 through 917, 919 through 934.1, 938 through 940.2, and 948 through 951; and waive reading of the Ordinance in its entirety; and adopt proposed Ordinance

44. Approve Amendment to the Salary Resolution adding two Health Educator positions, one Staff Analyst I/II/III position, one Program Technician I/II position, and two Health Education Specialist positions and deleting three Licensed Vocational Nurse I/II positions, two Communicable Disease Specialist I/II positions and one Account Clerk I/II/III position from Public Health Org 5620, effective September 20, 2021, as reflected in Appendix D; and adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues in the amount of \$4,456,586 in the Public Health Org 5620 (4/5 vote)

**Public Works and Planning**

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 the California Product Stewardship Council is the only organization with the intellectual property, expertise and experience with an established propane tank education and tank exchange program; and approve and authorize the Chairman to execute an Agreement with California Product Stewardship Council for consulting and related services to assist in implementing the HHW Grant 35-20-021 awarded by the California Department of Resources Recycling and Recovery, effective upon execution, through end of the Grant term, October 2, 2024, total not to exceed grant award of \$77,913
46. Approve request by City of Clovis to acquire right-of-way, without eminent domain action or threat of eminent domain action, from two parcels adjacent to existing County right-of-way in an identified unincorporated area of County as needed in conjunction with City's development of a Measure C funded section of Herndon Avenue between N. Locan Avenue and N. DeWolf Avenue
47. Approve and authorize Chairman to execute First Amendment to Amended and Restated Memorandum of Understanding No. 11-112 between County of Fresno and City of Firebaugh regarding addition of 141.25 acres of additional growth area to City's Sphere of Influence, generally located on west and east sides of N. Washoe Avenue between W. Bullard and W. Nees Avenues; and determine that City's proposed 38.40-acre annexation, located within future growth area identified in Recommended Action No. 1, between N. Washoe Avenue and N. Santa Fe Avenue, is consistent with Standards for Annexation contained in Amended and Restated Memorandum of Understanding; and determine that approval and authorization of Chairman to execute First Amendment to Amended and Restated Memorandum of Understanding No. 11-112 between County of Fresno and City of Firebaugh is exempt from requirements of California Environmental Quality Act, Public Resources Code 21000, et seq., and direct staff to file a Notice of Exemption with Office of the Fresno County Clerk
48. Authorize a waiver of 28 hours per week maximum hours limitation for Extra-Help position(s) listed on Attachment A in Department of Public Works and Planning, Org 9140 - Special Districts, pursuant to provisions set forth in Salary Resolution, section 1100 and Personnel Rules 2040 and 4240
49. Adopt plans and specifications for Contract 21-04-C Fancher Creek Trail, and award to the lowest bidder, Kroeker, Inc., 4627 S. Chestnut Avenue, Fresno, CA 93725, in the total amount of \$438,489.70

**Social Services**

50. Approve and authorize the Chairman to execute an Agreement with RH Community Builders for rapid rehousing services at Crossroads Village, effective October 1, 2021, not to exceed two years and nine-months, which includes a nine-month base contract and two optional one-year extensions, total not to exceed \$6,588,339