



# Board of Supervisors

## Agenda - Final-Revised

**Nathan Magsig, 5th District, Chairman**  
**Buddy Mendes, 4th District, Vice-Chairman**  
**Brian Pacheco, 1st District**  
**Steve Brandau, 2nd District**  
**Sal Quintero, 3rd 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, September 24, 2019

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](mailto: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 17 - 49

*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 Magsig**

3. Proclaim September 16-27, 2019 as High School Voter Education Weeks

**Supervisor Mendes and Supervisor Pacheco**

4. Proclaim September 23 - 29, 2019, as 4-H Week in Fresno County

**Administrative Office**

5. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 20 filed by Manjit Multani and Rajwant Kaur, 25425 Trimmer Springs Rd., Sanger, CA 93657
6. Receive verbal report from California Department of Transportation - District 6 regarding homeless encampment cleanups in Fresno County

**Sitting as the Fresno County In-Home Supportive Services Public Authority Board of Directors and as the Fresno County Board of Supervisors:**

- 6.1 Receive Program Update Presentation from the In-Home Supportive Services Public Authority

**Internal Services**

7. Consider and approve Without Cause termination for remaining services to be provided by Megabyte Systems, Inc. in Agreement No. 17-153 and Agreement No. 17-154 to implement the Megabyte Property Tax System; approve and authorize the Director of Internal Services/CIO or his designee to give ninety (90) days prior written notice to Megabyte Systems, Inc. terminating Agreement No. 17-153 and Agreement No. 17-154 pursuant to the Without Cause provisions in the agreements effective December 23, 2019; approve and authorize the Director of Internal Services/CIO or his designee to execute any documents or certifications necessary to effect the termination of Agreement No. 17-153 and Agreement No. 17-154 or verify the removal of the Megabyte Property Tax System from County systems, subject to approval by County Counsel

- 7.1** Make a determination that the County-owned real property known as the University Medical Center Campus (Property) can be used to provide housing affordable to persons and families of low or moderate income, and that this use is in the County's best interests (Government Code § 25539.4); Authorize the sale of the Property, which is located at the northeast corner of South Cedar Avenue and East Kings Canyon Road, APN 461-02-003T, and consists of approximately 33 acres, in "as is" condition, to CMG Construction Management, Inc. (CMG), for the sale price of \$4,000,000, with a refundable deposit of \$500,000, pursuant to Government Code § 25539.4; Approve and authorize the Chairman to execute a Sale/Purchase Agreement and Escrow Instructions (Sale Agreement), Grant Deeds, Regulatory Agreement and Declaration of Covenants and Restrictions (Regulatory Agreement), and Lease Agreement, all in substantially similar form as attached, and all related to the County's sale of the Property.; Authorize and direct the Director of Internal Services/Chief Information Officer (Director of ISD/CIO), or his designee, to take any and all actions he deems necessary or appropriate, and in the best interest of the County, all of which shall be consistent with the Sale Agreement and other related documents specified in Recommended Action 3, and the foregoing Board approvals and actions, to: Open, carry out, and close escrow for the County's sale of the Property to CMG; Review, approve, execute and/or deliver any agreements (not including the Sale Agreement), documents, certificates, notices, and instruments, and any amendments to any of the foregoing (all of which shall be subject to prior review and approval thereof as to legal form by County Counsel, and, if applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector), and take any other actions to initiate, carry out, and finalize the County's sale of the Property to CMG, and the lease of a portion of the Property from CMG; and Perform any other obligations, or exercise any other rights, of County under the Sale Agreement, or such other agreements, or documents, certificates, notices, or instruments, to finalize the County's sale of the Property to CMG, and the lease of a portion of the Property from CMG.; Consider and adopt Negative Declaration prepared for the Property (Initial Study Application No. 7663, State Clearinghouse No. 2019089072), and direct staff to file a Notice of Determination with the Fresno County Clerk.

**Public Works and Planning**

8. Conduct first hearing to amend Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Sections 1000 - Computer Services (EMIS); 1500 - Parks and Recreation; and 2200 - Public Works; and waive reading of Ordinance in its entirety and set second hearing for October 8, 2019; designate County Counsel to prepare fair and adequate summary of proposed Ordinance; and direct Clerk of the Board to post and publish required summary in accordance with Government Code, Section 25124(b)(1)
9. Conduct first hearing on Ordinance to amend Chapter 11.24 - Speed Limits of Fresno County Ordinance Code, Sections 11.24.010 through 11.24.100, to reflect various changes to Ordinance Code as a result of recent traffic studies; waive reading of Ordinance in its entirety; and set second hearing for November 5, 2019; designate County Counsel to prepare fair and adequate summary of proposed Ordinance; and direct Clerk of the Board to post and publish required summary in accordance with Government Code, Section 25124(b)(1)

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

- 15.1** Conference with Real Property Negotiators - Government Code, Section 54956.8; Property: Main Courthouse Building, 1100 Van Ness Avenue, Fresno, CA 93724; County Negotiator: Jean M. Rousseau, County Administrative Officer or designee. Negotiating Parties: Judicial Council of the State of California. Under negotiations: Instructions to County's negotiator may concern terms and conditions to transfer fee title or other interest to Judicial Council
- 15.2** 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

**Sitting as the Fresno County In-Home Supportive Services Public Authority Board of Directors and as the Fresno County Board of Supervisors:**

- 16.** Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Joy Cronin; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment

**Adjourn**

**NEXT MEETINGS:**

*October 8, 2019 - 9:00 AM*

*October 22, 2019 - 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 September 10, 2019 and September 16, 2019, Budget Hearing

**Chairman Magsig**

18. Adopt resolution recognizing the 50th anniversary of the San Joaquin College of Law

**Supervisor Quintero**

- 18.1 Proclaim September 17, 2019 as Jose Carlos Ramirez Day in the County of Fresno
- 18.2 Adjourn in Memory of Ray O'Canto, Central Valley native, former Fresno State baseball color commentator, and DineOut Along the Road series host

**Auditor Controller-Treasurer/Tax Collector**

19. Approve resolution to establish petty cash revolving funds for certain County officers

**County Clerk/Registrar of Voters**

20. Accept County Clerk Certificate of Facts regarding declarations of candidacy for positions eligible to be elected at the November 5, 2019 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
21. Authorize the County Clerk/Registrar of Voters, or one of her designees, to execute, upon review by Risk Management and approval by County Counsel, entry forms, that include waivers of liability with a governmental entity as the contract provision, for community events at which Education and Outreach activities in support of the implementation of the California Voter's Choice Act will occur, effective September 24, 2019 through June 30, 2021; authorize and approve, retroactively, the execution of the attached Kerman Harvest Festival Parade Entry Form
22. Adopt a Resolution approving the City of Parlier's request for the County Clerk/Registrar of Voters to conduct a Special Municipal Election on November 5, 2019

**District Attorney**

23. Adopt Resolution accepting and expressing gratitude for the donation of \$300,000 from Table Mountain Rancheria for the Fresno County District Attorney's Identification Theft Prosecution Unit for FY 2019-20

24. Approve and authorize the Chairman to execute the 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**

25. Accept annual report of expenditures from the Inmate Welfare Trust Fund for FY 2018-19

**Administrative Office**

26. Approve and authorize the Chairman to execute a First Amendment to Agreement No. 18-665 with Carpi & Clay, Inc., for Federal Legislative Advocacy Services in Washington D.C., to remove inapplicable insurance requirements, with no change to the compensation amount or term of January 1, 2019 through December 31, 2023 (\$394,824)
27. Approve and authorize the Chairman to execute a First Amendment to Agreement No. 18-567 with Shaw/Yoder/Antwih, Inc. and Michael Y. Corbett and Associates, for State Legislative Advocacy Services in Sacramento, to remove inapplicable insurance requirements, with no change to the compensation amount or term of January 1, 2019 through December 31, 2023 (\$472,437)

**Agriculture**

28. Approve and authorize the Chairman to execute a First Amendment to Lease Agreement A-16-169, with the Regents of the University of California, for 903 square feet of office space at 17353 W. Oakland Avenue, Building 316, Five Points, CA, effective upon execution with no change in term to April 30, 2024, and increasing the maximum by \$27,000, to a total of \$102,744

**Child Support Services**

29. Approve and authorize the Director of the Department of Child Support Services to execute a Plan of Cooperation between the California Department of Child Support Services and the Fresno County Department of Child Support Services effective October 1, 2019 through September 30, 2020 (\$0)
30. Approve and authorize the Director of the Department of Child Support Services to execute a Plan of Cooperation between the Fresno County Department of Child Support Services and the Fresno Superior Court of California effective October 1, 2019 through September 30, 2021 (\$0)

**Human Resources**

31. Approve the biweekly premiums for active employees and dependents for Plan Year 2020, effective December 16, 2019 (Exhibit A); and, approve the monthly premiums for retirees and dependents for Plan Year 2020, effective January 1, 2020 (Exhibit B)
32. Approve Salary Resolution Amendment adjusting the salary of the Elections Outreach Coordinator and Special Sheriff's Investigator classifications in accordance with Footnote 4 of the Salary Resolution, as reflected on Appendix "B", effective September 23, 2019
33. Approve the reclassification of Account Clerk I/II/III and Supervising Account Clerk II in the Benefits Unit of Retirement (FCERA) to the new classifications of Retirement Technician I/II/III and Supervising Retirement Technician, respectively, effective September 23, 2019, as reflected in Appendix "C" and, approve salary adjustments for Retirement Specialist I/II/III and Supervising Retirement Specialist, effective September 23, 2019, as reflected in Appendix "C"

**Internal Services**

34. Make a finding that it is in the best interest of the County to waive the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of recruitment and performance-related software systems; and approve and authorize the Chairman to amend, restate, replace and supersede existing Purchasing Agreement No. P-18-197-C with GovernmentJobs.com Inc., dba NEOGOV, retroactive to that agreement's effective date of May 15, 2018, for continued support and maintenance of Insight, a recruitment software and application tracking management system; and implementation, maintenance, and support of Perform, an employee performance management software, and NEOGOV Integration for integration of employee data across all modules, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, increasing the maximum by \$589,765 total not to exceed \$674,900
35. 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 Microsoft is the only provider of necessary maintenance and support of Microsoft products used by the County; and approve and authorize the Chairman to execute a one-year Unified Support Services Agreement with Microsoft Corporation for maintenance and technical support of Microsoft products, effective October 2, 2019 through October 1, 2020, total not to exceed \$232,801.56
36. Approve and authorize the Chairman to execute a retroactive Second Amendment to Agreement No. 16-452 with Ramco Services, Inc., dba Pacific Water Technologies, for chemical treatment services for HVAC systems throughout the County, which removes the yearly limitation on amounts payable for services, retroactive to July 12, 2016, with no change in terms, and no change to the compensation amount or term of July 12, 2016 through July 11, 2021 (\$1,500,000)



**Library**

37. Approve and authorize Chairman to ratify County Librarian's execution of Amendment No. 1 to Agreement No. 19-094 with the American Library Association for additional grant funds for the "Great Stories Club: Truth, Racial Healing & Transformation Series," effective upon execution, with no change in term to December 31, 2019, and increasing the maximum by \$1,100, to a total of \$2,400; and Adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$1,100 (4/5 vote)

**Public Health**

38. Approve and authorize the Chairman to execute a retroactive Acceptance of Award and related certifications with the California Department of Public Health, for Tuberculosis Control Local Assistance Base Award (\$290,998) and Food, Shelter, Incentives and Enablers Allotment (\$16,987), effective July 1, 2019 through June 30, 2020; and, the Director of the Department of Public Health to execute the Contractor's Release Form for submission with the final invoice
39. 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 ESI Acquisition, Inc. is the only authorized provider of WebEOC support and system updates; and, approve and authorize the Chairman to execute a retroactive Agreement with ESI Acquisition, Inc., for the purchase, installation, training, and maintenance of WebEOC, an Electronic Crisis Management System, effective May 22, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$298,218
40. Approve and authorize the Chairman to execute Amendment I to Agreement No. 18-047 and related certification with the California Department of Public Health for the Fresno County Local Oral Health Plan, with no change to the maximum total compensation of \$2,644,280 for the term of February 6, 2018 through June 30, 2022
41. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Coalinga, for paramedic ambulance services, effective July 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$225,000; and, a retroactive Agreement with the City of Kingsburg, for paramedic ambulance services, effective July 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$30,000
42. Approve and authorize the Chairman to execute Amendment I to Agreement No. 17-416 with the California Department of Public Health, for Federal and State Public Health Emergency Preparedness and Hospital Preparedness Program funds, effective upon execution with no change in term to June 30, 2022 and increasing the maximum by \$325,920 to a total of \$7,801,385

43. Approve and authorize the Chairman to execute a revenue Agreement and related certifications with the California Department of Public Health Nutrition Education and Obesity Prevention (NEOP) Branch Supplemental Nutrition Assistance Program-Education, for the CalFresh Healthy Living Program, effective October 1, 2019 through September 30, 2022 (\$5,359,446); 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 California Health Collaborative (CHC) is the only local agency that can implement both healthy retail and health care strategies simultaneously in a practical timeframe that will meet the needs of the NEOP Program; and, approve and authorize the Chairman to execute an Agreement with CHC for healthy retail and healthcare clinic and hospital obesity prevention services, effective October 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,558,015
44. Approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Public Health for Tobacco Control Program funds, effective July 1, 2019 through June 30, 2020 (\$1,096,840)

### **Public Works and Planning**

45. Adopt Resolution approving Measure C Extension Local Transportation Funds Claims for FY 2019-20; and, approve and authorize Chairman to execute the six Measure C Extension Local Transportation Pass Through Revenues Certification and Claims for FY 2019-20, certify that the funds will not substitute property tax funds, which were previously used for local transportation purposes, and confirm County's intent to complete reporting requirements for the prior year no later than November 15, 2019 (\$7,241,825)
46. Approve and authorize Clerk of the Board to execute Budget Transfer No. 1 transferring FY 2019-20 appropriations within Waterworks District No. 41 Org 9361 - Shaver Lake, from Account 7205 (Maintenance-Equipment) to 8300 (Equipment) in amount of \$36,000 to purchase an additional off-road vehicle with snow tracks
47. Approve request by City of Clovis to acquire right-of-way, excluding eminent domain condemnation actions, from two parcels adjacent to existing County right-of-way in identified unincorporated area of the County as needed in conjunction with the City's conditions of approval for City of Clovis Tract Map No. 6200 for a planned residential development located on the northwest corner of E. Shepherd and N. Sunnyside Avenues

### **Social Services**

48. Amend the 2019-20 Annual Action Plan to identify Marjaree Mason Center, Inc. and Boys and Girls Clubs of Fresno County as providers of Community Development Block Grant (CDBG) Social Service Programs for FYs 2019-20 and 2020-21 allocations (\$216,154); and, approve and authorize the Chairman to execute Agreements with Marjaree Mason Center, Inc. (\$162,508) and Boys and Girls Clubs of Fresno County (\$53,646) for CDBG Social Service Programs, effective October 1, 2019 through June 31, 2021

- 49.** Approve and authorize the Chairman to execute Amendment I to Agreement No. 14-556 with Quality Group Homes, Inc., of Fresno, extending the term by three months from October 1, 2019 to December 31, 2019, and increasing the maximum compensation by \$35,633 to a total of \$1,187,633