



Board of Supervisors

Agenda - Final-Revised

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, March 24, 2020

9:00 AM

Hall of Records

COUNTY OF FRESNO PUBLIC MEETING PROTOCOL IN RESPONSE TO COVID-19

California Governor Gavin Newsom issued Executive Order N-25-20 on March 12, 2020, relating to the convening of public meetings in light of the COVID-19 pandemic. The County of Fresno hereby provides notice that it will continue to convene its regularly scheduled public meetings of the Board of Supervisors in the Board Chambers, as provided in the publicly posted agenda notice, and until further notice. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, the County of Fresno will allow Board of Supervisors to attend the meeting telephonically and to participate in the meeting to the same extent as if they were present.

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

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

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

All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Records building, 2281 Tulare Street, Room 301, Fresno, 93721 during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday. Agenda items are also available online at:

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

Invocation and Pledge of Allegiance

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 17 - 54

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 Mendes and Supervisor Pacheco

3. Proclaim March 22 - 28, 2020, as National Ag Week and March 24, 2020, as National Ag Day in Fresno County

Supervisor Magsig

4. Adopt resolution recognizing the 106th Clovis Rodeo
5. Congratulations to the Buchanan High School Wrestling team for winning the 2020 State wrestling championships

Administrative Office

6. Receive the Fresno County Zoo Authority 2018-19 Annual Report
7. Receive verbal update from the Commission on the Status of Women
8. Recognition of the Board of Supervisors by United Way

- 8.1** Adopt an emergency ordinance prohibiting evictions arising from income loss or substantial medical expenses related to the novel coronavirus (COVID-19) pandemic through May 31, 2020 (4/5 vote)

Behavioral Health

- 9.** Receive the Fresno County Behavioral Health Board Annual Report for 2019

Public Works and Planning

- 10.** Adopt Ordinance repealing Ordinance No. R-483-3825, which pertained to Amendment Application No. 3825, which rezoned the 4.15-acre site referenced below from R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) to M-1(c) (Light Manufacturing, Conditional) limited to Animal Hospital and Shelter, and which was adopted by the Board of Supervisors on October 23, 2018; rescind the October 23, 2018, adoption of Mitigated Negative Declaration prepared for Initial Study Application No. 7359, including the Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. 552 and Amendment Application No. 3825; adopt Resolution rescinding Resolution No. 18-381, dated October 23, 2018, which approved General Plan Amendment Application No. 552, and which amended the Agriculture and Land Use Element of the Fresno County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial; determine that Recommended Actions 1 to 3 are exempt from the California Environmental Quality Act and direct the Department of Public Works and Planning to file a Notice of Exemption with the Fresno County Clerk's Office; and, designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1). The subject parcel is located on the east side of North Grantland Avenue, between North Parkway Drive and West Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (APN 504-081-02S and -03S)

Social Services

- 10.1** Approve and Authorize the Director of the Department of Social Services to implement procedural changes for General Relief and Emergency Aid Programs to align with State and Federal direction for other assistance programs, effective immediately, during this period of pandemic
- 10.2** Approve and authorize the Chairman to execute a retroactive Agreement with RH Community Builders for Emergency Shelter Services in response to the COVID-19 pandemic, effective March 16, 2020, which includes a 60-day base contract and four optional 30-day extensions, total not to exceed \$2,125,590

Board of Supervisors' Committee Reports and Comments

11. 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

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

Public Presentations

13. 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

14. 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
15. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
16. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 2 Cases
- 16.1 Threat to public services or facilities - Government Code, Section 54957(a) - Consultation with Robert Bash, Director of ISD or Designee and David Pomaville, Director of Public Health or Designee

Adjourn**NEXT MEETINGS:**

April 14, 2020 - 9:00 AM

April 28, 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 March 10, 2020 and March 17, 2020 Special Meeting

Supervisor Magsig

18. Adjourn in Memory of Timothy Fortier

Sheriff/Coroner/Public Administrator

19. Approve and authorize the Chairman to execute a retroactive Agreement with Fresno Cremation Company for cremation 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 \$270,000
20. Conduct second hearing and adopt an Ordinance amending the Fresno County Ordinance Code, Title 6, to add Chapter 6.39, "County of Fresno Massage Establishment and Out Call Massage Services Ordinance
21. Retroactively authorize the Sheriff's previous submittal of a Drug Domestic Cannabis Eradication/ Suppression Program (DCESP) application to the U.S. Department of Justice, Drug Enforcement Administration; authorize the Chairman to execute, by initialing and signing, retroactive Letter of Agreement and Certifications regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements and Assurances (including the certification) effective October 1, 2019 through September 30, 2020 (\$198,500); and authorize the Sheriff-Coroner-Public Administrator, or her designee, to act as the official representative of Fresno County, as required by the granting agency, to act in connection with the application and to provide such additional information as may be required pursuant to the DCEP
22. Approve and authorize the Chairman to execute a retroactive Agreement with the City of San Joaquin for law enforcement 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 \$575,469
23. Adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the amount of \$161,619 for Sheriff-Coroner-Public Administrator Org 3111 for the purchase and up-fitting of vehicles (4/5 vote)

Administrative Office

24. Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard
25. Approve revised Administrative Policy 63 - Telework
26. Approve and authorize the Chairman to execute Second Amendment to Agreement No. 17-226-1 with Fitzgerald, Alvarez & Ciummo, a Professional Law Corporation, for conflict defense services, effective upon execution with no change to the term of July 1, 2017 through June 30, 2022 and increasing the maximum by \$140,000 to a total of \$23,276,307; adopt Budget Resolution increasing the FY 2019-20 appropriations for the Alternate Indigent Defense Budget Org 2875 in the amount of \$650,000, using available Fund Balance in the General Fund 0001 (4/5 vote)
27. Conduct second hearing to amend the Fresno County Master Schedule of Fees, Charges, and Recovered Costs Ordinance by revising Section 400 relating to Clerk of the Board of Supervisors fees and waive reading of the ordinance in its entirety
28. Conduct second hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Subsection 4401 of Section 4400-County Administrative Office, and adopt proposed ordinance
29. Approve Amendment to the 2020 Fresno County Federal Legislative Platform

County Counsel

30. Approve and authorize the Chairman to execute a specialized legal services agreement with Hawkins Delafield & Wood LLP to act as bond counsel for special projects that may arise during FY 2020-21, effective July 1, 2020 (maximum compensation for services to be limited by amount appropriated by the Board in the FY 2020-21 budget, plus reimbursements from outside funding sources, if any); approve and authorize the Chairman to execute a specialized legal services agreement with Hawkins Delafield & Wood LLP to act as bond counsel and disclosure counsel for the issuance if the County issues FY 2020-21 tax and revenue anticipation notes (maximum amounts payable for legal fees of \$38,000, and out-of-pocket expenses of \$1,500, plus actual and reasonable costs for certain publications, reports, and transcripts), effective upon execution by the parties until it is terminated by either or both parties
31. Conduct second hearing to amend the Ordinance Code of Fresno County, Title 10, Public Peace, Morals and Welfare, Part VII, Offenses by and against Minors, by repealing Chapter 10.42, Residency Restrictions for Registered Sex Offenders, in its entirety; reserve Chapter 10.42 of the Ordinance Code of Fresno County; and waive reading of the ordinance in its entirety; and adopt proposed ordinance

Behavioral Health

32. Approve and authorize the Department of Behavioral Health Director, or designee, to retroactively submit a Grant Application to the Mental Health Services Oversight & Accountability Commission (MHSOAC), for a competitive grant opportunity for supplemental funds to the school-based specialty mental health treatment and prevention and early intervention services program, in the amount of \$6,000,000
33. Approve and authorize the Chairman to execute Amendment I to Master Agreement 15-193 for the provision of Horticultural Therapeutic Community Centers, extending the term by 12 months from July 1, 2020 through June 30, 2021, and increasing the maximum compensation by \$325,000 to a total of \$1,950,000
34. Approve and authorize the Chairman to execute an Agreement with Reading and Beyond, Inc. for the provision of family advocacy services, effective upon execution through June 30, 2025, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,294,695

Human Resources

35. Approve the Salary Resolution Amendment to adjust the salaries of the Agricultural Technician and Agricultural Technician - Provisional classifications as shown on Appendix C, effective March 23, 2020
36. Adopt a Resolution appointing the Fresno County Director of Human Resources as the alternate representative of the County of Fresno to the Board of Directors of the CSAC Excess Insurance Authority

Internal Services

37. Conduct second hearing and adopt an amendment to Section 4.04.025 of Chapter 4.04 of the Ordinance Code of Fresno County (the "Ordinance Amendment"). The proposed Ordinance Amendment would rename Section 4.04.025, and authorize the County Administrative Officer or Director of Internal Services/Chief Information Officer to approve and execute leases and licenses of real property with private entities or governmental agencies which the County may require, in accordance with Government Code section 25350.51

Library

38. Approve and authorize the Chairman to execute a lease Agreement with Marks Bullard Investors LP, for 17,678 square feet of office space located at 3071 W. Bullard Ave, Suite 20A & B, Fresno, CA 93711, for use by the Library, effective upon the first date of occupancy, not to exceed 15 consecutive years, total not to exceed \$3,585,098

Probation

39. Retroactively authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES) for the County Victim Services (XC) Program (\$559,383); approve and authorize the Chairman to execute a retroactive Grant Application/Agreement for the County Victim Services (XC) Program with Cal OES for the period of January 1, 2020 to December 31, 2020; and adopt resolution authorizing the Chairman to sign the retroactive grant application and to execute retroactive Grant Award Agreement and any extensions or amendments thereto with Cal OES for the period of January 1, 2020 through December 31, 2020, subject to approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector (\$559,383)

Public Health

40. 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 in accordance with the "unusual or extraordinary circumstances" exception to contract with Advantek for payment, of certain non-emergency specialty medical services as referred by approved federally funded clinics and emergency hospitals; and approve and authorize the chairman to execute an Agreement with Santé Health System dba Advantek Benefit Administrators, for the determination of beneficiary eligibility and administration of payment to approved providers for non-emergency specialty medical services for Fresno County, effective April 20, 2020 through April 19, 2025, which includes a three-year base contract with two optional 12-month extensions, total not to exceed \$3,000,000
41. Approve and authorize the Chairman to execute a First Amendment to Agreement No. 18-715 with NMK Research and Consulting, for local tobacco control program evaluation services, effective upon execution with no change in term to June 30, 2023 and increasing the maximum by \$13,384 to a total of \$253,266
42. Approve and authorize the Chairman to execute Amendment I to Agreement No. 19-121 with Fresno County Superintendent of Schools, to adjust the budget and add federally required terms, effective March 24, 2020, with no change to the compensation amount or term of March 12, 2019 through September 29, 2023 (\$141,236)
43. Retroactively authorize a waiver of the 28 hours per week and/or 960 hours per calendar year maximum hours limitation for the Extra-Help positions listed on Attachment A in the Department of Public Health, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240
44. Approve creation of Administrative Case Worker classification series effective pay period April 6, 2020, and approve reclassification of incumbents in the Admitting Interviewer classification series at the Department of Public Health to the Administrative Case Worker classification series beginning pay period April 6, 2020

45. Approve and authorize the Chairman to execute a retroactive revenue Agreement with The Regents of the University of California, on behalf of the University of California, San Francisco, for the Best Baby Zone project, effective July 7, 2019 through June 30, 2020 (\$99,718); and 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 services to establish a place-based Best Baby Zone project in Fresno County; and approve and authorize the Chairman to execute a retroactive Agreement with West Fresno Health Care Coalition, d.b.a. West Fresno Family Resource Center, for the Best Baby Zone project, effective September 1, 2019, not to exceed three consecutive years, which includes a ten-month base contract and two optional one-year extensions, total not to exceed (\$423,162)

Public Works and Planning

46. Adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues for Public Works and Planning - Development Services Org 4360 in the amount of \$310,000 (4/5 vote)
47. Adopt plans and specifications for Contract No. 19-17-C, Waterworks District 41W Asbestos Concrete Pipeline Replacement, and award to low bidder, Dawson-Mauldin, LLC, 1071 E. Nebraska Avenue, Selma, CA 93662 in amount of \$2,895,759
48. Reject all bids for Contract 19-18-CD, Wastewater Treatment Improvements at the El Porvenir and Cantua Creek Facilities, Community Development Block Grant Project No. 18291 and 18091
49. Approve and authorize Chairman to execute First Amendment to Master Agreement No. 16-651 for pump and motor repairs to add Shaver Lake Construction, Inc., effective upon execution with no change in compensation amount or term to October 31, 2021 (\$3,000,000)
50. Adopt Resolution authorizing the conditional transfer of three excess sewer equivalent dwelling units from Lot 1 of Tract 3720 to Assessor's Parcel Number 120-207-05/120-341-02 within County Service Area No. 31 - Shaver Lake
51. Approve and authorize Clerk of the Board to execute Budget Transfer No. 10 transferring FY 2019-20 appropriations within Public Works and Planning - Special Districts Org 9140 (\$7,500), from account 7295 (Professional and Specialized Services) to account 8300 (Equipment) to purchase a surplus truck

Social Services

52. Approve and authorize the Chairman to execute a retroactive Agreement with the California Department of Social Services for access to quarterly wage base data provided by the Employment Development Department, effective July 1, 2019 through June 30, 2022 (\$0); and, approve and authorize the Chairman to execute a retroactive Indemnity Agreement (Exhibit E, Attachment 2) with CDSS, effective July 1, 2019 through June 30, 2022 (\$0)

- 53.** Approve and authorize the Chairman to execute Amendment I to Agreement 18-123 with Public Consulting Group, Inc. for Consultation Services, extending the term by one year from April 1, 2020 through March 31, 2021, and increasing the maximum compensation by \$356,132 to a total of \$1,648,660
- 54.** Adopt Resolution authorizing (a) the Department of Social Services to apply for and accept an allocation (\$144,290) for a Housing Navigators Program administered by the California Department of Housing and Community Development and (b) the Director of the Department of Social Services, or his designee, to execute administrative grant related documents, including the Allocation Acceptance Form; and, adopt Resolution authorizing (a) the Department of Social Services to apply for and accept an allocation (\$116,000) for a Transitional Housing Program administered by the California Department of Housing and Community Development and (b) the Director of the Department of Social Services, or his designee, to execute administrative grant related documents, including the Allocation Acceptance form