



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

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

Tuesday, April 14, 2020

9:00 AM

Hall of Records

SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19

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

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

Written Comments

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

Noticed Public Hearings

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

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

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

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

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

Invocation and Pledge of Allegiance

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 12 - 40

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 Vice Chairman Brandau

- 2.1 Authorize the Chairman and Vice-Chairman to execute letter to Governor Newsom regarding local authority to cancel penalties or charges for property tax non-payment related to the COVID-19 pandemic

Administrative Office

3. Consider and take action on request for Determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Prabhu Daya, Inc., DBA EZ Stop Mini Mart, located at 11024 S. Fowler Ave., Selma, CA 93662-9619

Public Works and Planning

4. Consider appeal of Planning Commission's denial of Classified Conditional Use Permit Application No. 3632, proposing to allow an agricultural commercial center consisting of an approximately six-acre flea market with related improvements on a 78.18-acre parcel in AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District; and, if the Appeal is granted and the Planning Commission's denial of Classified Conditional Use Permit Application No. 3632 is overturned: a. adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7568 and approve the proposal subject to project Mitigation Measures and Conditions of Approval; b. make the required Findings specified in Fresno County Zoning Ordinance, Section 873(F) for approval of the Classified Conditional Use Permit Application No. 3632; and, c. adopt Resolution approving Classified Conditional Use Permit Application No. 3632 for a flea market, with Conditions of Approval, the subject property is located on the north side of W. Jayne Avenue approximately 2,556 feet west of its intersection with S. El Dorado Avenue and 6.4 miles east of the nearest city limits of City of Coalinga (23436 W. Jayne Avenue, Coalinga) (APN 073-090-20S)

Board of Supervisors' Committee Reports and Comments

5. 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

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

Public Presentations

7. 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

8. 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
9. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
10. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 2 Cases

11. Threat to public services or facilities – Government Code, Section 54957(a) – Consultation with Jean Rousseau, CAO and Emergency Services Director, Robert Bash, Director of ISD or Designee and David Pomaville, Director of Public Health or Designee

Adjourn

NEXT MEETINGS:

April 28, 2020 - 9:00 AM

May 12, 2020 - 9:00 AM

CONSENT AGENDA

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

Board of Supervisors

12. Approve minutes of meeting for March 24, 2020 and April 7, 2020 Special Meeting

Chairman Mendes

13. Proclaim April 19 -25, 2020 as National Crime Victims' Rights Week in Fresno County
14. Proclaim the month of April 2020 as Child Abuse Prevention Month in Fresno County

Sheriff/Coroner/Public Administrator

15. Adopt Budget Resolution increasing FY 2019-20 appropriations for HIDTA Asset Forfeiture Treasury Fund 0095, Subclass 17666, Org 1467 in the amount of \$300,000 (4/5 vote); and adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$300,000, of which \$70,500 is for the purchase of a Handheld Mass Spectrometer, \$107,650 for officer overtime and \$121,850 for operational services and supplies (4/5 vote)
16. Adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$19,000 for the purchase of one PRE5 Inmate Clothing Vacuum Sealer (4/5 vote); and adopt Budget Resolution increasing the FY 2019-20 appropriations for Special Revenue Fund Sheriff-Coroner-Public Administrator Inmate Welfare Fund Org 1500 in the amount of \$19,000 (4/5 vote)
17. Retroactively approve and authorize the Sheriff-Coroner-Public Administrator's previous submittal of a grant application to the State of California Department of Parks and Recreation for Off-Highway Motor Vehicle Grant funds (\$361,577); and approve and authorize the Chairman to execute a Resolution approving the Sheriff to submit an application to the State of California Department of Parks and Recreation for Off-Highway Motor Vehicle Grant funds and approving required certifications
18. Retroactively approve and authorize the Sheriff-Coroner-Public Administrator's previous submittal of a grant application to the California Department of Justice for the Tobacco Grant Program (\$547,955); and approve resolution authorizing the Chairman to execute a Memorandum of Understanding (MOU) with the California Department of Justice effective July 1, 2020 through June 30, 2023 (\$547,955); and authorize the Sheriff-Coroner-Public Administrator, or their authorized representative, to sign claims for reimbursement, and progress reports

19. Retroactively approve and authorize the Sheriff-Coroner-Public Administrator to submit grant application and, on behalf of the County, execute grant application from the Executive Office of the President's Office of National Drug Control Policy (ONDCP) for the Central Valley High Intensity Drug Trafficking Areas program in the amount of \$827,628; retroactively approve and authorize the Sheriff-Coroner-Public Administrator, on behalf of the County, to execute retroactive Grant Agreement Number G20CV0004A and approve Grant Conditions for the Office of National Drug Control Policy effective January 1, 2020 to December 31, 2021 (\$827,628); and approve and authorize the Sheriff-Coroner-Public Administrator, on behalf of the County, to execute retroactive Memorandums of Understanding (MOUs) for Central Valley High Intensity Drug Trafficking Areas Resource Agencies effective January 1, 2020 to December 31, 2021

Administrative Office

20. 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; Authorize the Purchasing Manager to continue executing professional service agreements and other documents, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, necessary for the identification, removal, and disposal of dead and dying trees in Fresno County for an amount not to exceed \$15,190,564
21. Accept the Fresno Council on Child Abuse Prevention's 2018-2019 Annual Report

Behavioral Health

22. Retroactively Ratify the Certification of Non-Application of Relocation Benefits and Indemnification Agreement with the State of California, Housing and Community Development related to Round One of the No Place Like Home program

Human Resources

23. Approve the Salary Resolution Amendment moving the Probation Services Manager classification from a 9-step salary range into Band E of the Senior Management Compensation Plan as reflected in Appendix B, effective April 20, 2020
24. Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Chris Gutierrez, Library, Maintenance Janitor, as named in Superior Court Case No: 19CECG02826, Saira Ramos, et al v. County of Fresno, et al

Internal Services

25. Approve and authorize the Chairman to execute an Agreement with E.J. Ward, Inc. for maintenance and support of the Fuel View software system, 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 \$1,102,000

Public Defender

26. Adopt Resolution retroactively accepting and expressing gratitude for a non-monetary donation, with a value of \$22,600, from the Heising-Simons Foundation and Uptrust, Inc., to initiate a text messaging system for the Public Defender's Office; and approve and authorize the Chairman to execute a retroactive Agreement with Uptrust, Inc. for text messaging services, effective October 1, 2019, not to exceed 30 months, which includes an 18-month base contract and one optional one-year extension, total not to exceed \$8,400

Public Health

27. Approve and authorize the Chairman to execute an Agreement with Valley Children's Hospital for designated Department of Public Health employees to access Valley Children's Hospital's Electronic Medical Records, effective April 14, 2020 through June 30, 2022 followed with unlimited one-year auto-renewals unless terminated by either party (\$0); and approve and authorize the Director of the Department of Public Health, or designee, and the Department employees identified as having a need to remotely access Valley Children's Hospital's Electronic Medical Records, to execute the CareLink Agreement for Access to Protected Health Information
28. Approve the Salary Resolution Amendment to create an Administrative Case Worker classification series effective pay period April 20, 2020, as reflected in Appendix "D"; Approve the Salary Resolution Amendment to reclassify incumbents in the Admitting Interviewer classification series at the Department of Public Health to the Administrative Case Worker classification series beginning pay period April 20, 2020, as reflected in Appendix "D"

Public Works and Planning

29. Adopt Resolution establishing Transportation Mitigation Impact Fees to mitigate transportation and circulation impacts from development associated with Amendment Application No. 3808, located on northwest corner of E. Annadale Avenue and S. Willow Avenue; and approve and authorize Chairman to execute Public Facilities Fee Agreement with Gurmej Singh Bath, for transportation mitigation fees, effective upon execution (\$47,745)
30. Adopt Resolution of Intention initiating a hearing under Chapter 3, Part 3, Division 9 of the Streets and Highways Code (collectively, the "Vacation Laws"), setting 9:00 a.m. on May 12, 2020, in the Board of Supervisors' chambers, as the time, date, and place for the Board to conduct a hearing for the proposed vacation of the North Colonial Avenue public road right-of-way, that portion of North Colonial Avenue next to the Village Gardens Condominium complex and lying within Tract No. 2245, according to the map thereof recorded in Volume 26, Pages 23 and 24, Fresno County Records approximately 8,802 sq. feet (Vacation Application No. V19-08), directing the Clerk of the Board to cause the posting, publishing, and mailing of notice(s), as required by the Vacation Laws, and directing the Department of Public Works and Planning to post notices on site as required by the Vacation Laws

31. Approve and authorize the Chairman to execute an Agreement with the Malaga County Water District for the Malaga Fire Hydrant Improvements, Community Development Block Grant Project No. 19451, effective upon execution through August 24, 2021 (\$356,000)
32. Conduct second hearing on and adopt an Ordinance to amend Chapter 11.24 - Speed Limits of Fresno County Ordinance Code, Sections 11.24.040 through 11.24.080, to reflect various changes to Ordinance Code as a result of recent traffic studies; and waive reading of Ordinance in its entirety
33. Approve adjustment to Exclusive Service Area Program Maximum Cart, Bin and Special Service rates, effective July 1, 2020, to reflect the escalation in the Consumer Price Index and increase in the American Avenue Disposal Site tipping fee; and, approve increases to the Shaver Lake Transfer Station rates, effective July 1, 2020, to reflect the escalation in the Consumer Price Index
34. Adopt Mitigated Negative Declaration prepared for the Alta Main Canal Bridge Replacement Project on North Frankwood Avenue No. 42C0289 (Initial Study Application No. 7594, SCH No. 2020029045), Federal Project Number BRLO-5942(247)
35. Approve and authorize the Chairman to execute the SS-MOA Participant Consent to Third Amendment to Agreement No. 17-075 Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement
36. Approve and authorize Chairman to execute a Resolution establishing and adopting a list of identified road and bridge projects to be performed with Department of Public Works and Planning's Road Maintenance and Rehabilitation Account funds for FY 2020-21; and, declare the FY 2020-21 Anticipated Day Labor Overlay Road Segment projects identified on Exhibit C are intended to be performed by force account in accordance with California Public Contract Code, section 22031(g)
37. Approve and authorize the Chairman to execute an Amended and Restated Consultant Agreement, to replace Consultant Agreement No. 15-530 with Mintier Harnish LP, updating the scope of work related to the General Plan Review, Comprehensive Zoning Ordinance Update and associated Program Environmental Impact Report, effective upon execution, with no change to the term through final payment and increasing the maximum by \$278,275 to a total of \$1,128,275

Social Services

38. Approve and authorize the Chairman to execute an Agreement with the Business, Consumer Services and Housing Agency for the COVID-19 Emergency Homelessness Funding Grant (20-HFC-00096), effective upon execution by the Business, Consumer Services and Housing Agency, total not to exceed \$382,081; and, approve and authorize the Chairman to execute an Agreement with the Business, Consumer Services and Housing Agency for the COVID-19 Emergency Homelessness Funding Grant (20-HFC-00097), on behalf of the Fresno Madera Continuum of Care, effective upon execution by the Business, Consumer Services and Housing Agency, total not to exceed \$488,763

- 39.** Adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the California Work Opportunity and Responsibility to Kids Org 6310 in the amount of \$16,061,290 (4/5 vote); adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the Aid to Families with Dependent Children- Foster Care Org 6410 in the amount of \$5,250,954 (4/5 vote); adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the Aid to Adoptions Program Org 6415 in the amount of \$1,082,614 (4/5 vote); adopt Budget Resolution increasing appropriations and estimated revenues for the Department of Social Services Org 5610 in the amount of \$1,994,227 (4/5 vote); adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the Welfare Advance Fund Organization 1120 in the amount of \$17,494,134 (4/5 vote); adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the Protective Services Subaccount Org 6210 in the amount of \$2,450,362 (4/5 vote); adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the Realignment Social Services Org 5246 in the amount of \$2,450,362 (4/5 vote); and, adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the SB 163 Project Fund Org 1128 in the amount of \$1,994,227 (4/5 vote)
- 40.** Approve and authorize the Chairman to execute a retroactive Agreement with Poverello House for Emergency Shelter Services in response to the COVID-19 pandemic, effective March 26, 2020, which includes a 60-day base contract and four optional 30-day extensions, total not to exceed \$295,296