



Board of Supervisors

Agenda - Final-Revised

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

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

Tuesday, July 7, 2020

9:00 AM

Hall of Records

IMPORTANT NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19

Due to the current Shelter-in-Place Order covering the State of California and Social Distance Guidelines issued by Federal, State, and Local Authorities, the County is implementing the following changes for attendance and public comment at all Board of Supervisors meetings until notified otherwise. The Board chambers will be open to the public. Any member of the Board of Supervisors may participate from a remote location by teleconference pursuant to California Governor Gavin Newsom's Executive Order N-25-20.

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

Written Comments

- Members of the public may submit written comments as follows: by email to BOSScomments@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 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. 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>.

Invocation and Pledge of Allegiance

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 19 - 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

Administrative Office

- 2.1 Receive update on Coronavirus Aid, Relief, and Economic Security (CARES) Act funding expenditure plan

Public Works and Planning

3. Conduct public hearing to consider all oral statements and all written protests made or filed by any interested person, if any, to the annual assessment for park maintenance costs in County Service Area No. 2, Tenaya Estates; and, adopt Resolution approving and levying the annual assessment for park maintenance benefiting 142 parcels within Tenaya Park Assessment District for County Service Area No. 2
4. Conduct public hearing to consider all oral statements and all written protests made or filed by any interested person, if any, to the annual assessment for street lighting services, open space maintenance and public right-of-way landscape maintenance costs in County Service Area No. 34, Zone D, Renaissance at Bella Vista; and, adopt Resolution approving and levying the annual assessment for street lighting services, open space maintenance and public right-of-way landscape maintenance for 106 parcels within the Renaissance at Bella Vista Lighting, Open Space and Landscape Assessment District for County Service Area No. 34, Zone D
5. Adopt a Resolution to determine the total amount of a Clean Water State Revolving Fund Loan in the amount of \$4,144,919 for improvements to residential wastewater treatment facility serving Zone D of County Service Area No. 44 Monte Verdi Estates, to determine that the assessment in Assessment District No. 284 is due and payable, and to fix the total amount of the assessment at \$5,310,000
6. Conduct first hearing on an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.040 through 11.24.090, to reflect various changes to the Ordinance Code as a result of recent traffic studies; waive reading of the Ordinance in its entirety; set second hearing for August 18, 2020; 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)

7. Conduct public hearing to receive testimony on proposed additions to County Coronavirus Aid, Relief, and Economic Security (CARES) Act Emergency Solutions Grant (ESG) and Community Development Block Grant (CDBG) programs; approve substantial amendment to the 2019-20 Annual Action Plan to update planned uses for CDBG funding and ESG funding, under the CARES Act; and, authorize Director of the Department of Social Services to execute the related Standard Form 424, Certifications, and Entitlement Grant Agreement
8. Adopt Plans and Specifications for Contract 19-S-04 Fresno County Sheriff Area 2 Substation, and award to the low bidder, Klassen Corporation, 2021 Westwind Drive, Bakersfield, CA, including the base bid and all the additive bids, in the total amount of \$11,364,500; and authorize the Chairman to execute Contract Change Orders up to 5% (\$568,225) of the construction contract total for Contract No. 19-S-04

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. 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
15. 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

16. Conference with Legal Counsel – Anticipated Litigation Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2) - 1 case
17. Conference with legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Comunidades Unidas por un Cambio v. County of Fresno, Fresno County Superior Court, Case No. 18CECG04586
18. Conference with Real Property Negotiators - Government Code 54956.8 Properties: 500 E. Elkhorn, Caruthers, CA 93609; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: North Fork Kings Groundwater Sustainability Agency, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions

Adjourn

NEXT MEETINGS:

August 4, 2020 - 9:00 AM

August 18, 2020 - 9:00 AM

CONSENT AGENDA

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

Board of Supervisors

19. Approve minutes of meeting for June 23, 2020
20. Approve the initial Conflict of Interest Code for Yosemite Valley Charter School

Chairman Mendes

21. Proclaim the week of July 6-10, 2020, as Eligibility Workers, Job Specialists, and Appeals Specialists Appreciation Week and honor the members of these professions for their commitment to the residents of Fresno County

Supervisor Quintero

- 21.1 Proclaim July 4th, 2020 as Radio Bilingüe & Hugo Morales Day
- 21.2 Adjourn in Memory of Ellington "Fugi" Jordan
- 21.3 Adjourn in Memory of Wanda Lee Swieso

Auditor Controller-Treasurer/Tax Collector

22. Receive and file the Fresno County Audit Committee Minutes from December 13, 2019 and January 10, 2020 meetings
23. Approve and authorize chairman to sign resolution approving and agreeing to include the City of Fowler in the County's alternative method of property tax allocation, also known as the Teeter Plan, with respect to secured property taxes, but excluding assessments, in accordance with the provisions of Revenue and Taxation Code 4701 through 4717 effective beginning with Fiscal Year 2020-21

Sheriff/Coroner/Public Administrator

24. Adopt and authorize Chairman to execute Resolution approving special tax amount, and levying special tax in the maximum total amount of \$306,643.47, on developed real properties within (Mello-Roos) Countywide Community Facilities District (CFD) No. 2006-01 (District), including its Annexation Territories, for enhanced police protection services for FY 2020-21

25. Approve and authorize Chairman to execute a Memorandum of Understanding (MOU) with the City of Fresno that the City will act as Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2019 Local Solicitation from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), \$78,514; approve and authorize Chairman to execute Certification and Assurance by Chief Executive; and authorize the Sheriff-Coroner-Public Administrator or her designee to sign and/or initial award documents and other related and required documents, as appropriate, that are necessary to accept this grant
26. Approve, ratify and authorize the Chairman to execute a retroactive grant award agreement and to initial the special condition pages of the agreement from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA) for the BJA FY 2020 Coronavirus Emergency Supplemental Funding Program, effective January 20, 2020 through January 31, 2022 (\$252,969); (a) Approve, authorize, and ratify the Sheriff's previously submitted revised Budget Detailed Worksheet, revised Financial Capabilities Questionnaire, Disclosure of Lobbying Activities and Program Narrative to the U.S. Department of Justice (DOJ) for the above grant award, and all acts taken by the Sheriff, or her designees, in connection therewith, and (b) approve, authorize and ratify the Sheriff's resubmission of the revised Budget Detailed Worksheet and the revised Financial Capabilities Questionnaire and the Sheriff's submission of the Disclosure of Lobbying Activities and Program Narrative to the DOJ for the above grant award; and approve and authorize the Sheriff, or her authorized representative to sign claims for reimbursement, notices, and other related documents consistent with the above grant award

Administrative Office

27. 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
28. 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 promote and market the resources and economy of Fresno County; and, approve and authorize the Chairman to execute a retroactive sole source Agreement with the Economic Development Corporation serving Fresno County to promote and market the resources and economy of Fresno County, effective July 1, 2020 through June 30, 2021 (\$38,000)
- 28.1 Retroactively approve and authorize the Chairman or his designee to complete the online designation of Supervisor Magsig as the County's voting delegate for the 2020 National Association of Counties Virtual Annual Business Meeting

- 28.2** Approve and authorize the County Administrative Officer to execute a Coronavirus Relief Funding form allowing the County to be eligible for approximately \$16.4 million and certifying that the County's proposed uses of funds under the applicable provisions of paragraphs (2) or (3) of subdivision (d) of Control Section 11.90 of the Budget Act of 2020, will only be used for specific costs and under certain conditions detailed within the form; and, approve and authorize the County Administrative Officer to execute a certification form allowing for receipt of funds pursuant to Provision 3 of Item 9210-110-0001 of the Budget Act of 2020 certifying that the County's proposed uses of a portion of \$750 million in Realignment backfill funding and a possible additional portion of \$250 million of potential Realignment backfill funding will only be used for specific costs and under certain conditions detailed within the form

Behavioral Health

- 29.** Approve and authorize the Chairman to execute First Amendment to Agreement No. 18-419 with Relias Learning, LLC for additional e-learning licenses, effective July 7, 2020 with no change to the term of September 1, 2018 through August 31, 2023 and increasing the maximum by \$280,972 to a total of \$816,082
- 30.** Approve and Authorize the Chairman to execute a Retroactive First Amendment to Master Agreement No. 18-418 with multiple Short-Term Residential Therapeutic Programs and out-of-state group homes for the provision of specialty mental health services to adolescent youth in foster care, effective May 1, 2020 with no change in term of August 7, 2018 through June 30, 2023 and increasing the maximum by \$46,000,000 to a total of \$47,800,000
- 31.** Approve and authorize the Department of Behavioral Health to move forward with next planning steps in the development of proposed Innovation programs
- 32.** Approve Amendment to the Salary Resolution adjusting the Salary for the position of Medical Records Coordinator effective July 13, 2020 as reflected on Appendix C

Human Resources

- 33.** Approve the Addendum to Memorandum of Understanding, which extends the term of the Memorandum of Understanding for Representation Unit 35 - Sheriff's and Correctional Lieutenants, represented by the Sheriff's and Correctional Lieutenants Association, through November 1, 2020
- 34.** Approve and authorize the Chairman to execute a First Amendment to Master Agreement No. 20-022 with various vendors to provide pre-employment psychological screening and evaluation services via videoconference applications in addition to approved in-office/remote evaluation sessions, effective July 7, 2020, with no change to the term of January 7, 2020 through January 6, 2025, or compensation maximum of \$750,000
- 35.** Adopt Resolutions Rejecting Claims for Damages

36. Approve the Addendum of Memorandum of Understanding, which extends the term of the Memorandum of Understanding for Representation Unit 14 - Supervisory Peace Officers, represented by the Fresno Sheriff's Sergeants Association, through November 1, 2020; approve the Addendum of Memorandum of Understanding, which extends the term of the Memorandum of Understanding for Representation Unit 38 - Sheriff's Captains, represented by the Fresno County Sheriff's Captain Association, through November 1, 2020

Internal Services

37. Adopt Budget Resolution increasing FY 2020-21 appropriations for Internal Services Department, Fleet Services - Equipment Org 8911 in the amount of \$5,506,492 for the purchase of replacement light/heavy duty vehicles and equipment for various departments (4/5 vote)

Library

38. Approve and authorize the Chairman to ratify the County Librarian's previous execution of a retroactive agreement and acceptance of grant funds from California Humanities, effective April 1, 2020 through December 31, 2020 (\$5,000); authorize the County Librarian, or his designee, to sign expenditure forms and activity reports for this agreement; and adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$5,000 (4/5 vote)

Probation

- 38.1 Approve and authorize the Chairman to execute First Amendment to Victim Witness Assistance Program Grant Agreement No. A-19-523 with the State of California, Governor's Office of Emergency Services (Cal OES), effective upon execution with no change in term to September 30, 2020 and decreasing the maximum by \$96,866 to a total of \$1,562,493

Public Health

39. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Pistoresi Ambulance Service, for dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$921,654); Approve and authorize the Chairman to execute a retroactive Agreement with KWPH Enterprises, d.b.a. American Ambulance, for dispatch of Pistoresi Ambulance Services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$804,852); Approve and authorize the Chairman to execute a retroactive revenue Agreement with Sierra Ambulance Service, for dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$297,540); Approve and authorize the Chairman to execute a retroactive Agreement with KWPH Enterprises, d.b.a. American Ambulance, for dispatch of Sierra Ambulance Services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$257,085)

40. Approve and authorize the Chairman to execute retroactive Participation Agreement (\$800,000) and retroactive Administrative Cost Agreement (\$23,431), both effective July 1, 2020 with California Department of Health Care Services to allow for participation and reimbursement for administration of the Medi-Cal County Inmate Program
41. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the City of Selma, for dispatch services for the City of Selma Fire Department through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$49,264); Approve and authorize the Chairman to execute a retroactive Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for City of Selma Fire Department dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$39,750)
42. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the City of Sanger, for dispatch services for the City of Sanger Fire Department through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$45,122); approve and authorize the Chairman to execute a retroactive Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for City of Sanger Fire Department dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$38,469)
43. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the City of Kingsburg, for dispatch services for the City of Kingsburg Fire Department through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$25,864); Approve and authorize the Chairman to execute a retroactive Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for City of Kingsburg Fire Department dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2020, through June 30, 2023 (\$22,573)

Public Works and Planning

44. Adopt plans and specifications and award Contract 19-13-C, Fresno County Recorder's Office Offsite Parking Lot Improvements to the low bidder, AJ Excavation, Inc., 9662 W Kearney Blvd., Fresno, CA 93706 in the amount of \$634,024
45. Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for Public Works and Planning Org 43600200 in the amount of \$315,000 (4/5 vote); approve and authorize the Clerk of the Board to execute Budget Transfer No. 23 for the Department of Public Works and Planning Org 8867 for the use of professional archival service to restore and preserve historical documents (\$315,000); and, approve and authorize the Chairman to execute an Agreement with Kofile Technologies, Inc for document preservation and imaging for historical records, effective upon execution, not to exceed three consecutive years, total not to exceed \$315,000

46. Adopt plans and specifications and award Contract 19-09-C, Fresno Canal on McKinley Avenue Bridge Replacement Project, Federal Project No. BRLS-5942(225) to the low bidder, Agee Construction Corporation, PO Box 629, Clovis, CA 93613, in the amount of \$1,489,728
47. Approve an increase in Community Development Block Grant (CDBG) funds provided for the El Porvenir and the Cantua Creek Wastewater Treatment Plant Improvements, Community Development Block Grant Projects Nos. 18291 and 18091, increasing the maximum funds provided for these projects by \$400,000 to a total of \$900,000; and make a determination in accordance with Administrative Policy No. 34 that "unusual or extraordinary circumstances" exist that allow sole source procurement of filtration and control equipment based on the Board's express finding that specification by brand or trade name of the aeration system for use in County Service Area 30 & 32 is consistent with the provisions of Public Contract Code Section 3400(c)(2) and 3400(c)(3); and authorize staff's incorporation of this sole sourced system and its components in the project design and construction; and Adopt Plans and Specifications for Contract 19-18-CD (Re-Bid), Wastewater Treatment Improvements at the El Porvenir and Cantua Creek Facilities, and award to the low bidder, Dawson-Mauldin Construction, 1071 E. Nebraska Avenue, Selma, CA, including the base bid and all the additive bids, in the total amount of \$640,648
48. Approve and authorize Chairman to execute a Facilities Encroachment Agreement which includes a five-year Temporary Construction Permit with James Irrigation District in order to construct the James Bypass Bridges Replacement Project effective upon execution with no specific termination date (\$1,500); and, approve and authorize Chairman to execute a Floodway Encroachment Agreement which includes a five-year Temporary Construction Permit with Reclamation District 1606 in order to construct the James Bypass Bridges Replacement Project effective upon execution with no specific termination date (\$10,250)
49. Adopt a 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 August 4, 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 South Barton Square (aka Calwa Alley) public road right-of-way, i.e., the east portion of South Barton Square (aka Calwa Alley) lying to the East of the intersection of South Barton Square and East Barton Square approximately 4,038 square feet (Vacation Application No. V19-06), 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

Social Services

50. Adopt Resolution authorizing the County of Fresno, through the Department of Social Services, to serve as the Administrative Entity on behalf of the Fresno Madera Continuum of Care for Coronavirus Aid, Relief, and Economic Security Act Allocation of Emergency Solutions Grant funding administered by the California Department of Housing and Community Development