



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, November 24, 2020

9:00 AM

Hall of Records

Special Meeting

IMPORTANT NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19

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

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

Written Comments

- Members of the public may submit written comments as follows: by email to BOScomments@fresnocountyca.gov, 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 27 - 59

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

Board of Supervisors

3. Presentation of Retirement Plaque to Jeannie Z. Figueroa – County Administrative Office – 32 Years of Service

Chairman Mendes and Supervisor Pacheco

4. Presentation from Nisei Farmers League and Farm Bureau regarding their response to COVID-19

Sheriff/Coroner/Public Administrator

5. Adopt resolution to fill a Sheriff's Account Clerk III position with Extra-Help retiree Helen H. Chu, part-time, effective December 14, 2020, finding, pursuant to Government Code section 7522.56 (f) (1), that a 180 day separation period for retired employees returning to employment as Extra-Help is not applicable based on your Board certification that the nature of employment and appointment is necessary to fill a critically-needed position before the 180 day separation period

Administrative Office

6. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 20 filed by J.T. Atwal Petroleum, Inc., 70 N Brawley Ave., Fresno, CA 93706
7. Recognize Fresno County Director of Human Resources Paul Nerland as he is presented with the CALPELRA 2020 Moving Forward Award for his work in Labor Negotiations

Agriculture

8. Accept the Annual Fresno County Crop and Livestock Report for 2019 from the Department of Agriculture

Internal Services

9. Determine the subject Real Property, approximately 0.129 acres located at Dunlap Road adjacent to Dunlap School, is not necessary for County use, and approve sale of subject Real Property to Kings Canyon Unified School District; and Authorize the Chairman to execute Grant Deed for conveyance of County-owned subject Real Property, located at Dunlap Road adjacent to Dunlap School, to adjacent landowner Kings Canyon Unified School District, for sale price of \$1.00

Probation

10. Approve and authorize the Chairman to execute a retroactive Driving Under Intoxication Court Staffing Agreement with the Superior Court of California, County of Fresno, effective October 1, 2020, not to exceed five consecutive years, which includes a one-year base contract with four optional one-year extensions, total not to exceed \$227,606 per year; adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for Probation Org 3432 in the amount of \$153,851 (4/5 vote); and approve Amendment to the Salary Resolution adding one Deputy Probation Officer to the Probation Org 3432, effective 11/30/20, as reflected in Appendix "F"

Public Health

11. Adopt Interim Urgency Ordinance pursuant to Government Code, Sections 25123(d) and 25131, relating to debris removal as a result of Creek Fire disaster (4/5 vote)
12. Approve retroactive submission of the FY 2020-21 Children's Medical Services Plan for child health services and authorize the Chairman to execute Certification Statements as required by the California Department of Health Care Services, effective July 1, 2020 through June 30, 2021 (\$10,398,017); adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$312,967 (4/5 vote); and, approve Amendment to the Salary Resolution adding two Public Health Nurse positions to the Public Health's Org 5620, effective November 30, 2020, as reflected in Appendix E
13. Approve and authorize the Chairman to execute a retroactive revenue agreement with Heluna Health for the Epidemiology and Laboratory Capacity - Coronavirus Aid, Recovery and Economic Stability Act grant, effective May 1, 2020 through March 31, 2022 (\$537,756); approve and authorize the Chairman to execute a retroactive allocation award from the California Department of Public Health for Epidemiology and Laboratory Capacity - Enhancing Detection, effective May 18, 2020 through November 17, 2022 (\$11,672,782); adopt Budget Resolution Increasing FY 2020-21 appropriations for the Department of Public Health Fund 0080, Subclass 17366, Miscellaneous Public Health Fund Org 1166 in the amount of \$2,918,196 (4/5 vote); adopt Budget Resolution Increasing FY 2020-21 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$2,918,196 (4/5 vote); and, approve Amendment to the Salary Resolution adding three Program Technician positions to the Public Health's Org 5620, effective November 30, 2020, as reflected in Appendix C

Public Works and Planning

14. Approve General Plan Amendment No. 563 amending Agriculture and Land Use Element of General Plan to increase residential density for various land use designations that accommodate housing development, consistent with Program 10 of County's adopted Fifth Cycle Housing Element and to address recent litigation; and adopt Resolution approving General Plan Amendment Application No. 563 as Second General Plan Amendment of the Agriculture and Land Use Element of the Fresno County General Plan for 2020; and approve Amendment to Text Application No. 380 and adopt Ordinance amending various sections of Fresno County Zoning Ordinance modifying text to address programs identified in Fifth Cycle Housing Element (Program 10), recent litigation, and state mandated modifications, in particular Government Code, section 65583 (Housing Element) and Government Code, section 65915 (Density Bonus); and determine that Recommended Actions 1 to 3 are exempt from California Environmental Quality Act and direct staff 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 proposed ordinance and direct the Clerk of the Board to post and publish required summary in accordance with California Government Code, section 25124(b)(1)
15. Consider and adopt Resolution accepting the 2019 General Plan Annual Progress Report

Social Services

16. Approve Amendment to the Salary Resolution adding 34 positions and deleting 34 vacant positions for the Department of Social Services Org 5610, effective November 30, 2020, as reflected on Appendix "D"; and adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Department of Social Services Org 5610 in the amount of \$377,294 (4/5 vote); and adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Social Services Fund 0065, Subclass 17225, Welfare Advance Fund Org 1120 in the amount of \$377,294 (4/5 vote)

Board of Supervisors' Committee Reports and Comments

17. 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

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

Public Presentations

19. 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

20. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
21. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
22. 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
23. 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
24. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Jared Mullis vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ13436796
25. Conference with Legal Counsel- Existing Litigation - Government Code, section 54956.9(d)(1) - Fadia Doty vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ10415699
26. Public Employee Appointment or Employment, Government Code Section 54957(b)(1) – Title: Chief Operating Officer Recruitment

Adjourn**NEXT MEETINGS:**

December 15, 2020 - 9:00 AM

January 5, 2021 - 9:00 AM

CONSENT AGENDA

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

Board of Supervisors

27. Approve minutes of meeting for October 30, 2020, Special Meeting, November 2, 2020, Special Meeting, November 3, 2020, and November 18, 2020, Special Meeting

Chairman Mendes

28. Adjourn in Memory of Bob Beilage, a long-time resident of Riverdale

Chairman Mendes and Supervisor Pacheco

29. Adopt Resolution recognizing the 100th Anniversary and Centennial Commemoration of the Fresno Irrigation District

Supervisor Brandau

30. Adjourn in Memory of Inga K. Barks

Assessor/Recorder

31. Adopt a Resolution of intent to withdraw from the California Electronic Recording Transaction Network authority effective July 1, 2021; and approve and authorize the Chairman to execute a Memorandum of Understanding with the counties of Orange, Los Angeles, Riverside, and San Diego for the Statewide Electronic Courier Universal Recording Environment, a multi-county electronic recording delivery system, effective November 24, 2020, through August 18, 2023, total not to exceed \$300,000

Auditor Controller-Treasurer/Tax Collector

32. Delegate investment authority to the Auditor-Controller/Treasurer-Tax Collector for the 2021 calendar year; and adopt revisions of the "County of Fresno Treasury Investment Pool Investment Policy"

Sheriff/Coroner/Public Administrator

33. Approve and authorize the Chairman to execute the Second Amendment to Agreement No. A-15-628 with Trinity Services Group, Inc. for meal services for the Sheriff-Coroner-Public Administrator's Office and Probation Department detention facilities, extending the term by one year commencing on January 1, 2021 to December 31, 2021 and increasing the maximum by \$8,249,463 to a total of \$47,181,282

34. Retroactively authorize the Sheriff-Coroner-Public Administrator's submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) Internet Crimes Against Children (ICAC) Program to fund activities of the Fresno County Sheriff's ICAC Task Force for the period of January 1, 2021 through December 31, 2021 (\$950,000); approve and authorize the Sheriff-Coroner-Public Administrator as the official designated to enter into the Grant Subaward Face Sheet, Certification of Assurance, and Subrecipient Grants Management Assessment for the 2020 Internet Crimes Against Children (ICAC) Program grant from the Cal OES, including any amendments and extensions, which assists local law enforcement agencies in enhancing their investigative response to offenders who use the internet, online communication systems, or other computer technology to sexually exploit children; and adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org in the amount of \$492,032, for overtime, operating expenses including forensic tools, tools for search warrants, wellness/decompression training and one (1) undercover replacement vehicle to respond to and combat the sexual exploitation of children in Fresno County (4/5 vote)

County Counsel

35. Approve and authorize the Chairman to execute Amendment Two to Purchasing Agreement No. P-18-263-O (Agreement No. 19-087) with Hanson Bridgett LLP, to extend the term of the existing Agreement for specialized legal services by one year from December 31, 2020 to December 31, 2021 with no change to the compensation maximum of \$250,000
36. Approve and adopt amendments to Local Rules for Assessment Appeals Board
- 36.1 Approve and authorize Chairman to execute a retroactive Agreement for Legal Services, authorizing County Counsel to provide legal services to Coalinga-Huron Cemetery District in relation to personnel matters, effective November 16, 2020 through June 30, 2021, with automatic one-year renewals

Administrative Office

37. Ratify the setting of the second hearing to amend the Fresno County Ordinance Code, Title 2 - Administration, Chapter 2.04 - Board of Supervisors, Section 2.04.010 relating to Meetings for November 24, 2020 due to the cancellation of the Board's November 17 meeting; and, conduct this second hearing; waive reading of Ordinance in its entirety, and adopt such Ordinance Code amendment
38. Accept the 2020 Annual Williams Lawsuit Agreement Report from the Fresno County Office of Education

Behavioral Health

39. Authorize the Chairman to execute, upon review and approval by County Counsel as to legal form and the Auditor-Controller/Treasurer-Tax Collector as to accounting form, the Standard Agreement 18-NPLH-12659, in substantially the same form as the draft included as Attachment A, with the California Department of Housing and Community Development for construction of Alegre Commons, a supportive housing project funded in Round One of the No Place Like Home Competitive Allocation Program, effective upon execution by the Chairman, the Fresno Housing Authority and the State of California Department of Housing and Community Development for a 30-year term (\$5,479,586); and, approve and authorize the Chairman to execute Agreement with The Villages at Barstow, LP, an affiliate of the Fresno Housing Authority, that commits County to make available supportive services for a minimum of 20 years at Alegre Commons (\$9,482,760)

Human Resources

40. Approve and authorize the Chairman to execute an Agreement with Northwest Capital Management for consulting services related to the County of Fresno 457(b) Deferred Compensation Plan, effective December 13, 2020 through December 31, 2025, total not to exceed \$250,000
41. Approve and authorize the Chairman to execute a Retroactive First Amendment to Agreement No. A-20-295 with Pinnacle Training Systems, LLC allowing for COVID-19 testing at additional County departments, with no change to the term of July 9, 2020 through December 30, 2020, or compensation maximum of \$2,665,600
42. Adopt Resolutions Rejecting Claims for Damages
43. Approve and authorize the Chairman to execute an Agreement with the Fresno Regional Workforce Development Board's WIOA (Workforce Innovation and Opportunity Act) Young Adult Providers of Service, effective November 24, 2020 through November 23, 2021

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

44. Approve the amended Conflict of Interest Code for the Fresno County In-Home Supportive Services Public Authority

Sitting as the County of Fresno Board of Supervisors:

Approve the amended Conflict of Interest Code for the Fresno County In-Home Supportive Services Public Authority

Internal Services

45. Approve and authorize the Chairman to execute First Amendment to Agreement No. 20-074 with Perspecta State and Local, Inc. to modify the allowable connections to the mainframe services, effective upon execution with no change to the term of February 27, 2020 through February 26, 2023, or compensation maximum of \$2,550,000
46. Approve and authorize the Chairman to execute a Second Amendment to Agreement No. 19-464 with GovernmentJobs.com Inc., dba NEOGOV, for the purchase of eForms, effective upon execution with no change in term to May 14, 2023, and increasing the maximum compensation amount by \$267,000, including \$94,657 of Coronavirus Aid, Relief, and Economic Security Act funding, to a total of \$1,400,000

Probation

47. 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 Unserved/Underserved Victim Advocacy and Outreach Program (\$182,444); and approve and authorize the Chairman to execute a Grant Application/Agreement for the Unserved/Underserved Victim Advocacy and Outreach Program with Cal OES, for the period of January 1, 2021 through December 31, 2021
48. 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 (\$456,000); and approve and authorize the Chairman to execute a Grant Application/Agreement for the County Victim Services (XC) Program with Cal OES for the period of January 1, 2021 to December 31, 2021

Public Defender

49. Approve and authorize the Chairman to execute a retroactive Special Services Agreement with the Fresno Regional Workforce Development Board, effective November 17, 2020 to June 30, 2021, total not to exceed \$45,000, including the following required forms: (1) Workforce Innovation and Opportunities Act Assurances and Certifications Standard of Conduct; (2) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower-Tier Covered Transactions; and (3) Signatory Authorization form; and adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$45,000 (4/5 vote)

Public Health

50. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Policy No. 34 for unusual or extraordinary circumstances due to the need for laboratory testing services; and, approve retroactive Agreement with the County of Madera for public health laboratory testing services, effective July 1, 2020 through June 30, 2021 (\$20,000)

51. Approve and authorize the Chairman to execute Second Amendment to Agreement No. 06-072 with Blue Cross of California Partnership Health Plan, Inc. to add an Exhibit G - Health Insurance Portability and Accountability Act Business Associate agreement, effective upon execution (\$0)
52. Approve and authorize the Chairman to execute a retroactive Memorandum of Understanding (MOU) with Saint Agnes Medical Center whereby Saint Agnes commits to provide health care services to uninsured, underinsured, indigent, and low-income residents of Fresno County, effective September 1, 2020 (\$0)

Sitting as the Fresno County Waterworks District 40 Governing Board:

53. Approve a Purchase Agreement for a water well, accept a grant deed and easement for the well, accept a grant deed for Well Number 4 easement, accept a grant deed for an access easement, accept a grant deed for electrical easement and accept a grant deed for pipeline easements from the Shaver Springs Homeowners Association (\$49,054.35)

Public Works and Planning

54. Authorize the Director of Public Works and Planning, subject to the review and approval by County Counsel as to legal form and the Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute eight On-Call Environmental Consultant Agreements for environmental consultant services (\$2,000,000)
55. Approve and Authorize Chairman to execute First Amendment to Tract 4968 Subdivision Agreement No. 18-236, modifying Section V, paragraph 9, relating to installation of a backup lake pump generator
56. Approve request by City of Fresno to acquire right-of-way, excluding eminent domain condemnation actions, from parcels adjacent to existing County right-of-way in an identified unincorporated area of the County as needed in conjunction with City's development of a traffic signal and intersection improvements at the intersection of E. Olive Avenue and N. Armstrong Avenue, subject to City of Fresno initiating annexation of the acquired right-of-way within six months of completion of the traffic signal project
57. 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 December 15, 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 Plumas Road public road right-of-way, that portion of North Plumas Road between West Olive Avenue and West Belmont Avenue approximately 2.339 acres (Vacation Application No. V19-10), 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

58. Approve and authorize the Chairman to execute Amendment I to Agreement 19-252 with Centro La Familia Advocacy Services, Inc. for human trafficking and domestic violence victim assistance services, effective upon execution with no change in the term of July 1, 2019 through June 30, 2024 and increasing the annual compensation amount for FY 2020-21 by \$205,342 to a total maximum compensation of \$3,750,487
59. Approve and authorize the Chairman to execute Amendment III to Lease Agreement No. 14-731 with John S. Foggy for office space at 2011 Fresno Street, Fresno, CA 93721, used by the Department of Social Services, which extends the term by 18 months from January 31, 2021 to July 31, 2022 and increases the maximum by \$971,698, to a total of \$5,032,298