



Board of Supervisors

Agenda - Final-Revised

Steve Brandau, 2nd District, Chairman
Brian Pacheco, 1st District, Vice-Chairman
Sal Quintero, 3rd District
Buddy Mendes, 4th 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, January 12, 2021

10:00 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 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>.

Roll Call**Invocation and Pledge of Allegiance**

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 11 - 39

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

Human Resources

3. Approve Amendment to the Salary Resolution deleting one Human Resources Technician I/II/III and adding two Human Resources Analyst I/II/III/Sr to the Human Resources Department Org 8925, effective January 25, 2020, as reflected in Appendix A

Attachments: [Agenda Item](#)
 [Salary Resolution Amendment - Appendix A](#)

Public Health

- 3.1 COVID-19 Response Update from the Department of Public Health

Board of Supervisors' Committee Reports and Comments

4. 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

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

Attachments: [Agenda Item](#)
 [Attachment A](#)

6. Approve the Chairman's 2021 Appointments of Board Members to various Boards, Commissions and Committees as presented in Exhibit A; adopt California Form 806 - Agency Report of Public Official Appointments as presented in Exhibit B, and direct the Clerk of the Board to post on the County's internet website

Attachments: [Agenda Item](#)
 [Exhibit A - Chairman's appointments for Board Members to various BCC](#)
 [Exhibit B - Form 806 - Agency Report of Public Official Appointment](#)

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: Steve Johnson; 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) (4 Cases)
10. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
- 10.1 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) (3) Cases - County of Fresno v. Immanuel Schools, Fresno County Superior Court Case No. 20CECG02447; Cross Culture Christian Church et al. v. Newsom, et al., US District Court for the Eastern District of California, Case No. 2:20-CV-00832-JAM-CKD; Culinary Studios, Inc. et al. v. Newsom, et al., US District Court for the Eastern District of California, Case No. 1:20-CV-01340-AWI-EPG

Adjourn**NEXT MEETINGS:**

January 26, 2021 - 10:00 AM

February 9, 2021 - 10:00 AM

CONSENT AGENDA

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

Board of Supervisors

11. Approve minutes of meeting for December 15, 2020, and January 5, 2021

Attachments: [12-15-2020 Action Summary Minutes - DRAFT](#)
 [01-05-2021 Action Summary Minutes - DRAFT](#)

12. Approve amendments to Conflict of Interest Codes for Aspen Public Schools, Incorporated and Burrell Union Elementary School District

Attachments: [Agenda Item](#)
 [Attachment A - Amended COI Codes](#)

Supervisor Magsig

13. Adjourn in Memory of Charles Laygo, a Twenty-Year Veteran of the Fresno County Probation Department

Attachments: [Adjourn in Memory](#)

Supervisor Pacheco

- 13.1 Adjourn in memory of Gary W. Nielsen, a United States Army Vietnam veteran who also served in the National Guard and had a 28 year career with Fresno County serving as a Telephone Services Manager and later as a Senior Information Technology Analyst, during which time he was instrumental in setting up Fresno County's 911 system in the 1980s

Attachments: [Adjourn in Memory](#)

Supervisor Quintero

- 13.2 Adjourn in memory of Angel De La Fuente, Fresno Police Department Officer

Attachments: [Adjourn in Memory](#)

- 13.3 Adjourn in Memory of Rodney Wells

Attachments: [Adjourn in Memory](#)

- 13.4 Adjourn in Memory of Winifred Lee

Attachments: [Adjourn in Memory](#)

13.5 Adjourn in Memory of Gilbert Servin

Attachments: [Adjourn in Memory](#)

13.6 Adjourn in Memory of Zoyer Zyndel

Attachments: [Adjourn in Memory](#)

13.7 Adjourn in Memory of George Whitmore

Attachments: [Adjourn in Memory](#)

County Clerk/Registrar of Voters

14. Approve and authorize the Chairman to execute Amendment III to Agreement No. 15-584 with Integrated Voting Systems, Inc., (IVS) for ballot printing, vote by mail processing and vote by mail envelope services, effective upon execution with no change in term of November 18, 2015 through June 30, 2021 and increasing the maximum by \$200,000 to a total of \$4,000,000

Attachments: [Agenda Item](#)
 [On file with Clerk - Amendment III](#)

District Attorney

15. Approve Amendment to the Salary Resolution deleting three vacant Senior District Attorney Investigators, one vacant Investigative Technician and adding three Legal Assistants, one Supervising Legal Assistant position to the District Attorney-Grants Org 28620600, effective January 25, 2021 as reflected in Appendix C

Attachments: [Agenda Item](#)
 [Salary Resolution Amendment - Appendix C](#)

Sheriff/Coroner/Public Administrator

16. Approve and authorize the Chairman to execute a Master Agreement with qualified vendors for polygraph testing services for the Sheriff's Office and the Probation Department, effective January 15, 2021 through January 14, 2026, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$705,000

Attachments: [Agenda Item](#)
 [On file with Clerk - Master Agreement for Polygraph Services](#)

17. Retroactively approve and authorize the Sheriff's previous submittal of an online grant application on behalf of the County of Fresno to the Department of Justice, Bureau of Justice Assistance, for the 2020 Forensic DNA Capacity Enhancement and Backlog Reduction Program Grant; approve, ratify and authorize the Sheriff, or her designee, to execute, accept, and submit electronically, a retroactive Grant Award Agreement Number 2020-DN-BX-0137 on behalf of the County of Fresno to the Department of Justice, Bureau of Justice Assistance for the 2020 Forensic Casework DNA Backlog Reduction Grant, effective October 1, 2020 through September 30, 2022 in the amount of \$376,101; and adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator's Org 3111 in the amount of \$233,842 (4/5 vote); and authorize the Sheriff, or her designee, to sign and submit claims for reimbursement, activity reports, notices, extend the grant ending date to expend allocated funding, and other related documents consistent with the grant award

Attachments:

[Agenda Item](#)

[On file with Clerk - Budget Resolution \(3111\)](#)

18. Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$235,000 for the purchase and up-fitting of prisoner transport and non-patrol vehicles (4/5 vote)

Attachments:

[Agenda Item](#)

[On file with Clerk - Resolution \(Org 3111\)](#)

County Council

19. Conduct second hearing and adopt an Ordinance amending the Fresno County Ordinance Code, Title 1, to add Chapter 1.16 - Public Nuisance Administrative Abatement Procedure

Attachments:

[Agenda Item](#)

[Ordinance](#)

Administrative Office

20. Verify that the members of the Child Care and Development Local Planning Council identified in the Certification Statement Regarding the Child Care and Development Local Planning Council Membership meet the council representation categories as mandated by Education Code section 8499.3 and that a good faith effort has been made by the County Board of Supervisors to ensure that the ethnic, racial, and geographic composition of the Child Care and Development Local Planning Council is reflective of the population of the county; and authorize the Chairman to execute Certification Statement Regarding the Child Care and Development Local Planning Council Membership

Attachments:

[Agenda Item](#)

[On file with Clerk - LPC Membership Roster](#)

21. 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 \$17,756,484

Attachments:

[Agenda Item](#)

[On file with Clerk - Resolution](#)

[On file with Clerk - Proclamation of State Emergency](#)

[On file with Clerk - Map of Affected Area](#)

22. Adopt Resolution proclaiming continuation of the local emergency status relating to the 2020 Creek Fire and request that the Governor continue to provide resources and support to mitigate and recover from this wildfire; and Adopt Resolution proclaiming continuation of the Local Health Emergency, due to the public health threat of the 2020 Creek Fire

Attachments:

[Agenda Item](#)

[On file with Clerk – Resolution \(local emergency\)](#)

[On file with Clerk – Resolution \(local health emergency\)](#)

Behavioral Health

23. Approve and authorize the Chairman to execute retroactive Amendment I to Agreement No. 20-312 with RH Community Builders to revise the terms and conditions related to Termination, Insurance, Waiver of Subrogation, Modification and update the exhibits with no change to the term of July 1, 2020 through June 30, 2022 or compensation maximum of \$2,073,416

Attachments:

[Agenda Item](#)

[On file with Clerk - Amendment I to Agt No 20-312 with RHCB](#)

24. Approve and authorize the Chairman to execute Amendment I to Agreement No. 19-728 (State Agreement No. 18-95242) with the California Department of Health Care Services to incorporate the Substance Abuse Prevention and Treatment Block Grant, effective upon execution by the State, with no change in term of July 1, 2018 through June 30, 2021 (\$0)

Attachments:

[Agenda Item](#)

[On file with Clerk - Amendment I to State Performance Agreement No. 18-9524;](#)

Internal Services

25. Approve and authorize the Chairman to execute Amendment Three to Master Agreement No. 14-055 with Oracle America, Inc. (US-OMA-68497) to add Schedules C - Cloud Services and S - Services to utilize additional services, effective upon execution by Oracle, with no change to the term of February 6, 2014 through February 5, 2024 and no increase to the maximum compensation of \$16,000,000

Attachments:[Agenda Item](#)[On file with Clerk – Amendment Three to Master Agt with Oracle](#)**Probation**

26. Approve and authorize Chairman to execute a retroactive revenue Agreement with the Fresno County Superintendent of Schools for services provided by Deputy Probation Officers for the Truancy Intervention Program, effective July 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 \$498,203

Attachments:[Agenda Item](#)[On file with Clerk - Agreement with FCSS](#)**Public Defender**

27. Approve and authorize the Chairman to execute an Agreement with Cal State University San Marcos, for clinical and field experience for its students, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions (\$0)

Attachments:[Agenda Item](#)[On file with Clerk - Agreement with Cal State University San Marcos](#)

Public Health

28. Approve and retroactively authorize the Director of the Department of Public Health to execute the Notification of Subrecipient Allocation Agreement with the California Governor's Office of Emergency Services for Community Power Resilience Allocation, with a period of performance of July 1, 2020 to October 31, 2021 (\$206,337); Authorize the Director of the Department of Public Health to sign all corresponding reports, claims and necessary documents as required by the California Governor's Office of Emergency Services; Adopt Budget Resolution Increasing FY 2020-21 Appropriations for the Department of Public Health Fund 0800, Subclass 17366, Miscellaneous Public Health Fund Org 1166 in the amount of \$206,337 (4/5 vote); and adopt Budget Resolution Increasing FY 2020-21 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$206,337 (4/5 vote)

Attachments:[Agenda Item](#)[On file with Clerk - Agreement with CalOES](#)[On file with Clerk - Resolution \(Org 1166\)](#)[On file with Clerk - Resolution \(Org 5620\)](#)

29. Approve and authorize the Chairman to execute an Agreement with California State University, Fresno Foundation to provide registered dietician consultation services to the Department of Public Health, Nutrition Education and Obesity Prevention grant program, effective upon execution through September 30, 2023, which includes a nine-month base contract and two optional one-year extensions, total not to exceed \$40,500

Attachments:[Agenda Item](#)[On file with Clerk - Agreement with CSU Fresno Foundation](#)

30. Approve and grant the Director of the Department of Public Health, or his designee, authority to complete and submit all necessary documents to sponsor a County employee for an application for an H-1B visa

Attachments:[Agenda Item](#)**Public Works and Planning**

31. Retroactively authorize Director of the Department of Public Works and Planning's previous submittal of three grant applications in the total amount of \$6,586,200 to California Department of Transportation for the Cycle 10 Highway Safety Improvement Program

Attachments:[Agenda Item](#)[Location Maps](#)[On file with Clerk - HSIP application - Lac Jac & Manning](#)[On file with Clerk - HSIP application - Maple & Clinton](#)[On file with Clerk - HSIP application - Headwalls](#)

32. 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 10:00 a.m. on February 9, 2021, 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 East Belmont Avenue public road right-of-way, that portion of East Belmont Avenue lying to the East of the intersection of North Frankwood Avenue and East Belmont Avenue approximately 32,285 sq. feet (Vacation Application No. V17-07), 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

Attachments: [Agenda Item](#)
 [Exhibit A](#)
 [Vicinity Map](#)
 [On file with Clerk - Resolution](#)

33. 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 10:00 a.m. on February 9, 2021, 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 East Sumner Avenue public road right-of-way, that portion of East Sumner Avenue from Navelencia Avenue easterly, approximately 2659 linear feet to Crawford Avenue, approximately 2.44 acres (Vacation Application No. V18-04), 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

Attachments: [Agenda Item](#)
 [Exhibit A](#)
 [Vicinity Map](#)
 [On file with Clerk - Resolution](#)

34. Conduct second hearing and adopt proposed amendments to Fresno County Ordinance Code, Title 17 - Divisions of Land, Chapter 17.92 - Clovis Development Fees Applicable within the Sphere of Influence of the City of Clovis, and a Schedule of Fees; and waive reading of the proposed Ordinance in its entirety

Attachments: [Agenda Item](#)
 [Attachments A - F](#)
 [Ordinance](#)

35. Adopt Budget Resolution increasing FY 2020-21 appropriations for County Service Area 34 - Millerton New Town Org 9174 in the amount of \$85,000 using available fund balance, for operational costs related to Lake Pump Repair (4/5 vote)

Attachments: [Agenda Item](#)
 [On file with Clerk - Resolution](#)

36. Approve and authorize the Chairman to execute a retroactive Wireline Crossing Agreement No. 03237-86 with Union Pacific Railroad Company and authorize the Director of Public Works and Planning to execute any amendments the Director deems necessary subject to the review and approval of County Counsel and the Auditor-Controller/Treasurer-Tax Collector for the construction of the American Avenue - State Route 99 to Temperance Avenue Road Improvement Project effective retroactively to November 18, 2020 with no specified termination date (\$3,000)

Attachments: [Agenda Item](#)
 [Location Map](#)
 [On file with Clerk - Agreement with UPRR](#)

37. Make a determination in accordance with Administrative Policy No. 34 that “unusual or extraordinary circumstances” exist that allow sole source procurement of collection and control equipment for American Avenue landfill disposal site module project based on the Board’s express findings that specification by brand or trade name of collection and control equipment is consistent with provisions of Public Contract Code Section 3400(C)(2) and 3400(C)(3); and authorize staff to incorporate these sole-sourced components in project design

Attachments: [Agenda Item](#)
 [Location Map](#)
 [Sole Source Aq Req - QED](#)
 [Sole Source Ac Req - REP](#)

Social Services

38. Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Housing and Community Development for Emergency Solutions Grant funds on behalf of the Fresno Madera Continuum of Care for persons experiencing homelessness, effective upon execution by the State through September 30, 2022 (\$1,008,100)

Attachments: [Agenda Item](#)
 [On file with Clerk - Agt. with HCD for ESG](#)

39. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as RH Community Builders had the capacity to begin offering rapid rehousing services on January 1, 2021; and, approve and authorize the Chairman to execute a retroactive Agreement with RH Community Builders, for rapid rehousing services at the County-operated Homekey site, Crossroads Village, effective January 1, 2021 through June 30, 2021 (\$965,017)

Attachments: [Agenda Item](#)
 [Suspension of Competition Request](#)
 [On file with Clerk - Agreement with RH Community Builders](#)