



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, October 19, 2021

10:00 AM

Hall of Records

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 ClerkBOS@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 for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Records building, 2281 Tulare Street, Room 301, Fresno, 93721 during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday. Agenda items are also available online at: <http://fresnocounty.legistar.com>.

Roll Call

Invocation and Pledge of Allegiance

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 17 - 42

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 Jacqueline Juarez - Department of Social Services - 23 Years of Service
4. Presentation of retirement plaque to Catherine E. Basham - Department of County Counsel - 26 Years of Service
5. Appoint a Member and Alternate of the Board of Supervisors to the California State Association of Counties (CSAC) for 2022 and direct the Clerk of the Board to provide notification to CSAC

Chairman Brandau

6. Proclaim October 2021 as Domestic Violence Awareness Month in Fresno County

Supervisor Pacheco

7. Proclaim October 2021 as Infant Safe Sleep Awareness Month

Administrative Office

8. Consider and take action on request for Determination of Public Convenience or Necessity on application for Alcoholic Beverage License Type 20 filed by Mega Food Mart, to be used at 4706 E. Shields Ave., Fresno, CA 93726
9. Conduct first hearing of an amendment to the County of Fresno Ordinance Code to amend Title 2 - Administration, Chapter 2.72 - Supervisorial Districts to provide for adoption of final supervisorial boundary maps by ordinance or resolution in accordance with California State law (the Ordinance); waive the reading of the proposed Ordinance in its entirety; and set the second hearing of the proposed Ordinance including its requested Board adoption, for November 2, 2021; 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 of the proposed Ordinance in accordance with Government Code Section 25124(b)(1)

Public Works and Planning

10. Consider appeal of Planning Commission's denial of Variance Application No. 4106, proposing to allow a 75-foot-tall (35 feet maximum permitted) sign, 300 square-feet (150 square-feet permitted) in area, on 3.97-acres in the C-2 (Community Shopping Center) Zone District located on east side of N. McCall Avenue approximately 400 feet north of Highway 180 on Kings Canyon Road (frontage road), and approximately two miles northwest of City of Sanger (APN 314-120-66) (10070 E. Kings Canyon Road); and if your Board desires to grant Appeal and overturn Planning Commission's denial of Variance Application No. 4106, it would be appropriate to: a. Make required Findings specified in Section 877(A) for approval of Variance Application No. 4106 stating basis for making four required findings; and b. approve Variance Application No. 4106, with Conditions of Approval contained within Staff Report to Planning Commission

Board of Supervisors' Committee Reports and Comments

11. Board of Supervisors' Committee Reports and Comments - Receive and provide direction (this item reserved for committee reports by members of the Board of Supervisors)

Board Appointments

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

Public Presentations

13. Public Presentations - This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda - Pursuant to Administrative Policy No. 29, presentations are limited to 3 minutes per person and no more than 15 minutes total per topic

Closed Session

The public may comment on Closed Session items prior to the Board's recess to Closed Session

14. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Hollis Magill; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment
15. Conference with Legal Counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (3 Cases)
16. Conference with Legal Counsel - Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)

Adjourn**NEXT MEETINGS:**

*November 2, 2021 - 10:00 AM
November 16, 2021 - 10:00 AM*

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

Board of Supervisors

17. Approve minutes of meeting for October 5, 2021
18. Accept Certificate of Facts regarding declarations of candidacy for eligible positions for the Landowner voting districts; and appoint in lieu of an election, Landowner candidates who filed declarations of candidacy unopposed

Chairman Brandau

- 18.1 Adjourn in Memory of Correctional Officer Toamalama Scanlan. Officer Scanlan joined Fresno County Probation in June 1998, before joining the Fresno County Sheriff's Office on April 10, 2006. In 2012 Officer Scanlan was promoted to Correctional Officer IV. He will be remembered for his contributions to the community as well as his love of family, friends, and country

Assessor/Recorder

19. Approve and authorize the Chairman to execute a Mutual Release and Satisfaction of Claims with the California Electronic Recording Transaction Authority (CERTNA), and the counties of Santa Cruz, San Joaquin, El Dorado, Madera, Merced, Monterey, Santa Clara, Shasta, and Solano, relating to \$2,525,121 in unfunded pension liability of CERTNA to the San Bernardino County Employees' Retirement Association as of June 30, 2021, and establishing \$349,127 as the County's proportional share of CERTNA's unfunded pension liability, effective upon execution by all parties

District Attorney

20. Retroactively authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Workers' Compensation Insurance Fraud Program, for the period July 1, 2021 through June 30, 2022 (\$1,348,743); and adopt a Resolution authorizing the District Attorney to execute retroactive Grant Award Agreement, including any extensions or amendments, for continued funding of the Workers' Compensation Insurance Fraud Program with the CDI, for the period July 1, 2021 through June 30, 2022 (\$1,348,743)
21. Retroactively approve and authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Automobile Insurance Fraud Program, for the period July 1, 2021 through June 30, 2022 (\$572,605); and adopt Resolution approving and authorizing the District Attorney to execute retroactive Grant Award Agreement, including any extensions or amendments, for continued funding of the Automobile Insurance Fraud Program with the CDI, for the period July 1, 2021 through June 30, 2022 (\$387,390)
22. Retroactively authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Disability and Healthcare Insurance Fraud Program for the period of July 1, 2021 through June 30, 2022 (\$321,051); and adopt a Resolution authorizing the District Attorney to execute retroactive Grant Award Agreement, including any extensions or amendments, for continued funding of the Disability and Healthcare Insurance Fraud Program with the CDI, for the period July 1, 2021 through June 30, 2022 (\$180,365); and adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues in the amount of \$2,013 in the District Attorney's Special Revenue Fund 0060, CDI Disability and Healthcare Fraud Program, Org 1102 (4/5 vote); and adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues in the amount of \$2,013 in the District Attorney-Grants Org 2862 (4/5 vote)

County Counsel

23. Approve and authorize the Chairman to execute the Deferred Litigation Settlement Agreement with EVC Homes, LLC

Behavioral Health

24. Approve and authorize the Chairman to execute the Grant Contract Signature Authorization Attachment as a component of Agreement No. 21-082 with the California State Department of Rehabilitation
25. Retroactively approve and authorize the Department of Behavioral Health's previous submittal of a grant application to the California Department of Health Care Services for supplemental funds to expand crisis intervention team services (\$753,500)

Human Resources

26. Adopt Resolutions Rejecting Claims for Damages
27. Approve the Amendments to the Fresno County Salary Resolution, Sections 100 and 1100; and adjust the salary range for Payroll Technician I - Confidential accordingly to be equivalent with Program Technician I, as reflected on Appendix "A", effective November 1, 2021
28. Approve Salary Resolution Amendment reclassifying the Executive Assistant in the Auditor-Controller/Treasurer-Tax Collector's Office upward to Staff Analyst III, effective November 1, 2021 as reflected in Appendix "C"

Internal Services

29. Approve and authorize the Chairman to execute First Amendment to Agreement No. 18-652 with Geil Enterprises, Inc. for alarm system - maintenance, repair, inspection, and monitoring services extending the term by one year from November 5, 2021 to November 4, 2022 and increasing the maximum by \$50,000 to a total of \$279,000

Public Health

30. Approve and authorize the Chairman to execute a retroactive First Amendment to Agreement No. 20-402 with Children and Families Commission of Fresno County for the Community Health Teams program extending the term by one year from July 1, 2021 to June 30, 2022 and increasing the maximum by \$895,390 to a total of \$1,790,596
31. Approve and Authorize the Chairman to execute an Agreement with Washington-Baltimore High Intensity Drug Trafficking Area for access to the software mapping platform Overdose Detection Mapping Application Program, effective upon execution, not to exceed five consecutive years (\$0)
32. Ratify the First Amendment to the Memorandum of Understanding with the California Department of Public Health for COVID-19 Case Investigations, Contact Tracing, and Vaccination Services previously executed by the County Administrative Officer, acting as Emergency Services Director, effective December 27, 2020 through December 31, 2021 (\$0); Ratify the Second Amendment with Fresno County Superintendent of Schools for COVID-19 Medical Investigations, Contact Tracing, and Vaccination Services previously executed by the County Administrative Officer, acting as Emergency Services Director, effective August 4, 2020 through December 31, 2021 (\$1,730,000)
33. Approve and authorize the Chairman to execute a retroactive Agreement with California State University Fresno Foundation for local oral health program evaluation services, effective June 30, 2021 through June 30, 2022, with the option to extend for one additional 12-month period, total not to exceed \$295,894

34. Approve and authorize the Chairman to execute an Amendment to Revenue Agreement A-20-289 (State Agreement No. 19-10073) with the California Department of Public Health for the Core Sexually Transmitted Disease Program to add optional activities in the scope of work for increased testing utilizing community partners with no change to the grant term of July 1, 2019 through June 30, 2024, or compensation maximum grant funding of \$1,260,910

Public Works and Planning

35. Approve and authorize Chairman to execute a Master Agreement for on-site and in-shop pump and electrical motor repair, service, parts, and supplies, effective November 1, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$3,000,000; and authorize Director of Public Works and Planning or his or her designee, and Director of Internal Services/Chief Information Officer or his or her designee to add additional contractors to this Agreement as they are identified who will agree and be bound by terms and conditions of Master Agreement without affecting remainder of this Agreement
36. Approve and authorize Chairman to execute a Resolution adopting findings and authorizing execution by Director of Department of Public Works and Planning, subject to review and approval by County Counsel and Auditor-Controller/Treasurer-Tax Collector of a "Long-Term Conveyance Contract among Department of Water Resources of State of California" and United States of America, for conveyance of 3,000 acre feet per year of Central Valley Project water through Cross Valley Canal, and authorize Director of Department of Public Works and Planning, subject to review and approval by County Counsel and Auditor-Controller/Treasurer-Tax Collector, to sign final contract; and approve and authorize Chairman to execute a Resolution adopting findings and authorizing execution by Director of Department of Public Works and Planning, subject to review and approval by County Counsel and Auditor-Controller/Treasurer-Tax Collector of a "Contract Between United States and County of Fresno Providing for Project Water and Facilities Repayment" to provide a permanent supply of water to County Service Area No. 34 and its current and future zones, including zone A (Brighton Crest), zone C (Bella Vista), zone D (Renaissance at Bella Vista), zone F (The Vistas), and zone G (Granville), and authorize Director of Department of Public Works and Planning, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, to sign final contract; and ratify and approve specified prior actions of Director of the Department of Public Works and Planning as follows: "Fresno County Service Area No. 34 Notice of Intent to Request a Conversion of long-term water conveyance and service agreement" under Water Infrastructure Improvements for Nation Act, submitted on April 26, 2018 to the United States Bureau of Reclamation (USBR), and the concurrence submitted on June 29, 2021, for the USBR to proceed to a 60-day public comment period for the form of the proposed agreement
37. Approve and authorize Chairman to execute a Master Agreement for on-site snow removal services in Shaver Lake area, effective November 1, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,958,508.42

38. Adopt a Resolution authorizing Rescission of Agricultural Land Conservation Contract Nos. 1773 and 1785 and Simultaneous Entry into new Agricultural Land Conservation Contract Nos. 8336 and 8337, pursuant to Government Code Section 51254; and authorize Chairman to execute new Agricultural Land Conservation Contracts and allow for recordation of new Contracts following signature by Chairman
39. Approve and authorize Chairman to execute First Amendment to Agreement No. 14-668 with Dewberry | Drake Haglan, Inc., for engineering consultant services related to Little Dry Creek Bridge Replacements on Millerton Road, Federal Project No. BRLO-5942(210), extending maximum term by seven years to expire no later than October 28, 2028, and increasing the maximum by \$236,875 to a total of \$1,203,941
40. Approve and authorize Chairman to execute an agreement with Southern Yosemite Engineering, Inc., to provide on-call professional consultant services, effective upon execution, with a three-year base contract and two optional one-year extensions, total not to exceed \$500,000
41. Adopt Resolution designating four intersections within Fresno County as stop intersections, authorizing additional stop signs making them all-way stops

Social Services

42. Approve and authorize the Chairman to execute an Agreement with the County of Madera on behalf of the Fresno Madera Continuum of Care for homeless planning services, effective upon execution through February 28, 2023, total not to exceed \$50,000