



County of Fresno

Action Summary - Draft

Board of Supervisors

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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

Tuesday, April 13, 2021

10:00 AM

Hall of Records

PURSUANT TO CALIFORNIA GOVERNOR GAVIN NEWSOM'S EXECUTIVE ORDER N-25-20 ON MARCH 12, 2020, RELATING TO THE CONVENING OF PUBLIC MEETINGS IN LIGHT OF THE COVID-19 PANDEMIC, SUPERVISOR QUINTERO ATTENDED THE MEETING TELEPHONICALLY AND PARTICIPATED IN THE MEETING TO THE SAME EXTENT AS HE WAS PRESENT

Present: 5 - Chairman Steve Brandau, Supervisor Nathan Magsig, Supervisor Buddy Mendes, Vice Chairman Brian Pacheco, and Supervisor Sal Quintero

Invocation and Pledge of Allegiance

PASTOR JOBY JONES OF THE GRACE & TRUTH MISSIONARY BAPTIST CHURCH AND PROGRAM MANAGER FOR FRESNO ECONOMIC OPPORTUNITIES COMMISSION STREET SAINTS GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS AGENDA BE APPROVED WITH AGENDA ITEM 4 AND 4.1 TO FOLLOW AGENDA ITEM 3. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

2. Approve Consent Agenda - Item Numbers 22 - 53

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 25.1 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Board of Supervisors

3. Presentation of Retirement Plaque to Lori A. Liles - Department of the District Attorney - 20 Years of Service

PRESENTED RETIREMENT PLAQUE TO LORI A. LILES

Chairman Brandau and Supervisor Magsig

- 3.1 Consideration of modifications to or repeal of Proclamation of a Local Emergency due to Novel Coronavirus (COVID-19)

A MOTION WAS MADE BY CHAIRMAN BRANDAU, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE ACTED ON AS FOLLOWS: REPEAL FRESNO COUNTY'S DECLARATION OF EMERGENCY RELATED TO COVID-19 AND DIRECT THE COUNTY ADMINISTRATIVE OFFICER TO COORDINATE WITH ELECTED AND NON-ELECTED COUNTY DEPARTMENTS TO BEGIN OPENING DEPARTMENTS TO THE PUBLIC AS SOON AS POSSIBLE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 4 - Brandau, Magsig, Mendes, and Pacheco

Noes: 1 - Quintero

Chairman Brandau and Sheriff/Coroner/Public Administrator

4. Recognize Sheriff's Deputy Jonas Motter for his selection by the United States Marshals Service to receive the Director's Award for his work as a Joint Task Force Officer

RECOGNIZED

Supervisor Mendes and Supervisor Pacheco

- 4.1 Authorize the Board of Supervisors to send a letter to Federal and State representatives requesting acceleration of westside surface water deliveries in Fresno County

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN PACHECO, THAT THIS MATTER BE APPROVED AS RECOMMENDED AND AUTHORIZED SENDING A LETTER TO GOVERNOR NEWSOME REQUESTING THE DECLARATION OF A WATER EMERGENCY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Administrative Office

5. Adopt Resolution recognizing the County Wellness Program's receipt of the American Heart Association's Bronze Award in Workplace Health Achievement

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-108

6. Provide direction to staff choosing one of the three proposed options to establish a Supervisorial Redistricting Commission or to complete the redistricting process without a commission

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE ACTED ON AS FOLLOWS: CREATE AN 11-MEMBER ADVISORY REDISTRICTING COMMISSION (OPTION 1 OF AGENDA ITEM), WITH EACH BOARD MEMBER NOMINATING TWO MEMBERS, AND COUNTY ADMINISTRATIVE OFFICER NOMINATING ONE MEMBER. MEMBER NOMINATIONS TO BE CONFIRMED BY BOARD AND DIRECTED STAFF TO RETURN TO THE BOARD APRIL 27, 2021, WITH RESOLUTION TO ESTABLISH THE COMMITTEE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

7. Consider and take action on request for Determination of Public Convenience or Necessity on application for Alcoholic Beverage License Type 21 filed by Yakoob Nagib S. Mohamed, to be used at 6012 S. Elm Ave., Fresno, CA 93706

A MOTION WAS MADE BY VICE CHAIRMAN PACHECO, SECONDED BY SUPERVISOR MENDES, THAT THIS REQUEST FOR DETERMINATION BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Sheriff/Coroner/Public Administrator

8. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by adding new Subsection 2611 (Public Records Act Fees) to Section 2600 - Sheriff; waive reading of the Ordinance in its entirety; and set second hearing for May 11, 2021; conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsection 3401 (Photocopy Charge (Paper to Paper)) of Section 3400 - Misc. Countywide Fees (by adding the Sheriff's Office to the list of certain departments excluded from this Countywide fee); waive reading of the Ordinance in its entirety; and set second hearing for May 11, 2021; designate County Counsel to prepare a fair and adequate summary of each of the proposed Ordinances; and Direct the Clerk of the Board to post and publish the required summaries in accordance with Government Code Section 25124(b)(1)

A MOTION WAS MADE BY VICE CHAIRMAN PACHECO, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Public Works and Planning

9. Adopt Plans and Specifications for Contract No. 20-18-SW, American Avenue Disposal Site Phase III, Modules 3-8 Landfill Gas Collection and Control System Improvements; and hear and consider, the following: a. protest from apparent second low bidder, ETIC 2285 Morello Avenue, Pleasant Hill, CA 94523, regarding proposed award of Contract 20-18-SW to the apparent low bidder, BSE General Engineering, Inc., (BSE) 26132 Old Highway 80, Descanso, CA 91916; and award Contract 20-18-SW to the low bidder, BSE, in total amount of \$1,998,421

CONDUCTED PUBLIC HEARING. NO PUBLIC TESTIMONY RECEIVED. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

10. Adopt Resolution voiding and rescinding Resolution No. 11-031, which certified an Environmental Impact Report (State Clearing House No. 2007101016), including Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. 511, Amendment Application No. 3751, and Amendment to Text Application No. 363, and updated Friant Community Plan and expanded boundary by adding 942.2-acre Friant Ranch Specific Plan Area and designated Specific Plan Area for a variety of residential, commercial, and open space uses, and adopted Friant Ranch Specific Plan containing goals, policies, implementation measures and development standards for the Specific Plan Area, which were adopted by the Board of Supervisors on February 1, 2011; and adopt Ordinance repealing Ordinances No. R-450-3751 and T-805-363, which pertained to Amendment Application No. 3751, which rezoned project site to various zone districts, rezoned 7.19-acre "Depot Parcel" from Single-Family Residential Agricultural District (R-A) to General Commercial (C-6), rezoned two parcels totaling 6.6 acres from R-A and C-6 to Open Space (OS), and rezoned a 106-acre parcel from AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to OS, and pertained to Amendment to Text Application No. 363, which adopted Friant Ranch Zoning Regulations, containing specific zoning districts for the Friant Ranch Specific Plan Area, which were adopted by the Board of Supervisors on February 1, 2011; and adopt Resolution rescinding approval of Classified Conditional Use Permit Application No. 3415, which authorized development of a tertiary-level wastewater treatment facility to serve Friant Ranch Specific Plan Area and greater Friant community, on two parcels totaling 144 acres, which was adopted by the Board of Supervisors on May 20, 2014; and determine that Recommended Actions 1 through 3 are exempt from California Environmental Quality Act and direct Department of Public Works and Planning 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 Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1)

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED WITH REVISIONS TO THE RESOLUTION ASSOCIATED WITH THE ENVIRONMENTAL IMPACT REPORT AS FOLLOWS: (1) REVISE TITLE OF RESOLUTION TO READ "RESOLUTION RESCINDING ADOPTION OF RESOLUTION NO. 11-031" AND (2) REVISE THE LAST SENTENCE OF THE RESOLUTION TO READ "FURTHER RESOLVED BY THE FRESNO COUNTY BOARD OF SUPERVISORS THAT THE BOARD'S FEBRUARY 1, 2011, CERTIFICATION OF THE FINAL EIR PREPARED FOR THE PROPOSED GENERAL PLAN AMENDMENT NO. 551, AMENDMENT APPLICATION NO. 3751, AND AMENDMENT TO TEXT APPLICATION NO. 363 IS HEREBY DECERTIFIED". THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-109, Ordinance No. 21-005, Resolution No. 21-110

11. Conduct a public hearing and adopt required findings and a Resolution approving vacation of certain road right-of-way of Sunset Avenue, that portion of Sunset Avenue from East Grove Avenue northerly to East Laurite Avenue dedicated in Book 7, Page 51 of Map of Sunset Heights. The Board finds that: 1. vacation is determined to meet criteria for general vacation pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code (collectively "Vacation Laws"); and 2. right-of-way, other than easement for benefit of Pacific Gas & Electric (PG&E) Company being retained, is unnecessary for present or prospective public use; and 3. right-of-way is not useful as a nonmotorized transportation facility, pursuant to Section 892 of the Streets and Highways Code; and 4. vacation is consistent with County General Plan

CONDUCTED PUBLIC HEARING. NO PUBLIC TESTIMONY RECEIVED. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR QUINTERO, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-111

Administrative Office

12. Conduct public forum in accordance with Government Code section 7283.1(d); receive statistical report from the Sheriff regarding the United States Immigration and Customs Enforcement access provided to incarcerated individuals in the Jail during 2020; and receive public comment

CONDUCTED PUBLIC FORUM IN ACCORDANCE WITH GOVERNMENT CODE SECTION 7283.1(D). RECEIVED STATISTICAL REPORT FROM THE SHERIFF REGARDING THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS PROVIDED TO INCARCERATED INDIVIDUALS IN THE JAIL DURING 2020. RECEIVED PUBLIC TESTIMONY. CLOSED THE PUBLIC FORUM

Board of Supervisors' Committee Reports and Comments

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

CHAIRMAN BRANDAU ANNOUNCED THAT THE CENTRAL VALLEY COALITION FOR ENERGY AND JOBS REACHED OUT TO HIM AND ASKED IF THE BOARD OF SUPERVISORS WAS WILLING TO EXECUTE A COMPLIMENTARY LETTER OPPOSING SB 467 OIL PRODUCTION BAN. THIS WILL BE IN ADDITION TO THE LETTER ALREADY APPROVED AND SENT BY THE BOARD SUPPORTING OIL AND GAS. THE CONSENSUS OF THE BOARD WAS TO EXECUTE A LETTER AS LONG AS IT WAS IN OUR LEGISLATIVE PLATFORM

Board Appointments

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

A MOTION WAS MADE BY CHAIRMAN BRANDAU, SECONDED BY SUPERVISOR MAGSIG, THAT THE NOMINATION FOR APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

BEHAVIORAL HEALTH BOARD

APPOINTED ANA BOYDSTUN TO VACANT PUBLIC INTEREST POSITION (TERM TO EXPIRE 04/01/24)

CITIZENS REVIEW PANEL (LIBRARY SALES TAX)

APPOINTED DEBORAH JANZEN TO REPLACE RHODA GONZALES (TERM TO EXPIRE 01/06/25)

FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE

REAPPOINTED WILMA HASHIMOTO (TERM TO EXPIRE 01/06/25)

FRESNO COUNTY FIRE PROTECTION DISTRICT

APPOINTED STANLEY BULLA TO REPLACE CHAD GAREWAL (TERM TO EXPIRE 09/30/24)

FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD

APPOINTED DAVID MERCER TO REPLACE LENORA BARNES (TERM TO EXPIRE 11/01/21)

FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD

APPOINTED WYATT MEADOWS TO REPLACE ELIZABETH RIVINIUS (TERM TO EXPIRE 11/01/22)

HOUSING AUTHORITY OF FRESNO COUNTY

REAPPOINTED EDUBIGEN (SLYVIA) ORTIZ (TERM TO EXPIRE 02/01/23)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Public Presentations

15. 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
- HELD; RECEIVED**

Closed Session

16. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) (2 Cases)
HELD; THE BOARD OF SUPERVISORS, BY A 4-0 VOTE WITH SUPERVISOR QUINTERO RECUSING HIMSELF FROM THE DELIBERATIONS, AUTHORIZED THE INITIATION OF LITIGATION BY THE COUNTY AGAINST CMG CONSTRUCTION MANAGEMENT INC., MARK STEVENSON, AND ANY OTHER INTERESTED PARTIES NECESSARY FOR BREACH OF CONTRACT, DECLARATORY RELIEF AND OTHER APPROPRIATE CLAIMS FOR THE RECOVERY OF THE DEPOSIT AS LIQUATED DAMAGES INVOLVED IN THE UMC CMG TRANSACTION THAT DID NOT CLOSE
17. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
18. 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
HELD; NO REPORTABLE ACTION
19. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Carl McSwain v. County of Fresno; Workers' Compensation Appeals Board Number ADJ12546864; ADJ12548853
HELD; NO REPORTABLE ACTION
20. Conference with Legal Counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Michael Belloli v. County of Fresno; Workers' Compensation Appeals Board Number ADJ9998506
HELD; NO REPORTABLE ACTION
21. Conference with Real Property Negotiators - Government Code, Section 54957(a); UMC Campus located at the corner of South Cedar Avenue and East Kings Canyon Road, Fresno, CA; County Negotiator: Jean M. Rousseau or designee. Negotiating Parties: CMG, Inc. Under negotiations: Instructions to County's negotiator may concern sale, lease and escrow terms and conditions including price
HELD; PRIOR TO DISCUSSING ITEM 21, SUPERVISOR QUINTERO RECUSED HIMSELF FROM THE DELIBERATIONS; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MEETING BE ADJOURNED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

APPROVED:

STEVE BRANDAU, CHAIRMAN OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: _____
BERNICE E. SEIDEL
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON _____

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 25.1 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Board of Supervisors

- 22.** Approve minutes of meeting for March 23, 2021

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

- 23.** Approve amendments to Conflict of Interest Code for Fresno County Fire Protection District

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Chairman Brandau

- 24.** Proclaim April 18 through April 24, 2021 as National Crime Victims' Rights Week in Fresno County

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-079

- 25.** Adjourn in Memory of Brian "Keith" Davis, a retired Fresno County Probation Department employee who served as a Supervising Group Counselor

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Supervisor Magsig

- 25.1** Adjourn in Memory of Julio Magana, a Fresno County Probation Department Senior Juvenile Correctional Officer

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Supervisor Quintero**25.2** Adopt Proclamation Honoring Colonel Vang Fong**APPROVED AS RECOMMENDED****Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-080

25.3 Adjourn in Memory of Jack Coleman**APPROVED AS RECOMMENDED****Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero**25.4** Adjourn in Memory of Salvador B. Mena**APPROVED AS RECOMMENDED****Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero**25.5** Adjourn in Memory of Pamela Hinsberger**APPROVED AS RECOMMENDED****Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero**25.6** Adjourn in Memory of Delores Merlo**APPROVED AS RECOMMENDED****Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero**Assessor/Recorder**

- 26.** Approve and authorize the Chairman to execute a retroactive Agreement with the California Assessors' Association, participating assessors from 13 other counties, and Harold W. Bertholf, Incorporated, for a multi-county study of sales data for oil, gas, and geothermal energy-producing properties, effective November 1, 2020, through October 31, 2022, total not to exceed \$4,463; and Ratify the previous execution and performance by the Assessor-Recorder's office and the County of previous agreements for the same services for the periods from November 1, 2014, through October 31, 2016, November 1, 2016, through October 31, 2018, and November 1, 2018, through October 31, 2020, which were signed by the Assessor-Recorder

APPROVED AS RECOMMENDED**Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-110

County Clerk/Registrar of Voters

27. Consider and appoint candidate Michael Stearns to the Panoche Resource Conservation District Board of Directors, effective November 28, 2020 through November 29, 2024

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

District Attorney

28. Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues in the amount of \$354,435 in the Local Revenue Fund 2011, District Attorney Subaccount Org 2866 (4/5 vote); and adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues in the amount of \$354,435 in the District Attorney Org 2860 (4/5 vote)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-081, Resolution No. 21-082

29. Approve and authorize the Chairman to execute Amendment Number Two to Agreement No. 19-161 with the County of Los Angeles, Department of Children and Family Services, for the Electronic Suspected Child Abuse Report System Consulting and Training Services, to extend the term by twelve months, from May 31, 2021 to May 30, 2022, with no change to the maximum of \$68,520

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 19-161-2

Sheriff/Coroner/Public Administrator

30. Retroactively approve and authorize the Sheriff's previous submittal of a 2020 Coverdell Forensic Grant Application to California Office of Emergency Services (Cal OES), including the "Grant Subaward Face Sheet", the "Signature Authorization" form, the "Certificate of Assurance of Compliance" required by CalOES, the "Subrecipient Grants Management Assessment" form, the "Certificate as to External Investigations" form, and the "Baseline Data Sheet" form, to expand the training of the Fresno County Sheriff's Forensic Services staff and facilitate the purchase of forensic ballistic testing equipment, effective January 1, 2021 through December 31, 2021 (\$51,682); approve and authorize the Sheriff or her designee to execute the retroactive grant award from Cal OES for the 2020 Coverdell Forensic Grant for the period of January 1, 2021 through December 31, 2021 (\$51,682); approve and authorize the Sheriff or her designee to execute any and all notices, certificates, applications, reports, amendments, extensions, and other documents which she or her designee may deem necessary or advisable in order to consummate the grant, except those that alter fiscal or material terms of the Grant which are subject to approval by both the County Counsel's Office and the Auditor-Controller/Treasurer-Tax Collector's Office; approve and authorize the Chairman to execute the Certification of Assurance of Compliance as required by CalOES; adopt a Resolution granting authority to the Sheriff or her designee to enter into the retroactive grant award, and any related grant award amendments, from CalOES for the 2020 Coverdell Forensic Grant; adopt a Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$51,682 (4/5 vote)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-083, Resolution No. 21-084

31. Retroactively approve and authorize the Sheriff-Coroner-Public Administrator to submit grant application and, on behalf of the County, execute grant application from the Executive Office of the President's Office of National Drug Control Policy (ONDCP) for the Central Valley High Intensity Drug Trafficking Areas program in the amount of \$845,102; retroactively approve and authorize the Sheriff-Coroner-Public Administrator, on behalf of the County, to execute retroactive Grant Agreement Number G21CV0004A and approve Grant Conditions for the Office of National Drug Control Policy effective January 1, 2021 to December 31, 2022 (\$845,102); and approve and authorize the Sheriff-Coroner-Public Administrator, on behalf of the County, to execute retroactive Memoranda of Understanding (MOUs) for various Central Valley High Intensity Drug Trafficking Areas Resource Agencies effective January 1, 2021 to December 31, 2022

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Administrative Office

32. 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

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-085

33. 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

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-086, Resolution No. 21-087

34. Approve and authorize the Chairman to execute the Fresno Regional Workforce Development Board's application for Local Area Subsequent Designation and Local Board Recertification for program year July 1, 2021 through June 30, 2023

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-120

Behavioral Health

35. Make a finding that 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 the Fresno County Superintendent of Schools (FCSS) is a local government agency and the sole, unique vendor to provide school-based prevention and early intervention services for the Department of Behavioral Health; approve and authorize the Chairman to execute a retroactive Agreement with the FCSS, for the expansion of school-based mental health and prevention and early intervention services, effective September 1, 2020 through August 31, 2024, total not to exceed \$6,000,000; Department of Behavioral Health Director, or designee, upon review by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to approve minor changes to program services and budgets, as needed, to accommodate changes in the laws relating to mental health treatment, with no change to the maximum compensation; adopt Budget Resolution increasing the FY 2020-21 appropriations for Mental Health Student Services Act Grant Org 1072 in the amount of \$861,845; and, Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for Department of Behavioral Health Org 5630 in the amount of \$861,845 (4/5 vote)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-111, Resolution No. 21-088, Resolution No. 21-089

36. Approve and authorize the Chairman to execute Amendment I to Master Agreement No. 19-277 with providers of Child Welfare Mental Health Services for individuals in the Child Welfare Services System to address the increased number of referrals, effective upon execution with no change in term from July 1, 2019 through June 30, 2024 and increasing the maximum by \$27,000,000 to a total of \$107,000,000

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 19-277-1

37. Approve and authorize the Department of Behavioral Health to submit the MHSA Three-Year Plan 2020-2023 and Annual Update 2019-2020 to the California Department of Health Care Services and the California Mental Health Services Oversight and Accountability Commission

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Human Resources

38. Adopt a Resolution amending the Cafeteria Plan for the Employees of County of Fresno to implement changes pursuant to the Consolidated Appropriations Act, 2021

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-090

39. 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 health and ancillary/voluntary benefits plan proposals for Plan Year 2022; and authorize the Director of Human Resources to solicit competitive bids for health and ancillary/voluntary benefit plans and directly negotiate agreements with vendors to provide health and ancillary/voluntary benefits to active and retired County employees and their dependents for Plan Year 2022

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

40. Adopt Resolutions Rejecting Claims for Damages; adopt Resolution Rejecting Application for Leave to Present a Late Claim

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-091, Resolution No. 21-092, Resolution No. 21-093, Resolution No. 21-094, Resolution No. 21-095

41. Approve Amendment to the Salary Resolution updating language for Section 621 - Bereavement Leave, effective April 19, 2021, as reflected on Appendix "B"

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Salary Resolution No. 21-011

42. Approve Salary Resolution Amendment reclassifying the Washer positions in the Internal Services Department - Facility Services Org 8935 upwards to Janitor, effective April 19, 2021, as reflected on Appendix "C"; approve Salary Resolution Amendment deleting the Senior Janitor classification, effective April 19, 2021, as reflected on Appendix "C"

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Salary Resolution No. 21-012

Internal Services

43. Approve and authorize the Chairman to execute First Amendment to Agreement No. 19-124 with Priority Dispatch Corporation to modify the compensation limit for products and services, effective upon execution with no change to the term of March 25, 2019, through March 24, 2022, and increasing the maximum by \$122,087 to a total of \$500,000

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 19-124-1

Public Defender

44. 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 for a subscription to legal research materials as The University of California is the only publisher of the materials in the subscription; and approve and Authorize the Chairman to execute a sole source Agreement with The University of California for CEB OnLAW Subscription, retroactively effective April 1, 2021, not to exceed three consecutive years, total not to exceed \$19,375

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-112

Public Health

45. Approve and authorize the Chairman to execute retroactive First Amendment to Agreement No. 19-447 with the Fresno County Economic Opportunities Commission effective June 30, 2020 to implement a Policy Change Project for the local Tobacco Prevention Program, extend the term by six months from July 1, 2021 through December 31, 2021, and increase the maximum by \$43,166 to a total of \$243,166; approve and authorize the Chairman to execute retroactive First Amendment to Agreement No. 19-448 with California Health Collaborative effective June 30, 2020 to implement a Policy Change Project for the local Tobacco Prevention Program, extend the term by six months from July 1, 2021 through December 31, 2021, and increase the maximum by \$50,000 to a total of \$250,000; and, approve and authorize the Chairman to execute retroactive Second Amendment to Agreement No. 18-715 with NMK Research and Consulting effective June 30, 2020 for the local Tobacco Prevention Program reducing the term by 18-months changing the expiration date from June 30, 2023 to December 31, 2021 and decreasing the maximum by \$150,010 to a total of \$103,256

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 19-447-1, Agreement No. 19-448-1, Agreement No. 18-715-2

46. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Fresno County Superintendent of Schools for the Early Care and Education - Early Stars Program for trainings and technical assistance on health and safety standards at early childhood education sites, effective July 1, 2020 through June 30, 2022, total not to exceed \$605,200

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-113

Public Works and Planning

47. Adopt Plans and Specifications and award Contract No. 20-14-M, Bituminous Seal Coats, Various Locations in Fresno County, to the low bidder, Sierra Nevada Construction, Inc., P.O. Box 50760 Sparks, NV 89435, in the amount of \$1,264,007

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

48. Accept Grant of Easement and authorize Chairman to execute Right-of-Way Agreement and Settlement of Eminent Domain Action for Travers Creek Bridge Replacement Project on Lincoln Avenue, Federal Project ID No. BRLO 5942 (226), for a total monetary consideration of \$2,500

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-114, Agreement No. 21-115

Social Services

49. Approve and authorize the Chairman to execute a Revenue Agreement with The Mockingbird Society to support expansion of the Mockingbird Family Model to include Spanish-speaking foster families, effective upon execution, not to exceed two years (\$127,000)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-116

50. Approve and authorize the Chairman to execute an Agreement with Transitions Children's Services for Resource Family Approval application family evaluations and written reports, effective July 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 \$2,520,000; and, North Star Family Services for Resource Family Approval application family evaluations and written reports, effective July 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 \$1,680,000

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-117, Agreement No. 21-118

51. Adopt Budget Resolutions increasing the FY 2020-21 appropriations and estimated revenues for: Domestic Violence Org 1123 in the amount of \$50,000; Homeless Services Org 1132 in the amount of \$3,675,284; Housing and Disability Advocacy Org 1133 in the amount of \$26,589; California Census 2020 Org 1134 in the amount of \$8,778; CESH COSR Org 1136 in the amount of \$33,334; Department of Social Services Org 5610 in the amount of \$5,529,867; 1991 Realign-CalWORKs MOE Org 5247 in the amount of \$10,072,104; 1991 Realign- Family Support Org 5248 in the amount of \$6,947,381; Department of Social Services CalWORKs Org 6310 in the amount of \$17,019,485; Protective Services Subaccount Org 6210 in the amount of \$1,608,748; and, Aid to Families with Dependent Children-Foster Care Org 6410 in the amount of \$1,608,748 (4/5 vote)

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-096, Resolution No. 21-097, Resolution No. 21-098, Resolution No. 21-099, Resolution No. 21-100, Resolution No. 21-101, Resolution No. 21-102, Resolution No. 21-103, Resolution No. 21-104, Resolution No. 21-105, Resolution No. 21-106

52. Approve and authorize the Chairman to execute a lease with Pontiac Parking Solutions LLC, for use by the County's Department of Social Services, effective the date the agreement is executed not to exceed ten years, total not to exceed \$1,209,033; authorize the Director of Internal Services/Chief Information Officer or his/her representative, to approve and execute a Memorandum of Lease for the premises, as well as any Estoppel Certificate and/or Subordination and Attornment Agreement required by the Lessor, and any other such necessary agreements, certificates, notices, instruments, or documents, subject to the approval of the County Counsel's Office as to legal form and, if applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 21-119

- 53.** Adopt Resolution authorizing the County of Fresno Department of Social Services to participate in and accept an allocation up to \$49,734,164.64 for the State Rental Assistance Program administered by the California Department of Housing and Community Development; and, authorize the Vice-Chairman to execute, upon review by County Counsel as to legal form and the Auditor-Controller/Treasurer-Tax Collector as to accounting form, the Standard Agreement, in substantially the same form as the draft included as Attachment A, with the California Department of Housing and Community Development for California COVID-19 Rent Relief Program funding to provide rental arrears and housing stabilization services, effective upon execution by the State representative through December 31, 2021, total not to exceed \$16,578,054

APPROVED AS RECOMMENDED

Ayes: 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 21-107