



## Board of Supervisors Agenda - Final-Revised

*Buddy Mendes, 4th District, Chairman*  
*Brian Pacheco, 1st District, Vice-Chairman*  
*Andreas Borgeas, 2nd District*  
*Henry Perea, 3rd District*  
*Deborah A. Poochigian, 5th District*

*Jean M. Rousseau, County Administrative Officer*  
*Daniel C. Cederborg, County Counsel*  
*Bernice E. Seidel, Clerk*

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Tuesday, March 1, 2016

9:00 AM

Hall of Records

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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. If you 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 to 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>.

### **Invocation and Pledge of Allegiance**

1. Approve Agenda
2. Approve Consent Agenda - Item Numbers 23 - 52

*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 - Ivonne Ripolle - Department of Public Works and Planning - 24 Years of Service

**Chairman Mendes and Supervisor Borgeas**

4. Proclaim March 7-13, 2016 as Multiple Sclerosis Awareness Week

**Supervisor Perea**

5. Proclaim 2016 as Rotary Club of Fresno Year in recognition for its 100 years of service to the City and County of Fresno and the world and hereby acknowledge them for their many accomplishments

**Sheriff/Coroner**

6. Receive report on replacement plan for the Sheriff-Coroner's 9-1-1 emergency communications system hardware and software; approve the Sheriff-Coroner's Office's utilization of allocated funding from the State Public Safety Communications Office in the amount of \$538,485 for the equipment upgrade to the 9-1-1 system utilizing Intrado from a State-approved (based on a Request for Proposal) contractor list; approve the Sheriff-Coroner's Office's purchase of replacement seating and computer equipment to be reimbursed by the State of California and adopt resolution increasing FY 2015-16 appropriations and estimated revenues for Sheriff-Coroner Org 3111 in the amount of \$52,994 (4/5 vote); and authorize the Sheriff-Coroner, or her authorized representative to sign claims for reimbursement and approval documents for the 9-1-1 system replacement project

**Administrative Office**

7. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Navneet Kaur Brar located on 9942 E. Manning Avenue, Selma, CA 93662

**Fresno County Employees' Retirement Association**

8. Receive and file the Fresno County Employees' Retirement Association Actuarial Valuation and Review report as of June 30, 2015 by The Segal Group; and Accept the Board of Retirement's recommended employer and employee contribution rates for FY 2016-17 as provided for in the Actuarial Valuation and Review report as of June 30, 2015, and in accordance with Government Code Sections 31453 and 31454

**Probation**

9. Approve and authorize the Chairman to execute an Amendment to the Grant Award Agreement with the State of California, Governor's Office of Emergency Services (CAL OES) for the Fresno County's Crime Victim Assistance Center (\$237,223); adopt Budget Resolution increasing the FY 2015-16 appropriations and estimated revenues in the Probation Grant Org 3432 in the amount of \$237,223 (4/5 vote); and approve Amendment to the Salary Resolution adding positions to Probation Grant Org 3432 effective March, 14, 2016 as reflected in Appendix C

**Public Works and Planning**

10. Approve alternative alignment of Fowler Avenue and Clovis Avenue over High Speed Rail alignment

**Sitting as the Board of Supervisors and Sitting as the Board of Directors of the Water Work Districts 37, 40 and 41W**

11. Sitting as the Board of Supervisors: Conduct a public hearing on the Annual Water Conservation Report; adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within County Service Area No. 30 under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within County Service Area No. 32 under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Two and impose corresponding regulations within County Service Area No. 34B under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Two during the dates of April 1, 2016, through November 30, 2016, and March 2, 2017, through March 31, 2017, and Stage Three during the dates of December 1, 2016, through March 1, 2017, and impose corresponding regulations within County Service Area No. 39 Zones A & B under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Two and impose corresponding regulations within County Service Area No. 44D under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Two and impose corresponding regulations within County Service Area No. 47 under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within County Service Area No. 49 under Fresno County Ordinance Code Chapter 14.01 and; Sitting as the Board of Directors of the respective Districts: Conduct a public hearing on the Annual Water Conservation Report; adopt resolution declaring Water Conservation Stage Two and impose corresponding regulations within Waterworks District No. 37 under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within Waterworks District No. 40 under Fresno County Ordinance Code Chapter 14.01; and adopt resolution declaring Water Conservation Stage Two and impose corresponding regulations within Waterworks District No. 41W under Fresno County Ordinance Code Chapter 14.01

**Public Works and Planning**

12. Conduct hearing and receive written protests from County Service Area 34, Zone A, Brighton Crest, property owners on a proposal to increase water service fees, as required under California Constitution Article XIII-D, and, upon completion of the public protest hearing approve (a) if there is not a majority protest, adopt resolution increasing water service fees for County Service Area 34, Zone A, Brighton Crest (4/5 vote) or (b) if there is a majority protest, abandon proceedings to increase water service fees, and direct staff to hold public meeting announcing immediate cost savings steps which could include reduction of services to avoid further deficit spending for County Service Area 34, Zone A; and conduct hearing and receive written protests from County Service Area 34, Zone A, Brighton Crest, property owners on a proposal to increase sewer service fees, as required under California Constitution Article XIII-D, and, upon completion of the public protest hearing approve (a) if there is not a majority protest, adopt resolution increasing sewer service fees for County Service Area 34, Zone A, Brighton Crest (4/5 vote) or (b) if there is a majority protest, abandon proceedings to increase sewer service fees, and direct staff to hold public meeting announcing immediate cost savings steps which could include reduction of services to avoid further deficit spending for County Service Area 34, Zone A
13. Conduct hearing and receive written protests from County Service Area 34, Zone C, Bella Vista property owners on proposal to increase water service fees, as required under California Constitution Article XIII-D, and, upon completion of the public protest hearing, approve (a) if there is not a majority protest, adopt resolution increasing water service fees for County Service Area 34, Zone C, Bella Vista (4/5 vote) or (b) if there is majority protest, abandon proceedings to increase water service fees, and direct staff to hold public meeting announcing immediate cost savings steps which could include reduction of services to avoid exceeding available revenues for County Service Area 34, Zone C; and conduct hearing and receive written protests from County Service Area 34, Zone C, Bella Vista property owners on proposal to increase sewer service fees, as required under California Constitution Article XIII-D, and, upon completion of the public protest hearing, approve (a) if there is not a majority protest, adopt resolution increasing sewer service fees for County Service Area 34, Zone C, Bella Vista (4/5 vote) or (b) if there is majority protest, abandon proceedings to increase sewer service fees, and direct staff to hold public meeting announcing immediate cost savings steps which could include reduction of services to avoid exceeding available revenues for County Service Area 34, Zone C

14. Accept certified voter count on file with Clerk to the Board, dated January 25, 2016, provided by Fresno County Clerk/Registrar of Voters, showing that there are zero registered voters residing in Zone CA of County Service Area No. 35; conduct public protest hearing to consider all objections or protests, if any, to proposed dissolution of Zone CA of County Service Area No. 35; close public protest hearing and direct Clerk to the Board to tabulate timely-submitted written objections to dissolution of Zone CA of County Service Area No. 35; and, depending on the circumstances, approve (A) if more than 50 percent of property owners who own more than 50 percent of assessed value of all taxable property in Zone CA have filed written objections to dissolution, abandon these dissolution proceedings, as well as vacation proceeding or: (B) if no majority protest exists as described in action A, adopt Resolution approving dissolution of Zone CA and terminating assessments on real property for road maintenance; if there is no majority protest in dissolution hearing, adopt required findings and Resolution approving vacation of public road Right-of-Way of W. Melrose Avenue from Cornelia Avenue westerly approximately 1020 feet to end of cul-de-sac if Board finds that (A) the vacation is determined to meet criteria for general vacation, pursuant to Division 9, Part 3, Chapter 3 of California Streets and Highways Code; (B) right-of-way is not useful as a non-motorized transportation facility, pursuant to Section 892 of California Streets and Highway Code; and (C) vacation is consistent with County General Plan
15. Conduct a Public Hearing to Adopt a Resolution of Necessity, authorizing Eminent Domain proceedings, and authorizing deposit funds (\$42,800) with the Fresno County Superior Court for the Fowler Avenue from Elkhorn Avenue to South Avenue Construction Project (4/5 Vote)

### **Board of Supervisors' Committee Reports and Comments**

16. 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**

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

### **Public Presentations**

18. 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 5 minutes per person and no more than 15 minutes per topic

### **Closed Session**

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

19. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment
20. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 3 Cases

**REVISED**

21. Conference with Real Property Negotiators - Government Code 54956.8. Property: Undeveloped land at Turner and Armstrong in the Fancher Creek Development; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Fancher Creek Properties LLC., Under Negotiations: Instructions to County's negotiator may concern purchase of properties, price, terms and conditions
22. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (1 Case)

**Adjourn****NEXT MEETINGS:**

*March 15, 2016 - 9:00 AM*

*April 5, 2016 - 9:00 AM*

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 600-3529 no later than Monday at 9:00 a.m.

**CONSENT AGENDA**

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

**Board of Supervisors**

23. Approve minutes of meeting for February 9, 2016

**Chairman Mendes and Supervisor Perea**

24. Authorize the Director of the Department of Social Services to submit an application to the California Department of Social Services to implement the CalFresh Restaurant Meals Program in Fresno County

**Assessor/Recorder**

25. Adopt a resolution increasing the FY 2015-16 appropriations and estimated revenues for the Assessor-Recorder Org 0420 in the amount of \$758,909 (4/5 vote); and, Adopt a resolution increasing the FY 2015-16 appropriations for Assessor AB-818 Org 1040 in the amount of \$758,909 (4/5 vote)

**Auditor Controller-Treasurer/Tax Collector**

26. Receive and file the County of Fresno Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2015

**County Clerk/Registrar of Voters**

27. Adopt a Resolution approving the County Clerk/Registrar of Voters to conduct a Consolidated School and School Recall Special Election on April 12, 2016 for Golden Plains Unified School District and Raisin City Elementary School District

**Sheriff/Coroner**

28. Approve and authorize the Clerk to the Board to execute Budget Transfer No. 25 (\$60,000) transferring FY 2015-16 appropriations within the Sheriff-Coroner Org 3111, from Account 7400 (Special Departmental Expense), to Account 8300 (Equipment) for the purchase and up-fitting of one replacement vehicle for the Sheriff-Coroner's Boating Unit
29. Adopt Budget Resolution increasing the FY 2015-16 appropriations and estimated revenues in the Sheriff-Coroner Org 3111 in the amount of \$155,000 for the purchase of three new vehicles and equipment for the Sheriff-Coroner's Civil Unit (4/5 vote); adopt Budget Resolution increasing FY 2015-16 appropriations in the Debtor Assessment Fee Org 1454 in the amount of \$110,000 (4/5 vote); and adopt Budget Resolution increasing FY 2015-16 appropriations in the Sheriff Automated GC 26731 Org 1455 in the amount of \$45,000 (4/5 vote)

30. Approve and authorize the Chairman to execute an Agreement with Future Ford of Clovis to provide vehicle maintenance services and parts for the Sheriff-Coroner's Office, Department of Public Works and Planning, and Internal Services Department effective March 1, 2016 through February 28, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one year extensions, total not to exceed (\$1,875,000); and approve and authorize the Chairman to execute an Agreement with Lithia Ford of Fresno to provide vehicle maintenance services and parts for the Sheriff-Coroner's Office, Department of Public Works and Planning, and Internal Services Department effective March 11, 2016 through February 28, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one year extensions, total not to exceed (\$1,225,000)

### **Administrative Office**

31. Adopt Resolution consenting to Inclusion of Properties within the County's Jurisdiction in California Home Financing Community Facilities District No. 2014-1 (Clean Energy) to Finance Renewable Energy Generation, Energy Efficiency, Water Conservation and Electric Vehicle Charging Infrastructure Improvements and Consenting to the California Home Finance Authority's Levy of Special Taxes to Secure Repayment of Such Financing, subject to the execution of the Agreement in Recommended Action 3; and adopt Resolution consenting to Inclusion of Properties within the County's Unincorporated Area in the CHF PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Consenting to the California Home Finance Authority's Levy of Voluntary Contractual Assessments to Secure Repayment of Such Financing, subject to the execution of the Agreement in Recommended Action 3; and authorize the County Administrative Officer or his designee(s) to execute, subject to the approval of County Counsel and the Auditor-Controller/Treasurer-Tax Collector, an Agreement for the Collection of Taxes and Special Contractual Assessments; and authorize the County Administrative Officer or his designee(s) to execute, subject to the approval of County Counsel and the Auditor-Controller/Treasurer-Tax Collector, any subsequent documents necessary to implement the actions above
32. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2016 Drought Conditions
33. 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 immediately declare a state of emergency for Fresno County

### **Internal Services**

34. Approve and authorize the Chairman to execute Amendment One to Agreement No. 11-478 with Lincoln Training Center for janitorial services to increase the total five year maximum Agreement cost to \$1,264,068, effective upon execution



35. Adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for the Internal Services Department- Information Technology Services-ISF Org 8905 in the amount of \$3,259,009 (4/5 vote); Adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for the Welfare Advance Fund Organization 1120 in the amount of \$2,051,014 (4/5 vote); Adopt Budget Resolution increasing FY 2015-16 appropriations for the Protective Services Subaccount Organization 6210 in the amount of \$95,164 (4/5 vote); Adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for the Department of Social Services ISD Org 56108550 in the amount of \$2,146,178 (4/5 vote)

### **Library**

36. Approve the Salary Resolution Amendment for the Fresno Public Library Organization 7511 as reflected on Appendix "E", adding (1) Library Development Program Coordinator and place in partial combination with existing Staff Analyst, Library Facilities Coordinator, and Accountant positions (no additional positions added) effective 3/14/2016

### **Personnel Services**

37. Approve the Salary Resolution Amendments separating the Deputy Public Administrator/Guardian I/II classification series into two distinct classification series' for the District Attorney-Public Administrator's Office and the Department of Behavioral Health, as reflected on Appendix "A," effective March 14, 2016; and, approve the Addendum to the Memorandum of Understanding (MOU) for Representation Unit 22 - Professional, Para-professional, and Technical Employees, represented by SEIU Local 521, regarding the separation of the Deputy Public Administrator/Guardian I/II classification series effective March 14, 2016

### **Probation**

38. Approve and authorize the Chairman to execute Second Amendment to Agreement #11-105 with B.I. Incorporated, extending the term through June 30, 2016 with no increase in the agreement maximum of \$3,280,000

### **Public Defender**

39. Approve amendment to the Salary Resolution regarding the Public Defender's administrative structure, as reflected on Appendix "D", adding one Chief Defense Attorney position in combination with the existing Defense Attorney series without increasing the total number of Attorney positions in Public Defender Org 2880 effective March 14, 2016
40. Retroactively authorize the Public Defender's previous submittal of grant application to The California Endowment for the Connecting Formerly Incarcerated Individuals to Health Resources Grant; approve and authorize the Chairman to execute retroactive Agreement 20162616 with The California Endowment for the period of January 15, 2016 through January 14, 2017 (\$25,000); adopt Budget Resolution increasing the FY 2015-16 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$25,000 (4/5 vote)

**Public Health**

41. Approve and authorize the Chairman to execute the Second Amendment to Agreement No. 14-103 with Priority Dispatch Corporation for purchase of additional software licenses and equipment, effective March 1, 2016 through March 24, 2019 (\$354,000); adopt Budget Resolutions increasing FY 2015-16 appropriations for the Department of Public Health Contingency Fines & Penalties Special Revenue Fund Org 1151 in the amount of \$285,332 (4/5 vote); and, adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for Department of Public Health Org 5620 in the amount of \$285,332 (4/5 vote)
42. Approve and authorize the Clerk to the Board to execute Budget Transfer No. 26 (\$55,000) transferring appropriations within the Department of Public Health Org 5620; and, adopt resolution increasing FY 2015-16 appropriations and estimated revenues for the Internal Service Department - Fleet Services-Equipment Org 8911 in the amount of \$55,000 (4/5 vote)

**Public Works and Planning**

43. Authorize Department of Public Works and Planning staff to apply for United States Department of Agriculture Emergency Community Water Assistance Grant for County Service Area 39AB (Beran Way/Prospect) for project costs of connecting seven residential properties along Church Ave east of Valentine Ave to County Service Area 39AB water system; and direct Department of Public Works and Planning staff to negotiate agreement with Self Help Enterprises for administration of grant and design and construction of improvements needed for connecting seven residential properties along Church Ave east of Valentine Ave to County Service Area 39AB, including limitations on County's liability to United State Department of Agriculture and for cost overruns on project
44. Adopt Resolution authorizing conditional transfer of one sewer equivalent dwelling unit from Assessor's Parcel Number 136-350-30 to Assessor's Parcel Number 130-390-76
45. Accept recommended projects list for Fresno Council of Governments as candidate projects for Regional Congestion Mitigation and Air Quality and Regional Surface Transportation Program Applications for program funding; and adopt Resolution regarding project delivery schedules utilizing Federal funding
46. Approve and authorize Chairman to execute Cooperative Agreement with City of Fresno for Grantland Avenue and Shaw Avenue Traffic Signal Project (\$71,341)
47. Approve and authorize Chairman to execute Agreement with Shockley Terrace, LP for HOME Investment Partnerships Program funds for development of Shockley Terrace Apartments in City of Selma (\$700,000); and authorize Director of Public Works and Planning, or his designee, to execute all loan and related documents necessary to the project, including any amendments thereto, subject to prior review and approval of County Counsel and Auditor-Controller/Treasurer-Tax Collector, as shall be necessary for the purpose of developing the Project as described in Section 1 of the Agreement

48. Adopt Resolution approving labor compliance program to be implemented for projects funded, in any part, by bond proceeds issued pursuant to Division 43 of Public Resources Code, and directing the Director of Department of Public Works and Planning, or his or her designee, to apply to State of California, Department of Industrial Relations for approval of County's labor compliance program; and authorize Director of the Department of Public Works and Planning, or his or her designee, to amend the County's Labor Compliance Program Manual, as required to comply with any changes to labor codes or Department of Industrial Relations guidelines, and as necessary to conform to funding program requirements
49. Approve and authorize Chairman to execute Agreement with JPJ Incorporated to temporarily liquidate excess capacity operations and maintenance cost of County Service Area 34 wastewater treatment facilities in amount of \$21.53 per month per connection for two years in County Service Area 34, Zone A (Brighton Crest) and Zone C (Bella Vista)

**Sitting as the Board of Directors of Waterworks District No. 38**

50. Adopt Resolution authorizing Director of Department of Public Works and Planning, or his or her designee, to submit financial assistance application to State Water Resources Control Board, Clean Water State Revolving Fund, for funding for construction of improvements to wastewater treatment facilities serving Waterworks District No. 38, and designating the Chairman as Authorized Representative to execute financing agreement and Director of Public Works and Planning, or his or her designee, as Authorized Representative for all other purposes, including giving required assurances, certifications, and commitments (\$600,000), and adopt Resolution relating to reimbursement from State Water Resources Control Board, Clean Water State Revolving Fund, increasing maximum principal amount for capital expenditures for Wastewater Treatment Facility Improvements for facility serving Waterworks District No. 38 (\$600,000)

**Sitting as the Board of Directors for Waterworks District No. 40**

51. Adopt Resolution authorizing Director of Department of Public Works and Planning, or his or her designee, to submit financial assistance application to State Water Resources Control Board, Drinking Water State Revolving Fund, for funding for construction of improvements to drinking water facilities serving Improvement Zone 1 of Waterworks District No. 40, and designating Chairman as Authorized Representative to execute financing agreement and Director of Department of Public Works and Planning, or his or her designee, as Authorized Representative for all other purposes, including giving required assurances, certifications, and commitments (\$1,145,000); and adopt Resolution relating to reimbursement from State Water Resources Control Board, Drinking Water State Revolving Fund, for capital expenditures for drinking water facility improvements serving Improvement Zone 1 of Waterworks District No. 40 (\$1,145,000)

**Social Services**

52. Approve and authorize the Chairman to execute a retroactive Agreement with the California Department of Social Services for participation in the Permanency Innovations Initiative, effective September 30, 2015 through September 29, 2016 (\$297,648) ; authorize the Director of the Department of Social Services to issue stipends of varying amounts to non-County employee community members for participation in the Permanency Innovations Initiative, effective September 30, 2015 through September 29, 2016