



# Board of Supervisors

## Agenda - Final-Revised

**Nathan Magsig, 5th District, Chairman**  
**Buddy Mendes, 4th District, Vice-Chairman**  
**Brian Pacheco, 1st District**  
**Steve Brandau, 2nd District**  
**Sal Quintero, 3rd 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, April 9, 2019

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 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>.

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

1. Administering of the Oath of Office to Supervisor Steve Brandau
2. Approve Agenda
3. Approve Consent Agenda - Item Numbers 25 - 56

*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*

### **Chairman Magsig**

4. Proclaim April 7 through April 13, 2019 as Crime Victims' Rights Week in the County of Fresno

### **Supervisor Mendes**

5. Proclaim April 2019 as Child Abuse Prevention Awareness Month in Fresno County

**Supervisor Quintero**

6. Receive update from the Commission on the Status of Women

**Supervisor Pacheco**

- 6.1 Proclaim April 15 - 26, 2019 as High School Voter Education Weeks in the County of Fresno

**Administrative Office**

7. Receive presentation from Paul Yoder and Michael Corbett, State lobbyists, regarding legislative actions
8. Adopt recommended changes to the Fresno County State Legislative Platform; authorize the Chairman to execute letters of support, or opposition, in accordance with the platform; and authorize the County Administrative Office to work with the County's State Legislative Delegation, Sacramento lobbyists, and/or other necessary parties to support, or oppose, legislation in accordance with the platform
9. Consider and take action on request for Determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Harbans Kaur and Harbans Singh Lehra, DBA Elkhorn Avenue Market, located at 3126 W. Elkhorn Ave., Caruthers, CA 93609-9616
10. Accept presentation by the Children and Families Commission of Fresno County on the Commission's FY 2017-18 Audit Report and State Annual Report
11. Receive Mid-Year Budget Report for Fiscal Year 2018-19; and, approve proposed schedule for the Recommended Budget and adoption of the Fiscal Year 2019-20 Budget, which incorporates a Recommended Budget by June 18, 2019 with proposed adjustments to this Recommended Budget to be presented beginning September 16, 2019

**Human Resources**

12. Approve amendment to the Salary Resolution adjusting the auto allowance for Department Heads, effective April 22, 2019, as reflected on Appendix "A"
13. Approve adjustment to the salary of the County Librarian, effective April 8, 2019

**Internal Services**

14. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Subsection 2301 of Section 2300 - Purchasing; waive the reading of the Ordinance in its entirety; and set the second hearing for April 23, 2019; 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 in accordance with Government Code Section 25124(b)(1)

**Public Works and Planning**

15. Review submission of vacation of public road right-of-way of Wilson Avenue and adopt report of Director of Department of Public Works and Planning regarding Vacation Application No. V17-05's conformity with County General Plan as required by Government Code, section 65402, subdivision (a); initiate proceeding under Chapter 3, Part 3, Division 9, of Streets and Highways Code, and adopt Resolution of Intention and Notice of Hearing for May 7, 2019 at 9:00 a.m. for vacation of Wilson Avenue public road right-of-way, Vacation Application No. V17-05; direct Clerk of the Board of Supervisors to set hearing by fixing the date, hour, and place of hearing and cause posting, publishing, and mailing of notice(s), as required by Chapter 3, Part 3, Division 9, of Streets and Highways Code; and direct Department of Public Works and Planning to post notices on site as required by Chapter 3, Part 3, Division 9, of Streets and Highways Code

**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 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*

19. Conference with legal counsel - Initiation of Litigation; Government Code, Section 54956.9(d)(4) - 2 Cases

20. Conference with legal counsel – Significant Exposure to Litigation; Government Code, Section 54956.9(d)(2) - 3 Cases
21. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment
22. Threat to public services or facilities - Government Code, Section 54957(a) - Consultation with: Director of Internal Services/Chief Information Officer or Designee
23. Conference with Real Property Negotiators - Government Code, Section 54956.8 Properties: 2100 Tulare Street, Fresno, CA 93721; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Lance-Kashian & Co., Under Negotiations: Instructions to County's negotiator may concern lease and option to purchase of properties, price, terms and conditions
24. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - John Cox v. County of Fresno et al, Sacramento County Superior Court Case No. 34-2019-80002090

### **Adjourn**

#### **NEXT MEETINGS:**

*April 23, 2019 - 9:00 A.M.*

*May 7, 2019 - 9:00 A.M.*

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk of 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**

25. Approve minutes of meeting for March 26, 2019

**Chairman Magsig**

26. Adopt Resolution in support of SB 230 and in opposition to AB 392

- 26.1 Adjourn in memory of Carlos Navarrette

**Chairman Pacheco**

- 26.2 Adjourn in Memory of Eugene "Gene" Nord

**Supervisor Quintero**

27. Adjourn in Memory of Diane Talbot
28. Adjourn in Memory of Robert Morris
29. Adjourn in Memory of Dr. Manuel Heriberto Pena

**County Clerk/Registrar of Voters**

30. Approve and authorize the Chairman to execute Agreement #18G30110 with the State of California for reimbursement funds for replacement of voting system and related equipment effective upon execution by the California Department of General Services through June 30, 2021 (\$2,886,500); and Adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues for the County Clerk - Elections Org 28500500 in the amount of \$2,886,500 (4/5 vote)

**District Attorney**

31. Approve and authorize the Chairman to execute an Operational Agreement with the County of Los Angeles, Department of Children and Family Services, for the Electronic Suspected Child Abuse Report System Consulting and Training Services, effective April 9, 2019 through April 8, 2020, with the ability to extend for two additional one-year periods (\$68,520)

**Sheriff/Coroner/Public Administrator**

32. Approve and authorize Chairman to execute a Memorandum of Understanding (MOU) with the City of Fresno that the City will act as Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), \$71,622; approve and authorize Chairman to execute Certification and Assurances by Chief Executive; and approve and authorize Sheriff-Coroner or her authorized representative to accept the award and initial the conditions contained in the Award
33. Approve and authorize Chairman to execute the Boating Safety and Enforcement Financial Aid Program Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for FY 2019-20 in the amount \$452,764; and authorize the Sheriff, or her authorized representative, to sign quarterly claims for reimbursement and annual activity reports
34. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 11 (\$125,000) transferring appropriations within the Sheriff-Coroner-Public Administrator Org 3111, from Account 7385 (Small Tools & Instruments) and Account 7205 (Maintenance-Equipment) to Account 8300 (Equipment) for the purchase of a bomb truck and associated upfitting; and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$100,000 for the purchase of a bomb truck and associated upfitting (4/5 vote)

**Administrative Office**

35. Accept the Fresno Council on Child Abuse Prevention's 2017-2018 Annual Report
- 35.1 Confirm appointment of Dr. Mercy Kagoda, retrospectively effective March 5, 2019, to the position of Deputy Public Health Officer pursuant to the Fresno County Charter, Sections 12 and 16, providing her with the authority to act on behalf of the County Health Officer in his/her absence

**Behavioral Health**

36. Make a finding that 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 a Local Outreach to Suicide Survivors Team in Fresno County; and, approve and authorize the Chairman to execute an Agreement with Hinds Hospice for a Local Outreach to Suicide Survivors Team, effective upon execution, not to exceed approximately five years, which includes a three-year and three-month base contract and two optional one-year extensions, total not to exceed \$1,837,864
37. Approve and authorize the Chairman to execute Amendment II to Agreement No. 16-172 with California Institute of Behavioral Health Solutions for training and consultation services, effective upon execution with no change in term to June 30, 2021 and increasing the maximum by \$1,500,000 to a total of \$4,035,000

**Human Resources**

38. Approve the Addendum to Memorandum of Understanding for Representation Unit 02 - Sheriff's and Probation Personnel, represented by the Fresno County Public Safety Association, effective April 8, 2019
39. Approve the Addendum to the Memorandum of Understanding for Representation Unit 07 - Nurses, represented by the California Nurses Association, regarding participation in the State Disability Insurance program

**Internal Services**

40. Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances, as myAvatar is the only electronic health record system used by the Department of Public Health for client registration, referrals, client service tracking, quality assurance, scheduling, billing, and reporting; and Approve and authorize the Chairman to execute a retroactive Agreement with Netsmart Technologies, Inc., for continued support and maintenance of myAvatar, the Clinical Workstation and Mobile Licenses, and professional services consulting in support of Department of Public Health nursing case management modules, and Laboratory Information Management System (LIMS), effective March 25, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,628,230
41. Approve and authorize the Chairman to execute a First Amendment to Agreement No. 18-297 with Durham Construction Company, Inc. for Job Order Contracting, effective upon execution, with no change in term to June 4, 2019, and increasing the maximum by \$2,000,000, to a total of \$4,000,000

**Library**

42. Retroactively authorize the County Librarian's previous submittal of a grant application to the California State Library for Value of Libraries Project funds (\$3,000); approve and authorize the Chairman to ratify Librarian's previous execution of retroactive grant award application/agreement and acceptance of grant funds from the California State Library, effective February 28, 2019 through September 30, 2019 (\$3,000); authorize the County Librarian, or their designee, to sign expenditure forms and activity reports for this grant agreement; and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$3,000 (4/5 vote)

**Probation**

43. Make a finding that it is in the best interest of the County to suspend the competitive bidding process, consistent with the Administrative Policy No. 34 for unusual or extraordinary circumstances, as Allvest Information Services, Inc. is the only vendor that can provide the STRONG-R and M-PACT assessment tools; approve and authorize the Chairman to execute an Agreement with Allvest Information Services, Inc. to replace and supersede Agreement No. A-15-216, for risk-assessment software applications and related services, effective upon execution, not to exceed seven consecutive years, which includes a five-year base contract and two optional one-year extensions, total not to exceed \$1,275,900; adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Probation Org 3430 in the amount of \$21,250 (4/5 vote); and adopt Budget Resolution increasing FY 2018-19 appropriations in the Youthful Offender Block Grant Org 3434 in the amount of \$21,250 (4/5 vote)
44. Approve Amendment to the Salary Resolution deleting one filled Supervising Program Technician effective June 17, 2019 and adding one Staff Analyst I-III position to Probation Org 3430 effective April 22, 2019 as reflected in Appendix "D"
45. Approve and authorize the Chairman to execute the Second Amendment to Agreement to No. 16-187 with Focus Forward to expand in-custody and post-release re-entry services to foster care youth effective June 1, 2019, with no change in term to May 31, 2021, and increasing the maximum agreement compensation amount by \$174,166, to a total of \$1,894,774

**Public Works and Planning**

46. Adopt Resolution to Schedule a Resolution of Necessity Public Hearing for May 7, 2019 at 9:00 a.m. and Notice Affected Property Owners supporting the condemnation of necessary right-of-way to facilitate the Travers Creek Bridge Replacement Project on Parlier Avenue, Federal Project ID No. BRLO-5942 (227) (4/5 vote)
47. Adopt Resolution approving Rescission of Agricultural Land Conservation Contract Nos. 149 and 7745 and simultaneous entry into new Agricultural Land Conservation Contract Nos. 8329 and 8330, pursuant to Government Code Section 51257; and authorize recording of new Contracts following signature by Chairman, subject properties are located on north side of Nicholas Road between State Route 168 and Tollhouse Road, approximately four miles southeast of unincorporated community of Prather
48. Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for County Service Area No. 34, Zone D (Renaissance at Bella Vista) Fund 0830, Subclass 16204, CSA 34D Org 9323, in the amounts of \$57,944 and \$30,695, respectively, using general reserves to pay for operations and maintenance proportional share of the Joint Use Wastewater Facility and funds from the Subdivider Reimbursement Agreement No. 17-622 for reimbursement of the new water meter installations (4/5 vote)

49. Consider and approve City of Fowler's request to acquire road easement, without eminent domain action, from a parcel adjacent to a proposed City street in unincorporated area of the County as needed in conjunction with the City's conditions of approval for Tentative Tract No. 5834 located at northeast quadrant of Sunnyside Avenue and South Avenue intersection
50. Approve and authorize the Director of the Department of Public Works and Planning, or designee, to execute a Cooperative Agreement/License with the California Department of Forestry and Fire Protection to conduct a prescribed fire at China Creek Park, after filing a Notice of Exemption with the State Clearinghouse (\$0); and, subject to review and approval of County Counsel as to legal form, to execute future Cooperative Agreements/Licenses with the California Department of Forestry and Fire Protection to conduct prescribed fires at County-owned properties, after filing Notices of Exemption with the State Clearinghouse (\$0)
51. Approve and authorize the Chairman to execute an Agreement with F-N-F Roll-Off Service, Inc. for 40-yard roll off bin rental services including delivery, pick up, and disposal of surplus green waste generated by Department of Public Works and Planning - Parks & Grounds, effective April 9, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$525,000
52. Approve and authorize the Chairman to execute the Transportation Funding Claim for FY 2018-19 in the amount of \$7,327,747 to provide transit services in unincorporated areas and for other transportation purposes; and, adopt Resolution requesting the Fresno Council of Governments to allocate specified funds from the Local Transportation Fund and State Transit Assistance Fund to the County of Fresno for transit services in unincorporated areas and for other transportation purposes
53. Adopt Resolution to Schedule a Public Hearing for May 7, 2019 at 9:00 a.m., or as soon thereafter as practicable, for a Resolution of Necessity, supporting condemnation of necessary right-of-way to facilitate Bridge Preventive Maintenance Program Scour Mitigation Project, Federal Project ID No. BPMP-5942(240), and Notice affected property owners (4/5 vote)

### **Social Services**

54. Retroactively authorize the Department of Social Services' prior submittal of a grant application in the amount of \$49,878 to the California Department of Veterans Affairs for the 2019/2020 Proposition 63 Funding Mental Health Outreach and Services Grant
55. Adopt Budget Resolutions increasing FY 2018-19 appropriations and estimated revenues for the Department of Social Services Orgs 6415, 6615, 6410, 1120, and 1131; and, adopt Budget Resolution increasing appropriations for Org 6210, all of which require 4/5 vote
56. Approve and authorize the Chairman to execute Amendment III to Agreement No. 15-072 with the Housing Authority of the County of Fresno for California Work Opportunity and Responsibility to Kids Housing Support Program services, effective April 9, 2019, extending the term by two months from July 1, 2019 to August 31, 2019 and increasing the maximum by \$286,549 to a total of \$4,224,167