



# Board of Supervisors

## Agenda - Final-Revised

*Brian Pacheco, 1st District, Chairman*  
*Sal Quintero, 3rd District, Vice-Chairman*  
*Andreas Borgeas, 2nd District*  
*Buddy Mendes, 4th District*  
*Nathan Magsig, 5th District*

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

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Tuesday, January 10, 2017

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 21 - 43

### **Board of Supervisors**

3. Presentation of Retirement Plaque to Sandra Sadler - Department of Behavioral Health - 25 Years of Service

### **Chairman Pacheco**

4. Adopt Proclamation designating January 2017, as Fresno County Public Library Digibus Mobile Computer Classroom Month
5. Adopt Proclamation declaring the month of January as "National Slavery and Human Trafficking Prevention Month" in the County of Fresno

**Supervisor Mendes**

6. Approve sending a letter to the State Water Board in protest against taking of water from the San Joaquin tributaries

**County Clerk/Registrar of Voters**

7. Conduct first hearing to amend the Fresno County Ordinance Code, Title 2, Chapter 2.62, by adding Section 2.62.037, relating to Electronic Filing of Campaign Disclosure Statements,; waive the reading of the ordinance in its entirety; and set second hearing for January 31, 2017; and, Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance, and direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124 (b)(1)

**County Counsel**

8. Consider and adopt proposed extension of Interim Urgency Ordinance No. 16-017 through December 5, 2018, pursuant to Government Code Section 65858, prohibiting the possession, planting, cultivation, harvesting, drying, or processing of nonmedical marijuana outdoors on the grounds of a private residence to the fullest extent permitted by State law, and the establishment or operation of a business engaged in commercial marijuana activity, in the unincorporated areas of Fresno County (4/5 vote); accept and direct staff to issue Report prepared pursuant to Government Code section 65858, subdivision (d), describing the measures taken to alleviate the condition which led to the adoption of Urgency Ordinance No. 16-017; and determine that extension of the Interim Urgency Ordinance and issuance of the Report are exempt from the requirements of the California Environmental Quality Act, Public Resources Code section 21000, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk

**Administrative Office**

9. Conduct public hearing under Tax Equity and Fiscal Responsibility Act ("TEFRA") and the Internal Revenue Code of 1986 as amended (the "Code") regarding the issuance of tax-exempt conduit bonds for Community Hospitals of Central California, Fresno Community Hospital and Medical Center, Fresno Heart Hospital, LLC and Sierra Hospital Foundation, which collectively operate as Community Medical Centers ("CMC") in an amount not to exceed \$500,000,000 to refinance 2007 and 2009 certificates of participation and to finance a region cancer treatment and research center, and adopt the resolution approving the issuance of the Bonds by the California Municipal Financing Authority ("CMFA") for the benefit of CMC, which adoption is solely for the purposes of satisfying the requirements of TEFRA, and the Code
10. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Ajit S. and Surinder K. Gill located on 111 E. Mountain View, Fresno, CA 93725

**Internal Services**

11. Conduct the first hearing to consider amending the County of Fresno Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Section 2300 - Purchasing, Subsection 2301, waive the reading of the ordinance in its entirety and set the second hearing for January 31, 2017; designate County Counsel to prepare a fair and adequate summary of the proposed ordinance; and direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1)

**Public Works and Planning**

12. Receive information from Department staff regarding commercial solar projects and processing within unincorporated areas of Fresno County and provide direction as determined necessary
13. Consider and adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7146; and determine that the required Findings specified in Fresno County Ordinance Code Section 873-F can be made for approval of Conditional Use Permit by adopting staff's proposed findings found in the Staff Report to the Planning Commission (Exhibit 2), and approve Unclassified Conditional Use Permit Application No. 3531 to allow modification of photovoltaic solar power generation facility with related improvements previously authorized by Unclassified Conditional Use Permit No. 3291, project site is within AE-20 Zone District

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

14. Board of Supervisors' Committee Reports and Comments - Receive and provide direction (this item reserved for committee reports by members of the Board of Supervisors)
15. Approve the Chairman's 2017 Appointments of Board Members to various Boards, Commissions and Committees as presented in Exhibit A; adopt California Form 806 - Agency Report of Public Official Appointments as presented in Exhibit B, and direct the Clerk to the Board to post on the County's internet website

**Board Appointments**

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

**Public Presentations**

17. 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*

18. 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
19. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)
20. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d)(4) (2 cases)
- 20.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - County of Fresno v. Dianna Hallman - Superior Court Number 16CECG03298

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

*January 31, 2017 - 9:00 AM*

*February 7, 2017 - 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**

21. Approve minutes of meeting for December 13, 2016

**Sheriff/Coroner**

22. Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Sheriff-Coroner Org 3111 in the amount of \$280,000 for the purchase and up-fitting of non-patrol vehicles (4/5 vote)

**Administrative Office**

23. 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
24. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2017 Drought Conditions
25. Accept the Fresno County Foster Care Standards and Oversight Committee 2015-2016 Annual Report

**Agriculture**

26. Approve Salary Resolution Amendment for the Department of Agriculture as reflected on Appendix "C", adding one Staff Analyst I/II/III and deleting one Office Assistant I/II/III and one Account Clerk I/II/III position effective January 30, 2017

**Behavioral Health**

27. Approve and authorize the Chairman to execute a Participation Agreement with the California Housing Finance Agency, for permanent supportive Mental Health Services Act housing funds, to transfer \$6,186,361 plus accrued interest, effective upon execution

28. Approve and authorize the Chairman to execute a Master Agreement with Multi-Agency Access Program Point Operators, to provide an integrated screening process linking individuals and families facing behavioral, social, health and other related challenges to supportive services, effective upon execution through June 30, 2019, with an option for two additional one-year terms, total not to exceed \$7,500,000; Authorize the Director of the Department of Behavioral Health, or designee, to add and/or delete service provider(s) to the Master Agreement, as necessary; Authorize the Director of the Department of Behavioral Health, or designee, to modify services and budget line items greater than ten percent within budgets without exceeding the annual contract maximum; Adopt Budget Resolution increasing the FY 2016-17 appropriations in the Prevention and Early Intervention (PEI) Org 1052 in the amount of \$1,500,000 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Behavioral Health Org 5630 in the amount of \$1,500,000 (4/5 vote)

### **Human Resources**

29. Approve the Addendum to Memorandum of Understanding (MOU) for Representation Unit 30 - Deputy District Attorneys, represented by the Fresno County Prosecutors Association, regarding a pay provision for the Officer Involved Shooting/In-Custody Death (OIS/ICD) Team.

### **Internal Services**

30. Adopt Resolution acknowledging the emergency nature of the flooding at the Fresno County Plaza and Crocker Buildings and make a finding pursuant to County Administrative Policy 34 that unusual and extraordinary circumstances exist such that it is in the best interest of the County to suspend competitive bidding and negotiate and execute contracts for services and supplies as necessary for remediation and restoration of the properties; Authorize the Director of Internal Services/Chief Information Officer to negotiate and execute agreements and other documents necessary for the remediation and restoration of the Fresno County Plaza and Crocker Buildings; Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Internal Services Department - Facility Services Org 8935 in the amount of \$400,000 (4/5 vote)

### **Library**

31. Adopt Budget Resolution increasing the FY 2016-17 appropriations for the Library-Measure B Org 7511 in the amount of \$58,500 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Internal Services Department, Fleet Services Org 8910 in the amount of \$19,000 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Internal Services Department, Fleet Services-Equipment Org 8911 in the amount of \$71,000 (4/5 vote); adopt Donation Resolution accepting and expressing gratitude for the monetary donation of \$31,500 from the Foundation for Fresno County Public Library (FFCPL) to retrofit the Digibus Mobile Classroom; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the County Library Book Fund Org 7521 in the amount of \$31,500 (4/5 vote)

32. Approve and authorize the Chairman to execute Retroactive Amendment I to Lease Agreement #12-258, with King-Sanger, LLC for space used by the Piedra Library at 25385 Trimmer Springs Road, Sanger, CA 93657 to continue the lease on a month-to-month basis, effective December 19, 2016, with an increase in the rent from \$895 per month to \$900 per month; approve the County Librarian, or the Director of Internal Services/Chief Information Officer, or designee of one of them, to terminate Lease Agreement #12-258, as amended, upon providing a 30 day advance written notice
33. Adopt Resolution accepting and expressing gratitude for the monetary donation of \$7,157 from Friends of the Library to purchase furniture for the Sunnyside library during FY 2016-17; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the County Library Book Fund Org 7521 in the amount of \$7,157 (4/5 vote)

### **Probation**

34. Approve and authorize the Chairman to execute a Second Amendment to Agreement # 16-030 with the City of Fresno, adding two additional sworn City of Fresno Police Officers and one sworn City of Fresno Police Sergeant to the Adult Compliance Team, effective upon execution through June 30, 2017, and increasing the contract maximum by \$550,493 to a total of (\$928,018)

### **Public Health**

35. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health for the Maternal, Child and Adolescent Health and Black Infant Health programs, effective July 1, 2016 through June 30, 2017 (\$7,853,468)

### **Public Works and Planning**

36. Make finding that it is in the best interest of the County to waive competitive bidding process consistent with Administrative Policy No. 34 under the "unusual or extraordinary circumstances" provision for continued delivery of software support and maintenance services for WIN-CAMS cost accounting system; and approve and authorize Chairman to execute agreement with Cascade Software Systems, Inc. to provide software support and maintenance services over an initial three-year term with two one year automatic extensions for total of five years (\$307,468.45)
37. Adopt and authorize Chairman to execute Resolution describing proposed changes increasing and extending assessment in Assessment District No. 284 (\$5,403,750) to secure repayment of a loan from Clean Water State Revolving Fund to finance upgrades to wastewater treatment facility serving Zone D of County Service Area No. 44, preliminarily approving an engineer's report supplement, and setting dates, times, and places of public meeting and public protest hearing on proposed changes

- 38.** Reject bid from Federal Solutions Group for Contract No. 16-S-05 as non-responsive; Find that Zumwalt Construction is the lowest responsible bidder, and that the deviations in Zumwalt's bid from strict bidding requirements are immaterial and are hereby waived in the discretion of the Board; Award Contract No. 16-S-05, Crisis Residential Treatment Facility, to Zumwalt Construction, 5520 East Lamona Avenue, Fresno, CA, who submitted the lowest responsive bid, in the total amount of \$4,568,229, including the base bid and additive bids 1 through 4; Authorize the Director of Public Works and Planning or designee to execute Contract Change Orders up to \$210,000, which is approximately 4.6% of the total contract construction cost; Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Adult Crisis Residential Treatment Facility Org 8851 in the amount of \$50,000 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Behavioral Health Org 5630 in the amount of \$50,000 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations in the Capital Facilities Org 1055 in the amount of \$50,000 (4/5 vote)
- 39.** Accept the Grant of Easement and authorize the Chairman to execute the Right of Way Contract and Settlement of Eminent Domain Action for the Fowler Avenue from Elkhorn Avenue to South Avenue shoulder improvement project for a total monetary consideration of \$10,400
- 40.** Accept Grants of Easement and authorize Chairman to execute Right of Way Contract and Temporary Construction Permit required for County Service Area No. 32, Fresno County Westside Groundwater Project for total monetary consideration of \$2,500
- 41.** Adopt plans and specifications for Contract No. 16-18-C, 2016-17 Bituminous Seal Coats, and authorize the Director of the Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date
- 42.** Accept Grant of Easement for Public Utilities and not accept at this time Grant of Easement for Public Road Right-of-Way from Lakhvinder Paul and Sarabjit Kaur Paul for dedication as required under Conditional Use Permit No. 3348 for Sunnyside Market located at northeast corner of Belmont Avenue and Temperance Avenue, approximately forty-eight feet northeast of nearest city limits of City of Fresno
- 43.** Approve City of Fresno's request to acquire a road easement without eminent domain action from two parcels adjacent to existing County road right-of-way in unincorporated areas of the County as needed in conjunction with the City's capital improvement project for a traffic signal at the intersection of Clinton and Valentine Avenues