



Board of Supervisors Agenda - Final-Revised

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

John Navarrette, County Administrative Officer
Daniel C. Cederborg, County Counsel
Bernice E. Seidel, Clerk

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Tuesday, February 24, 2015

9:00 AM

Hall of Records

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 p.m. 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 26 - 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 - Kathleen A. Torres - Department of Social Services - 20 Years of Service

Supervisor Borgeas

4. Adopt resolution proclaiming March 2-8, 2015, as Multiple Sclerosis Awareness Week and April 25, 2015, as Walk MS Day in Fresno County

Supervisor Mendes

5. Adopt Resolution to honor and recognize J. Randall McFarland for his service as Chair of the Historical Landmarks and Records Advisory Commission and express sincere appreciation to J. Randall McFarland for his thirty years of stewardship of the Fresno County Historical Landmarks and Records Advisory Commission

Supervisor Pacheco

6. Present certificates in recognition of the Edison High School's football team and the Division 1 Valley Championship

Supervisor Perea

7. Proclaim February 24, 2015 as David Aguilar day in the County of Fresno in recognition of his military service in World War II, Battle of the Bulge.
- 7.1 Adopt resolution in honor of Fresno County Sheriff Deputy Christian L. Curtice for 34 years of service to the Fresno County Sheriff's Department. Fresno County commends his dedication, and exemplary service to the residents of Fresno County

Sheriff/Coroner

8. Adopt resolution increasing the FY 2014-15 appropriations and estimated revenue for the Sheriff-Coroner's Office Org 3111 in the amount of \$1,200,000 to purchase patrol vehicles (4/5 vote); Adopt resolution increasing the FY 2014-15 appropriations and estimated revenue for the Sheriff-Coroner's Org 3111 in the amount of \$90,000 for outside legal services (4/5 vote) (Continued from February 10, 2015)
9. Adopt resolution increasing FY 2014-15 appropriations and estimated revenues for the Sheriff Org 31112294 in the amount of \$100,047 for the purchase of replacement vehicles and equipment for the Sheriff's Civil Unit (4/5 vote) (Continued from February 10, 2015)

Administrative Office

10. Receive annual update from the Fresno Housing Authority

11. Receive report on the status of the proposed West Annex Jail project and related improvements to the Jail Central Plant in downtown Fresno (the West Annex Jail Project), including the County's anticipated submission of documentation to the State Board of State and Community Corrections, State Department of Finance and State Public Works Board for "project establishment," required for State SB 1022 financing of the project. Receive Auditor-Controller/Treasurer-Tax Collector's update regarding preliminary analysis of County's budgeted expenditures in the County's 10% match related to the State SB 1022 financing of the West Annex Jail Project, including an initial determination of the qualification of such County budgeted expenditures for 2006 tobacco securitization bond financing (\$7,968,000). Adopt a budget resolution increasing FY 2014-15 appropriations and estimated revenue for Capital Projects Org 1910 in the amount of \$1,028,130.82 from one-time Proposition 172 revenue for a contingency fund to pay for potential West Annex Jail Project-related expenditures that are not eligible for 2006 tobacco securitization bond financing or for State SB 1022 financing for the development or construction of the West Annex Jail Project (4/5 vote). Approve and authorize the Clerk to the Board to execute Budget Transfer No. 35 transferring appropriations within Org 2540 Interest and Miscellaneous Expenditures from account 7905, Operating Transfer Out to Debt Service (TRAN) to account 7295, Professional and Specialized Services in the amount of \$21,000. Approve and authorize Chairman to execute a Resolution of the Board of Supervisors of the County of Fresno authorizing the substitution of the Bond Financed Project for the Existing Leased Facility with respect to the Fresno County Financing Authority Lease Revenue Bonds (\$55,350,000), Series 2007 (Shared Use Juvenile Court Project) and approving the forms of and authorizing the approval, execution and delivery of an Assignment of the Lease-Purchase Agreement by and between the County and the Judicial Council of California, an Amendment to a Site Lease, and an Amendment to a Lease Agreement in connection with such substitution; and authorizing and approving related documents and other actions and matters relating thereto

Sitting as the Board of Directors of the Fresno County Financing Authority

12. Approve and authorize Chairperson to execute a Resolution of the Board of Directors of the Fresno County Financing Authority authorizing the substitution of the Bond Financed Project for the Existing Leased Facility with respect to the Fresno County Financing Authority Lease Revenue Bonds (\$55,350,000), Series 2007 (Shared Use Juvenile Court Project) and approving the forms of and authorizing the approval, execution and delivery of an Amendment to a Site Lease, an Amendment to a Lease Agreement, and an Amendment to an Assignment Agreement relating to a Lease in connection with such substitution; and authorizing and approving related documents and other actions and matters relating thereto

Administrative Office

13. Hear and consider an appeal from Service Employees' International Union (SEIU) - Local 521 regarding their "challenging petition" submitted in response to the Representation Unit 2 (Sheriff's and Probation Personnel) decertification/certification petition filed by the Fresno County Public Safety Association (FCPSA) to determine if the County's interpretation of the Fresno County Ordinance Code, Chapter 3.12 - Employee Relations Ordinance (ERO) is appropriate

Fresno County Employees' Retirement Association

14. Receive and file the Fresno County Employees' Retirement Association Actuarial Valuation and Review report as of June 30, 2014 by The Segal Group; Accept the Board of Retirement's recommended employer and employee contribution rates for FY 2015-16 as provided for in the Actuarial Valuation and Review report as of June 30, 2014, and in accordance with Government Code Sections 31453 and 31454

Board of Supervisors Committee Reports

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

Board Appointments

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

Closed Session

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

17. Conference with legal counsel- Existing Litigation Government Code section 54956.9(d)(1)- Case Name: California River Watch v. County of Fresno, USDC ED Calif. Case No. 1:14-cv-01501-MJS
18. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator: Beth Bandy; Employee Organization: All Bargaining Units and Management and Unrepresented Employees- Hours, Wages and Terms and Conditions of Employment
- 18.1 Existing Litigation, Government Code Section 54956.9(d)(1), Mitchell Conroy v. County of Fresno, et al. Fresno County Superior Court Case No.: 13CECG02851; Risk Management Claim No.: 9061
- 18.2 Conference with Legal Counsel- Existing Litigation, Government Code section 54956.9(d)(1) - County of Fresno v. Superior Court of California et. al, Fresno County Superior Court Case #14CECG02897

NOON RECESS

2:00 P.M.

Public Works and Planning

19. Acknowledge receipt and consider all sealed bids and call for oral bids for sale of property located at 33175 W. Hidalgo Avenue, Cantua Creek; and adopt resolution approving sale of County owned surplus property and authorize Chairman to execute grant deed and other related documents to successful bidder, if any
20. Receive 2013-14 Annual Report of the Fresno County Zoo Authority
21. Conduct hearing and receive written protests from County Service Area 32, Cantua Creek, property owners on proposal to increase water service fee, as required under California Constitution Article XIII-D Section 6, and, upon completion of public protest hearing, if there is not a majority protest, adopt resolution establishing increased water service fee for operation and maintenance costs of potable water for County Service Area 32, Cantua Creek; and direct staff to seek amendment of Master Schedule of Fees, Charges and Recovered Costs of Administrative Purposes; and if staff reports that there is a majority protest, make finding that there is majority protest and abandon proceedings to increase water service fee and direct staff to hold public meeting announcing immediate cost savings steps which would include suspension of water quality testing, reporting, issuance of notice of potential non-potable water, recommendation to boil water before consumption, possible implementation of water rationing, or possible dissolution of the district
22. Conduct public protest hearing regarding proposed annexation of territory to Community Facilities District 2006-01; if there is no "majority protest" within County-Wide Mello-Roos Community Facilities District 2006-01 or proposed annexation territory, overrule any protests, and adopt and authorize Chairman to sign Resolution Calling a Special Election for a vote of qualified electors within territory proposed for annexation to County-Wide Mello-Roos Community Facilities District 2006-01 (Police Protection Services) of County of Fresno, for combined propositions of Levying a Special Tax to finance enhanced police protection services, and including such annexation territory in County-Wide Mello-Roos Community Facilities District 2006-01 for purposes of appropriations limit of County-Wide Mello-Roos Community Facilities District 2006-01; conduct landowner voter special election (landowners owning 2/3 of area of proposed annexation territory must vote in favor) for territory included in Tentative Map No. 5688; approve canvass of votes, and if election is in favor of Special Tax Levy and including proposed annexation territory in County-Wide Mello-Roos Community Facilities District 2006-01 for purposes of its appropriations limit, adopt and authorize Chairman to sign Resolution Declaring Results of Landowner Special Election for proposed recordation of an Amendment to Notice of Special Tax Lien; and conduct first reading of "An Ordinance of the County of Fresno Levying a Special Tax within Annexation Territory No. 8B of County-Wide Mello-Roos Community Facilities District 2006-01 (Police Protection Services) of the County of Fresno," waive reading of Ordinance in its entirety and set March 10, 2015, as date for the second reading and approval of such Ordinance by your Board

23. Receive and discuss information regarding Fresno County Solid Waste Management Program
24. Approve revisions to County's Regulations and Procedures for Implementation of California Environmental Quality act by adding Alternative Environmental Impact Report Preparation Process, originally approved as pilot program that allows applicants to select Environmental Impact Report consultant(s) of their choice from County's approved Environmental Impact Report Consultant Master List

Public Presentations

25. 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

Adjourn

NEXT MEETINGS:

March 10, 2015 - 9:00 AM

March 17, 2015 - 9:00 AM - Administrative Marijuana Citations

March 24, 2015 - 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

26. Approve minutes of meeting for January 27, 2015 Special Joint meeting and February 10, 2015 regular meeting

Chairman Poochigian

27. Adjourn in memory of Hall of Fame basketball Coach Jerry Tarkanian. Tarkanian coached college basketball for 31 seasons over five decades at three universities, including Fresno State. Affectionately known as "Tark the Shark," Jerry was one of college basketball's most successful coaches. Jerry Tarkanian will be missed by family, friends, and college basketball players and fans everywhere

Supervisor Borgeas

- 27.1 Adjourn in memory of Philip Levine. Phil Levine was an emeritus professor of English at California State University, Fresno, where he taught from 1958-1992. He served as United States Poet Laureate from 2011-2012, and was a winner of the Pulitzer Prize, two National Book Awards, and numerous other prizes for his poetry. His work with students, faculty, and the community of poets influenced generations of creative writers in Fresno and around the world and he will be missed by many who have been inspired by him over the years

Auditor Controller Treasurer/Tax Collector

28. Approve and authorize the Chairman to execute a retroactive Agreement with the County of Plumas for participation fees for Medi-Cal Administrative Activities and Targeted Case Management effective July 1, 2014 through June 30, 2015 (\$12,525)

District Attorney

29. Approve and authorize the Chairman to execute the LexisNexis Subscriber Agreements for legal research and public records database access for the period of March 1, 2015 through February 28, 2018 (\$100,590)

County Counsel

30. Conduct second hearing and approve recommended Ordinance Amending Chapters 10.60, 10.62 and 10.64 of Title 10, Relating to Impermissible Cultivation of Medical Marijuana as Public Nuisance and Administrative Penalties for Impermissible Cultivation of Medical Marijuana and waive reading of the Ordinance in its entirety

Administrative Office

31. Approve amendments to Conflict of Interest Code for California Virtual Academy @ Fresno, James Resource Conservation District and Sierra Kings Health Care District

Behavioral Health

32. 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 provision of psychiatrist services; Approve and authorize the Chairman to execute a retroactive sole source agreement with Central California Faculty Medical Group (CCFMG) for psychiatric services by licensed psychiatrists serving Department of Behavioral Health clients effective February 7, 2015, not to exceed five consecutive years, which includes a three-year base contract and two one-year extensions (\$3,204,730.00)

Fresno County Employees' Retirement Association

33. Receive and file the Fresno County Employees' Retirement Association (FCERA) Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2014, a copy of which is on file with the Clerk to the Board's Office

Internal Services

34. Approve Salary Resolution Amendment for the Internal Services Department as reflected on Appendix "C", on file with the Clerk to the Board, effective March 2, 2015

Library

35. Approve historic designation of the Fortune Family and Eskelsen Farms as Fresno County Centennial Farms and authorize the Chairman to execute the certificate for a Fresno County Centennial Farm.

Probation

36. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Fresno to assign a sworn Police Officer to the AB 109 Adult Compliance Team, effective July 1, 2014 through June 30, 2015 (\$176,996)

Public Health

37. Make a finding that it is in the best interest of the County to waive the competitive bidding process under Administrative Policy No. 34 under the "unusual or extraordinary circumstances"; Approve and authorize Chairman to execute an Agreement with ElanTech, Inc for the upgrade to the EMS hospital-to-hospital communications system software program effective February 24, 2015, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$161,000
38. Approve and authorize the Chairman to execute a retroactive revenue Agreement and related Certification with the California Department of Public Health for a California Arthritis Partnership Program Grant, effective July 1, 2014 through June 30, 2015 (\$20,000); Approve and authorize the Director of the Department of Public Health to execute the State Contractor's Release Form for the final invoice

Public Works and Planning

39. Approve City of Fresno's request to acquire road right-of-way in unincorporated areas of County in vicinity of Clinton Avenue and Temperance Avenue for street improvements and traffic signal required in conjunction with City's approval of Tract 5341 and elementary school to be constructed at southeast corner of Temperance and Clinton Avenues
40. Approve City of Clovis' request to acquire road right-of-way in unincorporated areas of County along east side of DeWolf Avenue south of Bullard Avenue as required in conjunction with City's approval of Tract 5657A
41. Approve and authorize the Chairman to execute amendment No. 2 to Agreement No. 11-413 with SCS Field Services to increase spending limit for Extra Services for American Avenue Disposal Site (\$80,000)
42. Accept easement deeds and authorize Chairman to execute right-of-way contracts for Fowler Avenue from Elkhorn Avenue to South Avenue for total monetary consideration of \$4,300
43. Conduct second reading of "An Ordinance of the County of Fresno Levying a Special Tax within Annexation Territory 8A of Community Facilities District No. 2006-01, Police Protection Services, of the County of Fresno" and waive reading of proposed Ordinance in its entirety
44. Adopt Mitigated Negative Declaration prepared for Fresno Canal Bridge Replacement project

45. Approve and authorize the Chairman to execute Agreement with Laton Community Services District for Laton Wastewater Treatment Plant Pond Addition, Community Development Block Grant Project No. 14411 (\$250,000)

Social Services

46. Authorize the Department of Social Services to submit an Opt-In Letter to the California Department of Social Services to participate in the Approved Relative Caregiver (ARC) Program
47. Adopt Budget Resolution Increasing FY 2014-15 appropriations and estimated revenues for the Department of Social Services Org 56107001 in the amount of \$854,049 (4/5 vote); waive the competitive bidding process and approve and authorize the Chairman to execute an Agreement with Fresno Housing Authority for CalWORKs Housing Support Program services, effective February 24, 2015, not to exceed two years and five months, which includes a five-month base contract, to align with the remainder of the current budget year, and two optional one-year extensions, total not to exceed \$2,097,609
48. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the Stuart Foundation for non-competitive grant funding to support participation in the Education Equals Initiative, effective December 1, 2014 through November 30, 2015 (\$330,000)
49. Adopt Budget Resolution increasing the FY 2014-15 appropriations and estimated revenues for the Health and Welfare Trust Org 5243 in the amount of \$176,958 (4/5 vote); Adopt Budget Resolution decreasing the FY 2014-15 appropriations for the Aid to Adoptions Org 6415 in the amount of \$176,958; Adopt Budget Resolution increasing the FY 2014-15 appropriations and estimated revenues for the Aid to Adoptions Org 6415 in the amount of \$176,958 (4/5 vote); Adopt Budget Resolution increasing the FY 2014-15 appropriations for the General Relief Org 6645 in the amount of \$165,655 (4/5 vote); Adopt Budget Resolution increasing the FY 2014-15 appropriations for the Contingencies Org 8210 in the amount of \$11,303 (4/5 vote)
50. Adopt Budget Resolution increasing FY 2014-15 appropriations and estimated revenues for Protective Services Subaccount Org 6210 in amount of \$868,842 (4/5 vote); Adopt Budget Resolution increasing FY 2014-15 appropriations and estimated revenues for Dependent Children-Foster Care Org \$868,842 (4/5 vote)
51. Approve and authorize the Chairman to execute Amendment I to Agreement A-14-339 with the California State Association of Counties for Welfare Client Data Systems management services. The Agreement term is July 1, 2014 through June 30, 2015 (\$3,427,903)
52. Approve and authorize the Chairman to execute a Master Agreement for Emergency Solutions Grant Rapid Re-Housing financial assistance services, effective February 24, 2015 through June 30, 2017 (\$115,240); authorize the Director of the Department of Social Services, or designee, to add and delete qualified vendors as needed to the Board-approved Master Agreement