



# Board of Supervisors

## Agenda - Final-Revised

Hall of Records, Room 301  
2281 Tulare Street  
Fresno, California  
93721-2198  
Telephone: (559) 600-3529  
Toll Free: 1-800-742-1011  
[www.co.fresno.ca.us](http://www.co.fresno.ca.us)

*Sal Quintero, 3rd District, Chairman*  
*Andreas Borgeas, 2nd District, Vice-Chairman*  
*Brian Pacheco, 1st 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*

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Tuesday, August 21, 2018

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. Approve Agenda
2. Approve Consent Agenda - Item Numbers 16 - 51

*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*

### **Supervisor Mendes**

3. Adopt Resolution in recognition of the Reedley College Agricultural and Natural Resources Department receiving the "Post-Secondary Program State Award" on behalf of the California Agricultural Teachers Association

**Chairman Quintero**

4. Receive presentation and oral report from Lori Bennett, President of Clovis Community College

**Sheriff/Coroner**

5. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsection 2609 of Section 2600 - Sheriff-Coroner; waive reading of the Ordinance in its entirety; and set second hearing for September 11, 2018; 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)

**Agriculture**

6. Accept the Annual Fresno County Crop and Livestock Report for 2017 from the Department of Agriculture

**Public Works and Planning**

7. Consider appeal of Planning Commission's denial of Unclassified Conditional Use Permit Application No. 3611 proposing to allow a 1.65 megawatt photovoltaic solar power generation facility with related improvements on approximately 9-acre portion of a 20.17-acre parcel in AE-20 Zone District; and if Appeal is granted, adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7444, and determine that required Findings specified in Fresno County Zoning Ordinance, Section 873(F) can be made for approval of Conditional Use Permit, subject property is located on west side of S. McCall Avenue approximately 1,915 feet south of its intersection with Manning Avenue and 1,363 feet northeast of nearest city limits of City of Selma
- 7.1 Conduct first hearing on an Ordinance to amend Sections 11.24.010 through 11.24.100 of Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code to reflect a speed limit change on E. Ashlan Avenue between N. Palm Avenue and Maroa Avenue; waive the reading of the Ordinance in its entirety; and set the second hearing for September 25, 2018; 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)
8. Receive report and provide direction to staff regarding comments received in response to release of the Draft General Plan Background Report, Policy Document, Zoning Ordinance Update, and related Notice of Preparation for a Program Environmental Impact Report

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

9. 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**

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

**Public Presentations**

11. 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*

12. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 3 Cases
13. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (2 Cases)
14. 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
15. Conference with Legal Counsel- Existing Litigation- Government Code, Section 54956.9 (d)(1) - Louis Reba vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ11059721
- 15.1 Conference with Real Property Negotiators - Government Code 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
- 15.2 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
- 15.3 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Phillips v. State of California et al. Fresno County Superior Court Case Number 15CECG02201

## Adjourn

### **NEXT MEETINGS:**

*September 11, 2018 - 10:00 AM*

*September 17 through 21, 2018 - Budget Hearings*

*September 25, 2018 - 9:00 AM*

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**

16. Approve minutes of meeting for August 7, 2018

**Chairman Quintero**

17. Approve community outreach expenditure per Administrative Policy No. 75

**Supervisor Magsig**

18. Adjourn in memory of Violet M. Heintz

**Supervisor Mendes**

19. Adopt Resolution in support of the installation of new electric vehicle charging stations at potential rural Fresno County Library branches if funding becomes available

**Supervisor Magsig and Supervisor Mendes**

- 19.1 Authorize Board members to execute letters of support for funding included in the FY 2019 Interior-Environment Appropriations bill

**Auditor Controller-Treasurer/Tax Collector**

20. Adopt a resolution establishing tax rates, and levying taxes on the secured roll, for the Countywide rate of one percent, voter approved indebtedness, ad valorem taxes for revenue districts, and unitary taxes in Fresno County for the Fiscal Year 2018-19
21. Approve one (1) resolution granting fifty-five (55) claims for excess proceeds, and ordering distribution after the 90-day waiting period, where claimants submitted information and proof sufficient to establish a right to all or any portion of the excess proceeds; and denying thirty-eight (38) claims for excess proceeds either because there are not sufficient proceeds available, because claim is being satisfied by other means, or because claimants failed to submit information and proof sufficient to establish a right to all or any portion of the excess proceeds

**County Clerk/Registrar of Voters**

22. Adopt a Resolution approving election consolidation requests filed by the entities included in the November 6, 2018 Statewide General Election as listed in the agenda item recommended action

**District Attorney/Public Administrator**

23. Approve and authorize Chairman to execute an Equitable Sharing Agreement with the Federal Government authorizing the District Attorney-Public Administrator's Office to participate in the Federal Equitable Sharing Program from September 1, 2018 through August 31, 2019 and certifying as to funds received and expended during FY 2017-18; authorize the District Attorney-Public Administrator to submit the Equitable Sharing Agreement and Certification and any and all "Applications for Transfer of Federally Forfeited Property (Form DAG-71)" as appropriate and designate a department employee to accept forfeited property, transfer documents, and/or receive money
24. Receive and file annual report of the Real Estate Fraud Prosecution program pursuant to California Government Code Section 27388

**Sheriff/Coroner**

25. Approve and authorize Chairman to execute an Equitable Sharing Agreement with the Federal Government authorizing the Sheriff-Coroner's Office to participate in the Federal Equitable Sharing Program from September 1, 2018 through August 31, 2019 and certifying as to funds received and expended during FY 2017-18; and authorize the Sheriff-Coroner to submit Equitable Sharing Agreement and Certification and any and all "Applications for Transfer of Federally Forfeited Property (DAG-71)" as appropriate and authorize the Sheriff-Coroner to designate a Sheriff-Coroner employee to accept forfeited property, transfer documents, and/or receive money

**Administrative Office**

26. 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

**Agriculture**

27. Approve and authorize the Chairman to execute a retroactive Cooperative Agreement with the California Department of Food and Agriculture for the Organic Inspection program, effective July 1, 2018 through June 30, 2019, with a total reimbursement amount of \$10,500

**Fresno County Employees' Retirement Association**

28. Cancel the General Member Election and Appoint John Adams as General Member Representative on the Board of Retirement for a three-year term expiring December 31, 2021

**Human Resources**

29. 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 obtaining the services of special counsel to assist the County; and approve and authorize the Chairman to execute an Agreement with Fishman, Larsen & Callister, a Professional Corporation, for representation of County employee(s) who is/are listed in a lawsuit, effective July 9, 2018 through July 8, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$3,750,000
30. Approve Amendment to the Salary Resolution reclassifying one (1) Chief Office Assistant from the Department of Social Services Org 5610 to an Administrative Support Coordinator, as reflected on Appendix "B", effective August 27, 2018

**Sitting as the In-Home Supportive Services Public Authority Governing Board:**

31. Approve and authorize the Chairman to execute retroactive Amendment I to Agreement No. 17-189 with Voiance Language Services, LLC for telephonic interpretation services extending the term by one year from July 1, 2018 to June 30, 2019 and increasing the maximum by \$338,700 to a total of \$583,128

Sitting as the County of Fresno Board of Supervisors:

Approve and authorize the Chairman to execute retroactive Amendment I to Agreement No. 17-189 with Voiance Language Services, LLC for telephonic interpretation services extending the term by one year from July 1, 2018 to June 30, 2019 and increasing the maximum by \$338,700 to a total of \$583,128

**Internal Services**

32. 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 as Assetworks LLC ("Assetworks") is the only vendor that allows for integration into the current ISD - Fleet Services' active GPS monitoring system; and approve and authorize the Chairman to execute an agreement with Assetworks for active GPS monitoring systems, which supersedes and replaces Purchasing Agreement No. 15-060, effective upon execution, which includes a three-year base contract and one optional seven month extension for a maximum potential three-year-seven-month total (expiration March 23, 2022) not to exceed \$710,000

**Library**

33. Retroactively authorize the County Librarian's previous submittal of a grant application to Cal Humanities for a Library Innovation Lab grant; approve and authorize the Chairman to ratify Librarian's previous execution of retroactive grant award Agreement and acceptance of grant funds from Cal Humanities for a Library Innovation Lab grant to support Fresno County Public Library's Project "Orange Cove Families Together" effective May 1, 2018 through December 31, 2018 (\$5,000); and adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$5,000 (4/5 vote)

**Probation**

- 33.1 Approve and authorize the Chairman to execute an Equitable Sharing Agreement with the Federal Government authorizing the Probation Department to participate in the Federal Equitable Sharing Program from September 1, 2018 through August 31, 2019 and certifying as to funds received and expended during FY 2017-18; and Authorize the Chief Probation Officer to submit Equitable Sharing Agreement and Certification and any and all "Application for Transfer of Federally Forfeited Property (Form DAG-71)" as appropriate and authorize the Chief Probation Officer to designate a department employee to accept forfeited property, transfer documents, and/or receive money.

**Public Health**

34. Approve and authorize the Chairman to execute an Participation Agreement with the California Department of Public Health for access to the California Integrated Vital Records System effective upon execution by the California Department of Public Health for a term of five years (\$0); and, authorize the Director of the Department of Public Health, or designee, to execute amendments to the Agreement with California Department of Public Health for the Integrated Vital Records System related to new standards and requirements imposed by the California Department of Public Health
35. Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Local Health and Welfare Trust Fund 0135, Health Org 52430301 in the amount of \$38,316; and, adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues for Public Health Org 5620 in the amount of \$38,316, for the purchase of a used dental chair and related equipment (4/5 vote)
36. 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 the solicitation of a real-time public health surveillance system for the Department of Public Health; and, approve and authorize the Chairman to execute a retroactive Agreement with Health Monitoring Systems, Inc. for use of its real-time public health surveillance system, effective August 18, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$125,625

37. 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 an authorized child passenger safety technician qualified as Lead Instructor meeting specified National Highway Traffic Safety Administration requirements for the Department of Public Health; and, approve and authorize the Chairman to execute a retroactive Agreement with Kimberly Wilson, d.b.a. BabySafe of Fresno, to provide educational classes regarding child passenger safety restraint systems, effective July 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one year extensions, total not to exceed \$110,500
38. Retroactively authorize the Department of Public Health's previous submittal of a grant application in the amount of \$9,365,337 to the Centers for Disease Control and Prevention for the Diabetes and Heart Disease and Stroke Prevent Programs-Innovative State and Local Public Health Strategies to Prevent and Manage Diabetes and Heart Disease and Stroke, effective September 30, 2018 through September 29, 2023
39. Approve and authorize the Chairman to execute a revenue Agreement with State Center Community College District, for student education and training in the Department of Public Health Emergency Medical Services Division's Primary Paramedic Training Program, effective August 21, 2018 through June 30, 2021 (\$270,000)

### **Public Works and Planning**

40. Approve and authorize Chairman to execute Amendment I to Agreement No. 17-427 with Del Rey Community Services District for Del Rey Emergency Generators and Sewage Grinder Project, Community Development Block Grant Project No. 16151, effective upon execution with no change in the term to March 4, 2019 and increasing maximum by \$160,560 to a total of \$410,560
41. Approve and authorize the Chairman to execute an Agreement with ACE Parking Management, Inc., for the operation and collection of County Park entrance fees, effective September 10, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions (\$0)
42. Approve and authorize Chairman to execute Amendment I to Agreement No. 18-071 with City of Reedley for Reedley City Street Improvements, Phase VIII, Community Development Block Grant Project No. 17571, effective upon execution with no change in term to February 14, 2019 and increasing maximum by \$92,859 to a total of \$334,589
43. Approve and authorize Chairman to execute Agreement with City of Reedley for Reedley City Street Improvements (Phase IX), Community Development Block Grant Project No. 18571 (\$149,385)
44. Approve and authorize Chairman to execute Agreement with Tranquillity Public Utility District for Tranquillity Lift Station Replacement, Community Development Block Grant Project No. 18711 (\$217,300)

45. Approve and authorize Chairman to execute Coordination Agreement with multiple Groundwater Sustainability Agencies within Delta-Mendota Subbasin, effective upon execution for a term that is coterminous with requirements of Sustainable Groundwater Management Act of 2014; and, Approve and authorize the Chairman to execute a Cost Sharing Agreement with multiple Groundwater Sustainability Agencies within Delta-Mendota Subbasin, effective upon execution for a term that is coterminous with requirements of Sustainable Groundwater Management Act of 2014 (\$327,165)
46. Reject all bids for Contract No. 18-03-C, County Service Area No. 5 - Wildwood Estates Pipeline Loops Installation
47. Accept Easement Deed and authorize Chairman to execute Right-of-Way Contract to facilitate Travers Creek Bridge Replacement, Federal Project No. BRLO-5942(226) on Lincoln Avenue for a total monetary consideration of \$4,500
48. Approve and authorize Chairman to execute Second Amendment to Agreement No. 16-112, Memorandum of Understanding with San Joaquin River Exchange Contractors Groundwater Sustainability Agency, for implementation of Sustainable Groundwater Management Act in a portion of Delta-Mendota Groundwater Basin located within Fresno County
49. Approve and authorize the Chairman to execute the First Amendment to Agreement No. 13-557 with Cornerstone Structural Engineering Group, Inc., for engineering consultant services related to the Outside Canal Bridge Replacement Project on Russell Avenue, Federal Project No. BRLS-5942(195) extending the maximum term by five years (three-year base contract with two optional one-year renewals) from September 10, 2018 to September 10, 2023, with no increase in the maximum of \$599,656
50. Retroactively authorize Department of Public Works and Planning's prior submittals of Cycle 4 Statewide Active Transportation Program Applications for combined total of \$2,788,000 to California Department of Transportation
51. Approve and authorize Chairman to execute Second Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Huron regarding an approximate 186-acre addition to City's Sphere of Influence; determine that City of Huron's proposed 268-acre annexation is consistent with Standards for Annexation and Section 2.4 of Amended and Restated Memorandum of Understanding; and determine that approval and authorization of Chairman to execute Second Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Huron is exempt from requirements of California Environmental Quality Act, Public Resources Code, section 2100, et seq., and direct Department of Public Works and Planning staff to file Notice of Exemption with Office of Fresno County Clerk