



Board of Supervisors

Agenda - Final-Revised

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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

Tuesday, August 20, 2019

9:00 AM

Hall of Records

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Clerk of the Board of Supervisors staff, as soon as possible during office hours at (559) 600-3529, option 4 or at Clerk/BOS@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

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 14 - 47

Supervisor Pacheco

3. Discuss proposed property tax rebate for Darling Ingredients, Inc. relocation of facility from 795 W. Belgravia Ave., in Fresno, to the corner of Jensen and Cornelia avenues in the City of Fresno, and development of an economic development incentive program and provide direction to staff, if necessary

Administrative Office

4. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 20 filed by H&S Business Center, Inc. 77 S Academy Ave., Sanger, CA, 93657-2133

Public Health

5. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Section 900 – Environmental Health, sections 902 through 906, 908 through 917, 919 through 934.1, 938 through 940.2, and 948 through 951; and waive reading of the Ordinance in its entirety and set second hearing for September 10, 2019; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinances; and direct the Clerk of the Board to post and publish the required summaries in accordance with Government Code, section 25124 (b)(1)

Public Works and Planning

6. Receive report from Department of Public Works and Planning regarding coordination with California High Speed Rail Authority addressing impacts on Fresno County owned and operated transportation facilities from construction of new railway and associated facilities; and direct Department of Public Works and Planning staff to initiate amendment to Cooperative Agreement No. 13-767 between Fresno County and California High Speed Rail Authority to provide greater detail and clarity relating to scope, schedule, cost, and coordination of work pertaining to specific County facilities and return to your Board for final action

Board of Supervisors' Committee Reports and Comments

7. 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

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

Public Presentations

9. 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

10. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 2 Cases
11. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
12. 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
- 12.1 Threat to public services or facilities - Government Code, Section 54957(a) - Consultation with County Counsel. Sheriff or Designee and Director of Internal Services/Chief Information Officer or Designee

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

13. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Joy Cronin; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment

Adjourn**NEXT MEETINGS:**

September 10, 2019 - 9:00 AM

September 16 through 20, 2019 - 9:00 AM Budget Hearings

September 24, 2019 - 9:00 AM

CONSENT AGENDA

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

Board of Supervisors

14. Approve minutes of meeting for August 6, 2019

Chairman Magsig

15. Adjourn in memory of Adrian Nijmeddin who will be remembered as a loving son, brother, friend and U.S. Army Veteran
16. Adjourn in memory of Thomas J. DeLany a passionate family man, community leader and entrepreneur

Supervisor Pacheco

17. Adjourn in memory of Kenneth Abrahamian who will be remembered as a community leader, World War II Navy veteran as well as a Rolinda farmer, plumber and pipefitter

Supervisor Quintero

- 17.1 Adjourn in Memory of John Carbray, founder of Fresno Grizzlies, who led the charge to bring Triple-A baseball to Fresno

Auditor Controller-Treasurer/Tax Collector

18. 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 2019-20
19. Receive and file the Fresno County Audit Committee Minutes from the February 8, 2019 and April 19, 2019 meetings

District Attorney

20. Receive and file annual report of the Real Estate Fraud Prosecution program pursuant to California Government Code Section 27388

21. Approve and authorize Chairman to execute an Equitable Sharing Agreement with the Federal Government authorizing the District Attorney's Office to participate in the Federal Equitable Sharing Program from September 1, 2019 through August 31, 2020, and certifying as to funds received and expended during FY 2018-19; and authorize the District Attorney 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 any related documents, as necessary, and designate a department employee to accept forfeited property, transfer documents, and/or receive funds

Sheriff/Coroner/Public Administrator

22. Approve and authorize the Chairman to execute a retroactive Agreement with RR-M Reyna Inc., for decedent removal services, effective May 16, 2019, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,230,000
23. Approve and authorize Chairman to execute an Equitable Sharing Agreement with the Federal Government authorizing the Sheriff's Office to participate in the Federal Equitable Sharing Program from September 1, 2019 through August 31, 2020 and certifying as to funds received and expended during FY 2018-19; and authorize the Sheriff 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 to designate a Sheriff employee to accept forfeited property, transfer documents, and/or receive money

Administrative Office

24. 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
25. Approve and authorize the Chairman to execute the Workforce Innovation and Opportunity Act biennial updates to the Local Plan for Program Years 2017-2021

Behavioral Health

26. 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 as only one licensed facility will provide specialized residential mental health services and agree to the terms and conditions of the agreement; approve and authorize the Chairman to execute a Master Agreement for Specialized Residential Mental Health Services for seriously emotionally disturbed youth and adults with severe mental illness, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$27,500,000; and, authorize the Director of the Department of Behavioral Health, or designee, to add and/or delete providers to the recommended Master Agreement

Human Resources

27. Approve and authorize the Chairman to execute retroactive Amended and Restated Agreement to Purchasing Agreement P-16-162-L with Kent Kawagoe, Ph.D. to perform third opinion psychological evaluations, effective April 12, 2016 through April 11, 2020 with the provision of one (1) additional one (1) year renewal period based on the mutual written consent of all parties (\$249,900)
28. Approve Salary Resolution reinstating and retitling the Student Worker job classification, effective August 26, 2019 (\$0)

Internal Services

29. Adopt Resolution accepting the non-monetary donation of two vacant real property parcels located at 1813 11th Street, Reedley, CA 93654 (collectively, "the Real Property"), with a combined appraised value of \$146,500, and expressing gratitude to the City of Reedley; authorize the Director of Internal Services/Chief Information Officer to consummate the County's acceptance of the Real Property as follows: prepare and provide any correspondence or notice to the City of Reedley, to accompany the Board's Adopted resolution, to approve execute, and record in the Office of the County Recorder any grant deeds and related certificates of acceptance, acknowledgements, instruments, notices, or other documents reflecting the transfer of title of the Real Property to the County, and execute any other necessary documents, all as he deems necessary and appropriate in the best interest of the County, and all subject to approval by County Counsel as to legal form; approve the addition of the donated Real Property to the County Asset Management System; direct staff to initiate and pursue environmental review and the County land use entitlement process for the Real Property as the preferred site for a new County library, promptly following the County's acceptance of the Real Property, all pursuant to the California Environmental Quality Act (CEQA)
30. Approve and authorize the Chairman to execute a retroactive Amended and Restated Agreement with Silicon Valley Fire, Inc., replace, restate, and supersede existing and previously amended Purchasing Agreement No. P-17-013-T for fire extinguisher inspections, maintenance, and training services, effective January 26, 2017, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, and increasing the maximum by \$61,000, to a total not to exceed \$160,000
31. Approve and authorize the Chairman to execute an Agreement with IBM Security, a wholly owned subsidiary of International Business Machines Corporation, for database auditing software, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,500,000

Probation

32. 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, 2019 through August 31, 2020, and certifying as to funds received and expended during FY 2018-19; 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)," and other required documents, 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

33. 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 mandated inpatient hospital services, emergency care, outpatient clinic, and professional medical services for the County's Medically Indigent Services Program; and, approve and authorize the Chairman to execute Agreement with Community Medical Centers for mandated inpatient hospital services, emergency care, outpatient clinic, and professional medical services for the County's Medically Indigent Services Program, effective August 20, 2019, not to exceed ten consecutive years, which includes a three-year base contract and seven optional one-year extensions, total not to exceed \$23,477,320
34. Approve and authorize the Chairman to execute a retroactive Agreement with City of Sanger for paramedic ambulance services, effective July 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$84,375; and, approve and authorize the Chairman to execute a retroactive Agreement with Sequoia Safety Council, Inc. for paramedic ambulance services, effective July 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$140,000
35. Approve and authorize the Chairman to execute a retroactive Fourth Amendment to Agreement No. 90-257 with the County of Kings, for Emergency Medical Services Administration to modify compensation terms, effective May 21, 2019 with no change in the unlimited renewals and increasing the annual maximum by \$12,452 to \$53,875; and, a retroactive Fourth Amendment to Agreement No. 90-258 with the County of Madera, for Emergency Medical Services Administration to modify compensation terms, effective May 7, 2019 with no change in the unlimited renewals and increasing the annual maximum by \$12,452 to \$53,875

Public Works and Planning

36. Adopt Resolution initiating formation proceedings for County Service Area No. 34 Zone G, which will be known as "Granville," to include Tentative Tract Map No. 6189 and set public hearing on October 8, 2019, at 9:00 a.m., or as soon after as practicable, to consider proposed formation, subject property is located on south side of Millerton Road, west of Marina Drive within CSA 34

- 37.** Adopt and authorize Chairman to execute Resolution initiating assessment proceedings under Uniform Standby Charge Procedures Act for local water and sewer utility system ready-to-serve operations and maintenance, under Chapter 2 of Landscaping and Lighting Act of 1972 for street lighting, and public landscape maintenance, and under Benefit Assessment Act of 1982 for storm drainage and road maintenance, all for County Service Area No. 34 proposed Zone G, which will be known as "Granville," appointing and designating an assessment engineer, and directing preparation and filing of Engineer's Report; and adopt and authorize Chairman to execute Resolution declaring intention to levy assessment under Uniform Standby Charge Procedures Act for local water and sewer utility system ready-to-serve operations and maintenance, under Chapter 2 of Landscaping and Lighting Act of 1972 for street lighting and public right-of-way landscape maintenance, and under Benefit Assessment Act of 1982 for storm drainage and road maintenance, all for County Service Area No. 34, proposed Zone G, which will be known as "Granville," and setting public hearing on October 8, 2019 at 9:00 a.m., or as soon after as practicable, to consider proposed assessments
- 38.** Adopt and authorize Chairman to execute Resolution initiating proceedings to re-apportion and re-levy part of benefit assessment previously levied under Uniform Standby Charge Procedures Act for water contract administration and Millerton Lake Pump ready-to-serve maintenance for County Service Area No. 34 (Millerton New Town) and setting public hearing on October 8, 2019 at 9:00 a.m., or as soon after as practicable to conduct protest hearing and assessment ballot proceedings
- 39.** Adopt Resolution initiating formation proceedings for County Service Area No. 34 Zone F, which will be known as "The Vistas," to include Tentative Tract Map No. 4934, APN 300-542-13S, and set public hearing on October 8, 2019, at 9:00 a.m., or as soon as practicable, to consider proposed formation, subject property is located on south side of Millerton Road, west of Marina Drive within CSA 34
- 40.** Adopt and authorize Chairman to execute Resolution initiating assessment proceedings under Uniform Standby Charge Procedures Act for local water and sewer utility system ready-to-serve operations and maintenance, under Chapter 2 of Landscaping and Lighting Act of 1972 for street lighting, and public landscape maintenance, and under Benefit Assessment Act of 1982 for storm drainage and road maintenance, all for County Service Area No. 34 proposed Zone F, which will be known as "The Vistas," appointing and designating assessment engineer, and directing preparation and filing of an Engineer's Report; and adopt and authorize Chairman to execute Resolution declaring intention to levy an assessment under the Uniform Standby Charge Procedures Act for local water and sewer utility system ready-to-serve operations and maintenance; under Chapter 2 of Landscaping and Lighting Act of 1972 for street lighting, and public right-of-way landscape maintenance; and under Benefit Assessment Act of 1982 for storm drainage and road maintenance, all for County Service Area No. 34, proposed Zone F, which will be known as "The Vistas," and setting public hearing on October 8, 2019 at 9:00 a.m., or as soon after as practicable, to consider proposed assessments

41. Adopt Resolution approving Rescission of Agricultural Land Conservation Contract Nos. 1384 and 2607 and simultaneous entry into new Agricultural Land Conservation Contract Nos. 8331 and 8332, pursuant to Government Code Section 51257; and authorize recording of new Contracts following signature by the Chairman, subject properties are located on west side of S. Westlawn Avenue, between W. Manning Avenue and W. Kamm Avenue, approximately four miles southwest of unincorporated community of Raisin City
42. Adopt and authorize the Chairman to execute Resolution Authorizing the County of Fresno's Adoption of the Central Delta-Mendota Groundwater Sustainability Agency Joint Powers Authority for implementation of the Sustainable Groundwater Management Act within the Delta-Mendota Groundwater Subbasin; approve and authorize the Chairman to execute Joint Powers Agreement for implementation of the Sustainable Groundwater Management Act for the Central Delta-Mendota Groundwater Sustainability Agency within the Delta-Mendota Groundwater subbasin; and, designate District 4 Supervisor as Director, District 1 Supervisor as First Alternate, and Department of Public Works and Planning's Senior Engineer, Augustine Ramirez, as Second Alternate to serve as a member of the Board of Directors for the Central Delta-Mendota Groundwater Sustainability Agency
43. Adopt plans and specifications and award Contract 19-06-C, Wahtoke Creek on Lincoln Avenue Bridge Replacement Project, Federal Project No. BRLO-5942(212) to lowest bidder, American Paving Company, 315 N. Thorne Avenue, Fresno, in amount of \$1,741,429.10

- 44.** Approve and authorize the Chairman to execute a Reclamation Agreement with project applicants: Little Bear 1, LLC, to implement a condition of approval of Unclassified Conditional Use Permit (UCUP) No. 3550 for a portion of the solar photovoltaic electricity generating facility (Solar Facility), effective August 20, 2019 (\$1,216,380); Little Bear 3, LLC, to implement a condition of approval of Unclassified CUP No. 3551 for a portion of the Solar Facility, effective August 20, 2019 to August 19, 2049 (\$608,190); Reclamation Agreement with Little Bear 4, LLC, to implement a condition of approval of UCUP No. 3552 for a portion of the Solar Facility, effective August 20, 2019 to August 19, 2049 (\$1,520,475); two Reclamation Agreements with Little Bear 5, LLC, to implement a condition of approval of UCUP Nos. 3553 and 3577 for a portion of the Solar Facility, effective August 20, 2019 to August 19, 2049 (\$1,520,475); Road Repair Agreement with Little Bear 1, 3, 4, and 5 LLCs, effective August 20, 2019 to August 19, 2049 (\$100,000); Owner Reimbursement Agreement with Little Bear 1, 3, 4, and 5 LLCs to implement conditions of approval of UCUP Nos. 3550, 3551, 3552, 3553, and 3577, effective August 20, 2019 until the Director of the Department of Public Works and Planning issues written acknowledgement the Owner has satisfied its obligations under the agreement (\$166,550); 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 monitoring of and reporting on compliance with the Mitigation Monitoring and Reporting Programs associated with the County's approval of UCUP Nos. 3550, 3551, 3552, 3553, and 3577; approve and authorize the Chairman to execute a sole source Third Party Administrator Agreement with Rincon Consultants, Inc. to monitor and report on Applicants' compliance with the Mitigation Monitoring and Reporting Programs associated with the County's approval of UCUP Nos. 3550, 3551, 3552, 3553, and 3577, effective September 24, 2019 until the consultant has satisfied its obligations under the agreement (\$166,550); Indemnification Agreement with Little Bear 1, 3, 4, and 5 LLCs, effective on the date the agreement is signed by the parties; authorize the Director of the Department of Public Works and Planning to accept deposits of funds required by Recommended Action Nos. 1-6; and, accept Grants of five Limited Access Easements from Little Bear 1, 3, 4, and 5 LLCs, the respective owners of the properties upon which the Solar Facility is to be situated near the city of Mendota
- 44.1** Adopt Budget Resolution decreasing appropriations for Fund 0400 Capital Projects - Juvenile Justice Campus Org 8830 in the amount of \$128,374.99 from the proceeds of Tobacco Settlement Asset-Backed Bonds, Subordinate Series 2006 (2006 Tobacco Securitization Bonds), currently on deposit in the County's Endowment Fund, that were originally committed for a Juvenile Justice Campus Waste Water Treatment Plant Lift Station Screen project (the WWTP Project), and cancelling such amount originally committed for the WWTP Project; and, preliminarily earmarking proceeds of 2006 Tobacco Securitization Bonds, currently on deposit in the County's Endowment Fund, in the amount of \$1,082,938.64 for a portion of the cost of the Sheriff's Area 2 Substation

Social Services

45. Approve and authorize the Chairman to execute an Agreement with WestCare California, Inc. for case management and short-term financial assistance for the Adult Protective Services Home Safe Program, effective August 20, 2019 through June 30, 2020, with one optional one-year extension, total not to exceed \$583,570
46. Approve and authorize the Chairman to execute Amendment IV 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 upon execution, extending the term by six months from September 1, 2019 to February 29, 2020 and increasing the maximum by \$356,878 to a total of \$4,581,045
47. Approve and authorize the Chairman to execute an Agreement with the California Department of Social Services to ensure the security and privacy of Personally Identifiable Information, effective upon execution by both parties, through September 1, 2022 with an option to extend the agreement for up to six-months (\$0); and approve and authorize the Chairman to execute an Agreement with the California Department of Health Care Services to ensure the security and privacy of Medi-Cal Personally Identifiable Information, effective upon execution by both parties, through September 1, 2022 with an option to extend the agreement for up to six-months (\$0)