



## **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*

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

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**Tuesday, December 15, 2015**

**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 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 14.1 - 38

### **Chairman Poochigian**

3. Adopt Resolution congratulating the Sierra High School FFA's Novice Parliamentary Procedure Team for taking first place in the state and placing second in the nation in parliamentary procedure

### **Supervisor Perea**

4. Present check to Legion of Valor members for the Veterans Memorial Museum to fund the continued promotion, improvement, operation and maintenance of the museum to preserve the memories of Fresno County veterans and educate the public

**Auditor Controller-Treasurer/Tax Collector**

5. Adopt a Resolution authorizing (a) the advance of cash up to the amount of \$2,000,000 from the County of Fresno General Fund to the San Joaquin Valley Insurance Authority (SJVIA) until June 30, 2016, as needed, and the request to be repaid by the SJVIA not later than December 30, 2017, to assist the SJVIA in managing its cash flow, and (b) the Auditor-Controller/Treasurer-Tax Collector, the Director of Personnel Services, and County Counsel, including their designees, to negotiate for the terms and conditions of a proposed Cash Advance and Repayment Agreement with the appropriate party or parties, which proposed agreement would be presented to the Fresno County Board of Supervisors for its requested approval at a future date; adopt a Resolution authorizing the decrease in the FY 2015-16 General Fund unassigned fund balance in the amount of \$2,000,000, and a corresponding increase in FY 2015-16 General Fund, SJVIA Cash Advance Receivable, to fund the County of Fresno's cash advance to the SJVIA (4/5 vote); and approve and authorize the Chairman to execute the revised Amended and Restated Joint Exercise of Powers Agreement Creating the San Joaquin Valley Insurance Authority, including any additional revisions thereto that may be approved by the Director of Personnel Services which are, in his or her determination, consistent with the Resolution in Recommended Action #1 and in the best interest of Fresno, subject to the approval of the Auditor-Controller/Treasurer-Tax Collector as to accounting form, of County Counsel as to legal form

**Sheriff/Coroner**

6. Adopt resolution increasing the FY 2015-16 appropriations in the Special Revenue Sheriff-Coroner's Federal Asset Forfeiture Org 1459 in the amount of \$1,400,000 (4/5 vote); adopt resolution increasing the FY 2015-16 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$2,180,000 (4/5 vote); approve and authorize the Clerk to the Board to execute Budget Transfer No. 22 (\$1,320,000) transferring appropriations within the Sheriff-Coroner Org 3111, from Accounts 6100 (Regular Salaries), 6400 (Retirement Contributions), 6500 (OASDI Contribution), and 7205 (Maintenance-Equipment) to Account 8300 (Equipment); and 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 Sheriff-Coroner's Office to purchase a helicopter from McDonnell Douglas

**County Counsel**

7. Receive Report from County Counsel on Recently Enacted State Statutes Regarding Regulation of Medical Marijuana Cultivation and Dispensaries (AB 266, SB 643, AB 243) and on County of Fresno Medical Marijuana Ordinances; Provide Direction Regarding Possible Amendments to Ordinances

**Social Services**

8. Approve Amendment to the Salary Resolution (Appendix "D") adding 32 positions to the Department of Social Services Org 5610 effective December 21, 2015; adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for the Welfare Advance Fund Organization 1120 in the amount of \$901,389 (4/5 vote); adopt Budget Resolution increasing FY 2015-16 appropriations for the Protective Services Subaccount Organization 6210 in the amount of \$297,534 (4/5 vote); adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for the Department of Social Services Admin Org 56107001 in the amount of \$1,198,923 (4/5 vote)

**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

**Closed Session**

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

11. Conference with Labor Negotiator (GC 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. Conference with legal counsel - Existing Litigation Government Code Section 54956.9(d)(1) - Joseph Hudson et al v Fresno County, et al, Fresno Superior Court Case No.: 09CECG04401; Risk Management Claim No.: 8365

**NOON RECESS**

**2:00 P.M.**

**Public Works and Planning**

13. Conduct hearing and receive written protests from County Service Area 23, Exchequer Heights, property owners on proposal to increase annual water service fee, as required under California Constitution Article XIII D, Section 6, and upon completion of the public protest hearing approve (A) if there is not majority protest, adopt resolution establishing increased annual water service fee for operation and maintenance costs of potable water for County Service Area 23, Exchequer Heights or: (B) if there is majority protest, make finding that there is majority protest and abandon proceedings to increase annual water service fee and direct staff to hold public meeting announcing immediate cost savings steps which could include suspension of water quality testing and reporting, issuance of a notice of potential non-potable water, a recommendation to boil all water prior to ingesting it, or possible dissolution of County Service Area 23

**Public Presentations**

14. 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:**

*January 12, 2016 - 9:00 AM - Designation of Officers*

*January 12, 2016 - 10:00 AM - Board Meeting*

*January 26, 2016 - 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**

- 14.1 Approve minutes of meeting for November 17, 2015, December 8, 2015, and December 8, 2015, Special Meeting

**Auditor Controller-Treasurer/Tax Collector**

15. Receive, review, and file the attached County's Public Facilities Impact Fees Annual Report for the fiscal year ending June 30, 2015
- 15.1 Adopt a resolution to do all of the following: Approve and authorize the sale of tax-defaulted properties by public auction via the Internet; and direct the Auditor-Controller/Treasurer-Tax Collector to sell identified properties under Division 1, Part 6, Chapter 7 of the Revenue and Taxation Code during March 4-7, 2016; and authorize the Auditor-Controller/Treasurer-Tax Collector to reduce the minimum bids for any property for which no minimum bids were received during one or more prior public auctions of tax-defaulted property; and authorize the Auditor-Controller/Treasurer-Tax Collector to reduce the minimum bids for any property for which no minimum bids are received in the reoffering sale

**County Clerk/Registrar of Voters**

16. Approve the Salary Resolution Amendment for County Clerk - Elections Organization 2850 as reflected on Appendix "C", on file with the Clerk to the Board effective December 21, 2015

**Sheriff/Coroner**

17. Adopt resolution accepting and expressing gratitude for the donation of an ambulance from American Ambulance Incorporated to the County of Fresno Sheriff-Coroner's Office
18. Approve and authorize the Chairman to execute First Amendment to Lease Agreement #08-075 with Land Management Opportunities LLC for office space (8,480 square feet) at 5717 E. Shields, Fresno, CA for the Sheriff's substation, to extend the lease term to December 31, 2016, with a one-year automatic renewal from January 1, 2017 to December 31, 2017 (Renewal Term), and increase the rent to \$12,000 per month effective January 1, 2016, with annual rent of \$144,000; and approve and authorize either the Director of Internal Services/Chief Information Officer or the Sheriff-Coroner to terminate Lease Agreement #08-075 as of any date during the Renewal Term by providing at least one hundred and eighty (180) days prior written notice to terminate to Lessor
19. Approve and authorize Chairman to execute Agreement with Trinity Services Group, Inc. for meal service for the Fresno County Sheriff-Coroner's Office and Probation Department detention facilities effective January 1, 2016 through December 31, 2020 not to exceed five consecutive years, which includes a three-year base contract and two optional one year extensions, total not to exceed (\$37,746,179)

**County Counsel**

20. Approve and authorize Chairman to execute Retroactive Amendment I to Agreement No. 13-593 with McCormick Barstow, to continue representing County in nineteen lawsuits filed against the County arising out the decertification of the class in Espinoza v. County of Fresno

**Administrative Office**

21. Approve the Amended and Restated Bylaws of the Raisin City Water District
22. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2015 Drought Conditions
23. Approve the Amended and Restated bylaws of Pleasant Valley Water District

**Behavioral Health**

24. Approve and authorize the Chairman to execute Amendment IV to Agreement No. 11-506 with California Health Collaborative, for the provision of marijuana prevention services for youth and young adults, effective upon execution through June 30, 2016 (\$1,700,000); Approve and authorize the Chairman to execute Amendment IV to Agreement No. 10-367 with California Health Collaborative, for the provision of prescription drug abuse prevention services for youth and young adults, effective upon execution through June 30, 2016 (\$1,960,000); Approve and authorize the Chairman to execute Amendment IV to Agreement No. 10-366 with Youth Leadership Institute, for the provision of alcohol use and binge drinking prevention services for youth and young adults, effective upon execution through June 30, 2016 (\$2,120,000); and, Approve and authorize the Chairman to execute Amendment III to Agreement No. 13-545 with Fresno County Office of Education, for the provision of alcohol and other drug use prevention services for youth and young adults, effective upon execution through June 30, 2016 (\$1,124,653)
25. Approve and authorize the Chairman to execute an Agreement with Kings View Behavioral Health for the implementation of Peer and Family Support Wellness and Recovery services and Youth Empowerment Centers effective January 1, 2016 through June 30, 2016 (\$798,198); Approve and authorize the Chairman to execute an Agreement with Kings View Behavioral Health for Peer and Family Support Wellness and Recovery services and Youth Empowerment Centers for mentally ill clients and their families, effective July 1, 2016 not to exceed five (5) consecutive years with a three (3) year base contract and two (2) optional twelve (12) month extensions (\$8,550,442); Authorize the Director of the Department of Behavioral Health or designee to modify the scope of services and responsibilities of the contractor as needed; and, Authorize the Director of the Department of Behavioral Health or designee to modify the budget line items within the budgets, without exceeding the contract maximum

**Fresno County Employees' Retirement Association**

26. Approve Salary Resolution Amendment for Fresno County Employees' Retirement Association (FCERA) as reflected on Appendix "E", on file with the Clerk to the Board of Supervisors, adding one (1) Staff Analyst position to Fresno County Employees' Retirement Association Org 9200 effective December 21, 2015

**Personnel Services**

27. Adopt resolution which approves extending provisions of the California Military & Veterans Code Section 395.03 to eligible permanent County employees effective December 21, 2015 through December 18, 2016
28. Approve Resolutions Rejecting Claim for Damages
29. Approve and authorize the Chairman to execute a Second Amendment to Agreement No. 12-084 with McCormick, Barstow, Sheppard, Wayte, & Carruth, LLP to increase their fee schedule by approximately 7% for employment law legal services, effective February 22, 2016 through February 21, 2017 with no increase in the annual contract maximum of \$1,000,000
30. Approve the Memoranda of Understanding (MOU) for Representation Unit 13 - Crafts and Trades, Unit 39 - Operating Engineers, and Unit 43 - Computer Employees, represented by Stationary Engineers - Local 39, effective December 21, 2015, through July 3, 2016; and, approve the related Salary Resolution Amendments as reflected on Appendix "B"

**Public Health**

31. 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 immediately declare a state of emergency for Fresno County
32. Approve and authorize the Chairman to execute a no cost Data Sharing Agreement with the California Department of Justice, Prescription Drug Monitoring Program, effective upon execution (\$0)

**Public Works and Planning**

33. Approve and authorize Chairman to execute Cooperative Agreement with City of Sanger for North Avenue - Bethel to Academy Road Reconstruction Project (\$95,338); and authorize Director of Public Works and Planning to increase County's financial participation in North Avenue - Bethel to Academy Road Reconstruction Project a maximum of 20 percent (\$17,334) above agreed amount of \$86,671 as a contingency to cover costs that may exceed estimated costs stated in Cooperative Agreement

34. Adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7005 for Houghton Canal Bridge Replacement Project located on Chateau Fresno Avenue between State Route 180 and Belmont Avenue, approximately 4.25 miles west of City of Fresno
35. Authorize the Director of the Department of Public Works and Planning to issue an RFP for the American Avenue Disposal Site Phase I Clean Closure Work Plan development and regulatory approval
36. Adopt Budget Resolution decreasing FY 2015-16 appropriations and estimated revenues for CSA 44D - Monte Verdi WWTF Imp Org 55125102 in amount of \$2,506,018; and adopt Budget Resolution increasing FY 2015-16 appropriations in amount of \$2,506,018 and estimated revenues in amount of \$732,081 for Enterprise Fund, County Service Area No 44 ZN D Org 9247 (4/5 vote)
37. Review and accept Annual Report of Transportation Mitigation Fee Activity for FY 2014-15 and make the following Findings (A) the purpose of the Fee is to mitigate impacts caused by new development in the County in order to implement Goals and Policies of the County General Plan; and (B) there is a reasonable relationship between the Fee and purpose for which it is charged as specified in each Resolution or Agreement establishing a particular fund account; and (C) the County shall utilize these Public Facilities Fees in conjunction with other sources and amounts of funding from Federal, State, and local grant programs, local road funds, and private developer funds to complete financing of necessary improvements; and (D) the date on which funds will be deposited into appropriate fund or account is expected to be as noted in the Summary of Accounts outlined in the Agenda Item

### **Social Services**

38. Approve and authorize the Chairman to execute a three-year Agreement with two additional twelve-month renewals with Geil Enterprises, Inc. dba Janitorial INC. for janitorial services at Huron Office and Coalinga Regional Center, effective January 1, 2016 through December 31, 2020 (\$342,650.00)