



Board of Supervisors Agenda - Final-Revised

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

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

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Tuesday, August 9, 2016

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 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 18 - 61

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 Perea

3. Receive presentation from Samuel De La Cerda, author of "Am I Invisible"
4. Adopt resolution in recognition of Philanthropy Inspired by the Needs of Community (PINC) for their dedication to the community stewardship through fundraising and volunteerism

Assessor/Recorder

5. Approve and authorize the Chairman to execute a Sale and Purchase Agreement and Escrow Instructions (Purchase Agreement) for the County's purchase of 1649 Van Ness, Fresno, CA 93721 and 1740 Van Ness Avenue, Fresno, CA 93721 (APN's 466-144-08, 466-132-10 and 466-132-11) including an approximately 17,400 square-foot office building situated on 1649 Van Ness, and a parking lot located on 1740 Van Ness, from Stephen and Eileen Geil Trust and EIE ALPHA, LLC, a California Limited Liability Company (Sellers), for the sum of \$2,375,000, plus estimated closing costs of \$7,000; authorize staff to undertake due diligence investigations, including environmental studies or appraisals of the Property, as deemed necessary or appropriate, in connection with the County's purchase of the Property; authorize and direct the Director of Internal Services/Chief Information Officer, or his designee, to take all necessary or appropriate actions consistent with the Purchase Agreement, and the foregoing Board approvals and actions, including: execute final form of Grant Deed (Exhibit "B" to Purchase Agreement) with an expected Closing Date of 50 days from escrow opening; open, carry out, and close escrow for the County's purchase of the Property from Sellers; deliver the County's \$100,000 deposit; deliver the County's acceptance of Sellers' Grant Deed; and obtain title insurance in favor of the County for the Property in the amount of the purchase price of the Property at escrow closing; review, approve, execute and/or deliver any agreements, documents, certificates, notices, and instruments, and any amendments to any of the foregoing (subject to prior review and approval thereof as to legal form by County Counsel, and if applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector), and to take any other actions to initiate, carry out, and finalize the County's purchase of the Property from Sellers; and perform any other obligations, or exercise any other rights, of County under the Purchase Agreement to finalize the County's purchase of the Property; adopt Budget Resolution increasing the FY 2016-17 appropriations in the Assessor-Recorder Special Revenue Fund 0035, Record Documents System Subclass 17054, Record Documents System Org 1044 in the amount of \$6,732,000 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the County Buildings Org 0131 in the amount of \$2,382,000 (4/5 vote); and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Assessor-Recorder Building Org 8856 in the amount of \$4,350,000 (4/5 vote)

Auditor Controller-Treasurer/Tax Collector

6. Conduct a hearing under Education Code section 15201 on the petition of the West Hills Community College District (District) to cancel unissued General Obligation Bonds of School Facilities Improvement District No. 3 (Lemoore Area), previously approved under the District's Proposition E, in the aggregate principal amount of \$12,655,000; and adopt resolution finding that it is for the best interest of the District to cancel a portion of unissued bonds previously approved under the District's Proposition E, in the aggregate principal amount of \$12,655,000, and ordering the cancellation of those unissued bonds

Agriculture

7. Accept the annual Fresno County Crop and Livestock Report (2015) from the Department of Agriculture

Public Works and Planning

8. Conduct hearing and receive written protests from County Service Area 30, El Porvenir, property owners on proposal to increase water service fee, as required under California Constitution Article XIII-D Section 6, and, upon completion of the public protest hearing, approve (A) if the Board finds that 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 30, El Porvenir, and adopt budget resolution increasing FY 2016-17 appropriations and estimated revenues, in amount of \$18,412 for County Service Area 30, El Porvenir, Org 9170, to account for additional revenue from increased fees and Grant funding from State Water Resources Control Board (4/5 vote); or (B) if the Board finds that there is majority protest, abandon proceedings to increase water service fee, and direct staff to hold public meeting announcing immediate cost savings steps which could include suspension of water quality testing, reporting, issuance of a notice of potential non-potable water, recommendation to boil water before consumption, possible implementation of water rationing, or a possible dissolution of County Service Area 30
9. Consider and adopt Negative Declaration prepared for Initial Study Application No. 7067; and approve Ordinance pertaining to Amendment Application No. 3814 rezoning 9.82 acres from the AE-20(c) Zone District to the R-R Zone District, project site is located on east side of Grantland Avenue between Yale Avenue and McKinley Avenue approximately one mile west of the nearest limits of the City of Fresno

Board of Supervisors' Committee Reports and Comments

10. 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

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

Public Presentations

12. 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

13. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d)(4) (2 cases)
14. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)

15. 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
16. Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - (16 Cases) in the United States District Court Eastern District of California: Carter v. COF Case #13CV774, Deimerly v. COF Case #13CV775, Estrada v. COF Case #13CV778, Garcia v. COF Case #13CV783, Millson v. COF Case #13CV784, Ozburn v. COF Case #13CV790, Epperly v. COF Case #13CV795, Williams v. COF Case #13CV829, Flores v. COF Case #13CV902, Dixon v. COF Case #13CV972, Marean v. COF Case #13CV973, Sims v. COF Case #13CV989, Diaz v. COF Case #13CV1001, Fuentes v. COF Case #13CV1003, Rivera v. COF Case #13CV1004, Bolton v. COF Case #13CV1006
17. Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Menefee Construction v. County of Fresno, etc. et al, Fresno County Superior Court Case No. 12 CE CG 02436
- 17.1 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
- 17.2 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 purchase of properties, price, terms and conditions

Adjourn

NEXT MEETINGS:

August 23, 2016 - 9:00 AM

September 13, 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

18. Approve minutes of meeting for July 12, 2016

Supervisor Borgeas

19. Adjourn in memory of Paula Guzman. Paula is known for her community involvement within the education and political arenas ensuring the highest of standards were put forth when it came to children. Fresno County is fortunate to have had a citizen like Paula who enjoyed serving her community and being the voice for so many. She will be missed by all who knew and loved her

Supervisor Poochigian

20. Adjourn in memory of former Assemblyman George R. House, Jr. George was a strong man of faith who loved God, family and country. He has been described by many as faithful, pure, loyal, strong, and principled. George was one of the very best. Assemblyman House will be missed by his family and friends and everyone who knew him and had the honor of serving with him
21. Adjourn in memory of Americo Domenic Papaleo. Mr. Papaleo was a member of law enforcement having worked with the Fresno Sheriff's Department for 37 years - including nine years as Assistant Sheriff. He was a World War II veteran and an active member of the Dante Club. "Pappy" will be greatly missed by his family and many long-time friends

County Clerk/Registrar of Voters

22. Approve and authorize the Chairman to execute an Agreement with Election Systems and Software, LLC for signature capture and comparison equipment, maintenance and support, August 10, 2016 through June 30, 2019, which includes a three-year base contract and two one-year optional renewals, total not to exceed \$310,216

District Attorney/Public Administrator

23. Approve and authorize the Chairman to execute Agreement with TASER International Inc., for access rights to police body camera video evidence, effective August 9, 2016 through June 30, 2021, with automatic successive one-year extensions \$(0)
24. Retroactively authorize the District Attorney-Public Administrator's submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) for the Violence Against Women Vertical Prosecution program for FY 2016-17 (\$283,862) and authorize the Chairman to execute a retroactive grant application/agreement and Certification of Assurance of Compliance for the Violence Against Women Vertical Prosecution program with the Cal OES, for the period July 1, 2016 through June 30, 2017 (\$283,862)

Sheriff/Coroner

25. Approve and authorize Chairman to execute retroactive Amendment I to Agreement 15-371 with the City of San Joaquin to extend the term of the existing Agreement for law enforcement services by one year from July 1, 2016 to June 30, 2017 and increasing the contract maximum by \$85,706 to a total of \$182,566
26. Approve and authorize the Chairman to execute retroactive Amendment I to Agreement 15-373 with the Central Unified School District to extend the term of the existing Agreement for law enforcement services by one year from July 1, 2016 to June 30, 2017 and increasing the contract maximum by \$139,363 to a total of \$278,726
27. Approve and authorize Chairman to execute a retroactive Memorandum of Understanding (MOU) with the City of Fresno that the City will submit a joint application and act as Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2016 Local Solicitation Award from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), \$64,267; and approve and authorize Chairman to execute Certification Regarding Lobbying: Debarment, Suspension and Other Responsibility Matters and Drug-free Workplace Requirements; Disclosure of Lobbying Activities; and Standard Assurances
28. Approve and authorize the Chairman to execute an Agreement with Advanced Helicopter Services for aircraft maintenance services for the Sheriff-Coroner's Office aircrafts consisting of two McDonnell Douglas (MD) 500 helicopters and one Cessna 206 airplane, effective August 9, 2016 through July 31, 2021 not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$3,500,000

Administrative Office

29. 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 under "unusual or extraordinary circumstances" exception and authorize the Chairman to execute the Agreement with the Veterans Memorial Museum for the continued promotion, improvement, operation and maintenance of the museum effective September 1, 2016 through July 31, 2017 (\$20,000)
30. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2016 Drought Conditions

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 continue to provide resources and support to mitigate risk of falling trees and increased fire hazard; Authorize the Purchasing Manager to execute service agreements and other documents, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, necessary for the identification, removal, and disposal of dying and dead trees in Fresno County; Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Department of Public Works and Planning - Grants Org 5512 in the amount of \$1,650,000 (4/5 vote); Approve and authorize Clerk to the Board to Execute Budget Transfer No. 3 transferring FY 2016-17 appropriations within the General Fund, Interest and Miscellaneous Org 2540 from account 7295, Professional & Specialized Services (\$500,000) to General Fund, Tree Mortality 2016 Org 55125200, account 7295 in the amount of \$500,000
32. Approve and authorize the Chairman to execute Memorandums of Understanding between the Fresno Regional Workforce Development Board and the State of California Employment Development Department, Department of Rehabilitation, AARP Foundation, Fresno Economic Opportunities Commission, Proteus, Inc., Job Corps, State Center Adult Education Consortium, and West Hills Adult Education Consortium
33. Adopt Salary Resolution Amendment establishing new classification of Executive Secretary to the County Administrative Officer and place in combination with the existing Executive Assistant to the County Administrative Officer position (with no increase in the total number of positions), as reflected on Appendix "D", for the County Administrative Office Org 0120 effective August 15, 2016

Behavioral Health

34. Approve and authorize the Chairman to execute a retroactive Application / Agreement with the State Department of Health Care Services, for Substance Abuse and Mental Health Services Administration Community Mental Health Services Block Grant funds for dual diagnosis mental health services in detention facilities, effective July 1, 2016 through June 30, 2017 (\$1,873,865); and, approve and authorize the Director of the Department of Behavioral Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated grant agreement documents, expenditure forms, reports or modifications to the budget line items, not to exceed ten percent of the maximum compensation
35. Approve and authorize the Chairman to execute a Retroactive Performance Agreement No. 16-93111 with the California Department of Health Care Services, effective July 1, 2016 through June 30, 2017 (\$0)

Fresno County Employees' Retirement Association

36. Approve Salary Resolution Amendment for Fresno County Employees' Retirement Association (FCERA) as reflected on Appendix C on file with the Clerk to the Board of Supervisors, adding one (1) Office Assistant position and one (1) Account Clerk position to Fresno County Employees' Retirement Association Org 9200 and increasing the number of budgeted positions to 33 effective August 15, 2016

Human Resources

37. Approve Resolutions Rejecting Claims for Damages; and, approve Resolution Rejecting Applications for Leave to Present a Late Claim

Internal Services

38. Approve and authorize the Chairman to execute an Agreement with Accruent, LLC for a computerized maintenance management system, 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 \$557,900

Library

39. Retroactively authorize the County Librarian's previous submittal of a participant application to Califa for the Rural Gateway program (\$3,500); approve and authorize the Chairman to accept grant funds from the National Science Foundation through Califa to allow the County Librarian to participate in the Rural Gateway program grant effective upon approval through September 30, 2020 (\$3,500); and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Library Grants Organization 7517 in the amount of \$2,000 (4/5 vote)
40. Approve designation and placement of Delilah Fire Lookout on the County's Register of Historic Places; and authorize the Chairman to execute the certificate for a Historic Place
41. Approve designation and placement of Burrell Elementary, Reedley High School, Riverdale Elementary School, and Riverdale High School on the County's Register of Centennial Schools; and authorize the Chairman to execute the certificates for Centennial Schools

Probation

42. Approve and authorize Chairman to execute a retroactive revenue Agreement with Central Unified School District for services provided by two Deputy Probation Officers assigned to various school campuses from July 1, 2016, through June 30, 2017 (\$75,000)
43. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Sanger Unified School District for services provided by one Deputy Probation Officer assigned to various school campuses from July 1, 2016, through June 30, 2017 (\$37,500)

44. Approve and authorize Chairman to execute a retroactive revenue Agreement with the Fresno Unified School District for services provided by eight Deputy Probation Officers assigned to various high school campuses from July 1, 2016, through June 30, 2017 (\$300,000)
45. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the Fresno County Superintendent of Schools for funding of one Deputy Probation Officer position at the Violet Heintz Education Academy - Day Reporting Center from July 1, 2016 through June 30, 2017 (\$124,945)
46. Retroactively authorize the Interim Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES) for the County Victim Services (XC) Program (\$740,155); and approve and authorize the Chairman to execute a retroactive Grant Award Face Sheet, which includes the Certification of Assurance of Compliance for the Agreement for the period of July 1, 2016 through June 30, 2018 (\$740,155)
47. Retroactively authorize the Interim Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES) for continuation of the Fresno County's Crime Victim Assistance Center (\$956,064); and approve and authorize the Chairman to execute a retroactive Grant Award Face Sheet, which includes the Certification of Authority to execute the Agreement and Certification of Assurance of Compliance for the period of July 1, 2016 to June 30, 2017 (\$956,064)

Public Health

48. Approve and authorize the Chairman to execute an Agreement with the California Department of General Services / Office of Administrative Hearings for Emergency Medical Technician disciplinary action appeals, effective upon the date of approval and execution by all parties, for a term of five years (\$48,000)
49. Approve and authorize the Chairman to execute a retroactive revenue Agreement with California Department of Public Health, for Project LAUNCH (Linking and Addressing the Unmet Needs for Children's Health) activities, effective December 1, 2015 through June 30, 2019, total not to exceed \$367,968
50. Approve and authorize the Chairman to execute Amendment II to Agreement No. 11-006 with Health Monitoring Systems, Inc., a two-year extension and an increase of \$20,500, for participation in a real-time public health surveillance system, effective August 18, 2016 through August 17, 2018 (\$77,200)

Public Works and Planning

51. Approve and authorize Chairman to execute an Agreement with Abbe & Associates, LLC to assist Department staff in evaluating current and future solid waste programs consistent with applicable State statutes and County policies for development and preparation of a strategic and comprehensive solid waste management plan, and execution of related tasks as outlined in Request for Proposal 918-5467, for a term of up one year with a maximum total cost not to exceed \$150,000

52. Approve and authorize Chairman to execute Agreement with City of Reedley for Reedley City Street Improvements (Phase VII), Community Development Block Grant Project No. 16571 (\$233,234)
53. Approve and authorize Chairman to execute Agreement with City of Selma for Selma Ringo Park Improvements, Community Development Block Grant Project No. 16651 (\$100,000)
54. Approve and authorize Chairman to execute Amendment I to Agreement 15-457 with City of Selma for Selma Groundwater Recharge Basin, Community Block Grant Project No. 15651 (\$586,494)
55. Approve and authorize Chairman to execute Local Agency Disadvantaged Business Enterprise Annual Submittal Form with California Department of Transportation for Federal Fiscal Year 2016-2017
56. Award Contract No. 16-08-C, Highway Safety Improvement Program, 2015-16 Safety Striping Federal Project No. HSIPL-5942(272), to lowest responsible bidder, Safety Striping Service, Inc., 6868 Avenue 305, Goshen, CA in total amount of \$689,239.20; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$46,961.96, which is approximately 6.81% of total contract construction cost
57. Adopt Resolution authorizing the Director of the Department of Public Works and Planning to execute all documents and to negotiate and pay such damage deposit, not to exceed \$10,000, as may be required to obtain access to lands held in trust by the United States Bureau of Indian Affairs to the extent such access is required for the Bald Mill Creek on Jose Basin Road Bridge Replacement Project
58. Adopt Resolution dissolving San Joaquin Valley Rail Committee
59. Accept easement deeds and authorize Chairman to execute right-of-way contracts and temporary construction permits required for installation of a traffic signal at intersection of Bethel Avenue and Manning Avenue for total monetary consideration of \$3,100
60. Accept easement deed and authorize Chairman to execute right-of-way contract for Fowler Avenue from Elkhorn Avenue to South Avenue paved shoulder project for total monetary consideration of \$23,300
61. Consider and approve the recommended projects list to submit to the California Department of Transportation as candidate projects for Highway Safety Improvement Program Cycle 8 federal grant funding