



# Board of Supervisors

## Agenda - Final

*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*

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)

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Tuesday, October 11, 2016

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 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 19 - 45

*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*

### **County Clerk/Registrar of Voters**

3. Approve and authorize Amendment 1 to Agreement No. A-14-123 with SouthTech Systems, Inc. for the purchase of eCampaign™ software module, and continued software maintenance, updates and technical support, effective upon execution through April 14, 2019 (\$245,312.83)

**Administrative Office**

4. Receive presentation from Paul Yoder and Michael Corbett, State lobbyists, regarding legislative actions
5. Approve the deletion of Board of Supervisors Administrative Policy No. 5 - Contract Salary Limitation

**Human Resources**

6. County Health Plans for Plan Year 2017 and Receive Report from the Department of Human Resources Regarding Contribution Rates

**Public Health**

7. Receive a report from the Department of Public Health on changes to the Fresno County Emergency Medical Services Exclusive Operating Area in preparation for a release of a Request for Proposals to select the designated provider agency for emergency and advanced life support (paramedic) ambulance services; and, adopt Resolution recommending that the Central California Emergency Medical Services Agency designate a single provider agency for all emergency ambulance services in the Exclusive Operating Area

**Public Works and Planning**

8. Adopt Resolution authorizing Cancellation of Agricultural Land Conservation Contract No. 5204 filed by Eriksson LLC, based on the ability to make the five Consistency Findings listed under Government Code Section 51282 (b); and authorize Chairman to sign Certificate of Tentative Cancellation and approve recordation of Certificate of Cancellation at such time as all conditions included in Certificate of Tentative Cancellation have been satisfied
9. Consider and direct staff regarding enforcement of non-life/safety code violations

10. Make determination whether to waive some or all of established fees of \$10,000 for CFD 2005-01 (Ventana Hills), CFD 2005-02 (Bretz Mountain), and CFD 2005-03 (Wildflower Village), charged to residents and property owners of districts, to compensate County for all costs incurred in conducting proceedings to change districts pursuant to petitions filed by registered voters residing in districts or direct staff to prepare all necessary documents to proceed with Board-directed dissolution process for each district, depending on determination, approve one of the following Action Items: (A) maintain established fee of \$10,000 for each of Mello-Roos change proceedings; (B) waive portion of fee for Mello-Roos change proceedings, establish amount of fee to be waived and make determination that County will fund all associated costs of Mello-Roos change proceedings not covered by fee and authorize Clerk to the Board to execute Budget Transfer No. 7 transferring FY 2016-17 appropriations within General Fund, from Interest and Miscellaneous Expenditures Org 2540 Account 7295 (Professional & Specialized Services) to General Fund, Public Works and Planning Org 4360, Account 7295 in amount approved by Board to cover County's associated costs for Mello-Roos change proceeding not covered by fee; (C) waive entire established fee of \$10,000 for each of Mello-Roos change proceedings and make determination that County will fund all associated costs of Mello-Roos change proceedings, and approve and authorize Clerk to Board to execute Budget Transfer No. 6 transferring FY 2016-17 appropriations within General Fund, from Interest and Miscellaneous Expenditures Org 2540 Account 7295 to General Fund, Public Works and Planning Org 4360, Account 7295 in amount of \$30,000 or; (D) direct staff to prepare all necessary documents to proceed with Board-directed dissolution process for each district, and approve and authorize Clerk to the Board to execute Budget Transfer No. 5 transferring FY 2016-17 appropriations within General Fund, from Interest and Miscellaneous Expenditures Org 2540 Account 7295 to General Fund, Public Works and Planning Org 4360, Account 7295 in amount of \$15,200
11. 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 nearest limits of City of Fresno

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

12. 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**

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

### **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

**Closed Session**

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

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

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

- 18.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Dianna Hallman v County In-Home Support Services - Court: Labor Commissioner - State Case Number 04-57824

**Adjourn****NEXT MEETINGS:**

*October 18, 2016 - 9:00 AM*

*November 1, 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**

19. Approve minutes of meeting for September 27, 2016

**Chairman Mendes**

20. Adjourn in memory of Jim Simonian. Mr. Simonian a life long resident of Fowler, California was co-founder of Simonian Fruit Company. He also served 22 years on the Fowler City Council ten of those years as Mayor

**Supervisor Poochigian**

21. Adopt resolution to proclaim Monday, October 17, 2016 as "Harry Armstrong Day" in Fresno County

**County Clerk/Registrar of Voters**

22. Accept County Clerk Certificate of Facts regarding declarations of candidacy for positions eligible to be elected at November 8, 2016 General Election; and, Appoint, in lieu of holding an election, special district candidates who filed declarations of candidacy unopposed
23. Approve the waiver of nepotism rule in accordance with Management Directive 230 - Nepotism and Section 43 of the Fresno County Charter for the son of the Director of Human Resources selected as Extra Help Information Technology Intern in County Clerk/Elections and authorize the Chairman to sign the Job Change Information form (Unanimous)

**Sheriff/Coroner**

24. Retroactively authorize the Sheriff-Coroner's previous submittal of an equipment grant application to the State of California Department of Parks and Recreation Division of Boating and Waterways in the amount of \$100,000; approve and authorize the Chairman to execute an Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways to provide a supplemental grant to purchase one patrol boat and trailer effective upon execution by both parties through September 30, 2017 (\$100,000); adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues for Sheriff-Coroner Org 3111 in the amount of \$100,000 (4/5 vote); approve and authorize the Chairman to execute the Recycled Content Certification certifying that the product contains zero recycled content; Contractor Certification Clause assuring the County will abide by the laws, policies and procedures governing this funding; and Darfur Contracting Act Certification certifying the County currently does not have, or has not had within the previous three years, business activities or other operations outside of the United States; and approve and authorize the Sheriff, or her authorized representative, to sign off on the request for reimbursement documents

25. Approve and authorize the submission of an Application for Financial Aid in the amount of \$1,527,556.15 to the State of California Department of Parks and Recreation Division of Boating and Waterways for the FY 2017-18 Boating and Enforcement Aid Program in Fresno County

**County Counsel**

26. Approve and authorize Chairman to sign Agreement for Legal Services authorizing County Counsel to provide legal services to Big Creek Community Services District

**Administrative Office**

27. Approve and authorize the Chairman to execute Third Amendment to Indigent Conflict Defense Agreement 12-272-2 with Richard A. Ciummo & Associates effective upon execution through June 30, 2017 and increasing the contract maximum by \$100,000 to a total of \$17,694,200
28. Adopt the Board meeting schedule for January through December 2017
29. Receive the Annual Report of the Fresno County Public Law Library for Fiscal Year Ending June 30, 2016
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

**Internal Services**

32. Authorize and approve the County's purchase of raw land at the Northwest corner of Kings Canyon and Temperance, Fresno, CA (APN's 313-28-020T, 313-28-018T, 313-28-063T, 313-28-062T and 313-28-041T) (the Property) from the State of California - California Department of Transportation(Seller), for the sum of \$150,000, and authorize the County Administrative Officer, or his designee, to:, approve and execute the form of Offer to Purchase and Grant Deed as shown on Attachment 1, subject to prior, final review and approval thereof as to legal form by County Counsel, and as applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector.; Authorize staff to undertake additional due diligence investigations, as needed, including any further environmental studies or appraisals of the Property, as deemed necessary or appropriate by staff, 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 any action as he deems necessary or appropriate, all of which shall be consistent with the Offer to Purchase, and the foregoing Board approvals and actions, to:, Carry out and consummate the County's purchase of the Property from Seller; deliver the County's acceptance of Seller's Grant Deed; and, obtain title insurance in favor of the County for the Property in the amount of the purchase price of the Property; 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 the Seller; and Perform any other obligations, or exercise any other rights, of County under the Offer to Purchase to finalize the County's purchase of the Property.; Adopt Budget Resolution re-budgeting appropriations from FY 2015-16 budget to the FY 2016-17 budget for the County Buildings Org 0131 in the amount of \$155,000 (4/5 vote).; Adopt Resolution of Public Use and Acceptance declaring the Property will be used for a public purpose upon acceptance from the California Department of Transportation

**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 the solicitation of a health information exchange system for the Departments of Public Health and Behavioral Health; and, approve and authorize Chairman to execute a Sole Source Agreement with Inland Empire Health Information Exchange, for provision of patient data transmission and related services, effective upon execution for a period of five years (\$107,500)
34. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the State Emergency Medical Services Authority, for multi-county emergency medical services coordination, effective July 1, 2016 through June 30, 2017 (\$404,566); and, adopt Resolution identifying the Fresno County Board of Supervisors as the approving authority for the revenue Agreement with the State Emergency Medical Services Authority
35. Approve and authorize the Chairman to execute retroactive revenue Allocation Agreement with the California Department of Public Health for Tobacco Control Program funds, effective July 1, 2016 through June 30, 2017 (\$184,674)

36. Approve and Authorize the Chairman to execute a Master Agreement with public school districts located within Fresno County for the provision of school district facilities for use as Open Point of Dispensing Sites for dispensation of medication and/or vaccines in the event of a large scale public health emergency, effective upon execution through December 31, 2017, plus two optional one-year extensions (\$0); and, authorize the Director of the Department of Public Health, or designee, to add and/or delete public school districts located within Fresno County to the Master Agreement, as necessary
37. Retroactively approve and authorize the Director of the Department of Public Health/Assistant Emergency Services Director previous submittal of applications to the California Department of Forestry and Fire Protection for FY 2016-17 State Responsibility Area Fire Prevention Fund and Tree Mortality Grant Program for the removal of dead and dying hazardous trees
38. Approve and authorize the Chairman to execute a retroactive revenue Agreement with The Regents of the University of California to implement the Financial Empowerment Program with Fresno County Black Infant Health program participants, effective July 15, 2016 through November 30, 2016, total not to exceed \$14,027

### **Public Works and Planning**

39. Adopt Resolution of Intention to Change the Boundaries of County Service Area No. 35, Zone "AJ," to include Tentative Parcel Map 8114 and APNs 580-010-11S, 580-110-12S, 580-010-14S, 580-010-15, 580-010-18S, 580-010-22, 580-010-24, and 580-010-25S, and set time and place for public hearing to consider proposed boundary change; and adopt Resolution of Intention to Levy Benefit Assessment for Road Maintenance Costs on Real Property in County Service Area No. 35, Zone "AJ," to direct preparation and filing with Clerk to the Board a written Engineer's Report under the Benefit Assessment Act of 1982 and Proposition 218, set and authorize giving notice of time and place for public meeting and public hearing on proposed assessment, authorize and direct preparation of assessment ballots and related materials, and designating Director of Public Works and Planning and/or his designees to tabulate assessment ballots
40. Approve and authorize the Chairman to execute a Cooperative Agreement with the City of Fresno for the Bullard Avenue Overlay between Blackstone Avenue and Marks Avenue (\$1,422,700)
41. Adopt a resolution authorizing stop signs at the intersection of Bethel and Conejo Avenues, stopping eastbound and westbound traffic on Conejo Avenue, making it an all-way stop
42. Adopt Resolution authorizing Pacific Gas & Electric Company to transfer County of Fresno Rule 20A credits previously allocated to the Parlier Avenue Project in the amount of \$920,000 to a project for undergrounding of existing overhead utilities along portion of Mendocino Avenue (Mendocino Avenue Project); and adopt Resolution transferring additional County of Fresno Rule 20A credits in the amount of \$49,530 to City of Parlier for the Mendocino Avenue Project
43. Approve and adopt the Third Amendment to the Citizens Advisory Committee Bylaws for County Service Area 34, Zone 'A', Brighton Crest



44. Approve and authorize Chairman to execute Program Supplement Agreement No. 253-N1 to Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for Englehart Avenue over Reedley Main Canal Bridge Replacement, Federal Project No. BRLO-5942(239), (\$200,000); Program Supplement Agreement No. 256-N1 to Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for Del Rey Avenue over Fresno Canal Bridge Replacement, Federal Aid Project No. BRLO 5942(249), (\$365,000); Program Supplement Agreement No. 214-N2 to Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for Manning Avenue over Travers Creek Bridge Replacement, Federal Aid Project No. BRLS 5942(198), (\$860,511); and Program Supplement Agreement No. 258-N1 to Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for shoulder improvements on Adams Avenue from Cherry Avenue to Clovis Avenue, Federal Aid Project No. CML 5942(253), (\$411,038)
45. Approve City of Fresno's request to acquire a road easement without eminent domain action from a parcel adjacent to existing County road right-of-way in unincorporated areas of the County as needed in conjunction with the City's approval and requirements for development of Tentative Tract No. 5341