



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, December 13, 2016

9:00 AM

Hall of Records

Supervisor Perea will be present via conference call from 1500 Capitol Avenue, Sacramento, California, 95814, Room 72.154

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 16 - 52

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

Chairman Mendes

3. Presentation to the Fresno County Community Development Division in recognition of winning an Award of Excellence from the National Association for County Community and Economic Development (NACCED) for the Kingsburg Marion Villas Senior Apartments Project

Auditor Controller-Treasurer/Tax Collector

- 3.1 Adopt a Resolution authorizing (a) the advance of cash up to the amount of an additional \$3,000,000 from the County of Fresno General Fund to the San Joaquin Valley Insurance Authority (SJVIA) until June 30, 2017, as needed, and the request to be repaid by the SJVIA not later than December 30, 2021, to assist the SJVIA in managing its cash flow; Adopt a Resolution authorizing the decrease in the FY 2016-17 General Fund unassigned fund balance in the amount of \$3,000,000, and a corresponding increase in FY 2016-17 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 Chairman to execute amended Agreement between County of Fresno and SJVIA for Cash Advances and Repayment of Cash Advances, increasing total authorized loan amount to \$5,000,000, an increase of \$3,000,000, and extending the term of repayment, by an additional four years from 12/30/2017 to 12/30/2021

Public Works and Planning

4. Conduct first hearing of proposed ordinance to amend Sections 11.24.010 through 11.24.100 of Chapter 11.24 of Fresno County Ordinance Code to reflect changes for speed limits as listed on Ordinance Summary Attachment and waive reading of Ordinance in its entirety and set second hearing for January 31, 2017
5. Consider and adopt the Negative Declaration prepared for Initial Study Application No. 7147; and approve Ordinance pertaining to Amendment Application No. 3809 rezoning four contiguous parcels totaling 77.96 acres from the R-1-B(c) (Single-Family Residential, 12,500 square-foot minimum parcel size, Conditional) Zone District and the R-1-C(c) (Single-Family Residential, 9,000 square-foot minimum parcel size, Conditional) Zone District to the 'O' (Open Conservation Land Use) Zone District to allow the properties to be farmed with recycled water from an existing wastewater treatment facility. The use of recycled water was authorized by Conditional Use Permit No. 3503
6. Consider waiver of \$415.25 Tentative Parcel Map Application Revision filing fee required to modify conditions of approval imposed on Tentative Parcel Map Application No. 8114 for property located on south side of Reno Avenue between Willow Bluff Avenue and Auberry Road, approximately three quarters of a mile northeast of City of Fresno

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 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

10. 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
11. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d)(4) (2 cases)
12. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)
13. Conference with legal counsel - Significant Exposure to Litigation, Government Code, section 54956.9(d)(2) - David and Gretchen Jessen; Risk Management Claim No.: 9551
14. 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. Conference with legal counsel - Significant Exposure to Litigation, Government Code Section 54956.9(d)(2) - Glenda Carey; Risk Management Claim No.: 9559

Adjourn**NEXT MEETINGS:**

January 9, 2017 - 10:00 AM - Oath of Office

January 10, 2017 - 9:00 AM

January 31, 2017 - 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

16. Approve minutes of meeting for December 6, 2016

Chairman Mendes

- 16.1 Adjournment in Memory of Clarience DeFreitas. Mr. DeFreitas a farmer in the Caruthers area will be remembered for his contributions to the community as well as his love of friends and family

Auditor Controller-Treasurer/Tax Collector

17. Receive, review, and file the attached County's Public Facilities Impact Fees Annual Report for the fiscal year ending June 30, 2016
18. Delegate investment authority to the Auditor-Controller/Treasurer-Tax Collector for the 2017 calendar year; and, Adopt revisions in the "County of Fresno Treasury Investment Pool Investment Policy"

County Clerk/Registrar of Voters

19. Accept the Certified Statement of Vote for the November 8, 2016 Consolidated Presidential General Election

Sheriff/Coroner

20. Approve and authorize Chairman to execute Amendment I to Agreement No. 13-706 with Western State Design to extend the term of the existing Agreement for laundry equipment maintenance and services by two years from December 31, 2016 to December 31, 2018 and increasing the contract maximum by \$80,000 to \$200,000
21. Accept that the United States Marshals Service Intergovernmental Agreement 97-02-0015 effective June 15, 2010 has no expiration date; and accept report of federal detainee uses of Jail improvements and Juvenile Justice Campus (JJC) financed by County-sponsored tax exempt bonds

Administrative Office

22. 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
23. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2016 Drought Conditions

24. Accept the 2016 Annual Williams Lawsuit Agreement Report from the Fresno County Office of Education
25. Approve the Conflict of Interest Codes adopted by the following agencies: Assessment Appeals Board, Fresno County Employees' Retirement Association, Fresno Local Agency Formation Commission, Morris E. Dailey Charter Elementary School, Malaga County Water District, Fresno County Fire Protection District, North Central Fire Protection District, Clovis Unified School District, Fowler Unified School District, Golden Plains Unified School District and Kerman Unified School District; Direct Westside Elementary School District to submit a Revised 2016 Local Agency Biennial Notice to the Clerk's office by January 17, 2017

Behavioral Health

26. Approve and authorize the Chairman to execute an Agreement with Centro La Familia Advocacy Services for consumer/family advocacy services and coordination of supportive collaborations, effective January 1, 2017, not to exceed four and one-half consecutive years, which includes a two and one-half-year base contract and two optional one-year extensions, total not to exceed \$511,056
27. 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 development and implementation of the Multi-Agency Access Program Dashboard and Client Resource Management Application; Approve and authorize the Chairman to execute a retroactive Agreement with Bitwise Industries, Inc. dba Shift3 Technologies, effective December 1, 2016 through June 30, 2017, with an option for four additional one-year extensions (\$515,500); Adopt Budget Resolution increasing the FY 2016-17 appropriations for Capital Facilities Org 1055 in the amount of \$359,500 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Department of Behavioral Health Org 5630 in the amount of \$359,500 (4/5 vote)

Human Resources

28. Approve Resolutions Rejecting Claims for Damages; and, approve Resolutions Rejecting Applications for Leave to Present a Late Claim
29. Adopt resolution which approves extending provisions of the California Military & Veterans Code, section 395.03 to eligible permanent County employees, effective December 19, 2016 through December 17, 2017

Internal Services

30. Approve Salary Resolution Amendment for the Internal Services Department-Security Org 8970 as reflected on Appendix "C", on file with the Clerk, effective December 19, 2016; Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Internal Services Department, Security Services Org 8970 in the amount of \$197,440 (4/5 vote)

Library

31. Adopt Resolution accepting and expressing gratitude for the monetary donation of \$31,700 from Friends of the Library to purchase furniture for the Woodward Park and Caruthers libraries during FY 2016-17; adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the County Library Book Fund Org 7521 in the amount of \$31,700 (4/5 vote)

Probation

32. 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 operating a Boys & Girls Club and providing a Targeted Re-Entry program for the Probation Department; and approve and authorize the Chairman to execute an Agreement with the Boys & Girls Club of Fresno County to continue to operate a Boys & Girls Club and provide a Targeted Re-Entry Program at the Juvenile Justice Campus from December 16, 2016, through and including December 15, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$150,000

Public Health

33. Retroactively approve and authorize the Department of Public Health's submittal of a grant application to the California Department of Public Health for the Zika Preparedness and Response, effective July 1, 2016 through June 30, 2018 (\$40,000); and, approve and authorize the Chairman to execute a retroactive revenue Agreement, related Letter of Acceptance and Non-Supplantation Certification Form for the California Department of Public Health Zika Preparedness and Response Grant, effective July 1, 2016 through June 30, 2018 (\$40,000)
34. Approve and authorize the Chairman to execute a retroactive Application for Assistance Revenue Agreement for submission to the California Governor's Office of Emergency Services for the Fiscal Year 2016 Homeland Security Grant Program, July 1, 2016 through May 31, 2019 (\$1,066,838); the Vice-Chairman to execute the Governing Body Resolution and Chairman to execute Grant Assurances; and, the Auditor-Controller/Treasurer-Tax Collector to continue issuing payments based on written order of the Homeland Security Grant Program Approval Authority in accordance with California Governor's Office of Emergency Services Guidelines for this grant
35. Approve and authorize the Chairman to execute Amendment III to revenue Agreement No. 14-602, a decrease of \$72,669, with the California Department of Public Health for Federal and State Public Health Emergency Preparedness and Hospital Preparedness Program Carry Forward funds, effective upon execution with no change to the term of July 1, 2014 through June 30, 2017 (\$4,585,540); adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues for Special Revenue Fund 0080, Subclass 17359, Public Health Local Public Health Preparedness Org 1159 in the amount of \$262,369 to fund additional public health emergency and hospital preparedness program equipment and activities (4/5 vote); and, adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues in Department of Public Health Org 5620 in the amount of \$262,369 to fund additional public health emergency and hospital preparedness program equipment and activities (4/5 vote)

36. Approve and authorize the Chairman to execute an Agreement with California Health Collaborative for healthy retail and worksite nutrition education services, effective January 1, 2017, not to exceed five consecutive years, which includes a three-year base and two optional one-year extensions, total not to exceed \$599,250; and, an Agreement with Fresno County Superintendent of Schools for nutrition education in classrooms and afterschool programs, effective January 1, 2017, not to exceed five consecutive years, which includes a three-year base and two optional one-year extensions, total not to exceed \$714,000
37. Approve and authorize the Chairman to execute Amendment III to Agreement No. 14-613 with the California Department of Public Health, to modify and add functions to complete the Emergency Medical Services Division support of Hospital Preparedness Program services, effective upon execution with no change to the compensation amount or term of July 1 2014 through June 30, 2017 (\$168,381)

Public Works and Planning

38. Approve and authorize Chairman to execute an Agreement with Moore Twining Associates, Inc. to provide analytical water and wastewater testing services for Special Districts, Juvenile Justice Campus, and American Avenue Landfill for a three-year term effective January 1, 2017 through December 31, 2019, at a cost of \$450,000 with the option to extend the Agreement an additional two, one-year periods for a maximum total cost not to exceed \$750,000
39. Adopt resolution authorizing stop signs at intersection of Academy and Rose Avenues, stopping eastbound and westbound traffic on Rose Avenue, making it an all-way stop
40. Adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues for Org 7910, Parks and Grounds in amount of \$150,531 for facility improvements to Courthouse Park (4/5 vote)
41. Approve and authorize the Chairman to execute License Agreements with El Taconazo Catering for Mobile Food Service Units at Courthouse Park in the amount of \$12,000 per year and at University Medical Center in the amount of \$5,000 per year

42. Approve and authorize Chairman to execute Reclamation Agreement with RE Tranquillity LLC, the project applicant (the Applicant), to implement a condition of approval of Unclassified Conditional Use Permit No. 3451 (UCUP No. 3451) for first phase of a multi-phase solar photovoltaic electricity generating facility (Solar Facility) near community of Tranquillity; approve proposed form of an Irrevocable Standby Letter of Credit initially in amount of \$1,098,520 (Letter of Credit) to be issued by Coöperatieve Rabobank U.A., New York Branch (Rabobank-New York), as security to the County for Reclamation Agreement; authorize Director of Department of Public Works and Planning (Director) to accept Letter of Credit to be issued by Rabobank-New York, and to accept any replacement Letter of Credit in the then-current amount of Letter of Credit being replaced, to be issued by an eligible financial institution, as security to the County for Reclamation Agreement, to implement a condition of approval of UCUP No. 3451, all of which shall be subject to approval as to legal form by County Counsel; accept Grant of Limited Access Easement from RE Tranquillity Landco LLC, the owner of the property upon which Solar Facility is to be situated; and approve and authorize Chairman to execute Indemnification Agreement with RE Tranquillity, LLC, to implement a condition of approval as required by Unclassified Conditional Use Permit Application No. 3451
43. Adopt Resolution approving the rescission of Agricultural Land Conservation Contract No. 6495 and simultaneous entry into a new Agricultural Land Conservation Contract No. 8318 pursuant to Government Code Section 51257 of the Land Conservation Act of 1965 (Williamson Act); and authorize recording of new Agricultural Land Conservation Contract following signature by the Chairman
44. Conduct second reading of and adopt ordinances dissolving Community Facilities District No. 2005-01 (Police Protection) of the County of Fresno (CFD 2005-01), Community Facilities District No. 2005-02 (Police Protection) of the County of Fresno (CFD 2005-02) and Community Facilities District No. 2005-03 (Police Protection) of the County of Fresno (CFD 2005-03), and ordering the recordation of an "Addendum to the Notice of Special Tax Lien and Notice of Cessation of Special Tax" for each, and waive reading of the ordinances in their entirety; adopt a resolution to rescind Resolution No. 16-316, which adopted and levied the special tax for developed properties within CFD 2005-01 for Fiscal Year 2006-17; and adopt a resolution to refund excess revenues from the dissolved community facilities districts under Government Code section 7911
45. Adopt specifications for Contract No. 16-14-C, Slurry Seals, Various Locations in Fresno County, and authorize Director of Department of Public Works and Planning to advertise for bids and set bid opening date
46. Adopt specifications for Contract No. 16-17-C, Federal Asphalt Concrete Overlays, Various Locations in Fresno County, and authorize Director of Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date
47. Approve Ernest Lawrence subcommittee's recommendation to fund \$140,000 for purchase and installation of playground structures at Lost Lake Park and Skaggs Bridge Park from Ernest Lawrence Estate; adopt Budget Resolution increasing FY 2016-17 appropriations in Public Works and Planning Org 1191, County Park Donations in amount of \$140,000 (4/5 vote); and adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues for Org 7910, Parks and Grounds in amount of \$140,000 for purchase and installation of playground structures at Lost Lake Park and Skaggs Bridge Park. (4/5 vote)

48. Adopt required findings and a Resolution approving the summary vacation of public right-of-way of Marcus Street in the Community of Friant if Board finds that the vacation is determined to meet criteria for summary vacation, pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code; the right-of-way is not useful as non-motorized transportation facility, pursuant to Section 892 of the Streets and Highways Code; and vacation is consistent with County General Plan
49. Accept easement deed and authorize Chairman to execute right-of-way contract required for Fresno Canal Bridge Replacement Project on McKinley Avenue for total monetary consideration of \$17,500
50. Accept the easement deed and authorize the Chairman to execute the right-of-way contract required for the Fresno Canal Bridge Replacement Project on McKinley Avenue for a total monetary consideration of \$7,900
51. Review and accept the Annual Report of Transportation Mitigation Fee Activity for FY 2015-16, and make the following Findings: (A) purpose of the Fee is to mitigate impacts caused by new development in the County in order to implement Goals and Policies of County General Plan; and (B) there is a reasonable relationship between Fee and purpose for which it is charged as specified in each Resolution or Agreement establishing a particular fund account; and (C) 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) date on which funds will be deposited into appropriate fund or account is expected to be as noted in summary of accounts outlined in Agenda Item
52. Conduct second hearing and take action to approve proposed amendments to Fresno County Ordinance Code, Title 15, including Statement of Local Findings, regulating building and construction within Fresno County; approve proposed Local Agency Management Program as referenced in the proposed amendments to Title 15 and, upon final Board action, direct staff to forward Local Agency Management Program to State Water Resources Control Board for review and approval; and waive reading of the Ordinance in its entirety