



# Board of Supervisors

## Agenda - Final-Revised

*Brian Pacheco, 1st District, Chairman*  
*Sal Quintero, 3rd District, Vice-Chairman*  
*Andreas Borgeas, 2nd District*  
*Buddy Mendes, 4th District*  
*Nathan Magsig, 5th District*

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

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Tuesday, February 28, 2017

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 17 - 42

### **Sheriff/Coroner**

3. Approve Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Sheriff-Coroner Org 3111 in the amount of \$55,101 (4/5 vote); approve Budget Resolution increasing the FY 2016-17 appropriations in the Sheriff-Coroner, Inmate Welfare Fund Org 1500 in the amount of \$55,101 (4/5 vote); and approve Salary Resolution Amendment for Sheriff-Coroner Org 3111 as reflected in Appendix "D", effective March 13, 2017

### **Administrative Office**

4. Receive the Fresno County Behavioral Health Board Annual Report for 2016

5. Authorize Chairman to execute a letter opposing the cessation of the Coordinated Care Initiative (CCI), the dismantling of the County In Home Supportive Services (IHSS) Maintenance of Effort (MOE) cost sharing arrangement, the dissolution of the Statewide IHSS Authority, and shifting IHSS collective bargaining to counties

### **Library**

6. Provide direction to the Interim County Librarian on the Highway City Library Development project in Fresno County

### **Public Works and Planning**

7. Conduct a public protest hearing on proposed increased and extended assessment (maximum \$5,403,750) to secure repayment of a loan from Clean Water State Revolving Fund to finance upgrades to Wastewater Treatment Facility serving Zone D of County Service Area No. 44, and if no majority protest, adopt resolution authorizing execution of necessary amendments to current funding agreement with State Water Resources Control Board, adopt resolutions necessary to increase amount of financing, and authorize Director of Public Works and Planning to advertise Contract No. 17-09-C, County Service Area 44D Wastewater Treatment Facility Improvements, for bids for construction and set bid opening date

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

8. 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**

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

### **Public Presentations**

10. 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*

11. 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. 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 – Initiation of Litigation – Government Code section 54956.9(d)(4) (2 cases)
14. 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 or lease of properties, price, terms and conditions
15. Conference with legal counsel - Significant Exposure to Litigation, Government Code, section 54956.9(d)(2) - Workers' Compensation Claim No.: 1020101399
16. Public Employee Performance Evaluation – County Administrative Officer and County Counsel (Government Code section 54957(b))

### **Adjourn**

### **NEXT MEETINGS:**

*March 7, 2017 - 9:00 AM*

*March 28, 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**

17. Approve minutes of meeting for February 7, 2017

**Chairman Pacheco**

18. Adopt resolution in recognition of Paul Kalinian's contributions to Fresno County through the art of film and photography
19. Adopt resolution recognizing Pardini's Catering and Banquets for being the recipient of the Best of the Valley for 2016 Lifetime Achievement Award
20. Adjourn in memory of Joe Williams

**Assessor/Recorder**

21. Approve the Salary Resolution Amendment, as reflected on Appendix "C", that reclassifies seven (7) Office Assistant positions (I/II/III) and four (4) Program Technician positions (I/II) to Assessment Technician (I/II/III) and one (1) Supervising Office Assistant position to Supervising Assessment Technician effective March 13, 2017

**County Clerk/Registrar of Voters**

22. Authorize Chairman to execute a letter of support for one of the provisions in Senate Bill 205, the Local Government Omnibus Act of 2017; specifically, to support the proposed amendment to Government Code §1360 that would clarify the requirement of public officers to take an oath of office following election or appointment

**Sheriff/Coroner**

23. 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 equipment and services from Hitachi Data Systems; approve and authorize the Chairman to execute retroactive Agreement through Amendment I and Exhibits to Agreement with Hitachi Data Systems for the continued installation of the Video Infrastructure Protection Program, effective March 24, 2016 through March 31, 2021 which includes a three-year base contract and two optional one-year extensions, total not to exceed \$500,000; and adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenue for Sheriff-Coroner's Org 3111 in the amount of \$450,000 (4/5 vote)

24. Approve and authorize Sheriff, on behalf of the County, to execute a Memorandum of Understanding (MOU) with the Superior Court of California (Court) for court security services effective July 1, 2017 through June 30, 2022, which includes a three-year base and two optional one-year extensions; and authorize the Sheriff to execute amendments modifying the Staffing Plan and/or the Court Security Plan

### **County Counsel**

25. Approve and authorize chairman to execute agreements with Hawkins Delafield & Wood, LLP (Hawkins) to act as bond counsel for special projects that may arise during FY 2017-18, effective July 1, 2017 (maximum compensation for services to be limited by amount appropriated by the Board in the FY 2017-18 budget) and to act as bond counsel and disclosure counsel if the County issues FY 2017-18 tax and revenue anticipation notes (TRANS) (maximum amounts payable for legal fees of \$35,000 and out-of-pocket expenses of \$4,000), effective upon execution by the parties

### **Administrative Office**

26. Approve amendments to Conflict of Interest Codes for Central Unified School District, Mid Valley Water District, Fresno's Chaffee Zoo Corporation, Parlier Unified School District, and Widren Water District
- 26.1 Adopt Resolution proclaiming and ratifying a Local Emergency, as a result of the 2017 Winter Storms

### **Administrative Office and Auditor Controller-Treasurer/Tax Collector**

- 26.2 Adopt Budget Resolution for Interest and Miscellaneous Expenditures, Organization 2540 increasing the FY 2016-17 appropriations in the amount of \$6,271,287 and reducing Assigned Fund Balance in the General Fund for Third Party Payer by \$6,271,287; and authorize the payment of \$6,271,287 to the United States Federal Government

### ***REVISED***

### **Human Resources**

27. Approve Amendment to the Salary Resolution to establish a pay provision for uniform allowance for the Assistant Sheriff and Undersheriff classifications, effective February 27, 2017, as reflected on Appendix B

### **Internal Services**

28. Approve and authorize the Chairman to execute a Master Agreement for Data Processing Professional Services, effective March 1, 2017, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$8,000,000; and authorize the Director of Internal Services/Chief Information Officer or his designee to add additional contractors to this Agreement as they are identified and to agree to the terms and conditions of the Master Agreement without returning to the Board of Supervisors with amendment(s), subject to the review and approval of County Counsel

### **Library**

29. Adopt Resolution accepting and expressing gratitude for the non-monetary donation of a mental health book collection valued at \$2,227 to the Fresno County Public Library from the Southern California Library Cooperative
30. Adopt Resolution accepting and expressing gratitude for the non-monetary donation of assorted children's books valued at \$2,250 to the Library from the National Book Foundation

### **Public Health**

31. Approve and authorize the Chairman to execute an Agreement with Sarah Samuels Center for Public Health Research and Evaluation, for evaluation of nutrition education and obesity prevention program services, effective March 1, 2017, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions; total not to exceed \$340,000

### **Public Works and Planning**

32. Adopt plans and specifications for Contract No. 16-11-C Panoche Road from San Benito Avenue to SR 33 Shoulder Improvements, and authorize the Director of the Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date contingent upon the Department receiving authorization from the California Department of Transportation
33. Adopt plans and specifications for Contract No. 16-05-C Kamm Avenue from Jameson to SR 145 Shoulder Improvements, and authorize Director of Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date contingent upon Department receiving authorization from California Department of Transportation
34. Adopt Resolution approving the simultaneous rescission of Agricultural Land Conservation Contract Nos. 2912 and 8147 and entry into new Agricultural Land Conservation Contract Nos. 8319 and 8320 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
35. Award Contract No. 16-16-SW, American Avenue Disposal Site Phase II and Phase III Landfill Gas Collection and Control System Expansion, to lowest bidder, Wood Bros Inc., 14147 18th Avenue, Lemoore in total amount of \$1,246,387; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$74,819.35, which is approximately 6.00% of total contract construction cost

36. Approve and authorize Chairman to execute agreement for portable chemical toilet rental and service with AAA Quality Services, Inc. for three year term with option to extend agreement for up to two additional one-year periods for maximum of five years (\$235,000)
37. Conduct second hearing of and approve recommended Ordinance to amend Fresno County Ordinance Code, Title 8 Health and Safety by adding Chapter 8.23 and 8.24 related to the establishment and implementation of a Reporting System for Recycling Haulers and a Non-Exclusive Waste Hauler Agreement program for haulers who collect solid waste amounting to ten (10) cubic yards or more and waive reading of Ordinance in its entirety; and conduct second hearing and approve recommended Ordinance to amend Fresno County Master Schedule of Fees, Charges and Recovered Costs, adding Subsection 2807 (a) related to a Recycling Haulers Registration Administration Fee and waive reading of Ordinance in its entirety
38. Adopt a Budget Resolution increasing the FY 2016-17 appropriations in the amount of \$2,500 from General Reserves for County Service Area 33, Org 9173 (4/5 vote)
39. Approve and authorize Chairman to execute Land Use Permit Processing Agreement with Smith Mountain, LLP, related to processing of a Director Review and Approval Application for a sports complex to be operated by Immanuel Schools on real property located at 11490 Rio Vista Avenue, Reedley, California; and determine that approval and authorization of Chairman to execute Land Use Permit Processing Agreement is exempt from requirements of California Environmental Quality Act, Public Resources Code Section 21000, et seq., and direct staff to file Notice of Exemption with the Office of the Fresno County Clerk
40. Award Contract No. 16-14-C, Slurry Seals, Various Locations in Fresno County, to bidder with lowest responsive bid, Sierra Nevada Construction, Inc., 2055 E. Greg Street, Sparks, NV, in total amount of \$464,489.50 including base bid and additive bids 5A, 6A and 7A; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$35,724.48, which is approximately 7.69% of the total contract construction cost, the limit allowable under Public Contract Code 20395(d) for Contract 16-14-C
41. 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 the first phase of a multi-phase solar photovoltaic electricity generating facility (Solar Facility) near the 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 the 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 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

**Social Services**

42. Adopt Resolution to retroactively accept donations valued at \$2,300 from staff at McCormick Barstow, LLP on behalf of In-Home Supportive Services recipients