



# 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*

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

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Tuesday, March 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 18 - 48

### **Chairman Pacheco and Supervisor Mendes**

3. Proclaim March 28, 2017 as "Dignity and Rights for Valley Farmworkers Day" in Fresno County

### **Supervisor Quintero**

4. Proclaim the months of April through September 2017 as Fresno Grizzlies 20th Anniversary Season in Fresno County
5. Approve and authorize the use of Board of Supervisor District funds for Community Outreach and Projects; and Direct the County Administrative Officer to develop an Administrative Policy setting out guidelines for District funds for Community Outreach and Projects

**Sheriff/Coroner**

6. Adopt resolution to fill a Sheriff-Coroner's Communications Dispatcher position with Extra-Help retiree, Tina Ortiz, part time, effective March 28, 2017, finding, pursuant to Government Code section 7522.56 (f) (1), that a 180 day separation period for retired employees returning to employment as Extra-Help is not applicable based on your Board's certification that the nature of employment and appointment is necessary to fill a critically-needed position before the 180 day separation period

**Administrative Office**

7. Receive presentation from Trace Roller, Federal lobbyist, regarding legislative actions; adopt recommended changes to the Fresno County Federal Legislative Platform; authorize the Chairman to execute letters of support or opposition in accordance with the platform; and authorize the County Administrative Office to work with the County's Federal Legislative Delegation, Washington lobbyist, and/or other necessary parties to support or oppose legislation in accordance with the platform

**County Counsel**

8. Provide direction to County Counsel regarding potential amendments to Title 2 and Chapters 10.60, 10.62 and 10.64 of the Fresno County Ordinance Code related to the regulation of marijuana cultivation and sale; and determine that such direction is exempt from the requirements of the California Environmental Quality Act; and Determine that direction provided to County Counsel regarding potential amendments to Title 2 and Chapters 10.60, 10.62 and 10.64 of the Fresno County Ordinance Code related to the regulation of marijuana cultivation and sale, is exempt from the requirements of the California Environmental Quality Act, Public Resources Code section 21000, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk

**Public Works and Planning**

9. Acknowledge receipt and consider all sealed bids and call for oral bids for sale of property located at 28134 Thermal, Sanger (Tivy Valley), CA 93657 (APN 158-203-40); adopt Resolution approving sale of County owned surplus property and authorize Chairman to execute grant deed and other related documents to successful bidder, if any
10. Receive presentation from staff regarding Fresno County's Economic Development Strategy and request by City of Fresno regarding Ulta West Coast Distribution Center proposal, and provide direction to staff as appropriate

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

11. 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**

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

**Public Presentations**

13. 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*

14. 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
15. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)
16. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d)(4) (2 cases)
17. Conference with legal counsel - Existing Litigation Government Code, section 54956.9(d)(1) - Erika Salas v. County of Fresno, et al. Fresno Superior Court Case No. 15CECG00872; Risk Management Claim No.: 9289
- 17.1 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
- 17.2 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Appeal of County of Fresno, Departmental Appeals Board, U.S. Department of Health & Human Services, Docket No. A-17-57

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

*April 4, 2017 - 9:00 AM*

*April 25, 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**

18. Approve minutes of meeting for March 7, 2017

**Supervisor Mendes**

19. Adjourn in Memory of Leonard Pagel. Mr. Pagel a businessman in the City of Kingsburg was a member of the Fresno County Planning Commission, He will be remembered for his contributions to the community as well as his love of friends and family

**District Attorney/Public Administrator**

20. Adopt Resolution accepting and expressing gratitude for the donation of \$300,000 from Table Mountain Rancheria for the Fresno County District Attorney's Identification (ID) Theft Prosecution Unit for FY 2016-17

**Sheriff/Coroner**

21. Approve and authorize Chairman to execute the Boating Safety and Enforcement Financial Aid Program Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for FY 2017-18 in the amount of \$452,764 and authorize the Sheriff, or her authorized representative, to sign quarterly claims for reimbursement and annual activity reports
22. Retroactively approve and authorize the Sheriff-Coroner to submit grant application and, on behalf of the County, to execute grant application from the Executive Office of the President's Office of National Drug Control Policy (ONDCP) for the CV HIDTA program in the amount of \$766,240; approve and authorize the Sheriff-Coroner, on behalf of the County, to execute retroactive Grant Agreement Award Number G17CV0004A and approve Grant Conditions from the ONDCP effective January 1, 2017 to December 31, 2018 (\$439,056); approve and authorize the Sheriff-Coroner, on behalf of the County, to execute retroactive Grant Modification Award Number G17CV0004A (to be received at a future date once funds are released) and approve Grant Conditions from the ONDCP effective January 1, 2017 to December 31, 2018 (\$327,184); and approve and authorize the Sheriff-Coroner, on behalf of the County, to execute retroactive Memorandums of Understanding (MOUs) for CV HIDTA Resource Agencies effective January 1, 2017 to December 31, 2018

23. Approve and authorize the Chairman to execute retroactive Cooperative Law Enforcement Agreement #17-LE-11051360-024 with the United States Department of Agriculture (USDA) Forest Service Sierra National Forest effective upon execution through December 31, 2021; approve and authorize the Chairman to execute a retroactive revenue agreement, referred to as the 2017 Patrol annual operating and financial plan Modification 001 to Agreement 17-LE-1151360-024 for the period beginning October 1, 2016 through September 30, 2017 (\$26,000); and approve and authorize the Chairman to execute a retroactive revenue agreement referred to as the 2017 Controlled Substance annual operating and financial plan Modification 002 to Agreement 17-LE-1151360-024 for the period beginning October 1, 2016 through September 30, 2017 (\$18,000)

### **Administrative Office**

24. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2017 February Winter Storms
25. Approve the Conflict of Interest Codes for Farmers Water District and Sierra Resource Conservation District

### **Behavioral Health**

26. Approve and authorize the Chairman to execute an Amendment I to Agreement No. 16-362 with the State Department of Health Care Services for the Federal Stewart B. McKinney Homeless Block Grant, through the McKinney Projects for Assistance in Transition from Homelessness Grant, effective upon execution through June 30, 2017 and increasing the maximum by \$8,536 to a total of \$422,032
27. Approve and authorize the Chairman to execute retroactive Amendment I to Master Agreement No. 16-359 with Cultural Based Access Navigation Specialist service providers, effective February 1, 2017 to June 30, 2021 and allowing for the reallocation of funds within the Master Agreement (\$2,758,165); and authorize the Director of the Department of Behavioral Health, or designee, to reallocate funding within Master Agreement No. 16-359 to contracted providers, as necessary, without exceeding the contract maximum

### ***REVISED***

28. Approve and authorize the Chairman to execute a Memorandum of Understanding (MOU) with the California Health Sciences University, College of Pharmacy for pharmaceutical consultation services and student clinical field experience, 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 \$40,000
29. Retroactively authorize the Department of Behavioral Health's previous submittal of a grant application in the amount of \$6,000,000 to the Board of State and Community Corrections for Proposition 47 Mental Health and Substance Use Disorder Treatment Services program funds

**Fresno County Employees' Retirement Association**

30. Receive and file the Fresno County Employees' Retirement Association Actuarial Valuation and Review report as of June 30, 2016 by The Segal Group and accept the Board of Retirement's recommended employer and employee contribution rates for FY 2017-18 as provided for in the member contribution rates in Appendix A, the employer contribution rates in Appendix E, and the Administrative Expense Load as a percentage of Payroll rates in Section 2 of the Actuarial Valuation and Review report as of June 30, 2016, in accordance with Government Code Sections 31453 and 31454

**Human Resources**

31. Approve and authorize Chairman to execute Agreements to Defend Public Officers or Employees for the employees listed: Sheriff Margaret Mims and Captain Rick Hill, as named in United States District Court Case No. 1:12-cv-01288-RRB, Steven R. Miller v. Albert Najera, et al
32. Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for the employee listed: Brandon Eugene Lehr, as named in Fresno County Superior Court Case No. 16CECG02465, Consuelo Samaniego v Brandon Eugene Lehr, et al
33. Approve the Memorandum of Understanding for Representation Unit 14 - Supervisory Peace Officers, represented by the Fresno Sheriff's Sergeants Association, effective March 27, 2017 through December 15, 2019; and, the related Salary Resolution Amendments as reflected on Appendix B
34. Approve Amendments to Salary Resolution adjusting the Senior Management Compensation Plan Salary Bands and the flat salary of County Counsel, effective March 27, 2017 as reflected on Appendix A

**Internal Services**

35. Adopt Resolution acknowledging the emergency nature of the fire and flood incident at the Fresno County University Medical Center and make a finding pursuant to County Administrative Policy 34 that unusual and extraordinary circumstances exist such that it is in the best interest of the County to suspend competitive bidding, and negotiate and execute contracts for services and supplies as necessary for the remediation and restoration of the property; authorize the Director of Internal Services/Chief Information Officer to negotiate and execute agreements and other documents necessary for the remediation and restoration of the Fresno County University Medical Center; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Internal Services Department, Facility Services Org 8935 in the amount of \$500,000 (4/5 vote)

**Library**

36. Approve designation and placement of Metcalf Ranch on the County's Register of Centennial Farms; and authorize the Chairman to execute the certificate for a Centennial Farm

**Public Health**

37. Approve termination of Agreement No. 14-347 with ROAM, dba SkyLife, effective April 1, 2017, due to sale of business; and, approve and authorize the Chairman to execute an Agreement with Air Methods Corporation, for the provision of emergency air ambulance services within the boundaries of Fresno County, effective April 1, 2017 through March 31, 2019 (\$0)

**Public Works and Planning**

38. Adopt resolution authorizing stop signs at intersection of Blythe and Olive Avenues, stopping eastbound and westbound traffic on Olive Avenue, making it an all-way stop
39. Adopt plans and specifications for Contract No. 16-24-C, Fowler Avenue Shoulder Improvements, Elkhorn Avenue to South Avenue, Federal Project No. CML- 5942(211), 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
40. Amend FY 2015-16 Action Plan to delete Mendota Water System Improvements, Community Development Block Grant Project No. 15471 (\$300, 200); amend FY 2015-16 Action Plan to add Mendota 7th & Derrick Avenue Reconstruction, Community Development Block Grant Project No. 15473 (\$304,726); and approve and authorize Chairman to execute Agreement with City of Mendota for the Mendota 7th & Derrick Avenue Reconstruction, Community Development Block Grant Project No. 15473 (304,726)
41. Approve and authorize the Chairman to execute cooperative agreement with the Kings Canyon Unified School District for the construction of the Dunlap Elementary Crosswalk Lights and Sidewalk Project (\$129,116); and adopt plans and specifications for Contract No. 16-01-C, Dunlap Elementary Crosswalk Lights and Sidewalk, 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
42. Adopt Budget Resolution increasing FY 2016-17 appropriations for Juvenile Justice Campus Org 8830 in amount of \$137,700 (4/5 vote)
43. Approve and authorize Chairman to execute Agreement with Asbury Environmental Services to provide waste oil, used filter, antifreeze, and solvent disposal services for a three year term commencing March 28, 2017 through March 27, 2020 at a total cost of \$151,050 with an option to extend Agreement for an additional two one-year periods for a maximum total not to exceed \$251,750
44. Approve substitution of A.C. Dike Company for APCO for paving of 4-foot wide pedestrian walkway on Contract No. 16-03-C, Mt. Whitney Paved Pedestrian Walkway
45. Approve adjustment to Exclusive Service Area Program rates, as a pass-through expense, effective July 1, 2017 to reflect Board's direction to increase tip fee at American Avenue Disposal Site

- 46. Accept easement deeds and authorize Chairman to execute the right-of-way contracts required for Bethel Avenue and Mountain View Avenue Traffic Signal Project for total monetary consideration of \$10,650
- 47. Adopt Resolution of Intention and set time of 2:00 p.m. on April 25, 2017 as time to conduct hearing for proposed vacation of McKenzie Avenue public road right-of-way

**Social Services**

- 48. Approve and authorize the Chairman to execute Amendment I to Agreement A-14-108 with Cultural Brokers Inc. for family advocacy and liaison services effective upon execution through March 31, 2019 (\$1,462,810)