



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 to the Board of Supervisors

Tuesday, November 14, 2017

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 20 - 56

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 Pacheco

3. Proclaim November 17, 2017 as World Prematurity Day as part of the Every Woman Every Child Initiative

Supervisor Quintero

4. Proclaim November 2017 as "National Runaway Prevention Month"

Chairman Pacheco

5. Discuss services to residents of North Central Fire Protection District and provide direction to staff

County Clerk/Registrar of Voters

6. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsections 802, 803, and 805 and adds Subsections 809, 810 and 811 to Section 800 - County Clerk/Registrar of Voters; waive reading of the Ordinance in its entirety; and set second hearing for December 5, 2017; Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and Direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1)

Administrative Office

7. Receive presentation from Paul Yoder and Michael Corbett, State lobbyists, regarding legislative actions

Human Resources

8. Hear and consider appeal from Risico Claims Management regarding recommended award of Third Party Administration and associated ancillary services to Acclamation Insurance Management Services (AIMS); and, approve and authorize Chairman to execute an Agreement with AIMS for workers' compensation third party claims administration and associated ancillary services, effective January 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$11,893,917

Public Works and Planning

9. Consider appeal of Planning Commission's denial of Variance Application No. 4025 proposing to allow creation of 2.3-acre parcel and 2.55-acre parcel from existing 4.85-acre parcel in AE-20 Zone District; project site is located on southwestern corner of E. Reno Road and Auberry Road, approximately one mile northeast of nearest city limits of City of Fresno

10. Hear and consider, and take appropriate action, on: (a) Protest by apparent second-lowest responsible bidder, USS Cal Builders, Inc. (USS), 8051 Main Street, Stanton, CA, regarding proposed "Conditional Award" of Contract No. 16-S-04, West Annex Jail, for construction of West Annex Jail in downtown Fresno, to apparent lowest responsible bidder, Bernards Bros., Inc (Bernards), 555 First Street, San Fernando, CA; and (b) USS's request that "Conditional Award" of Contract No. 16-S-04, West Annex Jail, instead be made to USS (whose bid is in total amount of \$82,975,000, including base bid, all additive bids, and allowance); find that Bernards is lowest responsible bidder for Contract No. 16-S-04, West Annex Jail, and that deviations in Bernards's bid from strict bidding requirements are immaterial and are waived, in discretion of the Board and in furtherance of best interests of County; and award Contract No. 16-S-04, West Annex Jail, to lowest responsible bidder, Bernards, in total amount of \$81,756,000, including base bid, all additive bids, and allowance, subject to and conditioned upon approval of contract award to Bernards, including Bernards's bid proposal, by State of California Department of Finance (DOF) (collectively, the Conditional Award); authorize Director of Public Works and Planning (Director), or his designee, to execute Contract Change Orders up to \$210,000, which is approximately 0.26% of Bernards's total construction contract cost; adopt Budget Resolutions increasing FY 2017-18 appropriations and estimated revenues in various Orgs for West Annex Jail project, as appropriate, from State Senate Bill 1022 funding (\$74,511,353), Proposition 172 revenues (\$4,255,489), 2002 tobacco securitization bond proceeds (\$32,013), 2006 tobacco securitization bond proceeds (\$2,177,556), and other sources (\$7,309,742) (4/5 votes); and authorize Director and Chairman to take respective actions to consummate award of Contract No. 16-S-04, West Annex Jail, to Bernards, and related construction contract
11. Consider appeal of Planning Commission's denial of Variance Application No. 3998 proposing to allow creation of 1.5-acre parcel from existing 18.86-acre parcel (20-acre gross; remaining 17.36-acre parcel to be combined with a 39.49-acre parcel) in the AE-20 Zone District; consider adoption of Negative Declaration prepared for Initial Study Application No. 7160; and determine whether Required Findings specified in Fresno County Ordinance Code Section 877.A can be made for approval of Variance and articulate for the record the manner in which Findings are met, project site is located on northeast corner of E. South and S. Alta Avenues, approximately two miles east of City of Reedley

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 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 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
18. 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
19. Conference with Real Property Negotiators - Government Code 54956.8 Properties: 300 W. Pontiac Way, Clovis, CA 93612; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Pontiac 3 and 5, LLC, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions
- 19.1 Conference with Real Property Negotiators - Government Code 54956.8 Properties: 6870 E. Kings Canyon Road, Fresno, CA 93727; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Cha Vang, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions

Adjourn**NEXT MEETINGS:**

December 5, 2017 - 9:00 AM

December 12, 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

20. Approve minutes of meeting for October 31, 2017

Supervisor Mendes

21. Approve Certificate of Recognition honoring Dan Errotabere who has been selected as the Westside Distinguished Citizen by the Sequoia Council, Boy Scouts of America
22. Adopt Resolution recognizing Daniel Perez, Fresno Regional Workforce Development's third quarter Outstanding Youth Participant award winner

County Clerk/Registrar of Voters

23. Approve City of Clovis, Laguna Irrigation District, Fig Garden Fire Protection District, and Lanare Community Services District's request to move from odd to even-numbered year elections and set the date for the City of Clovis's and the Districts' elections to occur on the same day as the Statewide General Election

Sheriff/Coroner

24. Retroactively authorize the Sheriff-Coroner's submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) Law Enforcement (LE) Specialized Units Program effective January 1, 2018 through December 31, 2018 (\$270,857)
25. Approve and authorize the Sheriff-Coroner, on behalf of the County, to execute retroactive Memorandums of Understanding (MOUs) for Central Valley High Intensity Drug Trafficking Areas (CV HIDTA) Resource Agencies for Grant Agreement G17CV0004A effective January 1, 2017 to December 31, 2018
26. Approve and authorize the Chairman to execute an agreement with Mark43 Inc. for the implementation of and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026, total not to exceed (\$11,700,150); and approve and authorize the Chairman to execute addendum to agreement with Mark43 Inc. for implementation and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026
27. Retroactively approve and authorize the Sheriff-Coroner, on behalf of the County to execute an agency participation agreement with the California Department of Corrections and Rehabilitation (CDCR), for the use of Parole Law Enforcement Automated Data System (LEADS); and approve and authorize the Sheriff-Coroner, on behalf of the County to execute a participating agency hold harmless agreement with CDCR, for the use of Parole LEADS

Administrative Office

28. Receive the Annual Report of the Fresno County Public Law Library for the Fiscal Year Ending June 30, 2017
29. 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; and, approve and authorize the Clerk to the Board to certify a Designation of Applicant's Agent Resolution for Non-State Agencies (Cal OES 130)
30. Approve revised Vision, Mission, and Guiding Principles for Fresno County; and accept Report from Facilitator Jackie Ryle
31. Direct that the Board of Supervisors and their assistants pay authorized (not including CSAC, NACO and Washington DC travel) reimbursable travel expenses out of each respective District's budget

Agriculture

32. Approve and authorize the Chairman to execute a Retroactive Revenue Agreement with the California Department of Food and Agriculture for citrus shipment inspections, effective October 1, 2017 through June 30, 2018 (\$98,176)

Behavioral Health

33. Approve and authorize the Chairman to execute a Master Agreement with licensed and credentialed primary care clinics for mental health and substance use disorder treatment for children, adults, and families, effective upon execution through June 30, 2018 (\$3,100,000); Master Agreement with licensed and credentialed primary care clinics for mental health and substance use disorder treatment for children, adults, and families, effective July 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$124,800,000; and authorize the Director of the Department of Behavioral Health, or designee, to add qualified facilities to the Master Agreement, as necessary
34. Approve and authorize the Chairman to execute an Agreement with Central Star Behavioral Health, Inc., for adult mental health crisis residential treatment services, effective December 1, 2017, not to exceed five years and seven months consecutively, which includes a seven-month ramp-up and implementation phase followed by a three-year base contract and two optional one-year extensions, total not to exceed \$11,667,380; and, a Facility Use Agreement with Star View Children and Family Services, Inc., effective May 1, 2018 through June 30, 2023, for County owned space at 496 S. Barton, Fresno, CA 93702, Building 337 (11,655 square feet), to be used by Central Star Behavioral Health, Inc. to provide adult mental health crisis residential treatment services

Human Resources

- 35. Approve the Resolution setting the salaries for elected County Department Heads, effective for the term of office commencing on January 7, 2019, and ending on January 2, 2023
- 36. Approve the Memorandum of Understanding for Representation Unit 42 – Engineers, represented by the Association of County Engineers, effective November 20, 2017 through November 17, 2019; and, the related Salary Resolution Amendments as reflected in Appendix B
- 37. Approve Amendment to the Salary Resolution deleting the Public Health Microbiologist I classification, retitling Public Health Microbiologist II to Public Health Microbiologist, and establishing the Public Health Microbiologist Trainee classification, effective November 20, 2017, as reflected on Appendix A; and, Addendum to the Memorandum of Understanding regarding salary range adjustments for the Public Health Microbiologist classifications in Representation Unit 19 - Professional Employees, effective November 20, 2017, as reflected on Appendix A

Internal Services

- 38. Adopt Resolution acknowledging the emergency nature of the 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 County 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 2017-18 appropriations and estimated revenues for the Internal Services Department, Facility Services Org 8935 in the amount of \$800,000 (4/5 vote)

Library

- 39. Approve the Salary Resolution Amendment regarding deletion of one Information Technology Support Technician I/II/III position and addition of one Office Assistant I/II/III position, as reflected in Appendix "C", effective November 20, 2017

Probation

- 40. 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, 2017 through June 30, 2018 (\$133,069)
- 41. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Clovis to assign two sworn Police Officers to the Public Safety Realignment Adult Compliance Team, effective July 1, 2017 through June 30, 2018 (\$243,810)

42. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Selma to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2017 through June 30, 2018 (\$160,448)
43. Approve and authorize the Chairman to execute First Amendment to Agreement No. 15-227 with the Fresno Pacific University Center for Peacemaking and Conflict Studies for victim and offender reconciliation services for the Probation Department, effective upon execution with no change in term to June 30, 2020, increasing the contract maximum by \$110,484 to \$230,484; Adopt Budget Resolution increasing FY 2017-18 appropriations in the Youthful Offender Block Grant Org 3434 in the amount of \$26,484 (4/5 vote); and Adopt Budget Resolution increasing FY 2017-18 appropriations and estimated revenues in the Probation Org 3430 in the amount of \$26,484 (4/5 vote)

Public Defender

44. Retroactively authorize the Public Defender's previous submittal of a grant application to The California Endowment (\$93,329); approve and authorize the Chairman to execute a grant agreement with The California Endowment effective September 15, 2017 through September 14, 2018 (\$93,329) and authorize the Public Defender, or her designee, to sign expenditure forms and activity reports for this grant agreement; and adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$93,329 (4/5 vote)

Public Health

45. Retroactively authorize the Department of Public Health's submittal of a grant application in the amount of \$2,644,280 to the California Department of Public Health for funds associated with the California Oral Health Program
46. Approve and authorize the Chairman to execute Amendment I to Agreement No. 14-676 with Community Medical Centers, to extend the term of the existing agreement to provide care to eligible Medically Indigent Services Program (MISP) patients by one year from December 1, 2017 to November 30, 2018, with an optional 12-month extension and no increase in the maximum of \$11,543,197; and, Amendment I to Agreement No. 14-677 with University Faculty Associates, Inc., to extend the term of the existing agreement to provide medical services to eligible MISP patients by one year from December 1, 2017 to November 30, 2018, with an optional 12-month extension and no increase in the maximum of \$3,847,732
47. Conduct second hearing and adopt Ordinance amending Ordinance Code of the County of Fresno, Title 9-Animals by adding sections 9.04.055, 9.04.115, and 9.04.135 to Chapter 9.04-Dog Licensing and Control and revise or update terminology in various sections within Chapters 9.04, 9.08-Pets or Novelties, 9.12-Estray-Impoundment, and 9.16-Rodents and Predatory Animals; and waive reading of the ordinance in its entirety

Public Works and Planning

48. Approve and authorize Chairman to execute Agreement with Caruthers Community Services District for Caruthers Water Valve Replacement, Community Development Block Grant Project No. 17111 (\$250,000)
49. Approve and authorize the Chairman to execute four Program Supplement Revisions to Master Agreement for Federal Aid No. 06-5942R with the California Department of Transportation
50. Retroactively authorize the Director of the Department of Public Works and Planning submittal of a grant application in the amount of \$24,054,000 to the United States Department of Transportation for the FY 2017 Transportation Investment Generating Economic Recovery (TIGER) Program; and, authorize the Director to execute the FY 2017 TIGER Program grant funding agreement and all other documents necessary to participate in the program to fund improvements to Millerton Lake State Recreation Area, subject to review by the Auditor-Controller/Treasurer-Tax Collector and County Counsel
51. Approve and authorize Chairman to execute Agreement with BC Laboratories, Inc., to provide State-mandated analytical water testing services for County disposal sites at maximum annual limit of \$83,950 (\$69,960 for Basic Services and \$13,990 for Extra Services) for maximum total of \$419,750 over anticipated five-year term of Agreement
52. Adopt resolution authorizing Director of Public Works and Planning to execute United States Government Standard Form 299 Application for Transportation and Utility Systems and Facilities on Federal Lands and pay associated fee; to execute Letter of Agreement with Bureau of Reclamation and pay associated administrative fees for Bureau of Reclamation's review process; and to execute Temporary Construction Permit prepared by Bureau of Reclamation
53. Approve and authorize Chairman to execute Amendment 1 to Agreement No. A-16-657 with United Rentals (North America), Inc. increasing annual maximum expenditures for Maintenance Division from \$75,000 to \$200,000 (with resultant new \$1,050,000 contract maximum)
54. Award Contract No. 17-07-C, Bethel Avenue and Mountain View Avenue Traffic Signal, Project No. HSIPL-5942(243), to lowest bidder, Don Berry Construction, Inc., 13701 Golden State Blvd., Kingsburg, in amount of \$922,701.40; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$58,635, which is approximately 6.35% of the total contract construction costs, the limit allowable under Public Contract Code 20395(d) for Contract 17-07-C
55. Approve Salary Resolution Amendment to Delete one (1) Capital Projects Division Manager for Public Works and Planning - Capital Projects 4360, as reflected on Appendix "D", effective November 20, 2017, and retitle one (1) Development Services Manager to Development Services and Capital Projects Manager for Public Works and Planning - Development Services and Capital Projects 43600200 as reflected on Appendix "D", effective November 20, 2017

Social Services

56. Approve and authorize the Chairman to execute retroactive Amendment I to Agreement No. A-15-459 with the California Department of Social Services for access to TALX Corporation's Work Number Express Service Online Employment Verification System, effective September 30, 2017 and remaining in effect until terminated by either party with no change to the compensation (\$0)