



# Board of Supervisors

## Agenda - Final-Revised

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

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

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Tuesday, October 23, 2018

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 of 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 - 53

*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 Quintero**

3. Proclaim November 2018 as National Adoption Month in the County of Fresno

### **Supervisor Magsig**

4. Adopt resolution congratulating the 2018 Fresno Athletic Hall of Fame inductees

**Supervisor Pacheco**

5. Adopt resolution recognizing Dr. David Davenport for his leadership and commitment to honoring deceased local veterans and their families

**Sheriff/Coroner**

6. Approve Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$441,112 (4/5 vote); approve Budget Resolution increasing the FY 2018-19 appropriations in the Special Revenue Fund Sheriff-Coroner's Inmate Welfare Fund Org 1500 in the amount of \$441,112; and approve Amendment to the Salary Resolution allocating eight Program Technician I/II positions to the Sheriff-Coroner Org 3111, effective November 5, 2018 as reflected in Appendix D

**County Counsel**

7. Conduct first hearing of an Ordinance to amend the County Ordinance Code by deleting section 3.08.120 thereof and adding section 3.04.030 related to taking leaves of absence to seek certain elected offices; waive reading of the Ordinance in its entirety; and set the second hearing for November 6, 2018; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and direct the Clerk of the Board to post and publish the required summary in accordance with California Government Code, section 25124(b)(1)

**Administrative Office**

8. Approve Amendments to the Salary Resolution as reflected on Appendix C, effective October 22, 2018; approve a one-time, non-pensionable equalization payment of \$1,000 for Unrepresented (excluding confidential classifications covered by Footnote "y") and Management (excluding Deputy County Counsel I/II/III/IV/Senior) employees who have satisfactorily completed at least 26 consecutive pay periods at Step 9 in peak level classifications and Senior Management employees (excluding Department Heads) who have satisfactorily completed at least 26 consecutive pay periods in a Senior Management Band (by January 13, 2019), effective January 14, 2019; and, approve salary increases for appointed Department Head and Assistant County Administrative Officer salaries as proposed on Attachment A, effective October 22, 2018

**Behavioral Health**

9. Adopt Resolution accepting and expressing gratitude for monetary donations of \$750 per agency, totaling \$2,250, to purchase food and beverages for Recognition and Response of Suicide Risks training conferences, from Anthem Blue Cross, Health Net on behalf of CalViva Health and Valley Children's Hospital

**Probation**

10. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending subsections 1805, 1814, and 1819 of Section 1800-Probation relating to Probation exempting young adults from paying fees related to the Work Furlough Program, Drug Testing and Juvenile Record Sealing; waive reading of the Ordinance in its entirety; and set second hearing for November 6, 2018; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and direct the Clerk of the Board to post and publish the required summary for each proposed Ordinance in accordance with Government Code Section 25124(b)(1)

**Public Works and Planning**

11. Consider and adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7359 including Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. 552 and Amendment Application No. 3825, amending Fresno County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial to permit an animal hospital/shelter and associated uses; approve Ordinance pertaining to Amendment Application No. 3825 thereby rezoning subject 4.15-acre site from R-R(nb) Zone District to M-1(c) Zone District; designate County Counsel to prepare fair and adequate summary of proposed ordinance and direct Clerk of the Board to post and publish required summary in accordance with California Government Code, Section 25124(b)(1); and adopt Resolution approving General Plan Amendment Application No. 552 as Second General Plan Amendment of Agriculture and Land Use Element of Fresno County General Plan for 2018, subject parcels are located on east side of N. Grantland Avenue, between N. Parkway Drive and W. Tenaya Avenue, and approximately 180 feet southwest 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. Appoint a Member and Alternate of the Board of Supervisors to the California State Association of Counties (CSAC) for 2019, and direct the Clerk of the Board to provide notification to CSAC
14. Board Appointments - Receive Boards, Commissions and Committees Vacancy Report; and Appoint Applicants as necessary

**Public Presentations**

15. 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 3 minutes per person and no more than 15 minutes total per topic

**Closed Session**

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

16. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (2 Cases)
17. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 2 Cases
18. 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
19. Conference with Real Property Negotiators - Government Code, Section 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 lease and option to purchase of properties, price, terms and conditions

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

*November 6, 2018 - 9:00 A.M.*

*December 4, 2018 - 9:00 A.M.*

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk of 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 9, 2018

**Chairman Quintero**

- 20.1 Proclaim Friday, October 26, 2018 as Career Technical, Education Charter High School Grand Opening Day

**Assessor/Recorder**

21. Adopt Budget Resolution increasing FY 2018-19 appropriations SSCAP Grant Fund 0035, Subclass 17059, Org 1049 in the amount of \$750,000 (4/5 vote); and Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for the Assessor-Recorder Org 04200100 in the amount of \$750,000 (4/5 vote)

**District Attorney/Public Administrator**

22. Retroactively authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Workers' Compensation Insurance Fraud program for the period July 1, 2018 through June 30, 2019 (\$1,459,063); and, adopt a Resolution authorizing the District Attorney to execute retroactive Grant Award Agreement for continued funding of the Workers' Compensation Insurance Fraud program with the State of California, CDI for the period July 1, 2018 through June 30, 2019 (\$1,184,988)
23. Retroactively approve and authorize the District Attorney-Public Administrator's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Automobile Insurance Fraud program for the period July 1, 2018 through June 30, 2019 (\$551,512); adopt Resolution approving and authorizing the District Attorney-Public Administrator to execute retroactive Grant Award Agreement for continued funding of the Automobile Insurance Fraud program with the State of California, CDI for the period July 1, 2018 through June 30, 2019 (\$410,608); adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the amount of \$15,608 in the District Attorney's Special Revenue Fund 0060, CDI Auto Ins Fraud Program Org 1104 (4/5 vote); and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the amount of \$15,608 in the District Attorney-Grants Org 2862 (4/5 vote)

24. Retroactively authorize the District Attorney's previous submittal of a grant application to the State of California, Department of Insurance (CDI) for continuation of the Disability and Healthcare Insurance Fraud program for the period of July 1, 2018 through June 30, 2019 (\$382,730); and adopt a Resolution authorizing the District Attorney to execute retroactive Grant Award Agreement for continued funding of the Disability and Healthcare Insurance Fraud program with the State of California, CDI for the period July 1, 2018 through June 30, 2019 (\$183,653)
25. Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for District Attorney Org 2860 in the amount of \$45,000 (4/5 vote); adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for the Internal Services Department, Fleet Services-Equipment Org 8911 in the amount of \$45,000 (4/5 vote); and adopt Budget Resolution increasing FY 2018-19 appropriations in the Local Community Corrections Org 3436 in the amount of \$45,000 (4/5 vote)

### **Sheriff/Coroner**

26. Approve and authorize the submission of an Application for Financial Aid in the amount of \$1,625,797 to the State of California Department of Parks and Recreation Division of Boating and Waterways for the FY 2019-20 Boating and Enforcement Aid Program in Fresno County
27. Adopt a resolution designating the Fresno County Sheriff-Coroner's Office as an entity to assist County jail inmates with their applications for a health insurance affordability program and to act on behalf of inmates for the purpose of applying for Medi-Cal eligibility for acute inpatient hospital services, pursuant to California Penal Code section 4011.11

### **County Counsel**

28. Approve and authorize the Chairman to execute a retroactive Agreement with McCormick Barstow, LLP, for outside legal services to represent the County of Fresno and its employees in Phillips v. State of California, et al.

### **Administrative Office**

29. Approve the following revised Administrative Policies: 19 - Parking on County-Owned Grounds; 21 - Legislative Program; 28 - Board of Supervisors Agenda; and 55 - Electronic Forms, Electronic and Digital Signatures
30. Ratify the North Central Fire Protection District Ordinance No. 2018-01, which amends the District Fire Code Ordinance No. 2016-01 prescribing regulations governing conditions hazardous to life and property from fire

**Behavioral Health**

31. Approve and authorize the Chairman to execute a retroactive Application / Agreement with the California 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 July 1, 2018 through June 30, 2019 (\$421,708); and, approve and authorize the Director of the Department of Behavioral Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated grant agreement documents, expenditure forms, reports or modifications that do not exceed ten percent of the maximum compensation
32. Approve and authorize the Chairman to execute a retroactive Master Agreement with providers of Cultural Specific Services, effective October 1, 2018 through June 30, 2023, which includes a two-year and nine-month base contract and two optional one-year extensions, total not to exceed \$10,723,130 (4/5 vote); Authorize the Director of the Department of Behavioral Health, or designee, to add and delete provider(s) to the Master Agreement, as necessary, with oversight and approval from Internal Services Department - Purchasing Division
- 32.1 Approve and authorize the Chairman to submit a Letter of Intent to the California Department of State Hospitals, for non-competitive one-time funding for a Jail Diversion Program, in the amount of \$7,012,440; and, approve and authorize the Department of Behavioral Health to operate as the Lead Entity and for the Department Director to serve as the primary contact for Fresno County related to the one-time funding opportunity

**Human Resources**

33. Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for: Library - Supervising Librarian, Wendy Eisenberg, as named in Fresno County Superior Court Case No.18CECG02835, Stephanie Betancourt v. County of Fresno, et al.
34. Approve the Memorandum of Understanding for Representation Unit 2 - Sheriff's and Probation Personnel, represented by the Fresno County Public Safety Association, effective October 22, 2018, through October 18, 2020; and approve the related Salary Resolution Amendments (Including confidential classifications covered by Footnote "y") as reflected on Appendix "B"
35. Approve the Addenda to Memoranda of Understanding regarding County Health Premium Contributions for Plan Year 2019, effective December 17, 2018, for Units 11, 25, 30, 40, and 42
36. Approve the Addendum to Memorandum of Understanding regarding Standby Pay for Representation Unit 36 - Supervisory Employees, represented by Service Employees International Union - Local 521, effective October 22, 2018
37. Approve Amendment to the Personnel Rules adding Section 4237 to allow backfilling critically needed unrepresented, management, or senior management positions for the purpose of cross training up to a maximum of two consecutive pay periods

**Internal Services**

38. Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for the Internal Services Department - Information Technology Division Org 8905 in the amount of \$243,370, plus accrued interest, to pay for a portion of the Virtual Desktop Infrastructure technology project (4/5 vote)

**Library**

39. Approve and authorize the Chairman to execute an Agreement with Architectural Nexus, Inc. for Facility Assessment Services and Development of a Master Plan for the Library's facilities, effective October 24, 2018 through June 30, 2019, total not to exceed \$150,000

**Probation**

40. 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 as Lexipol is the only vendor that provides fully integrated Probation and Juvenile Policy Manuals and Daily Training Bulletin subscription services that meet the requirements of the Probation Department; and approve and authorize the Chairman to execute an Agreement with Lexipol, LLC., for subscription services effective November 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 \$397,051

**Public Works and Planning**

41. Approve and authorize the Chairman to execute Second Amendment to Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement and Consent of SS-MOA Participants for the Central Delta-Mendota Region Sustainable Groundwater Agency; approve and authorize the Chairman to ratify prior execution of First Amendment to Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement and consent of SS-MOA Participants; and, authorize the Chairman to designate Bernard Jimenez, Assistant Director of Department of Public Works and Planning, along with Glenn Allen, Division Manager of Water and Natural Resources, as additional alternates to serve as a member of the Steering Committee for Central Delta-Mendota Multi-Agency Groundwater Sustainability Agency
42. Acknowledge receipt, consider all sealed bids, and call for oral bids for sale of property located at 472 Rio Frio Street, Mendota; and adopt Resolution approving sale of County owned surplus property located at 472 Rio Frio Street, Mendota and authorize Chairman to execute grant deed and other related documents to successful bidder, if any
43. Approve request by City of Clovis to acquire right-of-way, excluding eminent domain condemnation actions, from multiple parcels adjacent to existing County right-of-way in identified unincorporated areas of County as needed in conjunction with City's road widening project along north Willow Avenue between east Shepherd and east Copper Avenues



44. Accept Easement Deeds and authorize Chairman to execute Right-of-Way Contracts, Permit to Enter for Leach Field Reconfiguration and Grade Match, Temporary Construction Permit, and Grade Match for Driveway Modification required to facilitate Travers Creek Bridge Replacement on Manning Avenue, Federal Project No. BRLS-5942(198), for total monetary consideration of \$35,600
45. Accept Easement Deed and authorize the Chairman to execute the Right-of-Way Contract to facilitate the Travers Creek Bridge Replacement on Lincoln Avenue, Federal Project No. BRLO-5942(226), for a total monetary consideration of \$11,500
46. Designate Supervisor Buddy Mendes as Representative, Supervisor Brian Pacheco as First Alternate Representative; and either Bernard Jimenez, Assistant Director of Public Works and Planning; Glenn Allen, Division Manager of Water and Natural Resources Division; or Augustine Ramirez, Senior Engineer of Water and Natural Resources Division, as second Alternate Representative to represent County of Fresno, for Fresno County Management Areas A and B, on the groundwater sustainability agency Coordination Committee for Delta-Mendota Groundwater Subbasin
47. Approve and authorize Chairman to execute Program Supplement Agreement No. F288 to Administering Agency-State Master Agreement for Federal Project Aid No. 06-5942F15 with California Department of Transportation, Federal Project No. ER-32LO(468) Auberry Road Shoulder Restoration (\$87,000)
48. Accept Easement Deeds and authorize Chairman to execute Right-of-Way Contracts and Grade Match for Driveway Modification to facilitate Travers Creek Bridge Replacement on Parlier Avenue, Federal Project No. BRLO-5942(227), for total monetary consideration of \$7,400
49. Accept the revised Easement Deed and authorize the Chairman to execute the revised Right-of-Way Contract required for the American Avenue - State Route 99 to Temperance Avenue Road Improvement Federal Project Nos. HPLUL 5942(171) and (172) for a total monetary consideration of \$37,600
50. Adopt Budget Resolution increasing FY 2018-19 appropriations for American Avenue Disposal Site Org 9026 in amount of \$9,000 using available retained earnings, to upgrade scalehouse software system (4/5 vote)
51. Approve and authorize Chairman to execute Second Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Clovis regarding City's Northeast Growth Area; and determine that approval and authorization of Chairman to execute Second Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Clovis is exempt from requirements of California Environmental Quality Act, Public Resources Code, section 2100, et seq., and direct Department of Public Works and Planning staff to file Notice of Exemption with Office of the Fresno County Clerk

**Social Services**

52. Approve and authorize the Chairman to execute an Agreement with CPS HR Consulting to provide training services, effective January 1, 2019 through December 31, 2020 (\$412,500)
53. Approve and authorize the Chairman to execute Agreements with Comprehensive Youth Services (Fresno), Comprehensive Youth Services (Reedley), Exceptional Parents Unlimited, and Centro La Familia Advocacy Services for the provision of Neighborhood Resource Center Services, effective upon execution, not to exceed approximately five consecutive years, which includes a two-year and nine-month base contract and two optional one-year extensions, total not to exceed \$4,180,000 (\$1,045,000 each)