



# Board of Supervisors

## Agenda - Final-Revised

**Nathan Magsig, 5th District, Chairman**  
**Buddy Mendes, 4th District, Vice-Chairman**  
**Brian Pacheco, 1st District**  
**Vacant, 2nd District**  
**Sal Quintero, 3rd 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, February 26, 2019

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 21 - 54

*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 Magsig**

3. Proclaim March 2019 as Professional Social Worker Appreciation Month in Fresno County

- 3.1** Discuss and approve sending a letter signed by all members of the Board of Supervisors to the San Joaquin River Conservancy reaffirming the County of Fresno's support for Alternative 5B, providing for access to the San Joaquin River as part of the Eaton Trail Extension Project at the intersection of Palm Avenue and East Nees Avenue in Fresno, and reaffirming the County of Fresno's opposition to Alternative 1 providing for direct access to the San Joaquin River at River Drive

### **Administrative Office**

- 4.** Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 48 filed by Nicole R. Beadles located at 7029 S. Elm Avenue, Fresno, CA 93706
- 5.** 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

### **Fresno County Employees' Retirement Association**

- 6.** Receive and file the Fresno County Employees' Retirement Association Actuarial Valuation and Review report as of June 30, 2018 by The Segal Group; and, approve and adopt the Board of Retirement's recommended employer and employee contribution rates for FY 2019-20 as provided for in the member contribution rates in Appendix A, the employer contribution rates in Appendix E, and the Administrative Expense Load percentage of Payroll rates in Section 2 of the Actuarial Valuation and Review report as of June 30, 2018, in accordance with Government Code sections 31453 and 31454

**Probation**

7. Retroactively authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES) for the Human Trafficking Advocacy Program (\$187,500); approve and authorize the Chairman to execute a retroactive Grant Application/Agreement for the Human Trafficking Advocacy Program with Cal OES for the period of January 1, 2019 to December 31, 2019; adopt resolution authorizing the Chairman to sign the retroactive grant application and to execute retroactive Grant Award Agreement and any extensions or amendments thereto with Cal OES for the period of January 1, 2019 through December 31, 2019, subject to approval by County Counsel and the Auditor-Controller/ Treasurer-Tax Collector; adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenue in Probation - Grants Org 3432 in the amount of \$76,116 (4/5 vote); approve and authorize the Clerk to the Board to execute Budget Transfer No. 8 (\$18,750) transferring FY 2018-19 appropriations from Probation Org 3430 Account 6100 (Regular Salaries) to Probation - Grants Org 3432 Account 6100 (Regular Salaries) available due to salary savings to cover the required match for the Human Trafficking Advocacy Program; and approve Amendment to the Salary Resolution adding one Senior Victim Witness Advocate position to the Probation Org 3432, effective March 11, 2019 as reflected in Appendix "C"

**Public Works and Planning**

8. Consider and approve proposed siting of Fresno Metropolitan Flood Control District Basin "DQ" as recharge and drainage facility outside City of Clovis' Sphere of Influence, subject property is located on a portion of an approximately 67-acre parcel of agricultural land located south of Sierra Avenue alignment, between Enterprise Canal and Leonard Avenue alignment, north of Bullard Avenue and approximately 2,200 feet northwest of nearest limits of City of Clovis
9. Conduct first hearing on an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.010 through 11.24.100, to reflect various changes to Ordinance Code as result of recent traffic studies; waive reading of Ordinance in its entirety; and set second hearing for March 12, 2019; 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 Government Code, Section 25124(b)(1)
10. Conduct first hearing to amend Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Subsection 2801 of Section 2800 - Solid Waste; waive reading of the Ordinance in its entirety and set second hearing for March 26, 2019; 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 Government Code, section 25124(b)(1)

11. Consider appeal of Planning Commission's denial of Unclassified Conditional Use Permit Application Nos. 3550-3553 and 3577 proposing to allow construction, operation, and eventual decommissioning of an up to 180-megawatt photovoltaic electricity generating facility and associated infrastructure on an approximately 1,288-acre site in AE-20 Zone District; and if Appeal is granted, adopt Resolution to certify Environmental Impact Report No. 7225 (SCH No. 2016011008) prepared for Little Bear Solar Project, Unclassified Conditional Use Permit Application Nos. 3550-3553 and 3577, as complete and adequate in conformance with California Environmental Quality Act and determine required Findings specified in Fresno County Zoning Ordinance, Section 873(F) can be made for approval of Unclassified Conditional Use Permits, subject property is located approximately 13 miles east of Interstate 5, approximately two miles southwest of City of Mendota and adjacent to and west of State Route 33, in unincorporated Fresno County. Solar facility project is comprised of approximately 1,288 acres of Westlands Water District-owned land
12. Receive information and discuss County's options regarding adoption of pre-qualification procedure and appeal process for bidders on certain public works projects, which would conform to California Public Contract Code, section 20101, to be utilized at discretion of the Director of the Department of Public Works and Planning; and provide direction to Department of Public Works and Planning regarding development of a pre-qualification procedure and appeal process for bidders on certain public works projects, which conforms to California Public Contract Code, section 20101

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

13. 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**

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 - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
17. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 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 Legal Counsel- Existing Litigation- Government Code, Section 54956.9 (d)(1)- Karen Haynes vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ11166094
20. Conference with Legal Counsel- Existing Litigation- Government Code, Section 54956.9 (d)(1)- Matthew Sellai vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ9752119, ADJ10892472, ADJ10892471
- 20.1 Conference with Real Property Negotiators - Government Code, Section 54956.8 Properties: North East Corner of South Cedar and East Kings Canyon (APN 461-020-03T); County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: C M G Construction Management Group, Under Negotiations: Instructions to County's negotiator may concern lease and/or purchase of property, price, terms and conditions

**1:00 p.m.**

Following Closed Session, the Board will participate in the Service awards ceremony and reception honoring employees who have reached the 25, 30, and 35 year service milestones with the County of Fresno

Ceremony and reception to be held at Fresno County Plaza Ballroom 2220 Tulare Street Fresno, California

**Adjourn**

**NEXT MEETINGS:**

*March 12, 2019 - 9:00 A.M.*

*March 26, 2019 - 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**

- 21. Approve minutes of meeting for February 12, 2019
- 22. Approve amendments to Conflict of Interest Codes for Farmers Water District, McMullin Groundwater Sustainability Agency and Washington Colony Cemetery District

**Supervisor Pacheco**

- 23. Adjourn in memory of former Kerman Mayor Trinidad Rodriguez

**Auditor Controller-Treasurer/Tax Collector**

- 24. To 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 print and mail services; and, approve and authorize the Chairperson to execute an agreement with Document Fulfillment Services to provide print and mail services, effective March 1, 2019 through February 29, 2024 which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,800,000

**District Attorney**

- 25. Adopt Resolution accepting and expressing gratitude for the donation of \$300,000 from Table Mountain Rancheria for the Fresno County District Attorney's Identification Theft Prosecution Unit for FY 2018-19

**Sheriff/Coroner/Public Administrator**

- 26. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the City of Parlier for Communication Dispatching Services, effective July 1, 2018 through June 30, 2019 (\$228,883)
- 27. Approve and authorize the Chairman to execute Second Amendment to Agreement 17-049, DPA Agreement No. FC3032416 with Hitachi Vantara Corporation effective February 26, 2019 with no change in the term to March 31, 2021 and increasing the maximum by \$700,000 to \$1,200,000; adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$342,376 (4/5 vote)

28. Approve and authorize the Chairman to execute First Amendment to Agreement No. 16-084 with Future Ford of Clovis for vehicle maintenance and parts, effective upon execution with no change in term to February 28, 2019, with two optional one-year extensions, and increasing the maximum compensation amount by \$225,000, for a total maximum compensation amount of \$2,100,000

### **County Counsel**

29. Approve and authorize Chairman to execute a First Amendment to Purchasing Agreement No. P-18-263-O with the Hanson Bridgett law firm for specialized legal services, effective upon execution, extending the term to December 31, 2020 and increasing the maximum by \$200,000 to a total of \$250,000
30. Approve and authorize the Chairman to execute Amendment IV to Agreement P-17-077-Q with Epstein, Becker & Green, PC, for outside legal services to represent the County of Fresno in appeals of federal and state disallowances of cost reimbursement claims, effective upon execution with no change in term to December 31, 2019 and increasing the maximum by \$100,000 to a total of \$400,000

### **Administrative Office**

31. 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
32. Approve the following revised Administrative Policies: 27 - Grant Applications and 53 - Appointments to and Service on Boards, Commissions and Committees

### **Agriculture**

33. Approve and authorize the Chairman to execute a retroactive Cooperative Agreement with the California Department of Food and Agriculture for the Bee Safe Program, effective November 15, 2018 through June 30, 2019, with a total reimbursement amount of \$122,481

### **Behavioral Health**

34. Approve and authorize the County Behavioral Health Director/Alcohol and Other Drug Program Administrator to execute Amendment A01 to Agreement No. 17-94127 with the California Department of Health Care Services (DHCS), including required certifications, for the provision of substance use disorder services to County residents, effective upon execution by DHCS, with no change in term to June 30, 2020 and increasing the maximum by \$85,937 to a total of \$14,018,036

**Child Support Services**

35. Approve Amendment to the Salary Resolution re-allocating 6 positions within the Department of Child Support Services Org 5110, effective March 11, 2019 as reflected in Appendix D; and Approve Amendment to the Salary Resolution retitling the Child Support Officer I/II/III/Senior/Supervising classification series to Child Support Specialist I/II/III/Senior/Supervising, effective March 11, 2019 as reflected in Appendix D

**Fresno County Employees' Retirement Association**

36. Adopt a Resolution (1) making Government Code § 31458.4 applicable in Fresno County, allowing a Fresno County Retirement Association ("FCERA") member's ex-spouse ("alternate payee") who is receiving or is entitled to receive payments from FCERA pursuant to a court order dividing the community property interest in the FCERA member's retirement allowance to designate one or more beneficiaries to receive those payments following the death of the alternate payee, and (2) directing the Clerk of the Board of Supervisors to transmit a certified copy of the adopted Resolution to the FCERA Board of Retirement and FCERA

**Internal Services**

37. Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as The Gordian Group, Inc. is the only Job Order Contracting services company with an established presence in Fresno County; and Approve and authorize the Chairman to execute an Agreement with The Gordian Group, Inc., which will do business in California as The Mellon Group, effective April 28, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,450,000
38. Approve and authorize the Chairman to execute Second Amendment to Purchasing Agreement No. P-16-239-P with Action Towing & Dive Team, Inc., Herndon Towing, and TNT Towing, to increase the maximum allowable compensation amount for towing and emergency road services, effective upon execution with no change in term to May 31, 2021 and increasing the maximum compensation amount by \$100,000 to a total cost of \$200,000

**Library**

39. Retroactively authorize the County Librarian's previous submittal of an application to the California State Library for a Library Services and Technology Act 3D Design Coaching Grant; approve and authorize the Chairman to ratify the County Librarian's previous execution of a retroactive application/agreement and acceptance of grant funds from the California State Library effective January 1, 2019 through September 30, 2019 (\$10,000); authorize the County Librarian, or their designee, to sign expenditure forms and activity reports for this agreement; and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$10,000 (4/5 vote)



40. Retroactively authorize the County Librarian's previous submittal of a grant application to the Southern California Library Cooperative for additional California Library Services Act Grant funds for the Libraries Illuminated project (\$4,944); approve and authorize Chairman to ratify County Librarian's previous execution of a retroactive Amendment I to Agreement No. 18-036 and acceptance of additional grant funds for Libraries Illuminated services, also extending the term by three months from January 1, 2019 to March 31, 2019, and increasing the maximum grant amount by \$4,944, to a total of \$34,944; and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$4,944 (4/5 vote)
41. Retroactively authorize the County Librarian's previous submittal of an application to the California State Library for a Library Services and Technology Act Grant; approve and authorize the Chairman to ratify the County Librarian's previous execution of a retroactive application/agreement and acceptance of grant funds from the California State Library, effective January 1, 2019 through September 30, 2019 (\$10,000); authorize the County Librarian, or their designee, to sign expenditure forms and activity reports for this agreement; and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$10,000 (4/5 vote)
42. Retroactively authorize the County Librarian's previous submittal of two grant applications to the American Library Association to implement the "Great Stories Club: Truth, Racial Healing & Transformation Series" (\$1,300); approve and authorize the Chairman to ratify the County Librarian's previous execution of two grant award agreements and acceptance of grant funds from the American Library Association, effective March 1, 2019 through December 31, 2019 (\$1,300); authorize the County Librarian, or their designee, to sign expenditure forms and activity reports for the two grant agreements; and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$1,300 (4/5 vote)

### **Public Health**

43. Retroactively authorize the Department of Public Health's previous submittal of a grant application in the amount of \$1,680,000 to the California Department of Forestry and Fire Protection, for FY 2018-19 Fire Prevention Program Grant funds to remove and dispose of dead and dying trees on the State Route 168 corridor; and, a grant application in the amount of \$840,056 to the California Department of Forestry and Fire Protection, for FY 2018-19 Fire Prevention Program Grant funds to remove and dispose of dead and dying trees on the State Route 180 corridor
44. Adopt Budget Resolution increasing FY 2018-19 appropriations for the Public Health Fund 0080, Subclass 17358, Solid Waste Enforcement Tipping Fee Org 1158 in the amount of \$450,000; increasing FY 2018-19 appropriations for the Public Health Fund 0080, Subclass 17362, Certified Unified Program Agency Fines Org 1162 in the amount of \$300,000; and, increasing the FY 2018-19 appropriations and estimated revenues for Public Health Org 5620 in the amount of \$750,000 to pay for the balance of the cost of the Environmental Health Data Management System software purchase, first year maintenance costs, and five months of deliverables (4/5 vote)

45. Approve and authorize the Chairman to execute retroactive Amendment I to Agreement No. 18-635 with Fresno Metro Ministry to increase the part-time Fresno Community Health Improvement Partnership Program Manager to full-time and add two part-time bilingual positions for community health assessment and improvement planning services, effective November 6, 2018, with no change in the compensation amount or term to December 31, 2019 (\$221,740)
46. Approve and authorize the Chairman to execute a retroactive revenue Agreement with California Department of Public Health, for the California Perinatal Equity Initiative, effective December 1, 2018 through September 30, 2019 (\$529,236)
47. Approve Amendment to the Salary Resolution deleting one vacant Senior Public Health Chemist position, one vacant Supervising Account Clerk I/II position, and two vacant Office Assistant I/II/III positions in the Public Health Org 5620, effective February 25, 2019; adding two Program Technician I/II positions and one Health Education Specialist position in the Public Health Org 5620, effective February 25, 2019; and, deleting one filled Clinical Laboratory Technologist position in the Public Health Org. 5620, effective March 25, 2019, as reflected in Appendix E
48. Accept the retroactive Cooperative Agreement Award from the Centers for Disease Control and Prevention's Innovative State and Local Public Health Strategies to Prevent and Manage Diabetes and Heart Disease and Stroke to improve prevention and management of heart disease and stroke through clinic-based strategies and community clinical linkages, effective September 30, 2018 through September 29, 2023 (\$3,000,000); adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Public Health Org 5620 in the amount of \$255,803 (4/5 vote); make a finding that it is in the best interest of the County to waive the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of evaluation consultation services for the Department of Public Health; and, approve and authorize the Chairman to execute a sole source Agreement with California State University, Fresno Foundation through its Central Valley Health Policy Institute for comprehensive evaluation services for identification and treatment protocols of high-risk hypertension and high cholesterol of patients of low socioeconomic status for the Collaborating for Wellness: Rx for Health Program, effective upon execution through September 29, 2023, not to exceed four-years seven-months, which includes a two-year seven-month base contract with two optional one-year extensions, total not to exceed \$303,333
49. Approve and authorize the Chairman to execute an Agreement with California State University, Fresno Foundation through its Central Valley Health Policy Institute, for comprehensive evaluation of nutrition education and obesity prevention services, effective upon execution through September 29, 2023, not to exceed four-years seven-months, which includes a two-year seven-month base contract with two optional one-year extensions, total not to exceed \$540,000

**Public Works and Planning**

50. Adopt Budget Resolution increasing FY 2018-19 appropriations for County Service Area No. 35 - Zone J Org 9182 in amount of \$6,000 from General Reserves Fund 0220 due to higher than expected cost related to road shoulder repairs that required tree trimming (4/5 vote)
51. Approve and authorize the Chairman to execute the annual Water Transfer Agreement with Arvin-Edison Water Storage District, for the transfer of 950 acre-feet of surface water for County Service Area 34 benefitting the residences and golf course in Zone A, the Brighton Crest Subdivision, residences in Zone C, the Bella Vista Subdivision, and residences in Zone D, Renaissance at Bella Vista Subdivision, effective during the 2019 water year of March 1, 2019 through February 29, 2020, for a total maximum cost of \$574,750
52. Adopt Resolution approving Rescission of Agricultural Land Conservation Contract No. 7117 and simultaneous entry into new Agricultural Land Conservation Contract Nos. 8326 and 8327, pursuant to Government Code Section 51257; and authorize recording of new Contracts following signature by Chairman, subject properties are located on south side of Mt. Whitney Avenue between Bishop and Dickenson Avenues, approximately three miles west of unincorporated community of Lanare
53. Adopt Resolution approving Rescission of Agricultural Land Conservation Contract Nos. 3726 and 8302 and simultaneous entry into new Agricultural Land Conservation Contract No. 8328, pursuant to Government Code Section 51257; and authorize recording of new Contract following signature by Chairman, subject properties are located on north side of E. South Avenue between S. Alta Avenue and S. Navelencia Avenue, approximately two miles northeast of nearest city limits of City of Reedley

**Social Services**

54. Adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues for the Welfare Advance Fund Org 1120 in the amount of \$4,325,078 (4/5 vote); and adopt Budget Resolution increasing the FY 2018-19 appropriations for the Protective Services Subaccount Org 6210 in the amount of \$478,753 (4/5 vote); and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for the Department of Social Services Org 5610 in the amount of \$4,803,831 (4/5 vote)