



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

Hall of Records, Room 301
2281 Tulare Street
Fresno, California
93721-2198
Telephone: (559) 600-3529
Toll Free: 1-800-742-1011
www.co.fresno.ca.us

Tuesday, March 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 20 - 52

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

Supervisor Mendes

3. Adopt Proclamation and present certificates in recognition of the Caruthers High School Girls Basketball Team winning the 2019 Division V State Basketball Championship and to proclaim March 26, 2019, as Caruthers High School Girls Basketball Team Day in Fresno County

Supervisor Quintero

4. Receive presentation from California Youth Connection regarding No Stigma No Barriers Project, a transitional age youth mental health collaborative to support mental health and wellness

Administrative Office

5. Confirm appointment of Melissa Cregan, effective March 11, 2019, to the position of Fresno County Agricultural Commissioner/Sealer of Weights and Measures pursuant to Fresno County Charter Section 16
6. Receive Mid-Year Budget Report for Fiscal Year 2018-19; and, approve proposed schedule for the Recommended Budget and adoption of the Fiscal Year 2019-20 Budget, which incorporates a Recommended Budget by June 18, 2019 with proposed adjustments to this Recommended Budget to be presented beginning September 16, 2019

Sitting as the Board of Supervisors and Sitting as Board of Directors of Waterworks District Nos. 37, 38, 40, 41, and 42:

7. Sitting as Fresno County Board of Supervisors:
Conduct a public hearing on Annual Water Conservation Report; and adopt Resolution declaring Water Conservation Stage Two from May 1, 2019 through November 30, 2019 and Stage Three from April 1, 2019 through April 30, 2019 and December 1, 2019 through March 31, 2020 and impose corresponding regulations within County Service Area No. 39 Zones A & B under Fresno County Ordinance Code, Chapter 14.01

Sitting as Board of Directors of Waterworks District Nos. 37, 38, 40, 41, and 42:

Conduct a public hearing on Annual Water Conservation Report; and adopt Resolution declaring Water Conservation Stage Four from April 1, 2019 - March 31, 2020 and impose corresponding regulations within Waterworks District No. 40 under Fresno County Ordinance Code, Chapter 14.01

Public Works and Planning

8. Receive the Fresno County Zoo Authority 2017-18 Annual Report
9. Consider and approve proposed siting of Fresno Metropolitan Flood Control District Basin "DQ" as a recharge and drainage facility outside City of Clovis' Sphere of Influence, subject property is located on portion of 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

10. Approve Amendment to the Salary Resolution: (a) adding Water & Natural Resources Org 43600300 to Public Works and Planning Org 4360; and, (b) transferring one Water & Natural Resources Manager position, one Engineer I/II/III/Senior position, one Engineering Technician I/II/Senior, and two Planner I/II/III positions, from Public Works - Development Services Org 43600200 to the Public Works - Water & Natural Resources Org 43600300, effective April 8, 2019 as reflected on Appendix C; approve Amendment to Salary Resolution adding two Senior Staff Analyst positions and one Program Technician I/II position and deleting one vacant Engineering Technician I/II/Senior and two vacant Road Equipment Operator Trainee/I/II positions in Public Works - Roads Org 4510, effective April 8, 2019 as reflected on Appendix C; approve Amendment to Salary Resolution deleting one vacant Office Assistant I/II/III position in Public Works - Community Development Block Grant Org 7205, effective April 8, 2019 as reflected on Appendix C; and approve Amendment to Salary Resolution adding one Engineering Technician I/II/III/Senior position and one Principal Planner position, and deleting one vacant Senior Engineer in Public Works - Development Services Org 43600200, effective April 8, 2019 as reflected on Appendix C
11. Adopt plans and specifications for Contract No. 18-13-C, Bridge Preventative Maintenance Program (BPMP) Deck Treatments, Various Locations; hear and consider, and take appropriate action, on: (a) protest by apparent second low bidder, Dees Burke Engineering Constructors (Dees), 117 East Colorado Boulevard, #600, Pasadena, regarding bid submitted by apparent low bidder, TPA Construction, Inc. (TPA), 2406 Clubhouse Drive, Rocklin, for Contract No. 18-13-C, BPMP Deck Treatments, Various Locations, and (b) Dees' request that award of Contract No. 18-13-C instead be made to Dees; reject bid from TPA for Contract 18-13-C as non-responsive; and find that Dees is lowest responsible bidder and award Contract No. 18-13-C, BPMP Deck Treatments to Dees, in total amount of \$284,533.05

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 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

15. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
16. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 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 Legal Counsel- Existing Litigation- Government Code, Section 54956.9 (d)(1)- Sean Franco vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ10788832, ADJ10852973
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
- 19.1 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - County of San Mateo v. DFS Group, L.P., California Supreme Court Case No. S254637

Adjourn**NEXT MEETINGS:**

April 9, 2019 - 9:00 A.M.

April 23, 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

- 20. Approve minutes of meeting for March 12, 2019
- 21. Approve amendments to Conflict of Interest Code for Mercy Springs Water District

Supervisor Mendes

- 22. Approve Certificates of Recognition for the 2019 Common threads Honorees, which honor Kathy Briano, Tina Carreiro, Giovanna Depaoli, Marcia Shafer, and Sheriff Margaret Mims for their philanthropic endeavors and community service

County Clerk/Registrar of Voters

- 23. Approve and authorize the Chairman to execute a retroactive First Amendment to Agreement No. 15-584 with Integrated Voting Systems, Inc., for ballot printing, vote by mail processing and vote by mail envelope services, adding specific pricing for specialized elections services, making amendments effective September 15, 2018, with no change in term through June 30, 2020 and increasing the maximum by \$190,000 to a total of \$2,770,000
- 24. Approve and authorize the Chairman to execute a retroactive Assignment of Agreement No. 15-369-1 from Merrill Communications, LLC to Toppan Merrill, LLC for the procurement of County Voter Information Guides effective September 1, 2018; and Approve and authorize the Chairman to execute a Second Amendment to Agreement No. 15-369 with Toppan Merrill, LLC for the procurement of County Voter Information Guides, effective upon execution with no change in term to June 30, 2020 and increasing the maximum compensation by \$120,000 to a total of \$3,420,000
- 25. Accept the Certified Statement of Vote for the March 5, 2019 Consolidated Municipal and Special Election

District Attorney

- 26. Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the amount of \$140,904 in the District Attorney's Special Revenue Fund 0060, DOI Auto Ins Fraud Program Org 1104 (4/5 vote); Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues in the amount of \$140,904 in the District Attorney-Grants Org 2862 (4/5 vote); and 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 \$39,700 (4/5 vote)

Sheriff/Coroner/Public Administrator

27. Adopt Resolution accepting and expressing gratitude for the monetary donation of \$38,409 from Orange Cove Police Protection District to purchase a Vigilant License Plate Reader Policing System for the Sheriff's Office during FY 2018-19; and Adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$38,409 (4/5 vote)
28. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 9 (\$250,000) transferring appropriations within the Sheriff-Coroner-Public Administrator Org 3111, from Account 7205 (Maintenance-Equipment) to Account 8300 (Equipment) for the purchase of a Bearcat; adopt Budget Resolution increasing FY 2018-19 appropriations for Federal Asset Forfeiture Treasury Org 1466 in the amount of \$100,000 (4/5 vote); and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$100,000 for the purchase of a Bearcat (4/5 vote)
29. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 12 (\$56,000) transferring FY 2018-19 appropriations within the Sheriff-Coroner-Public Administrator Org 3111, from Account 6100 (Regular Salaries) and Account 6400 (Retirement Contribution) to Account 8300 (Equipment), for the purchase of two Vigilant License Plate Reader systems for the Sheriff's Help Eliminate Auto Theft Unit

Administrative Office

30. 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
31. Approve revised Administrative Policy 17 - County Automotive Transportation
32. Authorize the Board of Supervisors to execute coalition letter to the President, Donald J. Trump, supporting the United States Mexico Canada Trade Agreement
33. Approve expenditure to the San Joaquin Valley Air Pollution Control District to contribute matching funds to a study of the feasibility of developing a new transportation infrastructure to shift shipping containers from trucks to rail via an inland port system in the San Joaquin Valley (\$10,000)

Agriculture

34. Approve and authorize the Chairman to execute retroactive cooperative Agreement No. 18-0030 with the California Department of Food and Agriculture effective July 1, 2018, with no change in term to June 30, 2019, and increasing the maximum by \$371,058 to \$457,433

Human Resources

35. Approve the Addenda to the Memoranda of Understanding regarding salary adjustments for identified classifications as reflected in Appendix "B", effective March 25, 2019, within the following Representation Units, represented by SEIU Local 521: Unit 12 - Clerical, Paramedical, Building & Service Employees and Unit 36 - Supervisory Employees; approve the Addenda to the Memoranda of Understanding regarding salary adjustments for identified classifications as reflected in Appendix "B", effective March 25, 2019, within the following Representation Units, represented by Stationary Engineers - Local 39: Unit 13 - Crafts and Trades and Unit 39 - Operating Engineers; approve the salary adjustments for the Account Clerk I/II/III - Confidential and Supervising Account Clerk I - Confidential classifications to establish salary parity with their equivalent non-confidential classifications, as reflected in Appendix "B", effective March 25, 2019; approve the salary adjustment for the Senior Tree Trimmer classification due to compaction following salary increases to the Tree Trimmer classifications, as reflected in Appendix "B", effective March 25, 2019; and, approve the salary equity adjustment for the Maintenance Janitor and Senior Maintenance Janitor classifications, effective March 25, 2019
36. Approve Resolutions Rejecting Claims for Damages
37. Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Jose Vargas, Social Worker Supervisor, as named in Fresno County Superior Court Case No: 18CECG00076, Jasbir Singh, et al v. County of Fresno, et al. Risk Management claim No.: 9697
38. Approve the Resolution regarding Live Scan information from the Department of Justice, effective March 26, 2019

Library

39. Approve and authorize the Chairman to execute an Agreement with the National Building Museum and Fresno Housing Authority for the Library to show the "Evicted" Exhibition, effective upon execution through December 30, 2019 (\$7,000)

Public Health

40. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Fresno County Superintendent of Schools for the Early Care and Education - Early Stars Program for trainings and technical assistance on health and safety standards at early childhood education sites, effective July 1, 2018 through June 30, 2020 (\$600,000)

Public Works and Planning

41. Approve the termination of Agreement No. 17-570 with Tule Trash Company, LLC to provide seasonal waste collection services within Territory No. 11, effective March 26, 2019 and establish Territory No. 11 of the County's Exclusive Service Area Program as an Open Market Service Area, effective March 27, 2019

42. Conduct second hearing on and adopt Ordinance to amend Master Schedule of Fees, Charges, and Recovered Costs Ordinances by amending Subsection 2801 of Section 2800 - Solid Waste and waive reading of Ordinance in its entirety
43. Approve and authorize Chairman to execute Amendment I to Agreement No. 18-252 with Two Q, Inc., to add media communication and advertising services for Phase I of Department of Public Works and Planning's Environmental Compliance Center, neighborhood outreach, effective upon execution with no change in the term to June 30, 2023 and increasing maximum by \$30,000 to a total of \$3,780,000
44. Adopt Resolution to Schedule a Public Hearing for April 23, 2019 at 9:00 a.m., or as soon thereafter as practicable, for a Resolution of Necessity, supporting condemnation of necessary right-of-way to facilitate Bridge Preventive Maintenance Program Scour Mitigation Project, Federal Project ID No. BPMP-5942(240), and Notice affected property owners (4/5 vote)
45. Approve request by City of Clovis to acquire right-of-way, excluding eminent domain condemnation actions, from two parcels adjacent to existing County right-of-way in identified unincorporated areas of the County as needed in conjunction with the City's conditions of approval for City of Clovis Project Number CIP 13-02, located at north side of Shepherd and Minnewawa Avenue intersection
46. Approve and authorize the Chairman to execute an Agreement with 3B Development, Inc.; Ashlan & Hayes Investments, LLC; Assemi Group, Inc; Grantor Real Estate Investments, LLC; Locans Investments, LLC; Millerton Investments, LLC; and, WC Millerton Developers, Inc. for reimbursement of costs associated with annexation of territory into Community Facilities District No. 2006-01 (Police Protection Services), effective March 26, 2019 to June 18, 2019 (\$15,000)
47. Adopt Resolution designating intersection of Bethel and Nebraska Avenues a stop intersection and authorizing additional stop signs at intersection, stopping eastbound and westbound traffic on Nebraska Avenue, making it an all-way stop
48. Adopt Resolution designating intersection of Academy and Nebraska Avenues a stop intersection and authorizing additional stop signs at the intersection, stopping eastbound and westbound traffic on Nebraska Avenue, making it an all-way stop
49. Adopt Resolution designating intersection of Bethel and Rose Avenues a stop intersection and authorizing additional stop signs at intersection, stopping east and westbound traffic on Rose Avenue, making it an all-way stop

50. Approve and authorize Chairman to execute retroactive First Amendment to Agreement No. 14-507 with Terry Johnson Trucking, Inc., for trucking services to haul materials needed for road maintenance operations, effective August 26, 2014, extending the term to August 25, 2021, and increasing annual maximum for the fourth year by \$446,000 and amending fifth, sixth and seventh year to an annual maximum of \$500,00 (\$3,246,000); approve and authorize Chairman to execute retroactive First Amendment to Agreement No. 14-506 with Clay Miranda Trucking, Inc. for trucking services to haul materials needed for road maintenance operations, effective August 25, 2014, extending the term to August 25, 2021, and increasing annual maximum for fifth, sixth and seventh year to \$500,000 (\$2,800,000); and adopt Budget Resolution increasing FY 2018-19 appropriations for Public Works and Planning - Roads Org 4510 in amount of \$1,250,000 using available fund balance, for construction services associated with road maintenance operations (4/5 vote)

Social Services

51. Approve and authorize the Chairman to execute Amendment I to Agreement No. 18-341 with Turning Point of Central California, Inc. for Emergency Shelter services, effective upon execution with no change in term to June 30, 2021 and increasing the maximum by \$30,000 to a total of \$420,000; and Amendment I to Agreement No. 18-541 with WestCare California, Inc. for Emergency Shelter Motel Vouchers and Rapid Rehousing services, effective upon execution with no change in term to June 30, 2020 and increasing the maximum by \$30,013 to a total of \$987,813
52. Approve and authorize the Chairman to execute an Agreement with America Works of California, Inc. for the provision of CalFresh Employment and Training services, effective upon execution through September 30, 2021, which includes two optional one-year extensions, total not to exceed \$1,944,516