



Board of Supervisors

Agenda - Final-Revised

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

Nathan Magsig, 5th District, Chairman
Buddy Mendes, 4th District, Vice-Chairman
Brian Pacheco, 1st District
Steve Brandau, 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

Tuesday, August 6, 2019

9:00 AM

Hall of Records

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Clerk of the Board of Supervisors staff, as soon as possible during office hours at (559) 600-3529, option 4 or at Clerk/BOS@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

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 15 - 62

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. Adopt resolution in recognition of the Department of Human Resources on their achievement of receiving the 2019 Aspire Award: Creating Opportunities for County Employee Retirement Readiness

Administrative Office

4. Receive verbal report from BNSF Railway, formerly the Burlington Northern and Santa Fe Railway, regarding homeless encampment cleanups in Fresno County and approve Certificate of Appreciation

Fresno County Employees' Retirement Association

5. Approve Salary Resolution Amendment for Fresno County Employees' Retirement Association (FCERA) as reflected on Appendix "C", on file with the Clerk to the Board of Supervisors, adding one (1) Office Assistant position to Fresno County Employees' Retirement Association Org 9200 effective August 26, 2019

Public Works and Planning

6. Consider and adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7495 including Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. 554 (GPA No. 554), a Specific Plan Amendment amending Land Use and Transportation Elements of County-adopted Millerton Specific Plan; adopt Resolution approving Specific Plan Amendment amending Land Use and Transportation Elements of Millerton Specific Plan; approve Ordinance pertaining to Amendment Application No. 3831 thereby rezoning a five-acre portion of subject 40-acre parcel from O Zone District to an R-1(c) Zone District; and rezone a 1.5-acre portion of subject 40-acre parcel from the R-1(c) Zone District to O 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 approve Vesting Tentative Tract Map No. 6226, Conditional Use Permit No. 3621, and Site Plan Review No. 8108 authorizing Planned Unit Development consisting of 80 single-family residential lots on an approximately 25-acre portion of subject 40-acre parcel in the R-1(c) Zone District, subject 40-acre parcel is located within Millerton Specific Plan approximately 1,163 feet south of Millerton Avenue, 880 feet west Marina Drive, and 2.2 miles east of unincorporated community of Friant
7. Consider and take action on appeal filed by Wagner Jones Helsley PC on behalf of Forgotten Fresno, Gonzalo Arias, Jr., Roger Day and Elisa Bilios, et. al. of Planning Commission's technical denial (tie vote) of appeal of Department's approval of Site Plan Review Application No. 8077 allowing an animal hospital/shelter and associated uses on two parcels totaling 4.15 acres in the M-1(c) Zone District; and determine whether required Findings specified in Fresno County Zoning Ordinance, Section 874-A.2 could be made for approval, approval with stated conditions, or denial of Site Plan Review Application No. 8077, 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 nearest city limits of City of Fresno

Board of Supervisors' Committee Reports and Comments

8. 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

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

Public Presentations

10. 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

11. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
12. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 2 Cases
13. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - County of Fresno v. Ralph Kazarian Jr., Trustee of the Sadie Saghatelian GST-Exempt Trust, et al. Case No. 17CECG03366
14. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment

Sitting as the In-Home Supportive Services Public Authority Governing Board:

- 14.1 Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Joy Cronin; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment

Adjourn**NEXT MEETINGS:**

August 20, 2019 - 9:00 AM

September 10, 2019 - 9:00 AM

CONSENT AGENDA

(Any Board Member may pull any consent item for discussion or separate vote)

Board of Supervisors

15. Approve minutes of meeting for July 9, 2019
16. Appoint Supervisor Brandau to replace Supervisor Quintero as the Board member representative to serve on the Fresno County Transportation Authority and the Fresno-Madera Area Agency on Aging; adopt California Form 806 - Agency Report of Public Official Appointments as presented in Exhibit A, and direct the Clerk of the Board to post on the County's internet website

Chairman Magsig

17. Adjourn in memory of Benjamin Dean, a former Fresno County Department of Social Services Program Supervisor

Supervisor Pacheco

18. Adjourn in memory of Kelly Porterfield who was dedicated to educating, enriching and improving the lives of children in Fresno County and the Central Valley

Supervisor Mendes

19. Adjourn in Memory of David Hill, a farmer, dairyman and life long resident of Riverdale

Supervisor Quintero

- 19.1 Adjourn in Memory of Fr. Finian McGinn, who advocated for farmworker rights and conducted multilingual Masses

Sheriff/Coroner/Public Administrator

20. Retroactively authorize the Sheriff's previous submittal of a grant application to the State of California Department of Alcoholic Beverage Control (ABC) 2020 Grant Assistance Program (\$98,115); and approve resolution authorizing the Chairman to execute retroactive Agreement 19G-LA15 with ABC for the project period from July 1, 2019 through June 30, 2020 (\$98,115) and authorize the Sheriff, or their authorized representative, to sign claims for reimbursement and activity reports for this Agreement
21. Retroactively authorize the Sheriff's previous submittal of an application to the U.S. Department of Justice (DOJ) for the FY 2019 State Criminal Alien Assistance Program (SCAAP)

22. Approve and ratify the Sheriff's previous execution of Modification 05 to Agreement 17-103 to accept additional funding of \$27,000 for FY 2018 Controlled Substance Annual Operating and Financial Plan for the period of October 1, 2017 through September 30, 2018, total not to exceed \$45,000; approve and authorize the Chairman to execute a retroactive revenue Agreement, referred to as the 2019 Controlled Substance Annual Operating and Financial Plan, Modification 06, to Agreement 17-103 with the USDA, Forest Service, Sierra and Sequoia National Forest, effective October 1, 2018 and ending September 30, 2019, total not to exceed \$18,000; approve and authorize the Chairman to execute a retroactive revenue Agreement, referred to as the 2019 Patrol Operating and Financial Plan, Modification 07, to Agreement 17-103 with the USDA, Forest Service, Sierra and Sequoia National Forest, effective October 1, 2018 and ending September 30, 2019, total not to exceed \$26,000; and approve and authorize the Chairman to execute a Modification revenue Agreement, referred to as the 2019 Controlled Substance Annual Operating and Financial Plan, Modification 08, to Agreement 17-103 with the USDA, Forest Service, Sierra and Sequoia National Forest, for additional FY 2019 funding in the amount of \$10,000
23. Authorize a waiver of the 28 hours per week and/or 960 hours per calendar year maximum hours limitation for the Extra-Help positions listed on Attachment A in the Sheriff's Office, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

Administrative Office

24. 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
25. Approve revisions to the following Administrative Policies: 27 - Grant Applications; 48 - Designating County Facilities; and 62 - Alternative Work Schedules
26. Approve and Authorize the Chairman to execute the following documents: 1) Grant Deed for the transfer of title for the Superior Court of California, County of Fresno, Main Courthouse Division to the State of California on behalf of the Judicial Council of California, 2) Amended and Restated Transfer and Joint Occupancy Agreements between the County of Fresno and the Judicial Council of California, 3) Memorandum of Amended and Restated Joint Occupancy Agreement, 4) Datedown Certificate, 5) Permanent Easement Agreements, and 6) any other documents necessary to effect these transfers subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector

Agriculture

27. Approve and authorize the Chairman to execute cooperative Agreement No. C1970800 with the California Department of Parks and Recreation for a floating aquatic vegetation control program, effective upon the State's notice to proceed through January 1, 2023, total not to exceed \$144,165

Behavioral Health

28. Approve and authorize the Chairman to execute a Master Agreement with providers of Youth Empowerment Center Services, effective upon execution through June 30, 2021, total not to exceed \$1,736,500; approve and authorize the Chairman to execute an Agreement with Kings View Behavioral Health for Peer and Family Support Wellness and Recovery Services, which will supersede Agreement 15-634, effective upon execution through June 30, 2021, total not to exceed \$2,461,423; and, 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
29. Approve and authorize the Chairman to execute a Memorandum of Understanding with Hacienda Housing LP, and UPHoldings LLC, to identify, apply for, and develop permanent supportive housing projects and services utilizing No Place Like Home Program Competitive Allocation funding, effective upon execution through June 30, 2024, which includes a two year and eleven month base contract and two optional one-year extensions
30. Approve and authorize the Chairman to execute retroactive Amendment II to Master Agreement A-18-250 for out-of-county inpatient psychiatric services effective September 1, 2018 with no change in term to June 30, 2023 and increasing the maximum by \$21,500,000 to a total of \$30,500,000

Human Resources

31. Approve Resolutions Rejecting Claims for Damages; and, approve Resolution Rejecting Application for Leave to Present a Late Claim
32. Approve the Amendment to Personnel Rule 7025 - Leave to Seek Office, as reflected in Appendix "B", effective August 12, 2019

Internal Services

33. Approve and authorize the Chairman to execute an Agreement with Clearwater Compliance LLC, d.b.a. Clearwater Insights LLC for software products and professional services related to security compliance with the Health Insurance Portability and Accountability Act, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract, and two optional one-year extensions, total not to exceed \$300,000
34. Approve and authorize the Chairman to execute the First Amendment to Agreement No. A-17-061 with Cintas Corporation No. 3 for countywide uniform services, effective upon execution with no change in term to March 6, 2022, increasing the maximum by \$650,000 to a total cost not to exceed \$1,650,000

35. Conduct second hearing on and adopt an Ordinance to amend the Master Schedule of Fees, Charges, and Recovered Costs Ordinance, by deleting Subsections 4301, 4324, and 4325, and updating Subsections 4302-4315, 4317, 4319-4323, and 4326-4329 of Section 4300-Information Technology Services, and waive the reading of the Ordinance in its entirety
36. Conduct second hearing on and adopt an Ordinance to amend the Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Subsections 3804 and 3809-3813 of Section 3800-General Services, and waive the reading of the Ordinance in its entirety

Library

37. Adopt Resolution accepting and expressing gratitude for a monetary donation of \$85,000 from the Thompson Family Trust to the Fresno County Public Library, for both the new Clovis and Reedley Library capital construction projects
38. Adopt Resolution accepting and expressing gratitude for a monetary donation of \$9,500 from the Estate of Wayne A. Brooks to the Fresno County Public Library for new Library facilities; and authorize the County Librarian to execute all documents required to receive distribution of trust assets, including, but not limited to, Acknowledgement of Receipt & Consent to Terms, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector
39. Approve and authorize the Chairman to ratify the County Librarian's previous execution of a retroactive agreement and acceptance of grant funds from the California Library Association, effective July 1, 2019 through August 9, 2019 (\$17,000); authorize the County Librarian, or his designee, to sign expenditure forms and activity reports for this agreement; and adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$17,000 (4/5 vote)

Probation

40. Approve and authorize Chairman to execute the First Amendment to Agreement No. 18-117 with the Fresno Economic Opportunities Commission for a construction apprenticeship program for adult offenders, to allow adjustments to the Agreement's line item budget up to 10% of the annual maximum compensation, as long as the changes do not result in a change in the total annual not to exceed amount, with approval of the Chief Probation Officer, effective upon execution with no change in term to April 30, 2023
41. Approve and authorize the Chairman to execute retroactive First Amendment to Agreement No. 17-297, Master Agreement for Training Services, effective June 1, 2018 with no change in term to May 31, 2022, and increasing the maximum by \$220,000 to a total of \$795,000
42. Approve and authorize the Chairman to execute a retroactive amended and restated Agreement with Satellite Tracking of People, LLC, to replace, restate, and supersede Purchasing Agreement No. P-19-230-S, for GPS Electronic Monitoring Equipment and Services, effective January 1, 2019, not to exceed two consecutive years, and total not to exceed \$600,000

Public Health

43. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Pistoresi Ambulance Service, Inc., for dispatching services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2019 through June 30, 2020 (\$305,184); retroactive Agreement with KWPH Enterprises, dba American Ambulance, for dispatching of Pistoresi Ambulance Service through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2019 through June 30, 2020 (\$263,618); retroactive revenue Agreement with Sierra Ambulance Service, Inc., for dispatching services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2019 through June 30, 2020 (\$97,236); and, retroactive Agreement with KWPH Enterprises, dba American Ambulance, for dispatching of Sierra Ambulance Service through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2019 through June 30, 2020 (\$84,053)
44. Approve and authorize the Chairman to execute an Agreement with Valley Health Team Incorporated, for services to improve prevention and management of heart disease and stroke through clinic-based strategies and community clinical linkages, effective upon execution through September 30, 2023, which includes a two-year three-month base contract, with two optional one-year extensions (\$1,399,997)
45. Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Forestry and Fire Protection, for 2018-2019 Fire Prevention Grant Program funds to remove and dispose of dead and dying trees on the State Route 168 corridor, effective upon execution through March 15, 2022 (\$1,680,000); and, execute the Governing Body Resolution
46. Approve and authorize the Chairman to execute a retroactive Agreement with KWPH Enterprises, dba American Ambulance, for dispatching services in Kings County through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2019 through October 31, 2020 (\$58,053)

Public Works and Planning

47. Adopt Budget Resolution increasing FY 2019-20 appropriations for American Avenue Disposal Site Org 9026 in amount of \$1,500,000 using American Avenue Disposal Site Enterprise Fund 0700 General Reserves for purchase of two new track-type dozers (4/5 vote)
48. Adopt Resolution establishing Infrastructure Plan Fees to provide for Millerton New Town Infrastructure Facilities; and adopt Resolution establishing Specific Plan Fees to provide for Millerton New Town Facilities

49. Adopt Resolution approving 24-month discretionary extension to exercise Tentative Tract Map No. 5991 in accordance with Section 66452.26 of Subdivision Map Act, extending life of Tentative Tract Map from April 12, 2019 to April 12, 2021, subject property is located on north side of Shaver Forest Road, approximately 530 feet northeast of its intersection with State Route 168 within unincorporated community of Shaver Lake
50. Adopt Resolution authorizing the Department of Public Works and Planning to submit a grant application to the California Department of Housing and Community Development for Senate Bill 2 Planning Grants Program for the preparation, adoption, and implementation of plans that streamline housing approvals and accelerate housing production (\$310,000); and if the grant application is approved, approve and authorize the Director or his designee upon review and approval by County Counsel as to legal form and the Auditor-Controller Treasurer Tax Collector as to accounting form, to execute and deliver a State of California Standard Agreement to secure the Senate Bill 2: Planning Grant
51. Approve and authorize Chairman to execute Amendment II to Agreement No. 16-504 with Abbe and Associates LLC to provide consultant services related to amending Exclusive Service Area Program Agreement, extending the term by six months from August 9, 2019 to February 8, 2020 and increasing maximum by \$37,500 to a total of \$337,500
52. Approve and authorize Chairman to execute Amendment I to Exclusive Service Area Program Agreement No. 17-572 with Western Solid Waste for recycling surcharge overlay of 1.45% to be imposed on all subscribers of solid waste, recycling, and green waste collection services, effective October 1, 2019 through June 30, 2020
53. Adopt plans and specifications and award Contract No. 19-01-J, Class A (General Engineering) Job Order Contract, for County department projects, to bidder with lowest bid, Emmett's Excavation, Inc., 1477 Menlo Ave., Clovis, with total not to exceed \$1,500,000; adopt plans and specifications and award Contract No. 19-02-J, Class A (General Engineering) Job Order Contract, for County department projects, to bidder with second lowest bid, Durham Construction Company, Inc., 1025 Holland Ave., Clovis, with total not to exceed \$1,500,000; adopt plans and specifications and award Contract No. 19-J-01, Class B (General Building) Job Order Contract, for County department projects, to bidder with lowest bid, Ardent General, Inc., 2960 N. Burl Ave., Fresno, with total not to exceed \$2,000,000; adopt plans and specifications and award Contract No. 19-J-02, Class B (General Building) Job Order Contract, for County department projects, to bidder with second lowest bid, Durham Construction Company, Inc., 1025 Holland Ave., Clovis, with total not to exceed \$2,000,000; and adopt plans and specifications and award Contract No. 19-J-03, Class A (General Building) Job Order Contract, for County department projects, to bidder with third lowest bid, Exxon Development, Inc., 13831 Newhope St., Garden Grove, with total not to exceed \$2,000,000
54. Conduct second hearing on Ordinance to amend Chapter 11.24 - Speed Limits of Fresno County Ordinance Code, Sections 11.24.010 through 11.24.100, to reflect various changes to Ordinance Code as a result of recent traffic studies; and waive reading of Ordinance in its entirety

55. Adopt Resolution designating intersection of Annadale and Newmark Avenues a stop intersection and authorizing additional stop signs at the intersection, stopping eastbound and westbound traffic on Annadale Avenue, making it an all-way stop
56. Adopt Resolution authorizing No Parking signs on DeWitt Avenue south of Kings Canyon Road through Butler Avenue and direct the Director of Department of Public Works and Planning to install said No Parking signs
57. Approve Contractor Pre-qualification and Appeal Procedure for pre-qualification of contractors for eligibility to bid to perform certain public construction projects, per California Public Contract Code; and authorize Director of Department of Public Works and Planning, upon review and approval by County Counsel as to legal form, to update the procedure, as necessary
58. Adopt Resolutions designating thirteen intersections within Fresno County as stop intersections, authorizing additional stop signs at nine intersections making them all-way stops, one intersection making it two-way stop, and three intersections making them one-way stops
59. Adopt plans and specifications for Contract No. 19-04-C, 2018-2019 Concrete Improvement Project, Various Locations in Fresno County, and award construction contract to lowest bidder, Witbro Incorporated, dba Seal Rite Paving and Grading, 4237 W. Swift Ave, Fresno, in amount of \$247,648.00

Social Services

60. Approve and authorize the Chairman to execute a retroactive Sublease Agreement with Omninet Properties Manchester Center, LLC, and Fresno Area Workforce Investment Corporation for approximately 6.71% of office space at 3302 N. Blackstone Avenue, Fresno, CA for use by the Department of Social Services, effective January 1, 2018, not to exceed three (3) years and eight (8) months, total not to exceed \$110,184
61. Approve and authorize the Chairman to execute a retroactive Consent to Sublease Agreement with Omninet Properties Manchester Center, LLC, and Fresno Area Workforce Investment Corporation, effective January 1, 2018
62. Approve and authorize the Chairman to execute Assignment, Novation, and Consent of Agreement No. 15-058-1 with DXC Technology Services LLC for Maintenance and Operation of CalWIN, assigning responsibility from the County of Fresno to the CalSAWS Consortium, a Joint Powers Authority, effective September 1, 2019; and an Assignment, Novation, and Consent of Agreement No. 19-215 with California State Association of Counties for Welfare Client Data Systems Management services, assigning responsibility from the County of Fresno to the CalSAWS Consortium, a Joint Powers Authority, effective September 1, 2019