



# County of Fresno

## Action Summary - Draft

### 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

*Buddy Mendes, 4th District, Chairman*  
*Brian Pacheco, 1st District, Vice-Chairman*  
*Andreas Borgeas, 2nd District*  
*Henry Perea, 3rd District*  
*Deborah A. Poochigian, 5th District*

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

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Tuesday, November 15, 2016

9:00 AM

Hall of Records

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**Present:** 5 - Supervisor Andreas Borgeas, Chairman Buddy Mendes, Vice Chairman Brian Pacheco, Supervisor Henry Perea, and Supervisor Deborah A. Poochigian

### Invocation and Pledge of Allegiance

*PASTOR SAM ESTES, CITY ADVANCE DIRECTOR FOR COMMUNITIES INC., GAVE INVOCATION AND LED THE BOARD IN THE PLEDGE OF ALLEGIANCE*

#### 1. Approve Agenda

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR BERGEAS, THAT THIS AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 13, WHICH WAS DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

#### 2. Approve Consent Agenda - Item Numbers 18 - 57

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY VICE CHAIRMAN PACHECO, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 36, 47 AND 51 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

### Board of Supervisors

#### 3. Presentation of Retirement Plaque to Gracie Burns - Department of Social Services - 25 years of service

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO PRESENT THE RETIREMENT PLAQUE TO DELFINO NEIRA ON BEHALF OF GRACIE BURNS. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**Supervisor Poochigian**

- 4. Discuss, consider proposed changes, and give direction to staff to review Board of Supervisors Administrative Policies and County Administrative Officer Management Directives pertaining to Ethics, Gifts, Donations and Disclosure requirements and return with revisions to the corresponding Administrative Policy and Management Directive chapters

**A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY CHAIRMAN MENDES, TO DIRECT STAFF TO TAKE THE PROPOSED CHANGES TO BOARD POLICIES AND COUNTY ADMINISTRATIVE OFFICER MANAGEMENT DIRECTIVES INTO CONSIDERATION DURING THE COMPREHENSIVE ADMINISTRATIVE POLICY REVIEW AND RETURN TO THE BOARD AT A LATER DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 3 - Borgeas, Mendes, and Pacheco

**Noes:** 2 - Perea, and Poochigian

**Administrative Office**

- 5. Retroactively authorize a waiver of the 960 hours per calendar year maximum hours limitation for the Extra-Help position listed on Attachment A in the Board of Supervisors District Three, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY VICE CHAIRMAN PACHECO, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**Public Works and Planning**

- 6. Receive staff presentation on negotiated terms for proposed amendments to Exclusive Service Area Program agreements; provide direction to staff to (a) finalize amended Exclusive Service Area Program agreements, and (b) provide written notice to all contracted haulers by February 26, 2017 on County’s intent to amend and extend, and (c) return to the Board in first quarter of 2017 for execution of amended agreements, providing for a ten-year extension and setting extended expiration date at 12:00 a.m. on February 26, 2028; and provide direction to staff regarding trash, recycling and green/organic services for County Facilities to (a) issue Request for Quotation for required services, or (b) incorporate County Facilities services as part of Exclusive Service Area Program Agreements

**RECEIVED STAFF PRESENTATION ON NEGOTIATED TERMS FOR PROPOSED AMENDMENTS TO THE EXCLUSIVE SERVICE AREA PROGRAM AGREEMENTS. A MOTION WAS MADE BY VICE CHAIRMAN PACHECO, SECONDED BY SUPERVISOR BORGEAS, TO DIRECT STAFF TO FINALIZE THE AMENDED EXCLUSIVE SERVICE AREA PROGRAM (ESAP) AGREEMENTS AND RETURN TO THE BOARD ON JANUARY 31, 2017 TO ALLOW THE NEW DISTRICT 3 AND DISTRICT 5 SUPERVISORS THE ABILITY TO PROVIDE COMMENT PRIOR TO RETURNING TO THE BOARD FOR AGREEMENT EXECUTION. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY SUPERVISOR POOCHIGIAN, TO CONTINUE WITH CURRENT HAULERS AT THE ESAP RATES FOR TRASH, RECYCLING AND GREEN/ORGANIC SERVICES UNDER 10 CUBIC YARDS FOR COUNTY FACILITIES. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

7. Consider and take necessary actions to initiate dissolution of Community Facilities Districts (Police Protection) for CFD 2005-01 (Ventana Hills), CFD 2005-02 (Bretz Mountain) and CFD 2005-03 (Wildflower Village)

**CONDUCTED PUBLIC HEARING TO CONSIDER ELIMINATING ENHANCED POLICE PROTECTION SERVICES FOR COMMUNITY FACILITIES DISTRICT 2005-01 (POLICE PROTECTION) (CFD 2005-01). NO PUBLIC TESTIMONY RECEIVED. A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO APPROVE RECOMMENDED ACTIONS 1B AND 1C OF AGENDA ITEM. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 3 - Pacheco, Perea, and Poochigian

**Noes:** 2 - Borgeas, and Mendes

**CONDUCTED PUBLIC HEARING TO CONSIDER ELIMINATING ENHANCED POLICE PROTECTION SERVICES FOR COMMUNITY FACILITIES DISTRICT 2005-02 (POLICE PROTECTION) (CFD 2005-02). NO PUBLIC TESTIMONY RECEIVED. A MOTION WAS MADE BY SUPERVISOR BERGEAS, SECONDED BY SUPERVISOR POOCHIGIAN, TO CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO APPROVE RECOMMENDED ACTIONS 2B AND 2C OF AGENDA ITEM. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 3 - Pacheco, Perea, and Poochigian

**Noes:** 2 - Borgeas, and Mendes

**CONDUCTED PUBLIC HEARING TO CONSIDER ELIMINATING ENHANCED POLICE PROTECTION SERVICES FOR COMMUNITY FACILITIES DISTRICT 2005-03 (POLICE PROTECTION) (CFD 2005-03). NO PUBLIC TESTIMONY RECEIVED. A MOTION WAS MADE BY SUPERVISOR BERGEAS, SECONDED BY SUPERVISOR POOCHIGIAN, TO CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO APPROVE RECOMMENDED ACTIONS 3B AND 3C OF AGENDA ITEM. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 3 - Pacheco, Perea, and Poochigian

**Noes:** 2 - Borgeas, and Mendes

Resolution No. 16-453, Resolution No. 16-454, Resolution No. 16-455

8. Retroactively authorize waiver of 28 hours per week and/or 960 hours per calendar year maximum hours limitation for Extra-Help position listed on Attachment A in Department of Public Works and Planning, pursuant to provisions set forth in Salary Resolution, Section 1100 and Personnel Rules 2040 and 4240

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR BORGEAS, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

9. Consider and adopt Resolution of Intention initiating amendments to various section of Fresno County Ordinance Code addressing construction of telecommunication facilities and related improvements within public rights-of-way in unincorporated areas of Fresno County; consider and adopt Interim Urgency Ordinance pursuant to Government Code Section 65858 establishing a moratorium on construction of telecommunication facilities and related improvement within public rights-of-way in unincorporated areas of Fresno County. Adoption of initial Interim Urgency Ordinance is effective for a period of up to 45 days unless earlier terminated or extended (4/5 vote); and determine that approval of Resolution of Intention and adoption of Interim Urgency Ordinance are exempt from requirements of California Environmental Quality Act, Public Resources Code section 21000, et seq., and direct staff to file Notice of Exemption with the Office of the Fresno County Clerk

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY SUPERVISOR POOCHIGIAN, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-456, Ordinance No. 16-016

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

10. Board of Supervisors' Committee Reports and Comments - Receive and provide direction (this item reserved for committee reports by members of the Board of Supervisors)

HELD

### **Board Appointments**

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

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY VICE CHAIRMAN PACHECO, THAT THE NOMINATION FOR APPOINTMENT BE APPROVED AS FOLLOWS:**

**CALIFORNIA STATE ASSOCIATION OF COUNTIES BOARD OF DIRECTORS  
APPOINTED BUDDY MENDES (TERM TO 11/01/2017) AND SUPERVISOR BORGEAS AS ALTERNATE (TERM TO 11/01/2017)**

**THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**A MOTION WAS MADE BY VICE CHAIRMAN PACHECO, SECONDED BY SUPERVISOR BORGEAS, THAT THE NOMINATION FOR REAPPOINTMENT BE APPROVED AS FOLLOWS:**

**FRESNO COUNTY FIRE PROTECTION DISTRICT  
REAPPOINTED FRANK J. DEL TESTA (TERM TO 09/30/2020)**

**THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes: 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian**

### **Public Presentations**

- 12.** Public Presentations - This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda - Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic

**RECEIVED**

### **Closed Session**

- 13.** 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  
**DELETED**
- 14.** Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d) (4) (2 cases)  
**HELD; NO REPORTABLE ACTION**
- 15.** Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)  
**HELD; NO REPORTABLE ACTION**
- 16.** Conference with legal counsel - Existing Litigation Government Code, section 54956.9(d)(1) - Dominic Hanna v. County of Fresno, et al. Eastern District Court Case No.:1:14-cv-00142; Risk Management Claim No.: MM14-001  
**HELD; NO REPORTABLE ACTION**
- 17.** Conference with Real Property Negotiators - Government Code 54956.8. Property: 1250 Van Ness, Fresno, CA 93721 (APN's 466-152-11 and 466-155-15); County Negotiator: Jean M Rousseau, County Administrative Officer. Negotiating Parties: Fresno County Federal Credit Union, Under Negotiations: Instructions to County's negotiator may concern purchase of property, price, terms and conditions  
**HELD; NO REPORTABLE ACTION**

## Adjourn

**A MOTION WAS MADE BY SUPERVISOR BERGEAS, SECONDED BY VICE CHAIRMAN PACHECO, TO ADJOURN THE MEETING FOLLOWING CLOSED SESSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**CONSENT AGENDA**

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY VICE CHAIRMAN PACHECO, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 36, 47 AND 51 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**Board of Supervisors**

18. Approve minutes of meeting for November 1, 2016

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**Chairman Mendes**

19. Adopt Proclamation to proclaim November 17, 2016, as World Prematurity Day in Fresno County

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-438

**District Attorney/Public Administrator**

20. Adopt Budget Resolution re-appropriating \$1,038,878 from the FY 2015-16 budget to the FY 2016-17 budget for the District Attorney Org 2860 (4/5 vote)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-439



**Sheriff/Coroner**

- 21. 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 overhaul and repair services, as Helicopter Engine Repair & Overhaul Services, Inc. is the only vendor that could provide exceptional services in a timely manner and minimize aircraft downtime; and approve and authorize the Chairman to execute an Agreement with Helicopter Engine Repair & Overhaul Services, Inc. for the Rolls Royce Model 250 turbine engine, engine gear boxes and related components for the Sheriff-Coroner’s Office aircrafts consisting of two McDonnell Douglas (MD) 500 helicopters, effective November 15, 2016 through November 15, 2021 not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$900,000

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-661

**Administrative Office**

- 22. 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

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-440

- 23. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2016 Drought Conditions

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-441

**Behavioral Health**

- 24. Approve and authorize submission of the Fresno County Mental Health Services Act FY 2015-16 Annual Update to the State Mental Health Services Oversight and Accountability Commission which provides oversight for Board approved Mental Health Services Act programs and services

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**Child Support Services**

25. Adopt Resolution increasing FY 2016-17 appropriations and estimated revenues for the Department of Child Support Services - Administrative & Electronic Data Processing Special Revenue Fund Org. 1090 in the amount of \$710,470 (4/5 vote); and, Adopt Resolution increasing FY 2016-17 appropriations and estimated revenues for the Department of Child Support Services Org. 5110 in the amount of \$710,470 (4/5 vote)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-442, Resolution No. 16-443

**Board of Supervisors Sitting as the Board of Directors of the Fresno County Financing Authority (FCFA):**

26. Approve and authorize Chairperson to execute Settlement Agreement with Defendant, Natixis Funding Corp., and Natixis S.A. (together Natixis), in connection with In re Municipal Derivatives Antitrust Litigation, MDL Docket No. 1950, Master Docket No. 08-2516 (VM) (GWG) (the MDL), including Fresno County Financing Authority (FCFA) v. AIG Financial Products Corp. et al., 09 Civ. 119 (VM), United States District Court, Southern District of New York, subject to execution of the Settlement Agreement by Defendant, Natixis Funding Corp., and approval thereof as to form by FCFA's special co-counsel (\$14,000 gross amount)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-662

**Human Resources**

27. Approve the Memorandum of Understanding (MOU) for Representation Unit 39 - Operating Engineers, represented by Stationary Engineers - Local 39, effective November 21, 2016, through July 1, 2018; and, Approve the related Salary Resolution Amendments as reflected on Appendix "B"

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Salary Resolution No. 16-045

28. Approve amendments to Department Conflict of Interest Codes, on file with the Clerk to the Board, to become effective immediately

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

29. Approve salary adjustments for the Accountant I/II/Sr - Confidential and the Information Technology Analyst I/II/III/IV/Sr - Confidential classifications to establish salary parity with their equivalent non-confidential classifications, effective as indicated on Appendix "C"

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Salary Resolution No. 16-046

30. Approve Amendment to the Salary Resolution revising Fair Labor Standards Act designations for impacted County classifications effective November 21, 2016 as reflected on Appendix A

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Salary Resolution No. 16-047

### **Internal Services**

31. Approve and authorize the Chairman to execute Second Amendment to Agreement No. 14-689 with AssetWorks LLC. to increase the maximum agreement cost by \$95,000, effective upon execution, for a total potential five-year cost not to exceed \$297,197

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 14-689-2

32. Approve the waiver of nepotism rule in accordance with Management Directive 230 - Nepotism and Section 43 of the Fresno County Charter for the son of the Director of Human Resources selected as an Extra Help Information Technology Intern in the Internal Services Department and authorize the Chairman to sign the Job Change Information form (Unanimous)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

**Library**

- 33. Adopt resolution in support of confirming the new library facility in the City of Clovis be named the Clovis Regional Library

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-444

- 34. Approve and authorize the Chairman to accept Library Services and Technology Act (LSTA) funds through the Pacific Library Partnership to allow the County Librarian to participate in the Veterans Connect @ the Library program grant effective upon approval through June 30, 2017 (\$9,725); and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Library Grants Org 7517 in the amount of \$9,725 (4/5 vote)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-445

**Probation**

- 35. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Kerman to assign a sworn Police Officer to the AB 109 Adult Compliance Team, effective October 1, 2016 through June 30, 2017 (\$161,923)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-644

- 36. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Kingsburg to assign a sworn Police Officer to the AB 109 Adult Compliance Team, effective October 1, 2016 through June 30, 2017 (\$171,346)

**A MOTION WAS MADE BY CHAIRMAN MENDES, SECONDED BY SUPERVISOR BERGEAS, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 4 - Borgeas, Mendes, Pacheco, and Perea

**Noes:** 1 - Poochigian

Agreement No. 16-645

37. Approve and authorize the Chairman to execute a Second Amendment to Agreement #16-018 with the City of Clovis to assign an additional sworn Police Officer to the AB 109 Adult Compliance Team, effective upon execution through June 30, 2017, and increasing the contract maximum by \$181,383 to a total of \$558,182

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-018-2

38. Retroactively Approve the Chief Probation Officer's previous submittal of a grant application to State of California's Board of State and Community Corrections for Title II Juvenile Delinquency Prevention and Intervention Grant Program funds (\$300,000); and adopt resolution authorizing the Chairman to sign the grant application and to execute the subsequent retroactive grant award agreement for the period October 1, 2016 through September 30, 2017, subject to approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-648, Resolution No. 16-446

39. 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 continuation of Fresno County's Probation Specialized Supervision Program (\$133,333); and approve and authorize the Chairman to execute a retroactive Grant Award Face Sheet and Certification of Authority to execute the Agreement and the Certification of Assurance of Compliance for the period of October 1, 2016 through September 30, 2017 (\$133,333)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-647

## **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, 2016 through June 30, 2018 (\$599,902)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-649

**Public Works and Planning**

- 41. Adopt a Resolution authorizing the Director of the Department of Public Works and Planning or his or her designee to submit a Financial Assistance Application to the State Water Resources Control Board for funding for the construction of improvements to the drinking water facilities serving County Service Area 30 - El Porvenir and County Service Area 32 - Cantua Creek, and authorizing the Director of the Department of Public Works and Planning to execute, subject to the review and approval of County Counsel and the Auditor-Controller/Treasurer-Tax Collector, a Funding Agreement and any amendments that the Director deems necessary for the consummation and continuing administration of the project (\$10,000,000)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-447

- 42. Make determination in accordance with Administrative Policy No. 34 that “unusual or extraordinary circumstances” exist that allow sole source procurement of collection and control equipment based on the Board’s express findings that specification by brand or trade name of collection and control equipment is appropriate in order to improve operation and monitoring of American Avenue Disposal Site, and is consistent with provisions of Public Contract Code Sections 3400(C)(2) and 3400(C)(3), and authorize staff to incorporate these sole-sourced components in the project design; and adopt plans and specifications for Contract No. 16-16-SW, American Avenue Disposal Site Phase II and Phase III Landfill Gas Collection and Control System Expansion, and authorize Director of Department of Public Works and Planning to advertise for bids and set bid opening date

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

- 43. Adopt Resolution approving the rescission of Agricultural Land Conservation Contract No. 2417 and simultaneous entry into a new Agricultural Land Conservation Contract No. 8321 pursuant to Government Code Section 51257 of the Land Conservation Act of 1965 (Williamson Act); and authorize recording of new Agricultural Land Conservation Contract following signature by the Chairman

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-448

- 44. Approve and authorize Chairman to execute Cooperative Agreement with County of Madera for the San Joaquin River Bridge Replacement Project on Italian Bar Road (\$100,000)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-650

- 45. Adopt plans and specifications for Contract No. 16-20-C, Fruit and Barstow Left Turn Phasing, and authorize the Director of the Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date contingent upon the Department receiving authorization from the California Department of Transportation

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

- 46. Approve and authorize Chairman to execute Master Agreement for on-site and in-shop pump and electrical motor repair, service, parts, and supplies, effective November 15, 2016, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$3,000,000

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-651

47. Adopt Resolution finding that granting eight permanent easements and two temporary construction easements located in Courthouse Park to City of Fresno to reconstruct existing bus shelters on Van Ness Avenue and Fresno Street is in public interest and that easements will not substantially conflict or interfere with use of the property by County; authorize Chairman to execute Deed of Easement, Temporary Construction Easement, Agreement for Purchase and Sale, and other related documents to grant easements on behalf of County to City of Fresno; adopt Resolution finding that granting permanent easement located in Courthouse Park to Pacific Gas and Electric Company, for benefit of City of Fresno, to provide electrical service to reconstructed bus shelters on Van Ness Avenue and Fresno Street is in public interest and that easement will not substantially conflict or interfere with use of property by County; and authorize Chairman to execute Easement Deed, Agreement for Purchase and Sale, and other related documents to grant easement on behalf of County to Pacific Gas and Electric Company, for the benefit of City of Fresno

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO APPROVE THE RECOMMENDED ACTION WITH THE CAVEAT THAT, FOR ANY EASEMENTS GRANTED THAT INCLUDE LANDSCAPED AREAS, THE CITY WILL BE RESPONSIBLE FOR MAINTAINING SUCH LANDSCAPING ON A LEVEL COMPARABLE TO THE SURROUNDING LANDSCAPING OF FRESNO COUNTY'S COURTHOUSE PARK AND FURTHER, THAT FOR ANY EASEMENTS GRANTED THAT INCLUDE AREAS PRESENTING A SECURITY RISK, THE CITY SHALL PROVIDE PATROLLING OF SUCH AREAS. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

Resolution No. 16-451, Resolution No. 16-452, Agreement No. 16-663, Agreement No. 16-664

48. Adopt Budget Resolution increasing FY 2016-17 appropriations in Neighborhood Stabilization Program 3 Special Revenue Fund Org 1206 in amount of \$296,500 (4/5 vote); and adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues in Neighborhood Stabilization Program 3 Org 7209 in amount of \$296,500 (4/5 vote)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Resolution No. 16-449, Resolution No. 16-450



49. Approve and authorize Chairman to execute Program Supplement Agreement No. 225-N1 to Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for East Lincoln Avenue Bridge over Wahtoke Creek Bridge Replacement, Federal Project No. BRLO-5942(212), (\$439,000); Program Supplement Agreement No. 251-N1 to Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for North Chateau Fresno over Houghton Canal Bridge Replacement, Federal Project No. BRLO-5942(237), (\$521,000); and Program Supplement Agreement No. 278-F to Master Agreement for Federal Aid No. 06-5942F15 with California Department of Transportation for Hot Mix Asphalt Overlay on Manning Avenue from Mendocino Avenue to Kings River and Shaw Avenue from McCall Avenue to Academy Avenue, Federal Project No. STPL-5942(277), (\$4,931,674)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-652, Agreement No. 16-653, Agreement No. 16-654

50. Approve and authorize Chairman to execute agreements for heavy equipment rental with Quinn Group, Inc. dba Quinn Rental Services (\$750,000), Herc Rentals Inc. (\$255,000), and United Rentals Inc. (\$255,000) for a three-year term, with the option to extend each agreement for up to two additional one-year periods for a maximum of five years, total combined amount of all three agreements for five years will be (\$2,100,000)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-655, Agreement No. 16-656, Agreement No. 16-657

51. Make the findings that particular materials, products or control systems that are components of proposed construction of West Annex Jail, located at 2208 Merced Street, Fresno, are to be designated by specific brand names or trade names to match other products that are common to other facilities within County as authorized in Public Contract Code, section 3400(b) and County's Administrative Policy No. 34, concerning exceptions from County bidding requirements; direct staff to set forth foregoing findings in Notice to Contractors, and incorporate requirements for foregoing materials, products and control systems into bid documents of proposed West Annex Jail facility; adopt Plans and Specifications for construction of proposed West Annex Jail, Contract No. 16-S-04; and authorize Director of Public Works and Planning to set bid opening and advertise for bids, contingent upon approval and/or consent of Board of State and Community Corrections and State Department of Finance

**A MOTION WAS MADE BY CHAIRMAN MENDES, SECONDED BY VICE CHAIRMAN PACHECO, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 4 - Borgeas, Mendes, Pacheco, and Perea

**Noes:** 1 - Poochigian

- 52.** Designate Chairman Mendes to serve as Fresno County's appointed member to the Board of Directors for Kings River East Groundwater Sustainability Agency and Department staff to serve as alternate

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

- 53.** Designate Chairman Mendes to serve as Fresno County's appointed member to the Board of Directors for North Fork Kings Groundwater Sustainability Agency

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

- 54.** Approve and authorize Chairman to execute First Amendment to Agreement No. 13-761 with Central State, Inc., to increase Annual Maximum amount from \$240,000 to \$320,000 for years three, four and five (\$1,440,000)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 13-761-1

### **Social Services**

- 55.** Approve and authorize the Chairman to execute an Agreement with the California Department of Health Care Services for the purpose of safeguarding sensitive Medi-Cal Personally Identifiable Information, effective upon execution by both parties through September 1, 2019 with two optional three-month extensions (\$0)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-659

56. Approve and authorize the Chairman to execute an Agreement with the California Department of Social Services to allow access to the Treatment Outcomes Package, a web-based behavioral assessment tool, effective upon execution through June 30, 2018 (\$0)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian

Agreement No. 16-660

57. Approve and authorize the Clerk to the Board to execute Budget Transfer No. 10 transferring appropriations within the Department of Social Services Organization 5610 from Account 7295, Professional & Specialized Services to Account 8300, Equipment in the amount of \$69,350

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Mendes, Pacheco, Perea, and Poochigian