



# County of Fresno

## Action Summary - Final

### Board of Supervisors

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

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

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Tuesday, February 20, 2018

9:00 AM

Hall of Records

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**Present:** 5 - Vice Chairman Andreas Borgeas, Supervisor Nathan Magsig, Supervisor Buddy Mendes, Supervisor Brian Pacheco, and Chairman Sal Quintero

#### Invocation and Pledge of Allegiance

*PASTOR JOBY JONES, GRACE AND TRUTH MISSIONARY BAPTIST CHURCH, GAVE THE INVOCATION AND BERNICE E. SEIDEL, CLERK TO THE BOARD, LED THE BOARD IN THE PLEDGE OF ALLEGIANCE*

#### 1. Approve Agenda

**A MOTION WAS MADE BY VICE CHAIRMAN BORGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE AGENDA BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

#### 2. Approve Consent Agenda - Item Numbers 16 - 31

**A MOTION WAS MADE BY VICE CHAIRMAN BORGEAS, SECONDED BY SUPERVISOR MENDES, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

#### Board of Supervisors

#### 3. Presentation of Retirement Plaque to Babette Louise Reese - Department of Public Health - 27 Years of Service

**NOT HELD**

#### 4. Presentation of Retirement Plaque to Ginger Marie Parker - Department of Public Health - 28 Years of Service

**PRESENTED PLAQUE TO GINGER MARIE PARKER**

**Chairman Quintero****4.1 Proclaim Grand Jury Awareness Month**

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

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 18-071

**District Attorney/Public Administrator**

- 5.** Retroactively authorize the District Attorney-Public Administrator's previous submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) for the Electronic Suspected Child Abuse Report System for the time period October 1, 2017 through December 31, 2018 (\$250,000); authorize the Chairman to execute a retroactive grant application/agreement and Certification of Assurances of Compliance for the Electronic Suspected Child Abuse Report System with Cal OES for the time period October 1, 2017 through December 31, 2018 (\$250,000); adopt Budget Resolution increasing FY 2017-18 appropriations and estimated revenues in the District Attorney- Grants Org 2862 in the amount of \$200,643 (4/5 vote); adopt Budget Resolution increasing FY 2017-18 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$49,357 (4/5 vote); and approve Amendment to the Salary Resolution adding one Paralegal I/II to District Attorney- Grants Org 28623250 effective July 2, 2018 as reflected in Appendix D

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

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 18-057, Resolution No. 18-072, Resolution No. 18-073, Salary Resolution No. 18-012

**Sheriff/Coroner**

- 6.** Approve and authorize the Chairman to execute Agreement with the Fresno Unified School District for law enforcement services effective February 20, 2018 through June 30, 2018 (\$76,651); adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$76,651 (4/5 vote); and approve Amendment to the Salary Resolution adding one Deputy Sheriff position to provide law enforcement services for Fresno Unified School District to the Sheriff-Coroner Org 3111, effective February 26, 2018, as reflected in Appendix C

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

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 18-058, Resolution No. 18-074, Salary Resolution No. 18-013

**Administrative Office**

7. Approve and authorize each Board member to execute the statement and necessary submittal documents in favor of an amendment to the Fresno County Charter, Section 16, related to the qualifications of the Director of Public Works and appointment of the County Surveyor, on the June 5, 2018 ballot; and, approve and authorize (a) the Board Chairman to sign a Rebuttal to any argument against the amendment to the Fresno County Charter, Section 16, and (b) each Board member to execute necessary documents designating the Board Chairman to sign a Rebuttal in place of each Board member

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

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**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)

**CHAIRPERSON QUINTERO STATED THAT A MEMORIAL WAS HELD FOR FORMER CLOVIS COUNCILMEMBER AND MAYOR HARRY ARMSTRONG LAST WEEK AND THE FREEWAY 168 INTERCHANGE AT HERNDON WAS NAMED AFTER HIM**

**Board Appointments**

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

**A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THE NOMINATIONS FOR REAPPOINTMENT AND APPOINTMENT BE APPROVED AS FOLLOWS:**

**FRESNO MOSQUITO & VECTOR CONTROL DISTRICT  
REAPPOINTED JENNIFER ESTRADA (TERM TO EXPIRE 1/3/2022)**

**COALINGA-HURON MOSQUITO ABATEMENT DISTRICT  
APPOINTED JOSEPH LOVELACE TO THE POSITION PREVIOUSLY HELD BY THEODORE DENHERTOG  
(TERM TO EXPIRE 1/6/2020)**

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

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**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 5 minutes per person and no more than 15 minutes per topic

**HELD; THERE WERE NO COMMENTS FROM MEMBERS OF THE PUBLIC**

**Closed Session**

11. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 2 Cases  
**HELD; NO REPORTABLE ACTION**
12. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (3 Cases)  
**HELD; NO REPORTABLE ACTION**
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  
**HELD; NO REPORTABLE ACTION**
14. Conference with legal counsel - Existing Litigation, Government Code, section 54956.9(d)(1) - PG&E, et al. v. County of Fresno, et al. Risk Management Claim No.: 01166860; Arreazola, Ismael v. County of Fresno, Workers Compensation Appeals Board Case No. ADJ 10000349  
**HELD; NO REPORTABLE ACTION**
15. Conference with legal counsel - Existing litigation - Government Code, section 54956.9(d)(1) - William Schmidt; Workers' Compensation Appeals Board Number ADJ10360041  
**HELD; NO REPORTABLE ACTION**
- 15.1 Conference with Real Property Negotiators - Government Code 54956.8. Property: Undeveloped land at Turner and Armstrong in the Fancher Creek Development; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Fancher Creek Properties LLC., Under Negotiations: Instructions to County's negotiator may concern purchase of properties, price, terms and conditions  
**HELD; NO REPORTABLE ACTION**
- 15.2 Conference with Real Property Negotiators - Government Code 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 purchase of properties, price, terms and conditions  
**HELD; NO REPORTABLE ACTION**

**Adjourn**

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

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

APPROVED:

  
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SAL QUINTERO, CHAIRPERSON OF THE  
BOARD OF SUPERVISORS OF THE  
COUNTY OF FRESNO

ATTEST:  
BY:   
BERNICE E. SEIDEL  
CLERK TO THE BOARD OF SUPERVISORS  
COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON: March 6, 2018

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**Consent Agenda**

**A MOTION WAS MADE BY VICE CHAIRMAN BORGEAS, SECONDED BY SUPERVISOR MENDES, THAT THE CONSENT AGENDA BE APPROVED . THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**Board of Supervisors**

16. Approve minutes of meeting for February 6, 2018

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**Supervisor Borgeas**

17. Recognition of Rudy Duran, Fresno Regional Workforce Development Board's Outstanding Achievement Awardee

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**Auditor Controller-Treasurer/Tax Collector**

18. Authorize the Treasurer to deposit money that was found on County property and have been unclaimed for a period of three years, as provided by Government Code sections 50050-50053

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**County Clerk/Registrar of Voters**

19. Approve Laton Community Services District's request to move from odd to even-numbered year elections and set the date for the District's elections to occur on the same day as the Statewide General Election

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

20. Authorize and approve the County Clerk/Registrar of Voters or designee to execute Purchase-Exchange Offer Letter from OPEX Corporation, dated January 26, 2018; and authorize the Purchasing Manager to issue a no cost purchase order to exchange a mail sorter machine for a mail extraction machine of equal value

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**District Attorney/Public Administrator**

21. 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 2017-18

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 18-055

**Sheriff/Coroner**

22. Adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues in the Sheriff-Coroner Org 3111 in the amount of \$120,000 for the purchase of two new vehicles and equipment for the Sheriff-Coroner's Graffiti Abatement Team (4/5 vote); and adopt Budget Resolution increasing the FY 2017-18 appropriations in the Special Revenue Fund Sheriff-Coroner's Inmate Welfare Fund Org 1500 in the amount of \$120,000 (4/5 vote)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 18-056, Resolution No. 18-057

23. Adopt Budget Resolution increasing FY 2017-18 appropriations and estimated revenues for the Sheriff-Coroner Org 3111 in the amount of \$152,000 for the purchase of vehicles for the Civil Unit (4/5 vote); adopt Budget Resolution increasing FY 2017-18 appropriations in the Debtor Assessment Fee Org 1454 in the amount of \$108,000 (4/5 vote); and adopt Budget Resolution increasing the FY 2017-18 appropriations in the Sheriff Automated GC 26731 Org 1455 in the amount of \$44,000 (4/5 vote)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 18-058, Resolution No. 18-059, Resolution No. 18-060

**Agriculture**

24. Approve Amendment to the Salary Resolution allocating one (1) Assistant Agricultural Commissioner/Sealer position in the Department of Agriculture Organization 4010, effective February 26, 2018 as reflected in Appendix F

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Salary Resolution No. 18-009

**Behavioral Health**

25. Approve and authorize the Chairman to execute an Amendment to Agreement No. 17-378 with the California Department of Health Care Services for the Federal Stewart B. McKinney Homeless Block Grant, through the McKinney Projects for Assistance in Transition from Homelessness Grant, effective upon execution with no change in the term to June 30, 2018 and increasing the maximum by \$1,333 to a total of \$421,572

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 17-378-1

**Fresno County Employees' Retirement Association**

26. Approve Salary Resolution Amendment to: add one (1) Accountant I/II position for the Fresno County Employees' Retirement Association Org 9200, effective February 26, 2018, as reflected on Appendix E; and allocate one (1) Administrative Assistant I/II/III for the Fresno County Employees' Retirement Association Org 9200, effective February 26, 2018, as reflected on Appendix E

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Salary Resolution No. 18-010

**Human Resources**

27. Approve Resolutions Rejecting Claims for Damages

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 18-061 through Resolution No. 18-068

28. Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for: Fresno County Sheriff's Department, Deputy Sheriff III Andres Solis, as named in Fresno County Superior Court Case No. 17CECG01525, Dominic Elliott v. Deputy Andres Solis, et al.

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 18-055

- 28.1** Approve Amendment to the Salary Resolution to increase uniform allowance for the Assistant Sheriff and Undersheriff classifications, effective February 26, 2018, as reflected in Appendix B; and approve Amendment to the Salary Resolution to establish a pay provision for Supervisory POST Certification for the Supervising District Attorney Investigator classification, effective February 26, 2018, as reflected in Appendix B

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Salary Resolution No. 18-011

**Internal Services**

- 29.** Approve and authorize Chairman to execute First Amendment to Agreement No. 13-117, a countywide agreement with California Business Machines to extend the Agreement for one additional one-year period effective upon execution, for a maximum potential six-year cost not to exceed \$2,200,000

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 13-117-1

- 30.** Adopt Resolution acknowledging the emergency nature of the fire and flood incident at the Fresno County University Medical Center and make a finding pursuant to County Administrative Policy 34 that unusual and extraordinary circumstances exist such that it is in the best interest of the County to suspend competitive bidding, and negotiate and execute contracts for services and supplies as necessary for the remediation of County property; authorize the Director of Internal Services/Chief Information Officer to negotiate and execute agreements and other documents necessary for the remediation of the Fresno County University Medical Center; and adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues for the Internal Services Department, Facility Services Org 8935 in the amount of \$450,000 (4/5 vote)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 18-069, Resolution No. 18-070

**Public Health**

- 30.1** Authorize the Board of Supervisors to execute letter in support of Assembly Bill 1795 (Gipson), as introduced January 9, 2018; and, authorize the Board of Supervisors to execute future letters through the legislative process with similar content in support of Assembly Bill 1795 (Gipson)

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

**Public Works and Planning**

31. Authorize (1) exchange of real property, approximately 0.25 acre, located 877 feet southwest of intersection of Millerton Road and Marina Drive owned by County of Fresno (County Property), for real property, approximately 0.25 acre, located 852 feet southwest of intersection of Millerton Road and Marina Drive owned by the Clarksfield Company, Inc. (Clarksfield Property) (Gov Code sec. 25365(b)); (2) Director of Internal Services (Director) to execute Lot Line Adjustment Application to Department of Public Works and Planning, which will permit County Property to be made part of adjoining property owned by Clarksfield, and Clarksfield Property to be made part of adjoining property owned by County; (3) Director to execute a grant deed transferring ownership of County to Property to Clarksfield and to accept grant deed transferring ownership of Clarksfield Property to the County; (4) Director, or his designee, to take any related actions; (5) a Determination that the foregoing actions and the exchange of real properties between County and Clarksfield are exempt from California Environmental Quality Act, Public Resources Code section 21000, et seq

**APPROVED AS RECOMMENDED**

**Ayes:** 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero