



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

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

Monday, January 9, 2017

10:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

CHARLES MAGSIG GAVE THE INVOCATION, FRESNO COUNTY SHERIFF'S DEPARTMENT COLOR GUARD PRESENTED THE COLORS, AND BERNICE E. SEIDEL, CLERK TO THE BOARD, LED THE BOARD IN THE PLEDGE OF ALLEGIANCE

1. Administering of the Oath of Office to Supervisors Andreas Borgeas, Sal Quintero, and Nathan Magsig

THE OATH WAS ADMINISTERED TO SECOND DISTRICT SUPERVISOR ANDREAS BORGEAS BY SHERIFF MARGARET MIMS; THE OATH WAS ADMINISTERED TO THIRD DISTRICT SUPERVISOR SAL QUINTERO BY FORMER SHERIFF STEVE MAGARIAN; THE OATH WAS ADMINISTERED TO FIFTH DISTRICT SUPERVISOR MAGSIG BY CHARLES MAGSIG

2. Designation of Officers

DESIGNATED SUPERVISOR PACHECO AS CHAIRMAN AND SUPERVISOR QUINTERO AS VICE CHAIRMAN

3. Remarks by Board Members

RECEIVED REMARKS BY BOARD MEMBERS

4. 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

Adjourn

A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR MENDES, TO ADJOURN THE MEETING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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



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Nathan Magsig, 5th District

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

Tuesday, January 10, 2017

9:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

SUPERVISOR MAGSIG AND SUPERVISOR QUINTERO 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 SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR MENDES, THAT THIS 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 21 - 43

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN QUINTERO, 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 Sandra Sadler - Department of Behavioral Health - 25 Years of Service

PRESENTED RETIREMENT PLAQUE TO SANDRA SADLER

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

Chairman Pacheco

- 4. Adopt Proclamation designating January 2017, as Fresno County Public Library Digibus Mobile Computer Classroom Month

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

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

Resolution No. 17-019

- 5. Adopt Proclamation declaring the month of January as “National Slavery and Human Trafficking Prevention Month” in the County of Fresno

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

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

Resolution No. 17-020

Supervisor Mendes

- 6. Approve sending a letter to the State Water Board in protest against taking of water from the San Joaquin tributaries

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

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

County Clerk/Registrar of Voters

- 7. Conduct first hearing to amend the Fresno County Ordinance Code, Title 2, Chapter 2.62, by adding Section 2.62.037, relating to Electronic Filing of Campaign Disclosure Statements,; waive the reading of the ordinance in its entirety; and set second hearing for January 31, 2017; and, Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance, and direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124 (b)(1)

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

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

County Counsel

8. Consider and adopt proposed extension of Interim Urgency Ordinance No. 16-017 through December 5, 2018, pursuant to Government Code Section 65858, prohibiting the possession, planting, cultivation, harvesting, drying, or processing of nonmedical marijuana outdoors on the grounds of a private residence to the fullest extent permitted by State law, and the establishment or operation of a business engaged in commercial marijuana activity, in the unincorporated areas of Fresno County (4/5 vote); accept and direct staff to issue Report prepared pursuant to Government Code section 65858, subdivision (d), describing the measures taken to alleviate the condition which led to the adoption of Urgency Ordinance No. 16-017; and determine that extension of the Interim Urgency Ordinance and issuance of the Report are exempt from the requirements of the California Environmental Quality Act, Public Resources Code section 21000, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk

A MOTION WAS MADE BY SUPERVISOR 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

Ordinance No. 17-001

Administrative Office

9. Conduct public hearing under Tax Equity and Fiscal Responsibility Act ("TEFRA") and the Internal Revenue Code of 1986 as amended (the "Code") regarding the issuance of tax-exempt conduit bonds for Community Hospitals of Central California, Fresno Community Hospital and Medical Center, Fresno Heart Hospital, LLC and Sierra Hospital Foundation, which collectively operate as Community Medical Centers ("CMC") in an amount not to exceed \$500,000,000 to refinance 2007 and 2009 certificates of participation and to finance a region cancer treatment and research center, and adopt the resolution approving the issuance of the Bonds by the California Municipal Financing Authority ("CMFA") for the benefit of CMC, which adoption is solely for the purposes of satisfying the requirements of TEFRA, and the Code

A MOTION WAS MADE BY CHAIRMAN PACHECO, 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

Resolution No. 17-021

10. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Ajit S. and Surinder K. Gill located on 111 E. Mountain View, Fresno, CA 93725

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO APPROVE THE REQUEST FOR DETERMINATION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Internal Services

11. Conduct the first hearing to consider amending the County of Fresno Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Section 2300 - Purchasing, Subsection 2301, waive the reading of the ordinance in its entirety and set the second hearing for January 31, 2017; designate County Counsel to prepare a fair and adequate summary of the proposed ordinance; and direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1)

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

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

Public Works and Planning

12. Receive information from Department staff regarding commercial solar projects and processing within unincorporated areas of Fresno County and provide direction as determined necessary

A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR MENDES, TO ACT ON THE MATTER AS FOLLOWS: 1) DIRECTED STAFF TO WORK WITH THE SOLAR INDUSTRY ABOUT POSSIBLE CHANGES TO COUNTY'S SOLAR POLICY; 2) DIRECTED STAFF TO EXPLORE IN MORE DETAIL THE OPTIONS THAT MAY EXIST ON HOW TO IMPROVE SOLAR POLICY FOR THE BOARD OF SUPERVISORS AND PLANNING COMMISSION, AND REPORT BACK TO THE BOARD WITHIN 90 DAYS; AND, 3) APPOINTED SUPERVISOR MAGSIG IN PLACE OF CHAIRMAN PACHECO TO THE SOLAR SUBCOMMITTEE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

13. Consider and adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7146; and determine that the required Findings specified in Fresno County Ordinance Code Section 873-F can be made for approval of Conditional Use Permit by adopting staff's proposed findings found in the Staff Report to the Planning Commission (Exhibit 2), and approve Unclassified Conditional Use Permit Application No. 3531 to allow modification of photovoltaic solar power generation facility with related improvements previously authorized by Unclassified Conditional Use Permit No. 3291, project site is within AE-20 Zone District

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO ACT ON THE MATTER AS FOLLOWS: DENIED APPEAL, ADOPTED THE MITIGATED NEGATIVE DECLARATION PREPARED FOR INITIAL STUDY APPLICATION NO. 7146, AND APPROVED UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3531, SUBJECT TO AN ADDITIONAL CONDITION THAT THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR ALL LEGAL COSTS ASSOCIATION WITH ITS APPROVAL. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors' Committee Reports and Comments

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

SUPERVISOR QUINTERO EXPRESSED HIS GRATITUDE TO THE FACILITIES DEPARTMENT FOR THE WONDERFUL JOB THEY'VE DONE IN A TIMELY AND PROFESSIONAL MANNER OF MOVING AND PAINTING THE SUPERVISORS' OFFICES IN THE TRANSITION OF COMING ABOARD WITH FRESNO COUNTY. HE ALSO THANKED THE CLERK TO THE BOARD'S OFFICE FOR BEING VERY ACCOMMODATING IN THE TRANSITION INTO THE COUNTY. SUPERVISOR MENDES SUGGESTED THAT THERE BE PROCEDURES CREATED FOR BOARD MEMBERS AND STAFF UPON EXITING AND ENTERING THEIR POSITIONS WITH THE COUNTY. THE CLERK STATED THAT COUNTY COUNSEL AND HUMAN RESOURCES ARE LOOKING INTO CREATING COUNTY PROCEDURES. SUPERVISOR MENDES BROUGHT ATTENTION TO THE AMOUNT OF RAIN THAT HAS BEEN RECEIVED, BUT ALSO NOTED THAT THERE IS GREAT AMOUNTS OF WATER, AT TIMES 100,000 CUBIC FEET/SECOND, BEING RELEASED INTO THE OCEAN AND THERE SHOULD BE A WAY TO STORE THE WATER. SUPERVISOR MAGSIG STATED THAT IT'S BEEN WONDERFUL BECOMING PART OF THE COUNTY

15. Approve the Chairman's 2017 Appointments of Board Members to various Boards, Commissions and Committees as presented in Exhibit A; adopt California Form 806 - Agency Report of Public Official Appointments as presented in Exhibit B, and direct the Clerk to the Board to post on the County's internet website

A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY VICE CHAIRMAN QUINTERO, TO ACT ON THE MATTER AS FOLLOWS: 1) APPROVED 2017 CHAIRMAN'S APPOINTMENTS OF BOARD MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES WITH THE REVISION THAT SUPERVISOR MAGSIG AND SUPERVISOR MENDES BE APPOINTED TO THE SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT AND REMAINING BOARD MEMBERS AS ALTERNATE; 2) ADOPTED CALIFORNIA FORM 806 - AGENCY REPORT OF PUBLIC OFFICIAL APPOINTMENTS AND DIRECTED CLERK TO THE BOARD TO POST ON THE COUNTY'S INTERNET WEBSITE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE NOMINATION FOR APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

**CENTRAL VALLEY PEST CONTROL DISTRICT
REAPPOINTED DENNIS MCFARLIN (TERM TO 12/21/2020)**

**CHILD CARE AND DEVELOPMENT LOCAL PLANNING COUNCIL
REAPPOINTED GREGORY MELTON (TERM TO 1/4/2021)**

**CLOVIS CEMETERY DISTRICT
REAPPOINTED STAN KING (TERM TO 1/4/2021)**

**COMMISSION ON THE STATUS OF WOMEN
APPOINTED SIMRAN KAUR (TERM TO 6/30/2017)**

**CONSOLIDATED MOSQUITO ABATEMENT DISTRICT
REAPPOINTED MARY ANNE HILL (TERM TO 12/31/2020)**

**FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE
REAPPOINTED COREEN CAMPOS (AGUILAR) (TERM TO 1/4/2021)
REAPPOINTED IKE GREWAL (TERM TO 1/4/2021)
APPOINTED PAMELA HANCOCK TO REPLACE BARBARA FOSTER (TERM TO 1/4/2021)**

**FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD
APPOINTED JEFF HENSLEY (TERM TO 11/1/2018)**

**FRESNO-MADERA AREA ON AGING – GOVERNING BOARD
REAPPOINTED LEONARD T. HAGGERTY (TERM TO 1/7/2019)**

**IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE
REAPPOINTED DIANA KENDERIAN (TERM TO 1/4/2021)**

**KINGSBURG CEMETERY DISTRICT
REAPPOINTED STAN PALM (TERM TO 1/4/2021)**

**OAK GROVE CEMETERY DISTRICT
REAPPOINTED RICHARD M. ALVES (TERM TO 1/4/2021)**

**PLANNING COMMISSION
APPOINTED TODD A. HILL, TO REPLACE RICHARD EGAN (TERM TO 1/4/2021)**

**SELMA CEMETERY DISTRICT
REAPPOINTED ROBERT LEE ALLEN AND ALFONSO CARO (TERM TO 1/4/2021)**

**SQUAW VALLEY CEMETERY DISTRICT
REAPPOINTED LENORA CANNON (TERM TO 1/6/2020)**

**WATERWORKS DISTRICT NO. 18
APPOINTED ROBERT KENT BURKHART TO REPLACE POSITION PREVIOUSLY HELD BY DEBRA HINER HARRIS (INDEFINITE TERM)**

**ZOO AUTHORITY
REAPPOINTED PETER HERZOG (TERM TO 1/4/2021)**

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

- 17. 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

- 18. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment

HELD; NO REPORTABLE ACTION

- 19. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)

DELETED

- 20. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d) (4) (2 cases)

DELETED

- 20.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - County of Fresno v. Dianna Hallman - Superior Court Number 16CECG03298

HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY SUPERVISOR MAGSIG, 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

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN QUINTERO, 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

- 21. Approve minutes of meeting for December 13, 2016

APPROVED AS RECOMMENDED

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

Sheriff/Coroner

- 22. Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Sheriff-Coroner Org 3111 in the amount of \$280,000 for the purchase and up-fitting of non-patrol vehicles (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-001

Administrative Office

- 23. 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, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 17-002

- 24. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2017 Drought Conditions

APPROVED AS RECOMMENDED

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

Resolution No. 17-003

25. Accept the Fresno County Foster Care Standards and Oversight Committee 2015-2016 Annual Report

APPROVED AS RECOMMENDED

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

Agriculture

26. Approve Salary Resolution Amendment for the Department of Agriculture as reflected on Appendix "C", adding one Staff Analyst I/II/III and deleting one Office Assistant I/II/III and one Account Clerk I/II/III position effective January 30, 2017

APPROVED AS RECOMMENDED

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

Salary Resolution No. 17-001

Behavioral Health

27. Approve and authorize the Chairman to execute a Participation Agreement with the California Housing Finance Agency, for permanent supportive Mental Health Services Act housing funds, to transfer \$6,186,361 plus accrued interest, effective upon execution

APPROVED AS RECOMMENDED

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

Agreement No. 17-005

28. Approve and authorize the Chairman to execute a Master Agreement with Multi-Agency Access Program Point Operators, to provide an integrated screening process linking individuals and families facing behavioral, social, health and other related challenges to supportive services, effective upon execution through June 30, 2019, with an option for two additional one-year terms, total not to exceed \$7,500,000; Authorize the Director of the Department of Behavioral Health, or designee, to add and/or delete service provider(s) to the Master Agreement, as necessary; Authorize the Director of the Department of Behavioral Health, or designee, to modify services and budget line items greater than ten percent within budgets without exceeding the annual contract maximum; Adopt Budget Resolution increasing the FY 2016-17 appropriations in the Prevention and Early Intervention (PEI) Org 1052 in the amount of \$1,500,000 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Behavioral Health Org 5630 in the amount of \$1,500,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 17-006, Resolution 17-004, Resolution No. 17-005

Human Resources

29. Approve the Addendum to Memorandum of Understanding (MOU) for Representation Unit 30 - Deputy District Attorneys, represented by the Fresno County Prosecutors Association, regarding a pay provision for the Officer Involved Shooting/In-Custody Death (OIS/ICD) Team.

APPROVED AS RECOMMENDED

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

Internal Services

30. Adopt Resolution acknowledging the emergency nature of the flooding at the Fresno County Plaza and Crocker Buildings 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 remediation and restoration of the properties; Authorize the Director of Internal Services/Chief Information Officer to negotiate and execute agreements and other documents necessary for the remediation and restoration of the Fresno County Plaza and Crocker Buildings; Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Internal Services Department - Facility Services Org 8935 in the amount of \$400,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-006, Resolution No. 17-007

Library

31. Adopt Budget Resolution increasing the FY 2016-17 appropriations for the Library-Measure B Org 7511 in the amount of \$58,500 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Internal Services Department, Fleet Services Org 8910 in the amount of \$19,000 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Internal Services Department, Fleet Services-Equipment Org 8911 in the amount of \$71,000 (4/5 vote); adopt Donation Resolution accepting and expressing gratitude for the monetary donation of \$31,500 from the Foundation for Fresno County Public Library (FFCPL) to retrofit the Digibus Mobile Classroom; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the County Library Book Fund Org 7521 in the amount of \$31,500 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-008, Resolution No. 17-009, Resolution No. 17-010, Resolution No. 17-011, Resolution 17-012

32. Approve and authorize the Chairman to execute Retroactive Amendment I to Lease Agreement #12-258, with King-Sanger, LLC for space used by the Piedra Library at 25385 Trimmer Springs Road, Sanger, CA 93657 to continue the lease on a month-to-month basis, effective December 19, 2016, with an increase in the rent from \$895 per month to \$900 per month; approve the County Librarian, or the Director of Internal Services/Chief Information Officer, or designee of one of them, to terminate Lease Agreement #12-258, as amended, upon providing a 30 day advance written notice

APPROVED AS RECOMMENDED

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

Agreement No. 12-258-1

33. Adopt Resolution accepting and expressing gratitude for the monetary donation of \$7,157 from Friends of the Library to purchase furniture for the Sunnyside library during FY 2016-17; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the County Library Book Fund Org 7521 in the amount of \$7,157 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-013, Resolution No. 17-014

Probation

34. Approve and authorize the Chairman to execute a Second Amendment to Agreement # 16-030 with the City of Fresno, adding two additional sworn City of Fresno Police Officers and one sworn City of Fresno Police Sergeant to the Adult Compliance Team, effective upon execution through June 30, 2017, and increasing the contract maximum by \$550,493 to a total of (\$928,018)

APPROVED AS RECOMMENDED

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

Agreement No. 16-030-2

Public Health

35. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health for the Maternal, Child and Adolescent Health and Black Infant Health programs, effective July 1, 2016 through June 30, 2017 (\$7,853,468)

APPROVED AS RECOMMENDED

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

Agreement No. 17-009

Public Works and Planning

36. Make finding that it is in the best interest of the County to waive competitive bidding process consistent with Administrative Policy No. 34 under the “unusual or extraordinary circumstances” provision for continued delivery of software support and maintenance services for WIN-CAMS cost accounting system; and approve and authorize Chairman to execute agreement with Cascade Software Systems, Inc. to provide software support and maintenance services over an initial three-year term with two one year automatic extensions for total of five years (\$307,468.45)

APPROVED AS RECOMMENDED

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

Agreement No. 17-010

37. Adopt and authorize Chairman to execute Resolution describing proposed changes increasing and extending assessment in Assessment District No. 284 (\$5,403,750) to secure repayment of a loan from Clean Water State Revolving Fund to finance upgrades to wastewater treatment facility serving Zone D of County Service Area No. 44, preliminarily approving an engineer’s report supplement, and setting dates, times, and places of public meeting and public protest hearing on proposed changes

APPROVED AS RECOMMENDED

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

Resolution No. 17-015

38. Reject bid from Federal Solutions Group for Contract No. 16-S-05 as non-responsive; Find that Zumwalt Construction is the lowest responsible bidder, and that the deviations in Zumwalt’s bid from strict bidding requirements are immaterial and are hereby waived in the discretion of the Board; Award Contract No. 16-S-05, Crisis Residential Treatment Facility, to Zumwalt Construction, 5520 East Lamona Avenue, Fresno, CA, who submitted the lowest responsive bid, in the total amount of \$4,568,229, including the base bid and additive bids 1 through 4; Authorize the Director of Public Works and Planning or designee to execute Contract Change Orders up to \$210,000, which is approximately 4.6% of the total contract construction cost; Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Adult Crisis Residential Treatment Facility Org 8851 in the amount of \$50,000 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Behavioral Health Org 5630 in the amount of \$50,000 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations in the Capital Facilities Org 1055 in the amount of \$50,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-016, Resolution No. 17-017, Resolution No. 17-018

- 39.** Accept the Grant of Easement and authorize the Chairman to execute the Right of Way Contract and Settlement of Eminent Domain Action for the Fowler Avenue from Elkhorn Avenue to South Avenue shoulder improvement project for a total monetary consideration of \$10,400

APPROVED AS RECOMMENDED

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

Agreement No. 17-011

- 40.** Accept Grants of Easement and authorize Chairman to execute Right of Way Contract and Temporary Construction Permit required for County Service Area No. 32, Fresno County Westside Groundwater Project for total monetary consideration of \$2,500

APPROVED AS RECOMMENDED

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

- 41.** Adopt plans and specifications for Contract No. 16-18-C, 2016-17 Bituminous Seal Coats, and authorize the Director of the Department of Public Works and Planning, or his designee, to advertise for bids and set bid opening date

APPROVED AS RECOMMENDED

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

- 42.** Accept Grant of Easement for Public Utilities and not accept at this time Grant of Easement for Public Road Right-of-Way from Lakhvinder Paul and Sarabjit Kaur Paul for dedication as required under Conditional Use Permit No. 3348 for Sunnyside Market located at northeast corner of Belmont Avenue and Temperance Avenue, approximately forty-eight feet northeast of nearest city limits of City of Fresno

APPROVED AS RECOMMENDED

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

- 43.** Approve City of Fresno's request to acquire a road easement without eminent domain action from two parcels adjacent to existing County road right-of-way in unincorporated areas of the County as needed in conjunction with the City's capital improvement project for a traffic signal at the intersection of Clinton and Valentine Avenues

APPROVED AS RECOMMENDED

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