



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 of the Board of Supervisors

Tuesday, July 10, 2018

9:00 AM

Hall of Records

SUPERVISOR BORGEAS PARTICIPATED IN THE MEETING VIA CONFERENCE CALL FROM CITY HALL, CITY OF KATAPOLA, AMORGOS, GREECE

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 LEE POINTER, BETHLEHEM COMMUNITY BAPTIST CHURCH, GAVE THE INVOCATION AND BERNICE E. SEIDEL, CLERK OF THE BOARD OF SUPERVISORS, LED THE BOARD IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THE AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS DELETED AND TO ADD ITEM NOT INCLUDED ON POSTED AGENDA, FINDING THE NEED FOR ACTION AROSE AFTER POSTING OF THE AGENDA PURSUANT TO GOVERNMENT CODE SECTION 54954.2 (SEE PAGE 9 FOR ADDED ITEM). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 28 - 71

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 55 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 3. Presentation of Retirement Plaque to Enedina L. Norwood - Department of Social Services - 25 Years of Service

PRESENTED PLAQUE TO ENEDINA L. NORWOOD

Chairman Quintero

- 4. Proclaim Appeals Specialist, Eligibility Worker, and Job Specialist Appreciation Week

A MOTION WAS MADE BY SUPERVISOR MENDES, 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. 18-264

Supervisor Magsig

- 5. Proclaim the month of August 2018 as Breastfeeding Awareness Month in Fresno County

A MOTION WAS MADE BY SUPERVISOR MAGSIG, 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. 18-265

Supervisor Mendes

- 6. Proclaim July 15-21, 2018, as Probation, Parole, and Pretrial Week in the County of Fresno

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

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

Resolution No. 18-266

Supervisor Pacheco

- 7. Adopt resolution in recognition of Margarita Rocha, Executive Director of Centro La Familia Services for her commitment to the residents of Fresno County

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

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

Resolution No. 18-267

8. Adopt Resolution in recognition of the Department of Behavioral Health and the Department of Public Works and Planning on their achievement of receiving the 2018 Jury Award for the Crisis Residential Treatment Facility

A MOTION WAS MADE BY SUPERVISOR PACHECO, 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. 18-268

Chairman Quintero

9. Receive a presentation from Congressman Jim Costa and supporters regarding the anticipated impacts in the event of termination of the Fresno Bridge Academy and provide direction to staff regarding the Cal Fresh Employment and Training Plan (CFET) submitted to the State of California for 2019; and authorize the County Administrative Officer to provide direction to the Fresno County Department of Social Services to amend the current CFET Plan submission for the 2019 year to continue to include the Fresno Bridge Academy and its programs within the plan

RECEIVED PRESENTATION

A MOTION WAS MADE BY CHAIRMAN QUINTERO TO DIRECT STAFF TO PROVIDE AN AMENDMENT TO THE EXISTING CONTRACT PROVIDING TO EXTEND THE SERVICES PORTION OF THE CONTRACT THROUGH JUNE 30, 2019 WITH READING AND BEYOND FOR THE BRIDGE ACADEMY PROGRAM, IN REGARDS TO THE CAL FRESH EMPLOYMENT AND TRAINING PROGRAM (CFET), BASED ON FUNDING AVAILABILITY AND GIVING AUTHORITY TO THE CHAIRMAN TO EXECUTE THE EXTENSION AND TO AMEND THE 2019 PLAN SUBMITTED TO THE STATE OF CALIFORNIA DEPARTMENT OF SOCIAL SERVICES FOR THE CFET, NO LATER THAN JULY 27, 2018 TO REFLECT A CONTINUANCE OF THE CURRENT PROGRAM THROUGH JUNE 30, 2019. MOTION DIED FOR LACK OF SECOND

FOLLOWING FURTHER DISCUSSION, A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO DIRECT STAFF TO AMEND THE CAL FRESH EMPLOYMENT AND TRAINING PLAN (CFET) SUBMITTED TO THE STATE OF CALIFORNIA, TO INCLUDE LANGUAGE THAT WILL ALLOW ORGANIZATIONS, LIKE READING AND BEYOND, TO PARTICIPATE IN A FUTURE BID OF SERVICES THAT WILL BE EFFECTIVE IN JANUARY 2019, AND SEND A LETTER OF SUPPORT FROM THE FULL BOARD IN RESOLUTION FORM TO CONGRESSMAN COSTA TO SUPPORT HIS EFFORTS TO CONTINUE THE FRESNO BRIDGE ACADEMY PROGRAM FOR ANOTHER YEAR (STAFF TO RETURN TO THE BOARD ON AUGUST 7, 2018, WITH THE RESOLUTION). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Auditor Controller-Treasurer/Tax Collector

10. To Conduct hearing on rescission of the County's sale of APN 487-150-26S, located at 2696 S Maple Fresno, at the County's March 7 - 10, 2014 sale of tax-delinquent properties; and make the findings required by Revenue and Taxation Code section 3731 and adopt a resolution approving the rescission of the County's sale of APN 487-150-26S

DELETED

Sheriff/Coroner

11. Approve Amendment to the Salary Resolution adding three (3) Program Technician-Confidential, one (1) Senior Staff Analyst, one (1) Office Assistant-Confidential and one (1) Sheriff's Sergeant positions to the Sheriff-Coroner Org 3111, effective July 16, 2018 as reflected in Appendix D; and approve Amendment to the Salary Resolution allocating the Senior Deputy Coroner classification to the existing Deputy Coroner series for Sheriff-Coroner Org 3111, effective July 16, 2018, as reflected in Appendix D

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

Salary Resolution No. 18-035

Administrative Office

12. Confirm direction to staff to adjust the Director of Internal Services/Chief Information Officer salary, effective July 16, 2018

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

13. Approve and authorize the Chairman to execute a Letter Agreement with the Fresno/Clovis Convention & Visitors Bureau for the Fresno County State Capitol display effective upon execution and provide direction to staff regarding display content (\$7,500); and approve and authorize the County Administrative Officer to execute County Display Case Authorization Form

A MOTION WAS MADE BY SUPERVISOR MAGSIG, 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. 18-379

14. Provide direction to staff regarding your Board's preferred implementation option with the Fresno County Fire Protection District to provide fire and emergency response to County territory not serviced by a designated agency

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BORGEAS, TO APPROVE OPTION ONE (1) OF AGENDA ITEM. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Agreement No. 18-381

Public Works and Planning

15. Conduct first hearing to amend Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Sections 1000 - Computer Services (EMIS); 1500 - Parks and Recreation; and 2200 - Public Works; waive reading of ordinance in its entirety and set second hearing for August 7, 2018; and designate County Counsel to prepare a fair and adequate summary of proposed ordinance and direct Clerk of the Board to post and publish required summary in accordance with Government Code Section 25124(b)(1)

A MOTION WAS MADE BY SUPERVISOR MENDES, 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

16. Adopt Resolution authorizing partial Cancellation of Agricultural Land Conservation Contract No. 6456 filed by Gary and Ann Gipson, based on ability to make five Consistency Findings listed under Government Code, Section 51282 (b); and authorize Chairman to sign Certificate of Tentative Cancellation and approve recordation of Certificate of Cancellation when all conditions included in Certificate of Tentative Cancellation have been satisfied, subject property is located on the north side of E. Dinuba Avenue between S. Crawford Avenue and S. Porter Avenue approximately two miles north of City of Dinuba

A MOTION WAS MADE BY SUPERVISOR MENDES, 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. 18-271

Board of Supervisors' Committee Reports and Comments

17. 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 MAGSIG REPORTED THAT AS OF JUNE 2018 THE FOREST MANAGEMENT TASK FORCE, FORMED THROUGH THE GOVERNOR'S OFFICE, REPLACES THE TREE MORTALITY TASK FORCE. DISTRICT FIVE AND THE DEPARTMENT OF PUBLIC HEALTH ARE HEAVILY INVOLVED WITH THIS TASK FORCE. SUPERVISOR MAGSIG STATED THAT THE AUDIT COMMITTEE CALLED A SPECIAL MEETING, ON JULY 27TH, TO RESPOND TO SOME OF THE COMMENTS THE GRAND JURY ISSUED IN THEIR RECENT REPORT. SUPERVISOR ANNOUNCED HE IS STEPPING DOWN FROM LAFCO EFFECTIVE THE END OF JULY AND FEELS IT'S IMPORTANT FOR THE CHAIRMAN TO MAKE A RECOMMENDATION TO FILL THE POSITION. HE THINKS SUPERVISOR PACHECO WOULD DO A FANTASTIC JOB IF HE CHOOSES TO ACCEPT THE POSITION. SUPERVISOR MAGSIG WILL BE ATTENDING THE NATIONAL ASSOCIATION OF COUNTIES CONFERENCE THIS WEEK REPRESENTING FRESNO COUNTY. SUPERVISOR MAGSIG ALSO ACKNOWLEDGED THAT THE BOARD WILL BE ADJOURNING IN MEMORY OF CARMELA ROBERTA WHO WAS A LONGTIME RESIDENT OF CLOVIS AND HAD A HUGE IMPACT ON THE CITY OF CLOVIS. SUPERVISOR BORGEAS WANTED TO BRING ATTENTION TO AGENDA ITEM 29, ADJOURNING IN MEMORY OF NICK KAULS. THIS SAN JOAQUIN MEMORIAL HIGH SCHOOL STUDENT WAS SHOT IN A FIG GARDEN NEIGHBORHOOD AND LATER DIED FROM HIS INJURIES. NICK'S SERVICE WAS TODAY AND THERE WOULD BE REPRESENTATION AT THE SERVICE FROM THE DISTRICT 2 OFFICE. HE STATED THAT IT IS A TRAGIC STORY AND WE SHOULD ALWAYS BE REMINDED OF HOW IMPORTANT IT IS TO VALUE LIFE. SUPERVISOR PACHECO EXPRESSED ON BEHALF OF THE BOARD CONDOLENCES FOR MICHELLE SANABRIA WHO PASSED AWAY EARLY SATURDAY MORNING, JUNE 30TH IN A TRAFFIC ACCIDENT. MICHELLE BEGAN WORKING FOR THE COUNTY IN 1998 AND WAS PROMOTED TO A SUPERVISING CHILD SUPPORT OFFICER IN 2008. SHE ALWAYS HAD A SMILE ON HER FACE AND HER FACE WOULD LIGHT UP WHEN SHE SPOKE OF HER TWO SONS. SHE WILL BE MISSED BY THOSE WHO WORKED WITH HER AND IT WILL BE A SAD PASSING OF OUR FRESNO COUNTY FAMILY. CHAIRMAN QUINTERO RECOGNIZED THE PASSING OF A FORMER FRESNO COUNTY EMPLOYEE LYDIA JEAN KUHN, WHO WORKED FOR 33 YEARS WITH THE COUNTY AND WAS WITH THE LIBRARY. SHE LOVED HER JOB AND IN RETIREMENT SHE JOINED THE ORGANIZATION FRIENDS OF THE LIBRARY WHERE SHE WAS VERY ACTIVE IN PROMOTING FUNDRAISING EFFORTS FOR THE LIBRARY. CHAIRMAN ALSO ACKNOWLEDGED ALBERTO NEITO WHO PASSED AWAY LAST WEEK. HE WAS ONE OF THE FIRST MEXICAN-AMERICANS TO GRADUATE FROM FRESNO STATE UNIVERSITY AND HE WAS AN EDUCATOR AND A FARMER. HE WAS VERY ACTIVE IN THE COMMUNITY PROMOTING MANY ACTIVITIES AND SERVICES FOR THE UNDERSERVED PEOPLE AND FAMILIES. HE WILL BE GREATLY MISSED AS HE WORKED HARD IN PROMOTING JUSTICE FOR EVERYBODY

Board Appointments

18. 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 APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

AUBERRY VOLUNTEER FIRE AND EMERGENCY SERVICES ADVISORY COMMITTEE (CSA NO. 50)

REAPPOINTED RON ELDRIDGE (TERM TO EXPIRE 4/1/2020)

REAPPOINTED ROBERT E. ACTIS, JR. (TERM TO EXPIRE 4/1/2021)

APPOINTED DAVID NEHRING (TERM TO EXPIRE 4/1/2020)

APPOINTED TOBY LONG (TERM TO EXPIRE 4/1/2021)

APPOINTED RICHARD SCHACHER TO THE POSITION PREVIOUSLY HELD BY BARBARA J. FERGUSON (TERM TO EXPIRE 4/1/2019)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

19. 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

RECEIVED

Closed Session

20. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 2 Cases

COUNTY COUNSEL DAN CEDERBORG REPORTED OUT OF CLOSED SESSION, THAT BY A 5-0 VOTE, ALL BOARD MEMBERS PARTICIPATING, THE BOARD OF SUPERVISORS AUTHORIZED THE COUNTY TO JOIN IN THE KANE COUNTY, UTAH VERSUS UNITED STATES ACTION BEFORE THE UNITED STATES COURT OF FEDERAL CLAIMS AGAINST THE FEDERAL GOVERNMENT DEALING WITH RECOVERY OF UNPAID PAYMENTS IN LIEU OF TAXES UNDER THE PAYMENTS IN LIEU OF TAXES ACT AND AUTHORIZED COUNTY COUNSEL TO SIGN AND SUBMIT THE OPT-IN FORM IN THAT ACTION

21. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (2 Cases)

HELD; NO REPORTABLE ACTION

22. 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

- 23.** Conference with Real Property Negotiators - Government Code 54956.8. Property: In the Vicinity of DeWolf and Huntsman Avenues, near Selma, CA 93662 (APN's 348-130-69ST and 348-130-71ST); County Negotiator: Robert W. Bash, Director of Internal Services/Chief Information Officer. Negotiating Parties: City of Selma, Under Negotiations: Instructions to County's negotiator may concern sale of property, price, terms and conditions
HELD; NO REPORTABLE ACTION
- 24.** Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Phillips v. State of California et al. Fresno County Superior Court Case Number 15CECG02201
HELD; NO REPORTABLE ACTION
- 25.** Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Quentin Hall et al v. County of Fresno et al. US District Court Eastern District Case#1:11-cv-02047-LJO-BAM
HELD; NO REPORTABLE ACTION
- 26.** Conference with Real Property Negotiators - Government Code 54956.8 Properties: County owned property located in the south west corner of Ventura and Tenth Streets, Fresno, CA; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Fresno Unified School District, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION
- 27.** Conference with Real Property Negotiators - Government Code 54956.8 Properties: 6870 E. Kings Canyon Road, Fresno, CA 93727; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Panh Vang, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION
- 27.1** Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - JHS Family Limited Partnership, et al. v. County of Fresno, Fresno Superior Court Case No. 15CECG02007
HELD; NO REPORTABLE ACTION

- 27.2** Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) for the following cases: Thao v. County of Fresno, Fresno County Superior Court Case #14CECG02103, Gonzalez v. County of Fresno, Fresno County Superior Court #14CECG02992, Hickingbottom v. County of Fresno, Fresno County Superior Court Case #14CECG02991, Banuelos v. County of Fresno, Fresno County Superior Court Case #14CECG02990, Morales v. County of Fresno, Fresno County Superior Court Case #15CECG01095, Hoffman/Hayes v. County of Fresno, Fresno County Superior Court Case #15CECG03750, Kolz v. County of Fresno, Fresno County Superior Case #16CECG00522

HELD; NO REPORTABLE ACTION

Special Item not included on posted agenda

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO APPROVE REQUEST TO TAKE ACTION ON ITEM NOT INCLUDED ON POSTED AGENDA FINDING THE NEED FOR ACTION AROSE AFTER THE POSTING OF THE AGENDA. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Adjourn in Memory of Maria Mora-Torres

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

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

Adjourn

PRIOR TO ADJOURNING THE MEETING, SUPERVISOR PACHECO ACKNOWLEDGED THAT KATHY BURROWS, HIS CHIEF OF STAFF, LAST OFFICIAL DAY WITH THE COUNTY IS TODAY. KATHY HAS 30 YEARS OF COUNTY SERVICE AND HAS TRAINED THREE SUPERVISORS: STARTING WITH SUPERVISOR OKEN, SUPERVISOR WATERSTON AND HIMSELF. SUPERVISOR PACHECO THANKED KATHY FOR HER SERVICE AND DEDICATION. HE STATED THAT HE WILL GREATLY MISS HER AS HE MOVES FORWARD

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

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

APPROVED:



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

ATTEST:

BY:  _____

BERNICE E. SEIDEL
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON : August 7, 2018

TRUTH ACT FORUM DATE MOVED TO AUGUST 7, 2018
BOARD OF SUPERVISORS MEETING

In accordance with the Transparent Review of Unjust Transfers and Holds (TRUTH) Act, Government Code section 7283.1(d), the Fresno County Board of Supervisors will conduct a public forum on Tuesday, August 7, 2018 at 9:00 a.m. in the Board Chambers, Hall of Records, Room 301, 2281 Tulare Street, Fresno, California. The Sheriff will provide a report regarding the Sheriff's Office interaction and communication with the United States Immigration and Customs Enforcement. This meeting was previously scheduled and noticed for July 10, 2018; however, it was moved to the new date of August 7, 2018

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISORS MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 55 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

28. Approve minutes of meeting for June 12, 2018

APPROVED AS RECOMMENDED

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

Supervisor Borgeas

29. Adjourn in memory of Nick Kauls

APPROVED AS RECOMMENDED

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

Supervisor Pacheco

29.1 Adjourn in Memory of Fresno County Employee Michelle Sanabria

APPROVED AS RECOMMENDED

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

Supervisor Magsig

29.2 Adjourn in memory of Carmela D. Liberta

APPROVED AS RECOMMENDED

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

Auditor Controller-Treasurer/Tax Collector

30. Adopt Resolution authorizing the County Auditor-Controller/Treasurer-Tax Collector to loan or transfer funds from available funds in the County's custody to other County Funds and to General Funds of various school and special districts for dry period financing during Fiscal Year 2018-19

APPROVED AS RECOMMENDED

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

Resolution No. 18-251

District Attorney/Public Administrator

31. 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 Violence Against Women Vertical Prosecution program for FY 2018-19 (\$270,060); and approve and authorize the Chairman to execute a retroactive grant application/agreement and Certification of Assurance of Compliance for the Violence Against Women Vertical Prosecution program with the Cal OES, for the period July 1, 2018 through June 30, 2019 (\$270,060)

APPROVED AS RECOMMENDED

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

Agreement No. 18-351

Sheriff/Coroner

32. Approve and authorize the Chairman to execute an agreement with Jail Education Solutions Inc. dba Edovo, effective July 10, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one year extensions, total not to exceed \$1,248,465; adopt Budget Resolution increasing the FY 2018-19 appropriations in the Special Revenue Fund Inmate Welfare Fund Org 1500 in the amount of \$348,250 and estimated revenues in amount of \$149,693 (4/5 vote); and adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$348,250 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 18-352, Resolution No. 18-251, Resolution No. 18-252

- 33.** Approve and authorize the Chairman to execute Amendment III to Agreement No. 12-540 with Motorola Inc. to extend the term of the existing agreement for the maintenance and software support of Public Safety Information System equipment from September 1, 2018 to August 31, 2023 and increasing the contract maximum by \$831,281 to a total of \$6,649,932

APPROVED AS RECOMMENDED

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

Agreement No. 12-540-3

- 34.** Retroactively authorize the Sheriff-Coroner's previous submittal of a grant application in the amount of \$321,570 to the California Department of Justice for the Tobacco Law Enforcement Grant Program; and approve resolution authorizing the Chairman to execute a retroactive Memorandum of Understanding (MOU) with the California Department of Justice effective June 1, 2018 through June 30, 2020 (\$321,570); and authorize the Sheriff-Coroner, or their authorized representative, to sign claims for reimbursement, and progress reports

APPROVED AS RECOMMENDED

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

Resolution No. 18-253, Agreement No. 18-354

- 35.** Retroactively authorize the Sheriff-Coroner's previous submittal of a grant application in the amount of \$96,631 to the State of California Department of Alcoholic Beverage Control (ABC) 2019 Grant Assistance Program; and approve resolution authorizing the Chairman to execute retroactive Agreement 18G-LA14 with ABC for the project period from July 1, 2018 through June 30, 2019 (\$96,631) and authorize the Sheriff-Coroner, or their authorized representative, to sign claims for reimbursement and activity reports for this Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 18-355, Resolution No. 18-254

- 36.** Adopt and authorize Chairman to execute Resolution approving special tax amount, and levying special tax in the maximum total amount of \$235,159.33, on developed real properties within (Mello-Roos) Countywide Community Facilities District (CFD) No. 2006-01 (District), including its Annexation Territories, for enhanced police protection services for FY 2018-19

APPROVED AS RECOMMENDED

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

Resolution No. 18-255

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

37. Approve and authorize the Chairman to execute a retroactive Fourth Amendment to Lease No. 01-130 with the Fresno-Madera Area Agency on Aging Foundation to revise the janitorial and security compensation plan from a rate payment method to compensation based on actual costs, effective August 1, 2017, with no change to the term or maximum compensation.

Sitting as the Fresno County Board of Supervisors:

Approve and authorize the Chairman to execute the following retroactive lease amendments with the Fresno-Madera Area Agency on Aging Foundation to revise the janitorial and security compensation plan from a rate payment method to compensation based on actual costs with no change to the term or maximum compensation: Fourth Amendment to Lease No. 01-130 effective August 1, 2017; Second Amendment to Lease No. 04-561 effective July 1, 2018; Third Amendment to Lease No. 10-309 effective July 1, 2018; Third Amendment to Lease No. 11-742 effective July 1, 2018; and, Second Amendment to Lease No. 12-141 effective July 1, 2018

APPROVED AS RECOMMENDED

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

Agreement No. 01-130-4, Agreement No. 04-561-2, Agreement No. 10-309-3, Agreement No. 11-742-3, Agreement No. 12-141-2

Administrative Office

38. 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 the solicitation of services to promote and market the resources and economy of Fresno County; and approve and authorize the Chairman to execute a sole source retroactive Agreement with the Economic Development Corporation serving Fresno County to promote and market the resources and economy of Fresno County, effective July 1, 2018 through June 30, 2019 (\$38,000)

APPROVED AS RECOMMENDED

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

Agreement No. 18-360

39. 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. 18-256

40. Ratify the Chairman's execution and previous submission of the 2018 Credentials Voting Form to the National Association of Counties including the designation of a voting delegate

APPROVED AS RECOMMENDED

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

Agriculture

41. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Food and Agriculture for the Weighmaster (Junk Dealers and Recyclers) Program effective July 1, 2018 through June 30, 2019 (\$6,000)

APPROVED AS RECOMMENDED

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

Agreement No. 18-363

Behavioral Health

42. Approve and authorize the Chairman to execute a Memorandum of Understanding (MOU) with Fresno, Kings, Madera Regional Health Authority (Calviva Health), for the coordination of specialty mental health and substance use disorder treatment services provided to Medi-Cal beneficiaries who are served by CalViva Health, effective upon execution by all parties with unlimited twelve (12) month auto-renewals unless terminated by either party (\$0); and, Approve and authorize the Chairman to execute a Memorandum of Understanding (MOU) with Blue Cross of California Partnership Plan, Inc. for the coordination of specialty mental health and substance use disorder treatment services provided to Medi-Cal beneficiaries who are served by Blue Cross of California, effective upon execution by all parties with unlimited twelve (12) month auto-renewals unless terminated by either party (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 18-361, Agreement No. 18-362

43. Approve and authorize the Chairman to execute a retroactive Participation Agreement with the California Mental Health Services Authority for Central Valley Suicide Prevention Hotline services, effective July 1, 2018 through June 30, 2019 (\$291,294); Approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated California Mental Health Services Authority Central Valley Suicide Prevention Hotline related reports and forms without modifying the maximum compensation

APPROVED AS RECOMMENDED

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

Agreement No. 18-364

44. Approve and authorize the Chairman to execute a retroactive Master Agreement with various School Districts for the coordination of mental health services at various school Districts, effective July 1, 2018 through June 30, 2023, which includes a three-year base contract and two optional one-year extensions (\$0); and Authorize the Director of the Department of Behavioral Health or designee to add and/or delete School Districts at any time during the term of the recommended Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 18-365

45. Approve and authorize the Chairman to execute a retroactive Agreement with Uplift Family Services, Inc., Exceptional Parents Unlimited, Inc., and Comprehensive Youth Services of Fresno, Inc. for Full Service Partnership Services for children Ages 0-10 years, effective July 1, 2018 through June 30, 2023, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$29,026,009

APPROVED AS RECOMMENDED

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

Agreement No. 18-366

46. Approve and authorize the Chairman to execute a retroactive service Agreement with J. Melton & Associates for the Mental Health Certification Review Hearing Officer services, effective July 1, 2018 through June 30, 2023, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$700,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-367

47. Approve and authorize the Chairman to execute Retroactive Amendment I to Agreement 15-317 with Kings View Behavioral Health for the provision of Rural Mental Health Triage Services, to extend the contract term for an additional two years from July 1, 2018 to June 30, 2020, and increasing the maximum compensation by \$5,145,001 to a total not to exceed of \$12,181,639

APPROVED AS RECOMMENDED

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

Agreement No. 15-317-1

Human Resources

48. Approve and authorize Chairman to execute Agreement to Defend Public Officer(s) or Employee(s) for: Lisa Smittcamp, District Attorney-Public Administrator and Jeffrey Dupras, Assistant District Attorney, as named in United States District Court Eastern District Court of California Case No: 1:18-cv-00524-LJO-SAB, Matthew G. Gregory, et al. v. County of Fresno, et al.

APPROVED AS RECOMMENDED

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

Agreement No. 18-369, Agreement No. 18-370

49. Approve and authorize Chairman to execute Agreement to Defend Public Officer(s) or Employee(s) for: Nicole Galstan, Deputy District Attorney, District Attorney's Office, as named in Fresno County Superior Court Case No: 18CECG01284, Joshua D. Bland v. Nicole Galstan, et al.

APPROVED AS RECOMMENDED

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

Agreement No. 18-371

50. Approve the amendment to Fresno County Personnel Rule 4: Selection Process, as shown on Appendix "A", on file with the Clerk to the Board, effective July 16, 2018

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-033

Internal Services

51. Approve and authorize the Chairman to execute the Right of Entry for Environmental Assessment and Response for twenty-four months with the United States of America to conduct an investigation by the U.S. Army Corps of Engineers to locate and remove storage tanks (above, at and below ground levels), contents, and appurtenant piping installed by the United States of America on the Fairgrounds and Fleet Services Yard

APPROVED AS RECOMMENDED

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

Agreement No. 18-372

- 52.** Approve and authorize the Chairperson to execute First Amendment to Master Purchasing Agreement No. P-16-424-S for architectural consulting services, effective upon execution, increasing the maximum Agreement cost by \$405,000, for a total potential 5-year not to exceed cost of \$500,000; and adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues for the Internal Services Department, Facility Services Org 8935 in the amount of \$150,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 18-373, Resolution No. 18-257

- 53.** Approve reclassification of FY 2017-18 expenses determined to be capital assets under County Management Directives

APPROVED AS RECOMMENDED

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

- 54.** Adopt Budget Resolution increasing the FY 2018-19 appropriations for Internal Services Department, Fleet Services-Equipment Org 8911 in the amount of \$9,468,186 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 18-258

Library

- 55.** Adopt Resolution accepting and expressing gratitude for a monetary donation of \$8,000 to purchase children books, along with a non-monetary gift of donated children books valued at \$650 for a total value of \$8,650 for the Fresno County Public Library from current Chicago Bulls player Robin Lopez; and adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues for the County Library Book Fund Org 7521 in the amount of \$8,650 (4/5 vote)

A MOTION WAS MADE BY SUPERVISOR MAGSIG, 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. 18-269, Resolution No. 18-270

Probation

56. Approve amendment to the Salary Resolution deleting the Assistant Chief Probation Officer position in the Probation Department Org 3430, effective July 30, 2018, as reflected in Appendix "C"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-034

Public Health

57. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Sanger, for paramedic ambulance services, effective July 1, 2018 through June 30, 2019 (\$33,750)

APPROVED AS RECOMMENDED

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

Agreement No. 18-374

58. Approve and authorize the Chairman to execute a Data Use Agreement with California Department of Public Health, for participation in a national Healthy Start evaluation, effective upon execution through May 31, 2019 (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 18-375

59. Conduct second hearing and adopt Ordinance to amend the Fresno County Master Schedule of Fees, Charges, and Recovered Costs Section 2100 - Public Health, subsections 2101, 2103 through 2107, 2109 through 2112, and adding subsections 2114 through 2115; Section 900 - Environmental Health, sections 902 through 906, 908 through 916, 917, 919 through 934.1, 937 through 940.1, 948, 950, and adding subsections 902.1, 916.1, 939.2, 939.3, and 940.2; and waive reading of Ordinances in their entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 18-011, Ordinance No. 18-012

60. Approve and authorize Chairman to execute a retroactive First Amendment to Agreement No. 14-250 with Lincoln Training Center, for janitorial services at the Brix-Mercer Building, effective July 1, 2018 with no change in term to June 30, 2019 and increasing the maximum by \$4,392 to a total of \$468,592

APPROVED AS RECOMMENDED

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

Agreement No. 14-250-1

Public Works and Planning

61. Accept Easement Deed dedication offered by Gurdip Singh, Applicant/Owner as a condition precedent of approval of Site Plan Review 7933-R

APPROVED AS RECOMMENDED

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

62. Adopt Resolution designating the intersection of Cole and Sunnyside Avenues a stop intersection and authorizing a stop sign at the intersection, stopping westbound traffic on Cole Avenue, making it a one-way stop

APPROVED AS RECOMMENDED

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

Resolution No. 18-259

63. Adopt Resolution authorizing No Stopping signs on Parkway Drive between Herndon Avenue, and north of Menlo Avenue and direct the Director of Public Works and Planning to install said No Stopping signs

APPROVED AS RECOMMENDED

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

Resolution No. 18-260

64. Adopt Resolution designating the intersection of Amber Avenue and Rorden Street a stop intersection and authorizing a stop sign at the intersection, stopping eastbound traffic on Rorden Street, making it a one-way stop

APPROVED AS RECOMMENDED

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

Resolution No. 18-261

- 65.** Retroactively authorize Department of Public Works and Planning's participation as co-applicant with Fresno Council of Governments and City of Fresno, for preparation and submittal of a grant application to receive Federal Highway Administration funds administered by California Department of Transportation in amount of \$239,040, for a planning project which will develop implementation measures, provide cost-benefit analyses for priority investments, identify potential funding sources for priority infrastructure and prioritize recommendations for investment in the "Industrial Triangle" area of Fresno County; and approve Resolution authorizing Director of Department of Public Works and Planning, or designee, to enter into a multiple agency agreement to develop a plan for the "Industrial Triangle" area of Fresno County that will address potential impacts from new development and respond to multimodal travel needs in the area

APPROVED AS RECOMMENDED

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

Resolution No. 18-262

- 66.** Approve request from Integrated Water Services, Inc. to self-perform electrical work for Contract 17-16-C, County Service Area 44 Zone D, Monte Verdi Wastewater Treatment Facility Improvements

APPROVED AS RECOMMENDED

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

- 67.** Accept the Easement Deeds, authorize the Chairman to execute the Right-of-Way Contracts for the Fowler Avenue from Elkhorn Avenue to South Avenue shoulder improvement project for a total monetary consideration of \$32,000, and authorize and direct Department of Public Works and Planning staff to issue a settlement draft in the amount of \$16,300

APPROVED AS RECOMMENDED

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

- 68.** Approve and authorize Chairman to execute First Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Clovis regarding Standards for Annexation; and determine that approval and authorization of Chairman to execute First Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Clovis is exempt from requirements of California Environmental Quality Act, Public Resources Code, section 2100, et seq., and direct Department of Public Works and Planning staff to file Notice of Exemption with Office of the Fresno County Clerk

APPROVED AS RECOMMENDED

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

Agreement No. 18-380

- 68.1** Authorize the Chairman to execute Contract Change Orders up to 5% (\$4,087,800) of the construction contract total for Contract No. 16-S-04, West Annex Jail

APPROVED AS RECOMMENDED

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

Social Services

- 69.** 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 (contract with a federal, state or local governmental agency) for a web-based database system; and, Approve and authorize the Chairman to execute a retroactive license Agreement with the Sacramento County Office of Education for use of School Connect, a web-based database, effective July 1, 2018 through June 30, 2019 (\$4,300)

APPROVED AS RECOMMENDED

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

Agreement No. 18-377

- 70.** Approve a resolution authorizing the County of Fresno, through the Department of Social Services to serve as the Administrative Entity for Emergency Solutions Grant Funding administered by the State of California Department of Housing and Community Development

APPROVED AS RECOMMENDED

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

Resolution No. 18-263

- 71.** Approve and authorize the Chairman to execute Amendment I to Agreement A-17-518 with the Housing Authority of the City of Fresno for an emergency housing facility, effective upon execution with no change in term to September 30, 2022 and increasing the maximum by \$1,040,257 to a total of \$3,304,025

APPROVED AS RECOMMENDED

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

Agreement No. 17-518-1