



# County of Fresno

## Action Summary - Draft

### Board of Supervisors

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

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

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Tuesday, November 17, 2015

1:00 PM

Hall of Records

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

### **Invocation and Pledge of Allegiance**

*Barigye McCoy, Office Assistant – Assessor/Recorder gave the invocation and Chairman Poochigian led the pledge of allegiance*

#### 1. Approve Agenda

**A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR PEREA, THAT THIS AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 19.2 AND 20 WHICH WERE DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### 2. Approve Consent Agenda - Item Numbers 21 - 56

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY VICE CHAIRMAN MENDES, THAT THE CONSENT BE APPROVED WITH THE EXCEPTION OF ITEMS 45 AND 55 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. ITEMS 31 AND 39 WERE DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

### **Board of Supervisors**

#### 3. Presentation of Retirement Plaque to Sandra E. Martinez - Department of Social Services - sixteen years

**PRESENTED RETIREMENT PLAQUE TO SANDRA E. MARTINEZ**

**Chairman Poochigian**

- 4. Adopt Resolution proclaiming November 2015 as Prematurity Awareness Month in the County of Fresno

**A MOTION WAS MADE BY CHAIRMAN 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

Resolution No. 15-570

**Supervisor Perea**

- 5. Proclaim Fresno County supports the Fresno County Toys for Tots Campaign, Marathon Weekend, and all official Toys for Tots collection events throughout Fresno County to collect toys for children in the Fresno County community

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY CHAIRMAN 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. 15-571

- 6. Proclaim November as National Family Caregivers Month, in order to honor and thank those who fill these difficult and exhausting roles in Fresno County

**A MOTION WAS MADE BY SUPERVISOR PEREA, 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

Resolution No. 15-572

**Supervisor Borgeas and Supervisor Perea**

- 7. Proclaim November 17, 2015, as “Cody Williams and Nick Avakian Day” in Fresno County in recognition of their selfless efforts to help fire crews fighting the Rough Fire by initiating a supply drive

**A MOTION WAS MADE BY SUPERVISOR PEREA, 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

Resolution No. 15-573

**Assessor/Recorder**

- 8. Adopt a resolution to allow retiree David King to return to part time work as Extra-Help, effective November 18, 2015, finding pursuant to Government Code Section §7522.56(f)(1) that a 180 day separation period for retired employees returning to employment as Extra-Help is not applicable based on your Board's certification that the nature of employment and appointment is necessary to fill a critically-needed position before the 180 day separation period

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

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

Resolution No. 15-574

**Administrative Office**

- 9. Conduct hearing to consider and adopt resolution decreasing the number of members of the Squaw Valley Cemetery District Board of Trustees from five to three Members

**A MOTION WAS MADE BY CHAIRMAN POOCHIGIAN, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED; DIRECTED STAFF TO INFORM SQUAW VALLEY CEMETERY DISTRICT BOARD OF THE BROWN ACT GUIDELINES AS IT RELATES TO A THREE MEMBER BOARD. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Resolution No. 15-575

**Public Works and Planning**

- 10. Consider and take action on Variance Application No. 3976 to allow existing carport with zero-foot side yard setback on 0.76-acre parcel in R-1-AH(nb) Zone District

**CONDUCTED HEARING; RECEIVED PUBLIC TESTIMONY; CLOSED HEARING. A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR MENDES, TO APPROVE VARIANCE APPLICATION NO. 3976 FILED BY BROOKE ASHJIAN (APPLICANT). THE MOTION INCLUDED FOLLOWING FINDINGS:**

**FINDING 1 – THE PROPERTY’S LOCATION IN A GATED COMMUNITY ALONG A PRIVATE ROAD FOR WHICH THE RESIDENTS IN THE COMMUNITY HAVE RESPONSIBILITY AND THE RESIDENTS’ SUPPORT FOR THE VARIANCE APPLICATION, CONSTITUTE EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES WHICH DO NOT APPLY GENERALLY TO OTHER PROPERTY IN THE VICINITY HAVING IDENTICAL ZONING CLASSIFICATION;**

**FINDING 2 –THE VARIANCE IS NECESSARY TO ALLOW THE APPLICANT TO STORE HIS TWO VEHICLES AND BOAT ON HIS PROPERTY, WHICH IS A SUBSTANTIAL PROPERTY RIGHT POSSESSED BY OTHER PROPERTY OWNERS UNDER LIKE CONDITIONS IN THE VICINITY HAVING THE IDENTICAL ZONING CLASSIFICATION;**

**FINDING 3 – THE GRANTING OF THE VARIANCE WILL NOT BE MATERIALLY DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO PROPERTY AND IMPROVEMENT IN THE VICINITY OF THE SUBJECT PROPERTY BECAUSE THE PROPERTY OWNER NEXT DOOR AND OTHER PROPERTY OWNERS IN THE VICINITY APPROVE OF DEVELOPMENT WHICH IS THE SUBJECT OF THE VARIANCE APPLICATION; AND**

**FINDING 4 – UNDER THE FACTS PRESENTED TO THE BOARD, THE GRANTING OF THE VARIANCE IS NOT CONTRARY TO THE OBJECTIVES OF THE GENERAL PLAN.**

**THE MOTION INCLUDED THE CONDITIONS OF APPROVAL AND PROJECT NOTES LISTED IN EXHIBIT 2 OF THE PLANNING COMMISSION’S STAFF REPORT, WITH ADDITIONAL CONDITIONS OF APPROVAL THAT THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY OF FRESNO FOR ALL LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF VARIANCE APPLICATION NO. 3976 AND A CONDITION REQUIRING THE APPLICANT TO OBTAIN PERMITS FOR THE SUBJECT GARAGE BUILDING, CARPORT, AND LATTICE WORK WITHIN 90 DAYS OF THE VARIANCE APPROVAL WITH FINAL OCCUPANCY TO BE ATTAINED WITHIN 120 DAYS OF VARIANCE APPROVAL. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Abstain:** 1 - Poochigian

- 11. Receive presentation regarding the proposed rate adjustment for County Service Area 34 and its Zones “A” Brighton Crest and “C” Bella Vista

**RECEIVED**

**Sheriff/Coroner**

- 12. Consider and take action on appeals of administrative citations in the amount of \$698,000, filed by Jeff Hoffman and Anne Louise Hayes, pertaining to the property located at 6138 N. Van Ness, Fresno, CA, 93711 APN 406-091-18, for violation of Fresno County Ordinance Code section 10.60.060 of Title 10, Medical Marijuana Cultivation Regulations

**THE BOARD DENIED ATTORNEY BRENDA LINDER’S REQUEST THAT THE BOARD BE DISQUALIFIED AS THE HEARING BODY. CONDUCTED PUBLIC HEARING FILED BY JEFF HOFFMAN AND ANNE LOUISE HAYES. RECEIVED TESTIMONY FROM APPELLANT’S ATTORNEY. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY CHAIRMAN POOCHIGIAN TO DENY APPEAL AND UPHOLD ADMINISTRATIVE PENALTY IN THE AMOUNT OF \$698,000 TO JEFF HOFFMAN AND ANNE LOUISE HAYES. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

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

- 13. 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**

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

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY VICE CHAIRMAN MENDES, THAT THE NOMINATIONS FOR APPOINTMENTS BE APPROVED AS FOLLOWS.**

**FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE  
APPOINTED MARILYN BAMFORD TO REPLACE E. JANE MIDDLETON (TERM TO 1/7/2019)**

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

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

**Public Presentations**

15. 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**

16. Conference with legal counsel - Existing Litigation Government Code Section 54956.9(d)(1) - Tracy Lee v. County of Fresno, et al., Fresno Superior Court Case No.:13CECG03170; Risk Management Claim No.: 9035

HELD; NO REPORTABLE ACTION

17. Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Melody and Scott Reddie v. County of Fresno, et al - Fresno County Superior Court Case Number 15CECG03304

**PRIOR TO THE BOARD GOING INTO CLOSED SESSION, SUPERVISOR BORGEAS RECUSED HIMSELF FROM DISCUSSIONS RELATING TO ITEM 17 DUE TO A CONFLICT OF INTEREST. HELD; NO REPORTABLE ACTION**

18. Conference with Labor Negotiator (GC 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 Real Property Negotiators - Government Code 54956.8. Properties: 333 W. Pontiac Way, Clovis, CA 93612; County Negotiator: Robert W. Bash, Director of Internal Services/Chief Information Officer. Negotiating Parties: Schneider Electric (PELCO), Under Negotiations: Instructions to County's negotiator may concern purchase of properties, price, terms and conditions

HELD; NO REPORTABLE ACTION

- 19.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Veronica Rabago, et al. v. County of Fresno - Fresno County Superior Court Case Number 15CECG02130

HELD; NO REPORTABLE ACTION

- 19.2 Pending Litigation, Government Code Section 54956.9(d)(1) County of Fresno v. RSCO, Inc. dba Rising Sun Company, et al., Fresno County Superior Court Case No. 12 CECG 02247

DELETED

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

**Board of Supervisors and Board of Supervisors Sitting as the Governing Board of the Fresno County Financing Authority:**

20. Conference with legal counsel - Existing Litigation; Government Code section 54956.9(d)(1); In Re Municipal Derivatives Antitrust Litigation (MDL No. 1950 class action), Master Docket No. 08-02516 (VM)(GWG), including Fresno County Financing Authority v. AIG Financial Products Corp. et al., 09 Civ. 119 (VM), United States District Court, Southern District of New York

**DELETED**

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

**Adjourn**

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

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

### Consent Agenda

A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY VICE CHAIRMAN MENDES, THAT THE CONSENT BE APPROVED WITH THE EXCEPTION OF ITEMS 45 AND 55 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. ITEMS 31 AND 39 WERE DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

### Board of Supervisors

21. Approve minutes of meeting for October 27, 2015 and November 3, 2015

**APPROVED AS RECOMMENDED**

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

### Chairman Poochigian

- 21.1 Adjourn in memory of Fran Blackney. Mrs. Blackney was an integral part of the Clovis Chamber of Commerce and served the agency in many roles. Fran managed the Young Entrepreneurs Academy (YEA) and served that position with passion. She took students under her wing, building confidence, responsibility, and innovation. Fran will be deeply missed by her family and friends

**APPROVED AS RECOMMENDED**

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

- 21.2 Adjourn in memory of Robert E. Duncan. Mr. Duncan was a longtime Fresno businessman who headed Duncan Ceramics as president for nearly 30 years. Robert "Bob" had a passion for the community and the Fresno State Bulldogs. Mr. Duncan led the effort to raise funds for Bulldog Stadium, the Save Mart Center, Fresno State's Business Center as well as many other projects throughout our community. Bob will be missed by his family and many longtime friends

**APPROVED AS RECOMMENDED**

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

**Auditor Controller-Treasurer/Tax Collector**

22. Make a finding that it is in the best interest of the County to waive the competitive bidding process under Administrative Policy No. 34 under the “unusual or extraordinary circumstances” exception and authorize the Chairman to execute an Agreement with the State of California Employment Development Department for the procurement of confidential wage and benefit information related to the collection of court ordered debt, effective December 1, 2015 through November 30, 2018 for a maximum amount of \$15,054; and approve and authorize the Chairman to execute the standard State provided Contractor Certification Clause 307

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-582

**County Clerk/Registrar of Voters**

23. Approve and authorize the Chairman to execute Amendment IV to Agreement No. A-10-143 with Integrated Voting Solutions, Inc. for early termination of the Agreement for ballot printing, vote by mail processing and vote by mail envelopes, effective November 17, 2015; and Approve and authorize the Chairman to execute an Agreement with Integrated Voting Solutions, Inc. for procurement of ballot printing, vote by mail processing and vote by mail envelope services, effective November 18, 2015 through June 30, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed (\$2,580,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 10-143-4, Agreement No. 15-584

**District Attorney/Public Administrator**

24. Approve and authorize the Chairman to execute a two (2) year lease with Joe Cooper effective December 1, 2015 for 10,658 square feet of office space located at 929 L Street, Fresno, CA to be used by the District Attorney-Public Administrator (DA-PA), and with two (2) one-year automatic annual renewals with a beginning rent of \$15,907.76 per month and rent of \$777,058 for 4 years

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-585

25. Retroactively authorize the District Attorney’s previous submittal of grant applications to the State of California, Department of Insurance (DOI) for continuation of the Automobile Insurance Fraud (\$737,404) and the Organized Automobile Fraud Activity Interdiction (Urban) (\$1,390,727) programs; adopt Resolution authorizing the District Attorney to execute retroactive Grant Award Agreement for continued funding of the Automobile Insurance Fraud program for the period July 1, 2015 through June 30, 2016 (\$319,704); approve amendment to the Salary Resolution (Appendix “F”) deleting one vacant Senior District Attorney Investigator position from the District Attorney-Grants Org 2862 effective November 23, 2015; and adopt Budget Resolutions decreasing FY 2015-16 appropriations and estimated revenues in the amount of \$141,667 from the District Attorney-Grants Org 2862 and Special Revenue Fund 0060 Org 1101 for the Urban program

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-548, Resolution No. 15-549, Resolution No. 15-550, Salary Resolution No. 15-042

26. Retroactively authorize the District Attorney’s previous submittal of a grant application to the State of California, Department of Insurance (DOI) for continuation of the Workers’ Compensation Insurance Fraud program (\$1,389,025); adopt Resolution authorizing the District Attorney to execute retroactive Grant Award Agreement for continued funding of the Workers’ Compensation Insurance Fraud program for the period July 1, 2015 through June 30, 2016 (\$1,236,000); approve amendment to the Salary Resolution (Appendix “E”) adding two Senior District Attorney Investigator positions to the District Attorney-Grants Org 28627000 effective November 23, 2015; and adopt Budget Resolutions increasing FY 2015-16 appropriations and estimated revenues in the amount of \$271,621 for the District Attorney-Grants Org 2862 and Special Revenue Fund 0060 Org 1107 for the Workers’ Compensation Fraud program (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-551, Resolution No. 15-552, Resolution No. 15-553, Salary Resolution No. 15-043

27. Retroactively authorize the District Attorney's previous submittal of grant applications to the State of California, Department of Insurance (DOI) for continuation of the Disability and Healthcare Insurance Fraud (\$461,066) and the Life and Annuity Consumer Protection (\$60,651) programs; adopt Resolutions authorizing the District Attorney to execute retroactive Grant Award Agreements for continued funding of the Disability and Healthcare Insurance Fraud (\$183,653) and the Life and Annuity Consumer Protection (\$40,000) programs for the period July 1, 2015 through June 30, 2016; approve amendment to the Salary Resolution (Appendix "D") deleting one vacant Senior District Attorney Investigator position from the District Attorney-Grants Org 2862 effective November 23, 2015; and adopt Budget Resolutions decreasing FY 2015-16 appropriations and estimated revenues in the amount of \$146,796 from the District Attorney-Grants Org 2862 and Special Revenue Fund 0060 Org 1102 for the Disability and Healthcare Insurance Fraud program

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-554, Resolution No. 15-555, Resolution No. 15-556, Resolution No. 15-577, Salary Resolution No. 15-044

**Sheriff/Coroner**

28. Retroactively authorize the Sheriff-Coroner's previous submittal of grant application to the National Institute of Justice, Department of Justice for the 2015 Forensic DNA Capacity Enhancement and Backlog Reduction Program Grant; approve and authorize the Chairman to execute and accept the grant award from the National Institute of Justice, Department of Justice, for the 2015 Forensic Casework DNA Backlog Reduction Grant for the period of January 1, 2016 through December 31, 2017 (\$208,086); adopt resolution increasing FY 2015-16 appropriations and estimated revenue for Sheriff-Coroner's Org 3111 in the amount of \$208,086 (4/5 vote); and authorize the Sheriff-Coroner, or her authorized representative, to sign claims for reimbursement and activity reports for the above grant award

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-557, Agreement No. 15-589

**County Counsel**

- 29. Approve and authorize Chairman to execute the Settlement and Release Agreement between the County of Fresno, RSCO, Inc. dba Rising Sun Company and SureTec Insurance Company, Inc. (Fresno County Superior Court Case No. 12 CECG 02247)(\$550,000); and, Adopt resolution increasing FY 2015-16 appropriations for Public Works and Planning-Roads Org 4510 in the amount of \$150,000 and increasing FY 2015-16 estimated revenues for Public Works and Planning-Roads Org 4510 in the amount of \$550,000 (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-558, Agreement No. 15-590, Agreement No. 15-591

**Administrative Office**

- 30. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2015 Drought Conditions

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-559

- 31. 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 under the “unusual or extraordinary circumstances” exception and authorize the Chairman to execute a retroactive Agreement with the Veterans Memorial Museum for the continued promotion, improvement, operation or maintenance of the museum effective October 1, 2015 through September 30, 2016 (\$15,000)

**DELETED**

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

- 32. Adopt Budget Resolution re-budgeting appropriations from the FY 2014-15 budget to the FY 2015-16 budget for the Capital Projects Org 1910 in the amount of \$2,566,612 for two projects improving existing jail facilities (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-560

33. Approve and authorize the Chairman to execute Joint Exercise of Powers Agreement with the San Joaquin Valley Water Infrastructure Authority that Supersedes Previous Agreement

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-592

**Behavioral Health**

34. Approve and authorize the Chairman to execute retroactive Amendment II to Master Agreement No. 12-262 with Licensed Residential Care Facilities for Specialized Residential Services, effective upon execution through June 30, 2017 (\$4,125,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 12-262-2

35. Approve and authorize the Chairman to execute: a retroactive Agreement with Exodus Recovery, Inc., for the ramp-up and implementation of the adult acute inpatient psychiatric health facility, effective October 1, 2015 through June 30, 2016 (\$2,048,296) (4/5 vote); an Agreement with Exodus Recovery, Inc., for the operation of the adult acute inpatient psychiatric health facility, effective July 1, 2016, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$19,648,496; and, a Facility Use Agreement with Exodus Foundation, Inc. effective January 1, 2016 through June 30, 2021, for County owned space at 4411 E. Kings Canyon Rd, Fresno, CA 93702, Building 319 (14,318 square feet), to be used by Exodus Recovery, Inc. to provide inpatient psychiatric health facility services to adults who may be admitted on a voluntary or involuntary basis; adopt Resolution updating the designated mental health facilities authorized to provide psychiatric evaluation and treatment services to individuals placed on an involuntary hold under the provisions of California Welfare and Institutions Code 5150; and, authorize the Director of the Department of Behavioral Health or designee to modify the: scope of services and responsibilities of the contractor as needed, in regards to the Agreement with Exodus Recovery, Inc. for acute inpatient psychiatric health facility services for adults; and, budget line items within the budgets, without exceeding the contract maximum in regards to the Agreement with Exodus Recovery, Inc. for acute inpatient psychiatric health facility services for adults

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-561, Agreement No. 15-594, Agreement No. 15-595

**Child Support Services**

- 36. Approve and authorize the Director of the Department of Child Support Services to execute a retroactive Plan of Cooperation between the Fresno County Department of Child Support Services and the Fresno Superior Court of California effective October 1, 2015 through September 30, 2017 (\$0)

**APPROVED AS RECOMMENDED**

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

**Internal Services**

- 37. Approve and authorize the Chairman to execute Amendment II to Agreement 15-026 with Schindler Elevator Corporation for Countywide elevator maintenance services to increase the maximum Agreement cost by \$200,000, effective upon execution, for a potential five year total cost not to exceed \$2,888,120

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-026-2

- 38. Approve the Salary Resolution Amendment for the Internal Services Department Organization 8905 as reflected on Appendix "C" on file with the Clerk to the Board, effective November 23, 2015

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 15-045

**Personnel Services**

- 39. Approve and authorize the Chairman to execute a Second Amendment to Agreement No. 12-084 with McCormick, Barstow, Sheppard, Wayte, & Carruth, LLP for employment law legal services, effective February 21, 2012 through February 21, 2017 (\$5,000,000)

**DELETED**

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

40. Notice the Board of Final Settlement Amounts for the Risk Management Litigated Claims: 1. Anthony v. County of Fresno, et al. Fresno County Superior Court Case No. 13CECG00399; Risk Management Claim No.: 8894; 2. I.R., et al. v. County of Fresno, et al. United States District Court Eastern District of California Case No. 1:12 - CV 558 AWI BAM (consolidated with 1:13 - cv - 850 AWI GSA ); Risk Management Claim No. 8813; and, 3. David Rodriguez, et al. v. County of Fresno, et al. Fresno County Superior Court Case No. 11CECG04358 DSB; Risk Management Claim No. 8721

**APPROVED AS RECOMMENDED**

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

41. Approve the amended and restated County of Fresno Cafeteria Plan Document; and, adopt the County of Fresno Commuter Plan Document

**APPROVED AS RECOMMENDED**

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

42. Approve and authorize the Chairman to execute Agreement with Heintzberger-Payne Advisors, for consulting services related to the County of Fresno 457(b) Deferred Compensation Plan, effective December 13, 2015 through December 12, 2020 (\$230,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-597

## **Public Health**

43. 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 as also proclaimed by the Governor on October 30, 2015

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-562

44. Approve and authorize the Chairman to execute Amendment I to Agreement No. 15-156 with Reading and Beyond for Supervised Child Care Services, effective November 17, 2015 through June 30, 2020 (\$665,690)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-156-1

- 45. 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, 2015 through June 30, 2016 (\$7,670,797); adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for Department of Public Health Org 5620 in the amount of \$193,799 (4/5 vote); and, approve Amendment to Salary Resolution (Appendix G), adding (2) Health Education Specialists, (1) Health Educator and (1) Medical Social Worker I/II/III to the Department of Public Health Org 5620 effective November 23, 2015

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

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

Agreement No. 15-599, Resolution No. 15-563, Salary Resolution No. 15-046

**Public Works and Planning**

- 46. Adopt Budget Resolution increasing FY 2015-16 appropriations in amount of \$18,000 using General Reserves for County Service Area 35 Zone A, Org 9175 (4/5 Vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-564

- 47. Accept easement deed and authorize Chairman to execute the right-of-way contract for Jensen Avenue and Temperance Avenue Traffic Signal Project for total monetary consideration of \$11,500

**APPROVED AS RECOMMENDED**

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

- 48. Approve and authorize the Chairman to execute a one year agreement with the Sierra National Forest, allocating funds from the Fresno County Off-Highway Vehicle Fund, for personal protective equipment (\$3,625)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-600

49. Approve and authorize Chairman to execute Consultant Professional Services Agreements with Bedrock Engineering, Lars Andersen & Associates, Inc., Integrated Designs by SOMAM, Inc. and Dyson Siegrist Janzen Architects, Inc. to assist Department developing various Capital and Road Improvement Projects, each effective for a period of three years, with two one-year extensions (maximum of \$500,000 each)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-604, Agreement No. 15-605, Agreement No. 15-606, Agreement No. 15-607, Agreement No. 15-608

50. Adopt required findings and Resolution approving summary vacation of excess road right-of-way of Kings Canyon Road: (1) vacation is determined to meet criteria for summary vacation, pursuant to Chapter 4 of Part 3 of Division 9 of Streets and Highways Code; (2) right-of-way is not useful as non-motorized transportation facility, pursuant to Section 892 of Streets and Highways Code; and (3) vacation is consistent with County General Plan

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-565

51. Conduct second hearing and approve amendments Subsection "A" of Section 15.04.020 of Chapter 15.04 and Subsection "D" of Section 15.60.110 of Chapter 15.60 of Fresno County Ordinance Code regarding definition of Building Official within Fresno County as it relates to building and construction activities

**APPROVED AS RECOMMENDED**

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

Ordinance No. 15-021

52. Authorize Chairman to execute proposed Memorandum of Understanding for Implementation of the Sustainable Groundwater Management Act in Fresno Area/North Kings Groundwater Basin submitted by Fresno Irrigation District, and designate Director of Department of Public Works and Planning as principal contact person for Fresno County

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-601

53. Conduct second hearing of proposed ordinance to amend Sections 11.24.010 through 11.24.100 of Chapter 11.24 of the Fresno County Ordinance Code to reflect changes for speed limits as listed on the Ordinance Summary Attachment and waive the reading of the Ordinance in its entirety

**APPROVED AS RECOMMENDED**

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

Ordinance No. 15-022

54. Adopt Resolution authorizing submittal of Financial Assistance Application to State Water Resources Control Board for funding for construction of improvements to surface water treatment facilities and distribution systems serving County Service Area No. 30, El Porvenir, and County Service Area No. 32, Cantua Creek (\$10,000,000); and adopt Resolution authorizing Director of Department of Public Works and Planning to execute, subject to approval of County Counsel and Auditor-Controller/Treasurer-Tax Collector, an Agreement with the State Water Resources Control Board, any amendments thereto, and any documents necessary to participate in the Drinking Water State Revolving Fund program

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-566, Resolution No. 15-567

55. Adopt resolution approving and authorizing Director of Department of Public Works and Planning, or his designee, to sign and submit a grant application to California Department of Water Resources for grant funding available through Water Quality, Supply, and Infrastructure Act of 2014 (Proposition 1) and authorizing Director of Department of Public Works and Planning to sign, subject to approval of County Counsel and Auditor-Controller/Treasurer-Tax Collector, grant agreement with California Department of Water Resources

**A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PEREA, THAT THIS MATTER BE APPROVED WITH AMENDMENT TO RESOLUTION ADDING REFERENCE TO DEVELOPMENT OF A GROUNDWATER WELL PROTECTION ORDINANCE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Resolution No. 15-576

**Social Services**

56. Adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for the Welfare Advance Fund Org 1120 in the amount of \$1,327,884 (4/5 vote); adopt Budget Resolution increasing FY 2015-16 appropriations and estimated revenues for the Department of Social Services Supplement Nutrition Assistance Program Employment & Training Org 56107006 in the amount of \$1,327,884 (4/5 vote); and approve and authorize the Chairman to execute a retroactive Agreement with Reading and Beyond for a Supplemental Nutrition Assistance Program Employment & Training Pilot Project services, effective April 1, 2015 through March 31, 2019 (\$11,747,968)

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-568, Resolution No. 15-569, Agreement No. 15-603



# County of Fresno

## Action Summary - Draft

### Board of Supervisors

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

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

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Tuesday, December 8, 2015

9:00 AM

Hall of Records

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

### **Invocation and Pledge of Allegiance**

*Susan Bechara, Program Director, Keeping Youth Journeying Onward (KYJO) gave the invocation and Chairman Poochigian led the pledge of allegiance*

#### 1. Approve Agenda

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

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

#### 2. Approve Consent Agenda - Item Numbers 14 - 38

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY VICE CHAIRMAN MENDES, THAT THE CONSENT BE APPROVED WITH THE EXCEPTION OF ITEMS 14, 18, 25, 26 AND 34 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. ITEMS 16 AND 36 WERE DELETED (ITEM 16 TO RETURN TO THE BOARD ON DECEMBER 15, 2015). THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

### **Supervisor Mendes**

#### 3. Adopt Proclamation recognizing Dr. Morton Rosenstein for his commitment and dedication to the children of Fresno County

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

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

Resolution No. 15-584

**Supervisor Pacheco**

- 4. Proclaim December 10, 2015 as “Grace’s Place Day” in honor of the efforts and dedication Grace Bernhardt has shown to a population in need in Fresno County

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

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

Resolution No. 15-585

**Supervisor Perea**

- 5. Proclaim December 8, 2015, as “Violet Huckleberry Day” in Fresno County in recognition of her charitable work for the community, such as initiating a bread donation drive in her neighborhood, and for being an accomplished pilot

**A MOTION WAS MADE BY SUPERVISOR PEREA, 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

Resolution No. 15-587

**Public Works and Planning**

- 6. Consider and take action to adopt Ordinance approving Amendment to Text Application No. 371 filed by County of Fresno to amend multiple sections of Fresno County Zoning Ordinance to comply with state-mandated provisions associated with Fourth-Cycle Housing Element Update

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

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

Ordinance No. T-803-371

- 7. Adopt Resolution approving Negative Declaration prepared for Initial Study Application No. 7041 and approve General Plan Amendment No. 542 amending Fresno County General Plan as second cycle of adoption for 2015 updating the Housing Element for fourth cycle planning period (2008-2015)

**A MOTION WAS MADE BY CHAIRMAN POOCHIGIAN, SECONDED BY VICE CHAIRMAN MENDES, TO APPROVE THE RECOMMENDED ACTION WITH MODIFICATION TO THE LAST SENTENCE OF THE FOURTH BULLET ON PAGE 58 OF THE DRAFT HOUSING ELEMENT AS FOLLOWS: "FOR A SECOND DWELLING UNIT IN AGRICULTURAL AREAS OF THE COUNTY WHICH IS SUBJECT TO DIRECTOR REVIEW AND APPROVAL (DRA), TWO PARKING SPACES, EITHER COVERED OR UNCOVERED, ARE REQUIRED.". THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Noes:** 1 - Perea

**BY CONSENSUS, THE BOARD DIRECTED STAFF TO REVIEW PROACTIVE SUBSTANDARD HOUSING CODE ENFORCEMENT PROGRAMS RECENTLY APPROVED BY TULARE COUNTY AND THE CITY OF VISALIA AND RETURN TO THE BOARD FOR DIRECTION**

Resolution No. 15-588

**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)  
**SUPERVISOR BORGEAS AND SUPERVISOR MENDES REPORTED ON THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) CONFERENCE THEY ATTENDED ON DECEMBER 1 – 4, 2015**

**Board Appointments**

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

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY VICE CHAIRMAN MENDES, THAT THE NOMINATIONS FOR APPOINTMENTS BE APPROVED AS FOLLOWS.**

**COMMISSION ON THE STATUS OF WOMEN  
APPOINTED KATHLEEN OMACHI (TERM TO 6/30/17)  
APPOINTED PAMELA FREEMAN FOBBS (TERM TO 6/30/17)**

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

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

**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

**RECEIVED**

**Closed Session**

- 11. Conference with legal counsel - Existing Litigation Government Code Section 54956.9(d)(1) - Richard Berman v. County of Fresno, et al., Fresno Superior Court Case No.: 13CV00597SAB; Risk Management Claim No.: 8972  
**HELD; NO REPORTABLE ACTION**
  
- 12. Conference with Labor Negotiator (GC 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**
  
- 13. Conference with Real Property Negotiators - Government Code 54956.8. Properties: 333 W. Pontiac Way, Clovis, CA 93612; County Negotiator: Robert W. Bash, Director of Internal Services/Chief Information Officer. Negotiating Parties: Schneider Electric (PELCO), 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 BERGEAS, SECONDED BY VICE CHAIRMAN MENDES, 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 PEREA, SECONDED BY VICE CHAIRMAN MENDES, THAT THE CONSENT BE APPROVED WITH THE EXCEPTION OF ITEMS 14, 18, 25, 26 AND 34 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. ITEMS 16 AND 36 WERE DELETED (ITEM 16 TO RETURN TO THE BOARD ON DECEMBER 15, 2015). THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Board of Supervisors**

- 14. Approve minutes of meeting for November 17, 2015 and November 17, 2015 Special Joint Meeting

**A MOTION WAS MADE BY CHAIRMAN POOCHIGIAN, SECONDED BY SUPERVISOR BORGEAS, THAT THIS MATTER BE ACTED ON AS FOLLOWS:**

**APPROVED THE SPECIAL MEETING MINUTES OF NOVEMBER 17, 2015, AND CONTINUED THE REGULAR MEETING MINUTES OF NOVEMBER 17, 2015, TO DECEMBER 15, 2015. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Auditor Controller-Treasurer/Tax Collector**

- 15. Delegate investment authority to the Auditor-Controller/Treasurer-Tax Collector for the 2016 calendar year; and adopt revisions in the "County of Fresno Treasury Investment Pool Investment Policy"

**APPROVED AS RECOMMENDED**

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

- 16. Adopt a resolution (1) approving the sale of tax-defaulted properties by public auction via the Internet on March 4-7, 2016, under Division 1, Part 6, Chapter 7 of the Revenue and Taxation Code; and (2) authorizing the Auditor-Controller/Treasurer-Tax Collector to reduce the minimum bids for any property for which no minimum bids are received to reoffer any unsold properties during the 90-day period after the close of the March sale; and (3) authorizing the Auditor-Controller/Treasurer-Tax Collector to reduce the minimum bids for any property for which no minimum bids are received in the reoffering sale

**DELETED**

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

17. Approve and authorize the Chairman to execute an Agreement with FTN Financial Main Street Advisors, LLC for investment advisory and reporting services, effective January 1, 2016 through December 31, 2018, with two optional one-year extensions which may be executed by the Auditor-Controller/Treasurer-Tax Collector, total not to exceed a maximum of (\$328,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-613

**County Clerk/Registrar of Voters**

18. Approve and authorize the Chairman to execute Amendment No. 01 to Agreement No. 12-149 (State Agreement No. 11G30128) with the State of California for federal reimbursement funds for implementing the Help America Vote Act 301 Voting Systems Program effective upon execution by the State Department of General Services through March 31, 2016 (\$1,862,610.40)

**A MOTION WAS MADE BY CHAIRMAN POOCHIGIAN, SECONDED BY SUPERVISOR BORGEAS, THAT THIS MATTER BE APPROVED AS RECOMMENDED. DIRECTED STAFF TO MONITOR (SB) 450 TO MAKE SURE IT REMAINS AS A COUNTY OPTION AND NOT A MANDATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Agreement No. 12-149-1

**Sheriff/Coroner**

19. Approve and authorize Chairman to execute retroactive Off-Highway Project Grant Award/Agreement with the State of California Department of Parks and Recreation for the period of July 8, 2015, through July 7, 2016 (\$39,502)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-614

**Sitting as the Fresno County Board of Supervisors and Sitting as the In-Home Supportive Services Public Authority Governing Board**

20. Approve and authorize the Chairman to execute third Amendment to Agreement 13-018 with Language Line Services, Inc., to provide telephonic interpreting services, effective upon execution through June 30, 2016 (\$338,550)

**APPROVED AS RECOMMENDED**

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

Agreement No. 13-018-3

**Administrative Office**

- 21. Approve and authorize the Chairman to execute a Professional Services Agreement with the Fresno Local Agency Formation Commission

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-616

- 22. Receive the 2015 Annual Williams Lawsuit Agreement Report from the Fresno County Office of Education

**APPROVED AS RECOMMENDED**

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

- 23. Adopt Budget Resolution increasing the FY 2015-16 appropriations for County Counsel Org 0710 in the amount of \$900,000 and decreasing the Assigned Fund Balance in the General Fund for Sheriff Staffing Needs in the amount of \$900,000 for payment of Plaintiffs' attorneys' fees associated with the Quentin Hall, et. al. v County of Fresno, et. al. settlement (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-578

- 24. 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 under the "unusual or extraordinary circumstances" exception and authorize the Chairman to execute a retroactive Agreement with the Veterans Memorial Museum for the continued promotion, improvement, operation or maintenance of the museum effective October 1, 2015 through September 30, 2016 (\$20,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-617

**Fresno County Employees' Retirement Association**

25. Adopt resolution to approve the updated election procedures for the Fresno County Employees' Retirement Association Board of Retirement Elections; Direct the Clerk to the Board to transmit a certified copy of the adopted resolution, in action item 1, above, to the Board of Retirement, the Retirement Administrator, and the Fresno County Clerk/Registrar of Voters

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

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

Resolution No. 15-586

26. Approve the amended Bylaws for the Fresno County Employees Retirement Association

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

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

**Internal Services**

27. Adopt Budget Resolution assigning currently unassigned fund balance in the General Fund relating to the repayment of pre-2004 Senate Bill 90 mandates to Post Budget Mitigation in the amount of \$11,000,000; adopt Budget Resolution increasing the FY 2015-16 appropriations in the amount of \$2,500,000 for Interest and Misc Expenditures Org 2540 and decreasing the Assigned Fund Balance in the General Fund for Post Budget Mitigation in the amount of \$2,500,000 (4/5 vote); adopt Budget Resolution increasing the FY 2015-16 appropriations and estimated revenues for the Internal Services Department - Facility Services Org 8935 in the amount of \$2,500,000 (4/5 vote) for County maintenance projects; and adopt Budget Resolution increasing the FY 2015-16 appropriations and estimated revenues for the Juvenile Justice Campus Org 8830 in the amount of \$211,000 for completion of a project relating to the Juvenile Justice Campus Central Plant Boiler Room (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-579, Resolution No. 15-580, Resolution No. 15-581, Resolution No. 15-582

**Library**

28. Approve the designation of Dunlap School as a Centennial School, and authorize placement on the County's Register of Centennial Schools; and authorize the Chairman to execute the certificate for a Centennial School

**APPROVED AS RECOMMENDED**

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

29. Adopt Resolution accepting and expressing gratitude for the non-monetary donation of \$1,900 from the Foundation for Fresno County Public Library to display a panel portrait in memory of Mrs. Betty Rodriguez at the Betty Rodriguez Regional Library

**APPROVED AS RECOMMENDED**

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

Resolution No. 15-583

### **Personnel Services**

30. Approve and Authorize Chairman to execute "AGREEMENT TO DEFEND PUBLIC OFFICERS OR EMPLOYEES" for the employee listed: Office Assistant Priscilla Navarro, as named in Fresno Superior Court Case No.: 15CECG03066, Ronald E. Jones

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-618

### **Public Health**

31. Approve and authorize the Chairman to execute an Agreement with the California Department of Public Health for the Automated Vital Statistics System Data Use and Disclosure, effective December 17, 2015 through December 16, 2018. (\$0); and, Authorize the Director of the Department of Public Health or designee to execute Amendments to the Automated Vital Statistics System Data Use and Disclosure Agreement with the State Department of Public Health related to new standards and requirements imposed by regulations and other applicable laws

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-619

### **Public Works and Planning**

32. Approve and authorize Chairman to execute Agreement with NVB Equipment to provide Air Conditioning Maintenance Service on Heavy Equipment at American Avenue Disposal Site for annual amount of \$25,000 (\$14,875 for Preventive Maintenance and \$10,125 for Repair Services), for total of \$125,000 over anticipated five-year term of Agreement

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-620

33. Approve and authorize Chairman to execute Agreement with the Caruthers Community Services District for the Caruthers Monitoring Well and Water Valve Replacement, Community Development Block Grant Project No. 15111 (\$250,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-621

34. Approve and authorize Chairman to execute Amendment 1 to Reimbursement Agreement No. 13-766 with California High Speed Rail Authority, modifying term of Agreement to February 7, 2014 through December 31, 2017 (\$204,400); and authorize Director of the Department of Public Works and Planning, or authorized designee, to execute on behalf of the County future amendments to Reimbursement Agreement No. 13-766 which may be necessary to extend its term

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

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

Agreement No. 13-766-1

35. Approve and authorize Chairman to execute Agreement with the North Central Fire Protection District for the Biola Fire Station 23 Water Tender, Community Block Grant Project No. 15032 (\$226,120)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-622

36. Adopt Mitigated Negative Declaration prepared for Fancher Creek Bridle Path Project located between E. Kings Canyon Road and San Joaquin Valley Railroad to north and south, and between S. Clovis and S. Minnewawa Avenue to east and west within an unincorporated County Island of City of Fresno (Initial Study Application No. 7032, SCH No. SCH2015101059)

**DELETED**

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

**Social Services**

37. Approve and authorize the Chairman to enter into a Memorandum of Understanding with Mathematica Policy Research, Inc. for the evaluation component of the Supplemental Nutrition Assistance Program Employment & Training (SNAP E&T) Pilot Project, effective on the date signed by Chairman through March 31, 2021 (\$0)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-623

38. Accept the Fresno County Foster Care Standards and Oversight Committee 2014-2015 Annual Report

**APPROVED AS RECOMMENDED**

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



# County of Fresno

## Action Summary - Draft

### Board of Supervisors

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

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

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Tuesday, December 8, 2015

11:00 AM

Hall of Records

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#### Special Meeting

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

1. Approve Agenda

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

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

#### **Supervisor Borgeas and Supervisor Mendes**

2. Discuss and provide direction on the proposed use of Measure C funds for land acquisition related to the High Speed Rail maintenance complex proposal for an agenda item coming before the Fresno County Transportation Authority

**DISCUSSED**

#### **Public Presentations**

3. 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 VICE CHAIRMAN MENDES, THAT THIS MATTER BE ADJOURN THE MEETING. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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