



County of Fresno

Action Summary - Draft

Board of Supervisors

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

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

Tuesday, March 7, 2017

9:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

FRESNO COUNTY SHERIFF MARGARET MIMS, GAVE THE INVOCATION AND LED THE BOARD IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

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

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

2. Approve Consent Agenda - Item Numbers 22 - 48

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

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

Supervisor Mendes

3. Proclaim the month of March as Social Worker Appreciation Month

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

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

Resolution No. 17-155

Supervisor Magsig

4. Adopt Proclamation recognizing 2017 as the centennial of the American Red Cross 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. 17-156

Supervisor Quintero

5. Proclaim March 19 through 25, 2017 as "National Safe Place Week" to EOC Sanctuary & Youth Services

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

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

Resolution No. 17-157

Chairman Pacheco

6. Approve the formation of a Fresno County and City of Fresno Working Group and appoint two members of the Board of Supervisors and the County Administrative Officer to serve on the Working Group to address regional issues

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO APPROVE THE FORMATION OF A FRESNO COUNTY AND CITY OF FRESNO WORKING GROUP AND APPOINT SUPERVISOR MENDES, CHAIRMAN PACHECO AND COUNTY ADMINISTRATIVE OFFICER TO SERVE ON THE WORKING GROUP TO ADDRESS REGIONAL ISSUES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

District Attorney/Public Administrator

7. Adopt resolution to fill a Deputy District Attorney position with Extra-Help retiree Keith McWilliams, part time, effective March 7, 2017, 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 MENDES, SECONDED BY SUPERVISOR BORGEAS, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 17-158

Administrative Office

8. Receive Mid-Year Budget Report for Fiscal Year 2016-17 and approve proposed schedule for the recommended and adoption of the Fiscal Year 2017-18 budget, which incorporates a recommended budget by June 20, 2017 with proposed adjustments to this recommended budget to be presented beginning September 18, 2017

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

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

Internal Services

9. Adopt Resolution to declare as surplus the County-owned property, approximately 12.586 acres, located in the south west corner of Ventura and Tenth Streets, Fresno, CA commonly known as the former Juvenile Hall (APN's 470-054-04t, 14t, 16t, 9t, 10t, 11t, 12t, 13t; 470-124-07t, 09t; 470-021-01t; 470-133-01t) and declare the board's intention to sell the property at a minimum price of \$2,100,000 (4/5 vote)

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO ADOPT RESOLUTION TO DECLARE AS SURPLUS THE COUNTY-OWNED PROPERTY, APPROXIMATELY 12.586 ACRES, LOCATED IN THE SOUTH WEST CORNER OF VENTURA AND TENTH STREETS, FRESNO, CALIFORNIA COMMONLY KNOWN AS THE FORMER JUVENILE HALL (APN'S 470-054-04T, 14T, 16T, 9T, 10T, 11T, 12T, 13T; 470-124-07T, 09T; 470-021-01T; 470-133-01T) AND DECLARE THE BOARD'S INTENTION TO SELL THE PROPERTY AT A MINIMUM PRICE OF \$1,500,000. SUPERVISOR MAGSIG AND SUPERVISOR QUINTERO WILL WORK TOGETHER TO SEE IF THERE ARE COUNTY DEPARTMENTS THAT CAN USE THE PROPERTY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 17-161

10. Approve Salary Resolution Amendment for the Internal Services Department and the Auditor-Controller/Treasurer-Tax Collector as reflected on Appendix "E", on file with the Clerk to the Board, effective March 13, 2017; Approve and authorize Clerk of the Board to execute Budget Transfer No. 14 transferring appropriations within the Auditor-Controller/Treasurer-Tax Collector, Organization 0410 from Account 6100, Regular Salaries (\$132,733), Account 6400, Retirement Contribution (\$77,922), Account 6500, OASDI Contribution (\$10,154), Account 6600, Health Insurance Contribution (\$9,456) and Account 6650, Life and Disability Insurance (\$179), to Account 7296, Data Processing Services in the amount of \$230,444

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

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

Salary Resolution No. 17-013

Sitting as the Board of Supervisors and Sitting as the Board of Directors of Waterworks District No. 40

11. Sitting as the Board of Supervisors: Conduct a public hearing on the Annual Water Conservation Report; adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within County Service Area No. 30 under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within County Service Area No. 32 under Fresno County Ordinance Code Chapter 14.01; adopt resolution declaring Water Conservation Stage Two during the dates of May 1, 2017 through November 30, 2017 and Stage Three during the dates of April 1, 2017 through April 30, 2017 and December 1, 2017 through March 31, 2018 and impose corresponding regulations within County Service Area No. 39 Zones A & B under Fresno County Ordinance Code Chapter 14.01; and adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within County Service Area No. 49 under Fresno County Ordinance Code Chapter 14.01

Sitting as the Board of Directors of Waterworks District No. 40: Conduct a public hearing on Annual Water Conservation Report and adopt resolution declaring Water Conservation Stage Four and impose corresponding regulations within Waterworks District No. 40 under Fresno County Ordinance Code Chapter 14.01

CONDUCTED PUBLIC HEARING. NO PUBLIC TESTIMONY RECEIVED. CLOSED PUBLIC HEARING. 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. 17-162, Resolution No. 17-163, Resolution No. 17-164, Resolution No. 17-165, Resolution No. 17-166

Public Works and Planning

12. Authorize Chairman to execute proposed agreement to establish Central Delta-Mendota Multi-Agency Groundwater Sustainability Agency for a portion of Delta-Mendota Groundwater Subbasin and designate a Board member and an alternate to serve as a member of the Steering Committee for Central Delta-Mendota Multi-Agency Groundwater Sustainability Agency; and authorize Chairman to execute proposed Memorandum of Agreement with San Luis & Delta-Mendota Water Authority to obtain coordinated access to administrative and technical resources available through the Authority

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THIS MATTER BE APPROVED AS RECOMMENDED. DESIGNATED CHAIRMAN PACHECO AS A BOARD MEMBER AND AUGUSTINE RAMIREZ AS AN ALTERNATE TO SERVE AS A MEMBER OF THE STEERING COMMITTEE FOR THE CENTRAL DELTA-MENDOTA MULTI-AGENCY GROUNDWATER SUSTAINABILITY AGENCY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Agreement No. 17-074, Agreement No. 17-075

13. Consider and adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7163 including Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3819; and approve Ordinance pertaining to Amendment Application No. 3819 to modify existing M-3(c) zoning on subject 16.95-acre parcel and 2.06-acre parcel in order to allow for additional by-right land uses (Transportation Refrigeration Unit Truck and Trailer Storage, ancillary uses exclusive to the on-site Occupant to include Administrative Offices, Truck and Trailer Service Facilities, Fuel Dispensing Facilities, and Driver Dispatch Facilities), subject property is located on southwest corner of E. North Avenue and S. Minnewawa Avenue, approximately one mile south of nearest city limits of City of Fresno

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

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

Ordinance No. R-474-3819

14. Consider appeal of Planning Commission's technical denial of Variance Application No. 4013 proposing creation of 2-acre parcel and 11.82-acre parcel from existing 13.82-acre parcel in AE-20 Zone District; and determine that required Findings specified in Fresno County Ordinance Code Section 873-F can or cannot be made for approval or denial of the Variance request, project site is located on east side of S. Cove Avenue, approximately 375 feet southeast of its intersection with E. Lincoln Avenue, approximately 1.4 miles northwest of nearest city limits of City of Orange Cove

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO GRANT THE APPEAL AND APPROVE VARIANCE APPLICATION NO. 4013 WITH AN ADDITIONAL CONDITION THAT NO ADDITIONAL RESIDENTIAL STRUCTURES MAY BE CONSTRUCTED ON THE PARCELS PERMITTED TO BE CREATED BY THE VARIANCE, BASED ON THE FOLLOWING FINDINGS:

FINDING 1: THE EXISTENCE OF THE HOME AND RELATED IMPROVEMENTS REPRESENTS AN EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCE OR CONDITION APPLICABLE TO THE PROPERTY INVOLVED WHICH DO NOT APPLY GENERALLY TO OTHER PROPERTIES IN THE VICINITY HAVING IDENTICAL ZONING CLASSIFICATION;

FINDING 2: GRANTING OF THE VARIANCE IS NECESSARY FOR THE PRESERVATION AND ENJOYMENT OF THE APPLICANT'S SUBSTANTIAL PROPERTY RIGHTS TO MAINTAIN A HOMESITE PARCEL AND A PARCEL DEDICATED TO AGRICULTURE, WHICH IS A RIGHT POSSESSED BY OTHER PROPERTY OWNERS UNDER LIKE CONDITIONS IN THE VICINITY HAVING THE IDENTICAL ZONING CLASSIFICATION;

FINDING 3: ADOPT STAFF'S RECOMMENDED FINDING THAT GRANTING OF VARIANCE WILL NOT BE MATERIALLY DETRIMENTAL TO THE PUBLIC WELFARE OR SURROUNDING PROPERTIES, AS THERE IS NO CHANGE IN EXISTING USE OF THE LAND;

FINDING 4: GRANTING OF VARIANCE IS CONSISTENT WITH THE GENERAL PLAN BECAUSE THE VARIANCE APPLICATION PROPOSES NO CHANGE TO EXISTING USE OF THE LAND, WHICH WILL REMAIN DEDICATED PRIMARILY TO AGRICULTURE WITH AN ACCESSORY RESIDENTIAL USE;

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Social Services

15. Approve Amendment to the Salary Resolution (Appendix "F") adding 42 positions and adjusting the Deputy Director of Social Services Salary Band in the Department of Social Services Organization 5610 effective March 13, 2017; Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Welfare Advance Fund Organization 1120 in the amount of \$723,897 (4/5 vote); Adopt Budget Resolution increasing the FY 2016-17 appropriations for the Protective Services Subaccount Organization 6210 in the amount of \$226,542 (4/5 vote); and, Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Department of Social Services Organization 5610 in the amount of \$950,439 (4/5 vote)

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR BERGEAS, 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. 17-014, Resolution No. 17-167, Resolution No. 17-168, Resolution No. 17-169

Board of Supervisors' Committee Reports and Comments

16. 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 STATED THAT THIS IS THE FIFTH BOARD OF SUPERVISORS MEETING THAT HE AND SUPERVISOR QUINTERO HAVE BEEN A PART OF AND HE WANTED TO COMPLIMENT THE BOARD'S STAFF. HE SAID, IT HAS BEEN A PLEASURE WORKING WITH EACH SUPERVISOR, GETTING TO KNOW EACH OF YOU AND YOUR SPOUSES AND HE CONTINUES TO LOOK FORWARD TO FUTURE MEETINGS AND ALSO DEVELOPING THE NEXT BUDGET. SUPERVISOR BERGEAS ANNOUNCED THE RE-OPENING OF THE ARMENIAN CENTER AND INVITED EACH SUPERVISOR TO ATTEND. THE GRAND OPENING WILL BE HELD ON SATURDAY, MARCH 11TH AT 7 P.M.

Board Appointments

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

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

**CHILD CARE AND DEVELOPMENT LOCAL PLANNING COUNCIL
REAPPOINTED MARY BETH MILLER (TERM TO 1/4/2021)
REAPPOINTED MEGAN GUNN (HIGHT) (TERM TO 1/4/2021)
REAPPOINTED MEGAN TUPPER (TERM TO 1/4/2021)**

**CITY OF FRESNO REDEVELOPMENT AGENCY SUCCESSOR AGENCY OVERSIGHT BOARD
APPOINTED BRIAN PACHECO (INDEFINITE TERM)**

**EMERGENCY MEDICAL CARE COMMITTEE
APPOINTED MICHAEL SALVADOR TO SERVE IN THE POSITION PREVIOUSLY HELD BY GREG GARNER
(TERM TO 1/4/2021)**

**FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE
REAPPOINTED MARK ALLEN (TERM TO 1/4/2021)**

**IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE
REAPPOINTED KELLYE EVERHARDT (TERM TO 1/7/2019)**

**LAW LIBRARY BOARD OF TRUSTEES
REAPPOINTED ROBERT E. TOWNE (TERM TO 1/3/2018)**

**PLANNING COMMISSION
REAPPOINTED JOHN R. LAWSON (TERM TO 1/4/2021)**

**WATER ADVISORY COMMITTEE
APPOINTED IAN LEMAY TO REPLACE HARRY ARMSTRONG (TERM TO 1/4/2021)**

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

18. Public Presentations - This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda - Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic
HELD; THERE WERE NO COMMENTS FROM MEMBERS OF THE PUBLIC

Closed Session

19. 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
20. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)
NOT HELD; NO REPORTABLE ACTION; PRIOR TO THE BOARD RECESSING TO CLOSED SESSION, COUNTY COUNSEL DAN CEDERBORG ANNOUNCED THAT THERE WERE NO CASES TO DISCUSS WITH LEGAL COUNSEL
21. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d)(4) (2 cases)
THE BOARD, BY UNANIMOUS VOTE, AUTHORIZED THE COUNTY TO FILE A CLAIM AS A CLASS MEMBER IN THE MATTER OF: OPTICAL DISK DRIVE PRODUCTS ANTI-THEFT CASE NO. 3:10 MD 2143-RS(MDL 2143) CURRENTLY PENDING IN THE US DISTRICT COURT OF THE NORTHERN DISTRICT OF CALIFORNIA
- 21.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Comia Perry v. Lisa Pope and Fresno County In-Home Supportive Services, Labor Commission Case No. WC-CM-187806
HELD; NO REPORTABLE ACTION

Adjourn

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

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

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR BERGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 22.** Approve minutes of meeting for February 28, 2017

APPROVED AS RECOMMENDED

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

Chairman Pacheco

- 22.1** Adjourn in Memory of Justin Garza

APPROVED AS RECOMMENDED

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

District Attorney/Public Administrator

- 23.** Approve and authorize the Clerk to the Board to execute Budget Transfer No.13 (\$36,000) transferring FY 2016-17 appropriations within the District Attorney-Public Administrator Grants Org 28623000 from Account 6100 (Regular Salaries) and Account 6400 (Retirement Contribution), to Account 7910 (Operating Transfer Out) for the purchase of a vehicle; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Internal Services Department - Fleet Services Equipment, Organization 8911, in the amount of \$36,000 for the purchase of one investigator vehicle (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-138

Sheriff/Coroner

- 24.** Authorize the Chairman to execute a Certification of Assurance of Compliance with California Governor's Office of Emergency Services (Cal OES) Law Enforcement (LE) Specialized Units Program

APPROVED AS RECOMMENDED

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

Agreement No. 17-059

25. Retroactively approve and authorize the Sheriff-Coroner's previous submittal of a 2016 Coverdell Forensic Grant Application to California Office of Emergency Services (Cal OES) to expand the training of the Fresno County Sheriff-Coroner's Forensic Services effective January 1, 2017 through December 31, 2017 (\$4,105); approve and authorize the Sheriff-Coroner to execute retroactive grant award from Cal OES, for the 2016 Coverdell Forensic Grant for the period of January 1, 2017 through December 31, 2017 (\$4,105); approve and authorize the Sheriff-Coroner, or her designee to sign the Certificate of Assurance required by the Grantee Agency, the Certificate for External Investigations, and claims for reimbursement and activity reports for the above grant award; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Sheriff-Coroner Org 3111 in the amount of \$4,105 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 17-060, Resolution No. 17-139

Administrative Office

26. Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard

APPROVED AS RECOMMENDED

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

Resolution No. 17-140

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

APPROVED AS RECOMMENDED

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

Resolution No. 17-141

Human Resources

28. Approve the Memorandum of Understanding for Representation Unit 1 - Law Enforcement Personnel, represented by the Fresno Deputy Sheriff's Association, effective March 13, 2017, through December 15, 2019; and, the related Salary Resolution Amendments as reflected on Appendix B

APPROVED AS RECOMMENDED

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

Salary Resolution No. 17-010

29. Approve the Memorandum of Understanding for Representation Unit 35 - Management Unit - Sheriff's Office, represented by the Sheriff's and Correctional Lieutenants Association, effective March 13, 2017, through December 15, 2019; and, related Salary Resolution Amendments as reflected on Appendix D

APPROVED AS RECOMMENDED

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

Salary Resolution No. 17-011

30. Approve the Memorandum of Understanding for Representation Unit 38 - Sheriff's Captains, represented by the Fresno County Sheriff's Captain Association, effective March 13, 2017, through December 15, 2019; and, related Salary Resolution Amendments as reflected on Appendix C

APPROVED AS RECOMMENDED

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

Salary Resolution No. 17-012

Internal Services

31. Consider and approve Without Cause termination of Agreement No. 15-025 with Aramark Uniform Services for countywide services related to the rental, laundering and delivery of uniforms, linens, mats and miscellaneous janitorial items; authorize the Director of Internal Services/Chief Information Officer or his designee to immediately provide sixty (60) days prior written notice to Aramark Uniform Services terminating Agreement No. 15-025 pursuant to the Without Cause provision of the Agreement, termination effective May 7, 2017; and approve and authorize the Chairman to execute new Agreement with Cintas Corporation for countywide uniforms and dust control services, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions for a total Agreement amount not to exceed \$1,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 17-061

32. Adopt Resolution acknowledging the emergency nature of the flooding at the Fresno County Brix Building and make a finding pursuant to County Administrative Policy 34 that unusual and extraordinary circumstances exist such that it is in the best interest of the County to suspend competitive bidding and negotiate and execute contracts for services and supplies as necessary for remediation and restoration of the property; authorize the Director of Internal Services/Chief Information Officer to negotiate and execute agreements and other documents necessary for the remediation and restoration of the Fresno County Brix Building; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenue for the Internal Services Department, Facility Services Org 8935 in the amount of \$300,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-142, Resolution No. 17-143

Library

33. Retroactively authorize the County Librarian's previous submittal of a participant application to the Bay Area Discovery Museum's Center for Childhood Creativity for the School Readiness Program (\$1,000); approve and authorize the Fresno County Public Library to participate in the School Readiness Program administered by the Bay Area Discovery Museum's Center for Childhood Creativity, effective upon approval through August 31, 2017 (\$1,000); and adopt Resolution increasing the FY 2016-17 appropriations and estimated revenues in the Library Grants Organization 7517 in the amount of \$1,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-144

Public Health

34. Adopt Budget Resolutions increasing the FY 2016-17 appropriations and estimated revenues for the 1991 Realign - Health Org 5243 in the amount of \$520,220; appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$656,308; appropriations for the Environmental Health Service Org 1154 in the amount of \$30,000; appropriations for the Dairy Surcharge Org 1155 in the amount of \$35,000; appropriations for the Integrated Waste Management Org 1156 in the amount of \$26,088; and, appropriations for the Environmental Health Surcharges Org 1157 in the amount of \$45,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-145, Resolution No. 17-146, Resolution No. 17-147, Resolution No. 17-148, Resolution No. 17-149, Resolution No. 17-150

35. Approve and authorize the Chairman to execute Amendment III to Purchasing Agreement P-15-007-O with John E. Goodfellow, dba Goodfellow Occupational Therapy Services, to add pediatric on-site physical therapy services, effective July 1, 2017 to June 30, 2019 and increasing the maximum by \$126,350 to a total of \$3,477,810

APPROVED AS RECOMMENDED

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

Agreement No. 17-062

36. Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the department of Public Health, Integrated Waste Management Org 1156 in the amount of \$26,213 (4/5 vote); and, for the Department of Public Health Org 5620 in the amount of \$26,213 (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-151, Resolution No. 17-152

37. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health for the HIV (human immunodeficiency virus) Surveillance Program, effective July 1, 2016 through June 30, 2019 (\$256,539); and, Director of the Department of Public Health to execute the Contractor's Release Form for submission with the final invoice

APPROVED AS RECOMMENDED

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

Agreement No. 17-063

Public Works and Planning

38. Award Contract No. 16-18-C, 2016-17 Bituminous Seal Coats, Various Locations in Fresno County, to bidder with lowest responsive bid, Telfer Pavement Technologies, LLC, 4522 Parker Avenue, Building 700, Suite 350, McClellan, CA, in amount of \$862,052.20 for base bid; and authorize Director of Public Works and Planning, or his designee, to execute Contract Change Orders up to \$55,603, which is approximately 6.45% of total contract construction cost, the limit allowable under Public Contract Code 20395(d) for Contract 16-18-C

APPROVED AS RECOMMENDED

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

- 39.** Award Contract No. 16-10-C, Bituminous Seal Coats (re-bid 15/16), Various Locations in Fresno County, to the bidder with lowest bid, Telfer Pavement Technologies, LLC., 4522 Parker Avenue, Building 700, Suite 350, McClellan, CA, in total amount of \$1,142,408 including base bid and additive bids 4A and 5A.; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$69,620, which is approximately 6.09% of total contract construction cost, the limit allowable under Public Contract Code 20395(d) for Contract 16-10-C

APPROVED AS RECOMMENDED

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

- 40.** Adopt Budget Resolution for County Service Area 35BG, Org 9224 increasing FY 2016-17 appropriations in amount of \$9,000 from County Service Area 35BG general reserves (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-153

- 41.** Adopt Budget Resolution for County Service Area 35AG, Org 9206 increasing FY 2016-17 appropriations in amount of \$39,000 from County Service Area 35AG general reserves (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 17-154

- 42.** Approve and authorize Chairman to execute Agreement with Sanger Memorial Village, LP for HOME Investment Partnerships Program funds for development of Sanger Memorial Village Apartments in City of Sanger (\$1,000,000); and authorize Director of Public Works and Planning, or his designee, to execute all loan and related documents necessary to the project, including any amendments thereto, subject to prior review and approval of County Counsel and the Auditor-Controller/Treasurer-Tax Collector, as shall be necessary for the purpose of developing the Project as described in Section I of the Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 17-064

- 43.** Approve and authorize Chairman to execute Program Supplement Agreement No. N242 to Administering Agency - State Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for the Fruit Avenue and Barstow Avenue Left-turn Phasing Project, Federal Project No. HSIPL-5942(242), (\$536,900)

APPROVED AS RECOMMENDED

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

Agreement No. 17-065

- 44.** Approve and authorize Chairman to execute Program Supplement Agreement No. F280 to Administering Agency - State Master Agreement for Federal Aid No. 06-5942F15 with California Department of Transportation for Biola Sidewalk Project, Federal Project No. ATPL-5942(276) (\$15,000)

APPROVED AS RECOMMENDED

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

Agreement No. 17-066

- 45.** Award Contract No. 16-20-C, Fruit Avenue and Barstow Avenue Left Turn Phasing Project No. HSIPL-5942(242), to bidder with lowest responsive bid, American Paving Company, 315 N. Thorne Avenue, Fresno in amount of \$462,592; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$35,629.60, which is approximately 7.70% of total contract construction cost, the limit allowable under Public Contract Code 20395(d) for Contract 16-20-C

APPROVED AS RECOMMENDED

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

- 46.** Approve City of Fresno's request to acquire road easement without eminent domain action from two parcels adjacent to existing County road right-of-way in unincorporated areas of the County as needed in conjunction with City's approval of land use application for expansion of Armenian Home facility located on Kings Canyon Boulevard between Armstrong and Temperance Avenues

APPROVED AS RECOMMENDED

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

Social Services

47. Approve and authorize the Chairman to execute six (6) Agreements for the provision of Child Abuse Prevention Services, effective July 1, 2017, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$14,150,000; and, Authorize the Director of the Department of Social Services, or designee, to modify services and budget line items greater than ten percent within budgets without exceeding the annual contract maximum

APPROVED AS RECOMMENDED

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

Agreement No. 17-067, Agreement No. 17-068, Agreement No. 17-069, Agreement No. 17-070, Agreement No. 17-071, Agreement No. 17-072

48. Approve and authorize the Chairman to execute a Master Agreement for Psychosocial Assessments for the Resource Family Approval Program effective upon execution through June 30, 2018, total not to exceed \$1,987,500; Authorize the Director of the Department of Social Services, or designee, to add and/or delete service provider(s) to the Master Agreement, as necessary; Adopt Budget Resolution increasing the FY 2016-17 appropriations in the Protective Services Subaccount Organization 6210 in the amount of \$596,250 (4/5 vote); and, Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the Department of Social Services Organization 5610 in the amount of \$596,250 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 17-073, Resolution No. 17-159, Resolution No. 17-160