



County of Fresno

Action Summary - Draft

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, September 25, 2018

9:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

PAM FOBBS, COMMISSIONER ON THE STATUS OF WOMEN, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY VICE CHAIRMAN BERGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 20 WHICH WAS DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 22 - 72

A MOTION WAS MADE BY VICE CHAIRMAN BERGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 23, 30, 67 WHICH WERE PULLED FOR DISCUSSION AND SEPERATE VOTE. ITEM NO. 29 WAS DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

3. Presentation of Retirement Plaque to Mary Katherine Burrows - Board of Supervisors - 19 Years of Service

PRESENTED PLAQUE TO MARY KATHERINE BURROWS

Chairman Quintero

4. Proclaim the month of October 2018 as "Breast Cancer Awareness Month" in Fresno County

A MOTION WAS MADE BY CHAIRMAN QUINTERO, 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. 18-342

5. Proclaim National Alcohol and Drug Addiction Recovery Month

A MOTION WAS MADE BY CHAIRMAN QUINTERO, 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. 18-343

Supervisor Mendes and Supervisor Pacheco

6. Proclaim September 23-29, 2018 as 4-H Week in Fresno County

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

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

Resolution No. 18-344

Supervisor Borgeas

7. Receive presentation by Central Valley Promise, an educational initiative which spans Fresno County

RECEIVED PRESENTATION

Sheriff/Coroner

8. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsection 2609 of Section 2600 - Sheriff-Coroner; waive reading of the Ordinance in its entirety; and set second hearing for October 9, 2018; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1)

A MOTION WAS MADE BY VICE CHAIRMAN BORGEAS, SECONDED BY SUPERVISOR PACHECO, THAT THIS MATTER BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF THE FEE AMOUNT FOR DEPUTY SHERIFF III. THE BOARD APPROVED TO MAINTAIN DEPUTY SHERIFF III FY 2017-2018 RATES FOR REGULAR AND OVERTIME. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 4 - Borgeas, Mendes, Pacheco, and Quintero

Noes: 1 - Magsig

Administrative Office

9. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Beal Developments, LLC dba Beal Chevron located on 5596 E. Kings Canyon Road, Fresno, CA 93727

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

Ayes: 4 - Borgeas, Magsig, Mendes, and Pacheco

Absent: 1 - Quintero

Library

10. Conduct first hearing to amend the County of Fresno Master Schedule of Fees, Charges, and Recovered Costs Ordinance to exempt active military, veterans, and children ages 0-17 from overdue fines by amending Section 1100 - Library for fees, included in subsection 1109 Overdue fines, a) Overdue Item, b) Overdue Laptop/Mobile Device; waive the reading of the Ordinance in its entirety, and set the second hearing including its requested Board adoption, for October 9, 2018; and designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and direct the Clerk of the Board to post and publish the required summary of the proposed Ordinance in accordance with Government Code Section 25124(b)(1)

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BORGEAS, TO DENY STAFF'S RECOMMENDED ACTIONS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 4 - Borgeas, Magsig, Mendes, and Pacheco

Absent: 1 - Quintero

Public Works and Planning

11. Conduct first hearing on an Ordinance amending Title 17 - Divisions of Land, Chapter 17.90 - Public Facilities Impact Fees and Schedule of Fees, of the Fresno County Ordinance Code, to discontinue public facilities impact fees established in 2008 but maintaining authorization to establish new public facilities impact fees in the future; waive reading of the Ordinance in its entirety; and set the second hearing for October 9, 2018; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and, direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, section 25124(b) (1)

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: 4 - Borgeas, Magsig, Mendes, and Pacheco

Absent: 1 - Quintero

12. Receive presentation regarding impacts of recycling market conditions, based on data provided by four of the nine Exclusive Service Area Program Haulers; and delay further action for approximately one year; and direct Department of Public Works and Planning staff to continue monitoring recycling market conditions and return to your Board periodically with additional information for consideration

RECEIVED PRESENTATION REGARDING IMPACTS OF RECYCLING MARKET CONDITIONS, BASED ON DATA PROVIDED BY FOUR OF THE NINE EXCLUSIVE SERVICE AREA PROGRAM HAULERS. A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY SUPERVISOR MENDES, TO DIRECT STAFF TO RETURN TO THE BOARD ON NOVEMBER 6, 2018, WITH AN AMENDMENT, ADDING A RECYCLING SURCHARGE, TO THE CURRENT EXCLUSIVE SERVICE AREA HAULING AGREEMENTS AND AN UPDATE ON THE STATUS OF THE NON-EXCLUSIVE WASTE HAULING AGREEMENTS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 4 - Borgeas, Magsig, Mendes, and Pacheco

Absent: 1 - Quintero

13. Approve Amendment to the Salary Resolution adding one Senior Engineer position to the Department of Public Works and Planning Org 4360, effective October 8, 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: 4 - Borgeas, Magsig, Mendes, and Pacheco

Absent: 1 - Quintero

Salary Resolution No. 18-043

Board of Supervisors' Committee Reports and Comments

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

CHAIRMAN QUINTERO REPORTED ON THE PROGRESS OF AN ALLEY PROJECT IN CALWA. PUBLIC WORKS AREA 7 TEAM HAS STARTED CLEANING AND REPAIRING THE ALLEYS. CHAIRMAN QUINTERO EXPRESSED APPRECIATION TO ALL IN PUBLIC WORKS AND PLANNING WORKING ON THE PROJECT. SUPERVISOR MENDES REQUESTED THE BOARD TO CONSIDER FORMING AN AD HOC COMMITTEE TO REVIEW FRESNO COUNTY PERSONNEL RULE 7025 AND COUNTY ORDINANCE 3.08.120 RELATING TO EMPLOYEE REQUEST FOR LEAVE. SUPERVISOR MENDES RECOMMENDED THE COMMITTEE MEMBERS BE SUPERVISORS MAGSIG, SUPERVISOR MENDES, COUNTY COUNSEL, COUNTY ADMINISTRATIVE OFFICE STAFF, AND PAUL NERLAND, HUMAN RESOURCES DIRECTOR. COUNTY COUNSEL STATED THAT FOR AD HOC COMMITTEES, IT'S APPROPRIATE FOR THE CHAIRMAN TO APPOINT THE COMMITTEE. SUPERVISOR MENDES STATED THE COMMITTEE WILL REPORT BACK TO THE FULL BOARD. CHAIRMAN QUINTERO AGREED TO THE FORMING OF THE AD HOC COMMITTEE. SUPERVISOR BORGEAS STATED THAT THE REVISED ASSEMBLY BILL 3119 REGARDING THE SAN JOAQUIN RIVER PASSED ALL RELEVANT COMMITTEES, BUT WAS VETOED BY GOVERNOR BROWN. HE STATED THE VETO WAS SURPRISING AND BELIEVES THE LEGISLATION WILL COME BACK IN THE FUTURE. SUPERVISOR MAGSIG ANNOUNCED THAT STAN KING OF CLOVIS PASSED AWAY AND THE BOARD APPROVED A MEMORIAL RESOLUTION THAT THE FAMILY WILL RECEIVE. SUPERVISOR MAGSIG ATTENDED THE MEMORIAL SERVICE FOR STAN HELD AT THE CLOVIS RODEO GROUNDS

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR PACHECO, THAT THE NOMINATION FOR APPOINTMENT BE APPROVED AS FOLLOWS:

WATERWORKS DISTRICT NO. 18

APPOINTED GERALD STEWARD TO THE POSITION PREVIOUSLY HELD BY KEITH GAYNOR (INDEFINITE TERM)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 4 - Borgeas, Magsig, Mendes, and Pacheco

Absent: 1 - Quintero

Public Presentations

16. 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

17. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (2 Cases)
HELD; NO REPORTABLE ACTION
18. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment
HELD; NO REPORTABLE ACTION
19. Conference with Legal Counsel- Existing Litigation - Government Code, Section 54956.9 (d)(1) - Paul Biswas vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ10618745
HELD; NO REPORTABLE ACTION
20. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Ronald Talley v. County of Fresno, Fresno County Superior Court Case No.: 17CECG00212; Risk Management Claim No.: 9557
DELETED
21. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 2 Cases
BY A 4-0 VOTE, WITH SUPERVISOR QUINTERO ABSENT DURING CLOSED SESSION, THE BOARD AUTHORIZED THE INITIATION OF LITIGATION AGAINST LUIS D. MADRIGAL, THE RECORDED OWNER OF 924 W. AMERICAN, TO ABATE ORDINANCE CODE VIOLATIONS AND TO ENJOIN OPERATION OF A HIGH INTENSITY PARK WITHOUT THE REQUISITE PERMITS
- 21.1 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - James Davis v. County of Fresno, Fresno County Superior Court Case No. 14 CE CG 01490
HELD; NO REPORTABLE ACTION

Adjourn

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

Ayes: 4 - Borgeas, Magsig, Mendes, and Pacheco

Absent: 1 - 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 _____

CONSENT AGENDA

A MOTION WAS MADE BY VICE CHAIRMAN BORGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 23, 30, 67 WHICH WERE PULLED FOR DISCUSSION AND SEPERATE VOTE. ITEM NO. 29 WAS DELETED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 22.** Approve minutes of meeting for September 11, 2018 and September 17, 2018 Budget Hearings

APPROVED AS RECOMMENDED

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

Chairman Quintero

- 22.1** Approve certificates of recognition for awardees of the Big Fresno Fair Community Champions and Hall of Fame on behalf of all Board of Supervisors

APPROVED AS RECOMMENDED

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

Supervisor Borgeas

- 23.** Receive and file in the record a letter from FresnoforParks dated September 6, 2018 clarifying intent of Measure P, Section 7-1410 - Miscellaneous Provisions. Section 7-1410, subsection (d) was not intended to be applied to the San Joaquin River and the Palm Avenue corridor

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

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

Supervisor Magsig

- 24.** Adjourn in memory of Stanley E. King

APPROVED AS RECOMMENDED

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

Supervisor Mendes

25. Adopt Resolution recognizing the graduating veterans and their mentors of the Fresno County Veteran's Treatment Court

APPROVED AS RECOMMENDED

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

Resolution No. 18-322

Assessor/Recorder

26. Retroactively authorize the Chairman to execute a resolution authorizing the Assessor's previous submittal of a grant application to the California Department of Finance for participation in the State Supplementation for County Assessors Program for supplemental staffing and technology improvements within the Assessor Division, with an annual amount not to exceed \$375,000 in matching funds from the Assessor's Property Tax Administration Program Fund, at the rate of one local dollar for every two dollars the County receives in program funds, for the period of July 1, 2018 through June 30, 2021

APPROVED AS RECOMMENDED

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

Resolution No. 18-323

Auditor Controller-Treasurer/Tax Collector

27. Approve and authorize the Chairman to execute an agreement with Garda CL West, Inc. to provide armored transport services, effective October 1, 2018 through September 30, 2023 which includes a three-year base contract and two optional one-year extensions, total not to exceed \$270,756

APPROVED AS RECOMMENDED

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

Agreement No. 18-546

County Clerk/Registrar of Voters

28. Approve the appointment of Michelle Martin to the Coalinga-Huron Recreation and Park Board of Directors, for the term expiring December 4, 2020, to fill an unexpected vacancy

APPROVED AS RECOMMENDED

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

District Attorney/Public Administrator

29. Approve and authorize the Chairman to execute a Lease Agreement, including an Option to Purchase, with River Park Properties III, a California limited partnership, for 73,210 square feet of office space and parking area located at 2100 Tulare Street, Fresno, CA (APN 468-251-10), for use by the Office of the District Attorney - Public Administrator for a Primary term of twenty years, with a one-time year ten option to purchase, effective the date the office of the District Attorney takes occupancy, lease cost not to exceed \$17,065,251.00 for initial term of ten years; and authorize the Director of Internal Services/Chief Information Officer, or his designee, to execute, upon review and approval by County Counsel, Lease Commencement Notification, Estoppel and/or Subordination and Non-Disturbance Agreements regarding the recommended lease agreement, if County is requested by River Park Properties III, a California limited partnership, (Lessor) to sign such documents

DELETED

Administrative Office

30. Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the provision of State legislative advocacy services; and approve and authorize the Chairman to execute an Agreement with Shaw/Yoder/Antwih, Inc. and Michael Y. Corbett and Associates to provide State legislative advocacy services in Sacramento effective January 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one year extensions, total not to exceed \$472,437

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

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

Agreement No. 18-567

31. Adopt resolution abolishing the Fresno County National Guard Commission

APPROVED AS RECOMMENDED

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

Resolution No. 18-324

32. Receive the Annual Report of the Fresno County Public Law Library for the Fiscal Year Ending June 30, 2018

APPROVED AS RECOMMENDED

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

33. Approve and authorize the Chairman to execute Retroactive Memorandum of Understanding (MOU) between the Fresno Regional Workforce Development Board (FRWDB) and the State Center Community College District effective February 1, 2017 to June 30, 2019 (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 18-547

Behavioral Health

34. Approve Amendment to the Salary Resolution adding one Principal Staff Analyst position and deleting one Senior Staff Analyst position to the Behavioral Health Org 5630, effective October 8, 2018 as reflected in Appendix C

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-040

35. Approve and authorize the Chairman to execute an Agreement with Community Health Improvement Partners, for Room and Board housing services for the Department of Behavioral Health, effective October 1, 2018 through June 30, 2023, which includes an approximate three-year base contract and two optional one-year extensions, total not to exceed \$1,900,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-568

36. Approve and authorize the Department of Behavioral Health to submit the Fresno County Mental Health Services Act Assembly Bill 114 (Statute of 2017) Plan to Spend

APPROVED AS RECOMMENDED

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

County Counsel

37. Approve and authorize the Chairman to execute Settlement Agreement and Release with plaintiff Williams & Fickett in connection with Williams & Fickett v. County of Fresno, Fresno County Superior Court Case No. 13CECG00461 (\$297,000 payment)

APPROVED AS RECOMMENDED

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

Agreement No. 18-569

Human Resources

38. Approve Amendment to the Personnel Rules adding Section 4237 to allow backfilling critically needed unrepresented management or senior management positions for the purpose of cross training up to a maximum of two consecutive pay periods, as reflected in Appendix A

APPROVED AS RECOMMENDED

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

39. Approve Resolutions Rejecting Claims for Damages

APPROVED AS RECOMMENDED

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

Resolution No. 18-325 through Resolution No. 18-338

40. Approve the biweekly premiums for active employees and dependents for Plan Year 2019, effective December 17, 2018 (Exhibit A); and, approve the monthly premiums for retirees and dependents for Plan Year 2019, effective January 1, 2019 (Exhibit B)

APPROVED AS RECOMMENDED

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

41. Approve the Memorandum of Understanding for Representation Unit 43 - Computer Employees, represented by Stationary Engineers - Local 39, effective September 24, 2018, through September 20, 2020; and approve the related Salary Resolution Amendments (Including confidential classifications covered by Footnote "y") as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-041

42. Approve the Salary Resolution Amendments associated with the adoption of the FY 2018-19 Budget as reflected on Appendix "A", on file with the Clerk to the Board, to become effective as indicated on Appendix "A"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-042

Internal Services

43. Approve and authorize the Chairman to execute an Agreement with San Joaquin Glass Company for glass replacement, installation, and repair services, effective December 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$360,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-548

44. Make a finding that it is in the best interest of the County to waive the competitive bidding process under Administrative Policy No. 34 due to unusual or extraordinary circumstances for the solicitation of the maintenance and technical and support of Microsoft products; and Approve and authorize the Chairman to execute a sole source Agreement with Microsoft Corporation (Microsoft) for Premier Support Services maintenance and technical support of Microsoft products, effective October 2, 2018 through October 1, 2019 (\$131,370)

APPROVED AS RECOMMENDED

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

Agreement No. 18-549

45. Approve and authorize the acceptance of grant funding in the amount of \$94,985 awarded to the County by the San Joaquin Valley Air Pollution Control District, Public Benefit Grants Program - New Alternative Fuel Vehicle Purchase, to fund seven (7) new 2018 Global Electric Motorcars electric carts; adopt Budget Resolution Increasing the FY 2018-19 appropriations and estimated revenues for the Internal Services Department, Fleet Services Org 8911, in the amount of \$94,985 for the purchase of seven (7) new 2018 Global Electric Motorcars Electric carts (4/5 vote); and authorize the Director of Internal Services/Chief Information Officer or his/her designee to execute all grant related documents for the purpose of securing grant funds to implement and administer the San Joaquin Valley Air Pollution Control District, Public Benefit Grants Program -- New Alternative Fuel Vehicle Purchase

APPROVED AS RECOMMENDED

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

Resolution No. 18-339

46. Approve and authorize the Chairperson to execute a retroactive assignment of Agreement No. 15-512 from Datalink Corporation to Insight Public Sector, Inc., effective May 1, 2017, for the maintenance and support of CISCO products

APPROVED AS RECOMMENDED

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

Agreement No. 15-512

Library

47. 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 Wi-Fi and related services to include the Library's specified requirements; and approve and authorize the Chairman to execute an Agreement with X-Act Technology Solutions, Inc. to provide Wi-Fi services for 23 of the Library's branches effective October 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$293,854

APPROVED AS RECOMMENDED

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

Agreement No. 18-550

48. Adopt a Budget Resolution increasing FY 2018-19 appropriations for Measure B Fund 0107, Library Org 75110500 in the amount of \$6,650, for the purchase of an iMeter machine (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 18-340

Probation

49. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Central Unified School District to provide partial funding for services provided by two Deputy Probation Officers assigned to various Central Unified School District school campuses from July 1, 2018, through June 30, 2019 (\$75,000)

APPROVED AS RECOMMENDED

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

Agreement No. 18-551

50. Approve and authorize Chairman to execute an Agreement with Central Valley Children's Services Network to provide an evidence-based parenting program effective October 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, not to exceed \$500,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-552

51. Retroactively authorize the Chief Probation Officer's previous submittal of a grant application for California Office of Traffic Safety's Intensive Probation Supervision of High-Risk Felony and Repeat DUI Offenders Program to fund Probation's Repeat DUI caseload positions for the period of October 1, 2018 through September 30, 2019; and approve and authorize the Chairman to execute a grant agreement with California Office of Traffic Safety (Grant Number AL19003) to provide Intensive Probation Supervision for High-Risk Felony and Repeat DUI Offenders for the period of October 1, 2018 through September 30, 2019 (\$280,153)

APPROVED AS RECOMMENDED

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

Agreement No. 18-553

Public Defender

52. Approve and authorize the Chairman to execute First Amendment to Agreement No. A-16-371 with Canyon Solutions, Inc. for software support, maintenance, and customization, effective upon execution with no change in term to June 30, 2021 and increasing the maximum by \$80,000 to a total of \$420,000

APPROVED AS RECOMMENDED

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

Agreement No. 16-371-1

Public Health

53. Approve and authorize the Chairman to execute a retroactive Base Award with the California Department of Public Health, for Tuberculosis Control Local Assistance Funds (\$290,998) and Award Allotment (\$16,987), effective July 1, 2018 through June 30, 2019; and, approve and authorize the 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. 18-555

54. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Emergency Medical Services Authority, for multi-county emergency medical services coordination, effective July 1, 2018 through June 30, 2019 (\$405,407)

APPROVED AS RECOMMENDED

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

Agreement No. 18-556

- 55.** Approve and authorize the Chairman to execute a Data Use and Disclosure Agreement with the California Department of Public Health (CDPH), for disease reporting and surveillance, effective September 25, 2018 through September 24, 2021 (\$0); authorize the Director of the Department of Public Health, or designee, subject to review and approval by County Counsel, to execute amendments related to new standards and requirements imposed by regulations and other applicable laws to the Data Use and Disclosure Agreement with the CDPH; authorize the Fresno County Health Officer to execute the California Reportable Disease Information Exchange (CalREDIE) Cross-Jurisdictional Data Sharing Authorization Form; and, authorize the Fresno County Health Officer to add and/or delete authorized individuals to and from the CalREDIE Cross-Jurisdictional Data Sharing Authorization Form

APPROVED AS RECOMMENDED

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

Agreement No. 18-557

- 56.** Approve the payment of moving expenses for Dr. Sara Goldgraben, Fresno County Health Officer (\$1,073.78)

APPROVED AS RECOMMENDED

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

- 57.** Approve and authorize the Chairman to execute a retroactive Amendment I to Revenue Agreement No. 17-467 with the California Department of Public Health, Office of AIDS, for AIDS Drug Assistance Program funds to modify the fee for service pay schedule and extend the term of the existing Agreement by one year from July 1, 2019 to June 30 2020 with no increase in the base amount of \$15,000 for the four-year term

APPROVED AS RECOMMENDED

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

Agreement No. 17-467-1

- 58.** Approve and authorize the Chairman to execute a retroactive revenue agreement with the California Department of Public Health for Tobacco Control Program funds, effective July 1, 2018 through June 30, 2019 (\$958,753)

APPROVED AS RECOMMENDED

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

Agreement No. 18-559

Public Works and Planning

59. Retroactively authorize Department of Public Works and Planning's previous submittal of grant application in amount of \$24,054,000 to United States Department of Transportation for FY 2018 Better Utilizing Investments to Leverage Development Transportation Discretionary Grants Program to fund improvements to Millerton Road from North Fork Road, just north of community of Friant, to Millerton Lake State Recreation Area entrance

APPROVED AS RECOMMENDED

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

60. Approve and authorize Chairman to execute Agreement with California Department of Fish and Wildlife for Lake and Streambed Alteration for Italian Bar Road Bridge Replacement Project, effective upon its execution by California Department of Fish and Wildlife and expiring five years thereafter (\$0); and authorize Director of Department of Public Works and Planning, or designee, to (1) submit applications for Lake and Streambed Alteration Agreements; (2) execute Lake and Streambed Alteration Agreements subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector; and, (3) execute amendments to Lake and Streambed Alteration Agreements with California Department of Fish and Wildlife for various, specifically identified future bridge replacement and rehabilitation projects

APPROVED AS RECOMMENDED

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

Agreement No. 18-560

61. Approve and authorize Chairman to execute Agreement with City of Kerman for Kerman Stanislaus Avenue Park Development, Community Development Block Grant Project No. 17371 (\$450,000)

APPROVED AS RECOMMENDED

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

Agreement No. 18-561

62. Accept Easement Deed and authorize Chairman to execute Right-of-Way Contract to facilitate Reedley Main Canal Bridge Replacement Project, Federal Project No. BRLO-5942(239) on Englehart Avenue for total monetary consideration of \$5,200

APPROVED AS RECOMMENDED

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

- 63.** Adopt Mitigated Negative Declaration prepared for Watts Creek Bridge Replacement Project on Watts Valley Road, approximately 5.59 miles east of Pittman Hill Road and approximately six miles south of unincorporated community of Tollhouse. (Initial Study Application No. 7336, State Clearinghouse No. 2018071067)

APPROVED AS RECOMMENDED

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

- 64.** Approve and authorize the Chairman to execute First Amendment to Agreement No. 13-623 with Biggs Cardoso Associates, Inc., for engineering consultant services related to the Travers Creek Bridge Replacement Project on Manning Avenue, Federal Project No. BRLS-5942(198) extending the maximum term by five years (three-year base contract with two optional one-year renewals) from October 8, 2018 to October 8, 2023, with no increase in the maximum amount of \$566,372

APPROVED AS RECOMMENDED

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

Agreement No. 13-623-1

- 65.** Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Public Works and Planning - Parks and Grounds Org 7910 in amount of \$8,914 plus accrued interest, for construction of a fire pit area at Lost Lake Park (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 18-341

- 66.** Retroactively authorize the Department of Public Works and Planning's previous submittal of a grant application in the amount of \$956,000 to the California Department of Transportation for the Cycle 9 Highway Safety Improvement Program for the Ashlan and Palm Traffic Signal project

APPROVED AS RECOMMENDED

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

67. Adopt plans and specifications for Contract No. 18-07-C, Fresno County Westside Groundwater Project; determine Nor-Cal Pump & Well Drilling, Inc. failed to make an adequate good faith effort to procure Disadvantaged Business Enterprise subcontracts, in accordance with grant funding requirements imposed pursuant to Title 40, Code of Federal Regulations, Part 33, for Contract No. 18-07-C, and, based on said determination, declare its bid to be non-responsive; waive as a minor irregularity an error on form submitted with bid from Zim Industries, Inc., for Contract No. 18-07-C; award Contract No. 18-07-C to lowest responsive bidder, Zim Industries, Inc., 4532 E. Jefferson Ave., Fresno, in amount of \$1,291,736, subject to and conditioned upon approval of State Water Resources Control Board; authorize Director of Department of Public Works and Planning, following notification to County of State's approval of Conditional Award, to: (a) provide notice to Chairman and Zim Industries, Inc. that County's receipt of such approval by State satisfies condition of Conditional Award, and (b) take any further actions and execute such other documents as Director may deem appropriate to consummate the award of Contract No. 18-07-C to Zim Industries, Inc.; authorize Chairman to: (a) execute Contract No. 18-07-C, on behalf of County, following receipt of such notice from Director, and following receipt from Zim Industries, Inc. of executed contract and related documents as required by project specifications, and (b) take any further actions and execute such other documents as Chairman may deem appropriate to consummate the award of Contract No. 18-07-C to Zim Industries, Inc.; and authorize Director to execute Contract Change Orders up to the statutory limit of \$77,086, which is approximately 5.97% of total construction cost for Contract 18-07-C

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

68. Conduct second hearing on an Ordinance to amend Sections 11.24.010 through 11.24.100 of Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code to reflect a speed limit change on E. Ashlan Avenue between N. Palm Avenue and N. Maroa Avenue; waive the reading of the Ordinance in its entirety; and adopt proposed Ordinance

APPROVED AS RECOMMENDED

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

Ordinance No. 18-015

69. Adopt plans and specifications and award Contract No. 18-08-C, Waterworks District 38 Wastewater Treatment Facility Improvements (WWD 38 Contract) to low bidder, W.M. Lyles Co. (WMLC), 1210 W. Olive Ave., Fresno, CA, in amount of \$617,070, subject to and conditioned upon approval of the Conditional Award of State Water Resources Control Board (SWRCB); authorize Director of Public Works and Planning (Director), following the SWRCB's approval to: (a) provide notice to Chairman and WMLC that County's receipt of such approval satisfies SWRCB's conditions of the Conditional Award and (b) to take any further actions and execute any such other documents as the Director may deem necessary or advisable in order to consummate award of WWD 38 Contract to WMLC; authorize Chairman, (a) to execute WWD 38 Contract following receipt of such notice from the Director, and following receipt of the executed WWD 38 Contract, and the related documents from WMLC, and (b) to take any further actions and execute any and all notices, certificates, and other documents as Chairman may deem necessary or advisable in order to consummate the award of WWD 38 Contract, to WMLC.; and authorize Director, or his designee, to execute Contract Change Orders up to \$43,353, which is approximately 7.03% of the total contract construction cost, within the limit allowable under California Public Contract Code section 20142(b)

APPROVED AS RECOMMENDED

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

Social Services

70. Approve and authorize the Chairman to execute retroactive State FY 2018-19 County Subvention Program Certificate of Compliance (\$123,296) and the retroactive State FY 2018-19 Medi-Cal Certificate of Compliance (\$7,535) for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2018 to June 30, 2019

APPROVED AS RECOMMENDED

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

Agreement No. 18-563, Agreement No. 18-564

71. Approve and authorize the Chairman to execute a revenue Agreement with the Children & Families Commission of Fresno County to contribute and support the infrastructure and expansion of Neighborhood Resource Centers in Fresno County, effective October 1, 2018 through June 30, 2020, total not to exceed \$500,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-565

- 72.** Approve and authorize the Chairman to execute Amendment II to Agreement No. 16-410 with Proteus, Inc. (Proteus), to reduce the duration of the rural Fresno County job readiness classes from five weeks to four weeks, effective October 1, 2018 with no change to the compensation amount or term of July 1, 2016 through June 30, 2021 (\$4,503,014)

APPROVED AS RECOMMENDED

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

Agreement No. 16-410-2