



# County of Fresno

## Action Summary - Final

### Board of Supervisors

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

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

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Tuesday, September 27, 2016

9:00 AM

Hall of Records

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

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

REVEREND LARRY ARCE, RETIRED CHIEF EXECUTIVE OFFICER OF THE FRESNO RESCUE MISSION GAVE THE INVOCATION AND SUPERVISOR POOCHIGIAN LED THE BOARD IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

**A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY VICE CHAIRMAN PACHECO, 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 19 - 47

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 20, 25, 28 AND 31 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### **Chairman Mendes**

3. Proclamation honoring National Voter Registration Day and High School Voter Education Week

**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. 16-374

**Supervisor Pacheco**

4. Present certificate in recognition of Fresno Regional Workforce Development Board Youth Participant Outstanding Achievement Award Winner, Lourdes Zavala

**A MOTION WAS MADE BY VICE CHAIRMAN PACHECO, SECONDED BY SUPERVISOR PEREA, TO PRESENT CERTIFICATE OF RECOGNITION TO LOURDES ZAVALA OF FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD YOUTH PARTICIPANT OUTSTANDING ACHIEVEMENT AWARD WINNER. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

5. Present certificates honoring a Mendota police officer and three Mendota citizens for their act of bravery

**A MOTION WAS MADE BY VICE CHAIRMAN PACHECO, SECONDED BY SUPERVISOR BORGEAS, TO PRESENT CERTIFICATES HONORING A MENDOTA POLICE OFFICER AND THREE MENDOTA CITIZENS FOR THEIR ACT OF BRAVERY. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Chairman Mendes**

6. Confirm Appointment of Oscar J. Garcia effective October 17, 2016 to fill the unexpired term of Auditor-Controller/Treasurer-Tax Collector pursuant to Fresno County Charter Section 14

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

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

**Sheriff/Coroner**

7. Adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in Public Defender's Org 2880 in the amount of \$40,639 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in District Attorney-Public Administrator's Org 2860 in the amount of \$144,816 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in Sheriff-Coroner's Org 3111 in the amount of \$392,985 (4/5 vote); adopt Budget Resolution increasing the FY 2016-17 appropriations in the Local Community Corrections Org 3436 in the amount of \$578,440 (4/5 vote); and approve Amendment to the Salary Resolution adding positions to the Public Defender's Org 2880, District Attorney-Public Administrator's Org 2860 and Sheriff-Coroner's Org 3111 effective October 10, 2016 as reflected in Appendix C

**A MOTION WAS MADE BY VICE CHAIRMAN 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. 16-382, Resolution No. 16-383, Resolution No. 16-384, Resolution No. 16-385, Salary Resolution No. 16-039

**Administrative Office**

8. Adopt a Budget Resolution to reflect Net County Cost savings carryover from FY 2015-16 into FY 2016-17 in the amount of \$10,715,765 (4/5 vote): (a) increasing the FY 2016-17 appropriations by \$4,025,334 for various General Fund Departments for one-time expenditures; and (b) committing unassigned fund balance in the General Fund for the West Annex Jail in downtown Fresno (\$6,190,431), the Sheriff-Patrol Vehicle Replacement Fund (\$300,000), and the Sheriff-Eagle 2 Replacement Fund (\$200,000); adopt a Budget Resolution: (a) decreasing appropriations for Fund 0400 Capital Projects-District Attorney Building Org 8854 in the amount of \$2,177,556.13 from proceeds of Tobacco Settlement Asset-Backed Bonds, Subordinate Series 2006 (2006 Tobacco Securitization Bonds), currently on deposit in the County's Endowment Fund, that were originally committed for a portion of the District Attorney Building, and cancelling such amount originally committed for the District Attorney Building; (b) decreasing appropriations for Fund 0400 Capital Projects-District Attorney Building Org 8854 in the amount of \$32,012.87 from proceeds of Tobacco Settlement Asset-Backed Bonds, Series 2002 (2002 Tobacco Securitization Bonds), currently on deposit in Fund 0400, Subclass 10200, that were originally committed for a portion of the District Attorney Building, and cancelling such amount originally committed for the District Attorney Building; (c) preliminarily earmarking proceeds of 2006 Tobacco Securitization Bonds currently on deposit in the County's Endowment Fund in the amount of \$2,177,556.13 for a portion of the costs of the West Annex Jail Project; and (d) preliminarily earmarking proceeds of 2002 Tobacco Securitization Bonds currently on deposit in the Fund 0400, Subclass 10200, in the amount of \$32,012.87 for a portion of the costs of the West Annex Jail Project; adopt a Budget Resolution increasing FY 2016-17 appropriations and estimated revenues in the Capital Projects Fund 0400, District Attorney Building Org 8854 by \$2,530,353 (4/5 vote); provide direction to staff regarding allocation of additional funding of \$800,000 to the Animal Control Facility to increase the County's requested match for a proposed donation in order to provide for a larger facility than the Board has allocated or to allocate the funds for other capital projects

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO APPROVE RECOMMENDED ACTION ONE (1), TWO (2), AND THREE (3) OF AGENDA ITEM AND DIRECTED STAFF TO ALLOCATE ADDITIONAL FUNDING OF \$800,00 (RELATED TO RECOMMENDED ACTION FOUR (4)) TO INTEREST AND MISCELLANEOUS EXPENDITURES ORG 2540. CHAIRMAN FORMED A SUBCOMMITTEE OF SUPERVISOR BORGEAS AND VICE CHAIRMAN PACHECO TO WORK WITH THE DONOR AND STAFF REGARDING THE NEEDS OF THE ANIMAL CONTROL FACILITY. STAFF TO RETURN TO THE BOARD WITH AN UPDATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Resolution No. 16-386, Resolution No. 16-387, Resolution No. 16-388

**Public Works and Planning**

9. Adopt Resolution which establishes County of Fresno Policy for Cash-Flow Loans to County Service Areas and County Waterworks Districts to Facilitate Access to State and Federal Grants and Low-Interest Loans

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY 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. 16-389

10. Consider and adopt Negative Declaration prepared for Initial Study Application No. 7147; and approve Ordinance pertaining to Amendment Application No. 3809 rezoning four contiguous parcels totaling 77.96 acres from R-1-B(c) Zone District and R-1-C(c) Zone District to the 'O' Zone District to allow the properties to be farmed with recycled water from an existing wastewater treatment facility, use of recycled water was authorized by Conditional Use Permit No. 3503, project site is located within Millerton Specific Plan, approximately 4,000 feet west of Auberry road, approximately 2,000 feet south of Millerton Road and 2.5 miles east of unincorporated community of Friant

**A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR POOCHIGIAN, TO CONTINUE THE MATTER TO A DATE UNCERTAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

11. Receive presentation and oral report regarding ongoing implementation of Sustainable Groundwater Management Act and status of formation of Groundwater Sustainability Agencies within County of Fresno; and authorize Chairman to execute proposed Joint Powers Agreement for implementation of Sustainable Groundwater Management Act in North Kings Groundwater Subbasin and designate a Board member and two alternates to serve as a member of Board of Directors for North Kings Groundwater Sustainability Agency

**RECEIVED PRESENTATION. A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO AUTHORIZE CHAIRMAN TO EXECUTE PROPOSED JOINT POWERS AGREEMENT FOR IMPLEMENTATION OF SUSTAINABLE GROUNDWATER MANAGEMENT ACT IN NORTH KINGS GROUNDWATER SUBBASIN AND DESIGNATE VICE CHAIRMAN PACHECO AS THE PERMANENT MEMBER AND CHAIRMAN MENDES (AS THE FIRST ALTERNATE) AND PUBLIC WORKS AND PLANNING STAFF (AS THE 2ND ALTERNATE) TO SERVE AS A MEMBER OF BOARD OF DIRECTORS FOR NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Agreement No. 16-598

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

12. 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 MENDES REPORTED ON MEETINGS HE PARTICIPATED IN REGARDING THE GROUNDWATER SUSTAINABILITY MANAGEMENT ACT AND THE SAN JOAQUIN VALLEY WATER INFRASTRUCTURE AUTHORITY (JPA)**

**Board Appointments**

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

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

**HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE  
APPOINTED LETICIA FERNANDEZ TO REPLACE GABRIEL CERVANTES (TERM TO JANUARY 7, 2019)**

**SANGER/DEL REY CEMETERY DISTRICT  
APPOINTED RICHARD A. BUBENIK TO REPLACE BILL COLLINS (TERM TO JANUARY 6, 2020)**

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

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

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR BORGEAS, THAT THE NOMINATION FOR APPOINTMENT BE APPROVED AS FOLLOWS:**

**FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD  
APPOINTED RAINE BUMATAY TO REPLACE ANDRE PECINA (JOINT CITY/COUNTY EDUCATION) (TERM TO NOVEMBER 1, 2018)**

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

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

**Public Presentations**

14. 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**

15. 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**
16. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d) (4) (2 cases)  
**HELD; NO REPORTABLE ACTION**
17. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)  
**HELD; NO REPORTABLE ACTION**
18. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) (3 case)  
**HELD; NO REPORTABLE ACTION**
- 18.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - County of Fresno v. Frances Andrade, et al., Case Number 16 CECG 02431  
**HELD; NO REPORTABLE ACTION**

**Adjourn**

**THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, CHAIRMAN MENDES ADJOURNED THE MEETING**

**CONSENT AGENDA**

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEMS 20, 25, 28 AND 31 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Board of Supervisors**

19. Approve minutes of meeting for September 13, 2016

**APPROVED AS RECOMMENDED**

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

**Supervisor Borgeas**

20. Conduct Second Hearing and Adopt Ordinance Prohibiting Scavenging adding new Section 8.24.060 to Chapter 8.24 Waste Disposal of Title 8 of the Fresno County Ordinance Code and waive further reading of the Ordinance in its entirety

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

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

**Noes:** 1 - Poochigian

Ordinance No. 16-015

**Supervisor Poochigian**

21. Adopt resolution thanking Reverend Larry Arce for his many years of outstanding work on behalf of the Fresno Rescue Mission and the faith-based community of Fresno County

**APPROVED AS RECOMMENDED**

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

Resolution No. 16-367

**Auditor Controller-Treasurer/Tax Collector**

22. Conduct the second hearing on an ordinance to amend Section 300 of the Fresno County Master Schedule of Fees, Charges and Recovery Costs (MSF) Ordinances by amending Section 300 relating to the Auditor-Controller/Treasurer-Tax Collector Fees; and waive reading of the ordinance in its entirety

**APPROVED AS RECOMMENDED**

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

Ordinance No. 16-014

**District Attorney/Public Administrator**

23. Retroactively authorize the District Attorney-Public Administrator's previous submittal of a grant application to the California Office of Traffic Safety (OTS) for continuation of the Alcohol and Drug Impaired Driver Vertical Prosecution Program (\$879,955); adopt resolution approving and authorizing the Chairman to execute grant Agreement for the Alcohol and Drug Impaired Vertical Prosecution Program with the California Office of Traffic Safety (OTS) for the period October 1, 2016 through September 30, 2017 (\$566,153); approve amendment to the Salary Resolution (Appendix "D") deleting one Deputy District Attorney IV position from the District Attorney-Grants Org 28622500 effective October 10, 2016; and adopt Budget Resolution decreasing appropriations and estimated revenues in the amount of \$194,315 from the FY 2016-17 District Attorney-Public Administrator Budget Org 2862

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-596, Resolution No. 16-368, Salary Resolution No. 16-035, Resolution No. 16-369

24. Receive and file annual report of the Real Estate Fraud Prosecution program pursuant to California Government Code Section 27388

**APPROVED AS RECOMMENDED**

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



**District Attorney/Public Administrator and Sheriff/Coroner**

25. Authorize Chairman to execute Resolution proclaiming opposition to Proposition 57: Criminal Sentences. Parole. Juvenile Criminal Proceedings and Sentencing. Initiative Constitutional Amendment and Statute

**A MOTION WAS MADE BY SUPERVISOR PEREA, SECONDED BY SUPERVISOR POOCHIGIAN, TO APPROVE RESOLUTION WITH THE DELETION OF THE WORDS "AND CALLS ON THE VOTERS OF FRESNO COUNTY TO VOTE NO ON THIS ILL-CONCEIVED ATTEMPT TO ACCELERATE THE RELEASE OF STATE PRISON INMATES". THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Resolution No. 16-375

**Sheriff/Coroner**

26. 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, as Microsoft is the support provider for its licensed products; and approve and authorize the Chairman to execute a sole source Agreement with Microsoft Corporation (Microsoft) for maintenance and technical support of Microsoft products used by the Sheriff-Coroner's Office effective October 2, 2016 through October 1, 2019 (\$306,624)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-580

**Administrative Office**

27. Approve and authorize the Chairman to execute a Funding Agreement between the Pacific Forest and Watershed Lands Stewardship Council and the County of Fresno and accepting a lump sum payment to implement property tax neutrality requirements stipulated in a settlement agreement between Pacific Gas and Electric entities and the California Public Utilities Commission

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-581

28. Approve and authorize Chairman to execute Cradle to Career Partnership Agreement effective upon execution (\$0)

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

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

**Abstain:** 1 - Poochigian

Agreement No. 16-597

### **Agriculture**

29. Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Pesticide Regulation for the Enforcement Evaluation and Improvement Project effective upon execution by the State through February 28, 2017 (\$117,713)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-582

### **Behavioral Health**

30. Retroactively approve and authorize the Director of the Department of Behavioral Health to execute a Confidentiality Agreement with the California Department of Health Care Services to disclose confidential information about the temporary suspension or payment suspension of certified Drug Medi-Cal providers that are or were in contract with the County Department of Behavioral Health, effective October 12, 2015 (\$0); and, delegate authority to the Director of the Department of Behavioral Health to approve and execute subsequent amendments to the Confidentiality Agreement

**APPROVED AS RECOMMENDED**

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

**Human Resources**

31. Approve Resolutions Rejecting Claims for Damages; and, approve Resolutions Rejecting Applications for Leave to Present a Late Claim

**A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO APPROVE WITH THE EXCEPTION OF CLAIMANT NOS. 9559 (GLENDA CAREY) AND 9521 (ELIZABETH MEDINA) WHICH WERE PULLED TO DISCUSS IN CLOSED SESSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**FOLLOWING CLOSED SESSION, THE BOARD RECONVENED IN OPEN SESSION. A MOTION WAS MADE BY SUPERVISOR POOCHIGIAN, SECONDED BY SUPERVISOR PEREA, TO DENY CLAIM NO. 9521 (ELIZABETH MEDINA). THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**A MOTION WAS MADE BY CHAIRMAN MENDES, SECONDED BY SUPERVISOR PEREA, TO DENY CLAIM NO. 9559 (GLENDA CAREY). THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Noes:** 1 - Poochigian

Resolution No. 16-376 through 16-381, Resolution No. 16-390, Resolution No. 16-391

32. Approve the Memorandum of Understanding (MOU) for Representation Unit 13 - Crafts and Trades and Unit 43 - Computer Employees, represented by Stationary Engineers - Local 39, effective September 26, 2016 through July 1, 2018; approve the related Salary Resolution Amendments as reflected on Appendix "E"

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 16-036

33. Confirm direction to staff to administratively adjust appointed Department Head salaries as proposed on Attachment A; and, approve Salary Resolution amendments adjusting appointed Department Head flat salaries as reflected in Appendix "F", effective September 26, 2016

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 16-037

- 34.** Approve the Memorandum of Understanding (MOU) for Representation Unit 19 - Professional Employees, represented by the Professional Association of Employees (Association), effective September 26, 2016 through June 30, 2018; approve the related Salary Resolution Amendments as reflected on Appendix "B"

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 16-038

**Internal Services**

- 35.** 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 "agreement with a federal, state, or local governmental agency" exception for the State of California Department of General Services Natural Gas Services Program to provide natural gas for County non-core natural gas accounts; and approve and authorize Chairman to execute a retroactive agreement with the State of California Department of General Services Natural Gas Services Program for the period of July 1, 2016 to June 30, 2017 to provide natural gas for County non-core natural gas accounts

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-583

- 36.** Approve and authorize the Chairman to execute Amendment One to Agreement 13-675 with Tri-Signal Integration, Inc., to increase the maximum Agreement cost by \$720,000 for a maximum potential five-year cost not to exceed \$1,215,000; Approve and authorize the Chairman to execute Amendment One to Agreement 13-676 with Geil Enterprises, Inc. dba Valley Security & Alarm, to increase the maximum Agreement cost by \$143,000 for a maximum potential five-year cost not to exceed \$313,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 13-675-1, Agreement No. 13-676-1

**Library**

37. Adopt Resolution accepting and expressing gratitude for the monetary donation of \$1,450 from the Woodward Park and Sunnyside Chapter of the Friends of the Library to purchase software for wireless mobile printing at the Woodward Park and Sunnyside Regional Libraries during FY 2016-17; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for the County Library Book Fund Org 7521 in the amount of \$1,450 (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 16-370, Resolution No. 16-371

38. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as X-Act Technology Solutions, Inc. is the only authorized Wi-Fi services provider meeting specified requirements; and approve and authorize the Chairman to execute an Agreement with X-Act Technology Solutions, Inc. to provide Wi-Fi services for the Library's 34 branches effective October 1, 2016 through September 30, 2018 (\$180,753.24)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-586

**Probation**

39. Approve and authorize Chairman to execute a retroactive revenue Agreement with the Fresno County Superintendent of Schools for services provided by two Deputy Probation Officers for the Truancy Intervention Program effective July 1, 2016 through June 30, 2017 (\$137,456)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-587

40. Retroactively authorize the Chief Probation Officer's previous submittal of a grant application for California Office of Traffic Safety's (OTS) 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, 2016 through September 30, 2017; and approve and authorize the Chairman to execute a grant agreement with California Office of Traffic Safety (Grant Number AL1703) to provide Intensive Probation Supervision for High Risk Felony and Repeat DUI Offenders for the period of October 1, 2016 through September 30, 2017 (\$364,254)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-588

**Public Health**

41. Approve and authorize the Chairman to execute revenue Agreement with the California Department of Public Health for a Nutrition Education and Obesity Prevention Grant to provide nutrition education and community engagement services, effective October 1, 2016 through September 30, 2019 (\$5,999,043); and approve Amendments to Agreements No. 13-721 with Public Health Institute, No. 13-722 with Fresno County Superintendent of Schools through its Office of Education, No. 13-723 with California Health Collaborative and No. 13-724 with Community Food Bank to provide nutrition education and/or community engagement services for an additional three months, effective October 1, 2016, increasing the maximums for the three-year terms of November 12, 2013 through December 31, 2016

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-589, Agreement No. 13-721-2, Agreement No. 13-722-2, Agreement No. 13-723-1, Agreement No. 13-724-1

**Public Works and Planning**

42. Approve and authorize Chairman to execute agreement with Golder Associates, to provide engineering services for American Avenue Disposal Site - Phase III, Modules 7 & 8 Excavation and Liner System Construction Project (\$650,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-594

43. Award Contract No. 16-02-C, ADA Path on Grove Avenue and Jensen Avenue, to bidder with lowest responsive bid, Seal Rite Paving & Grading, 4237 W Swift Ave, Fresno in total amount of \$257,843

**APPROVED AS RECOMMENDED**

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

- 44.** Approve and authorize Chairman to execute First Amendment to Agreement P-15-201-P for Engineering Consultant Services for design of Fancher Creek Bridle Trail Project (\$150,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-595

- 45.** Accept easement deed and authorize Chairman to execute right-of-way contract and temporary construction permit required for Jensen Avenue and Temperance Avenue Traffic Signal Project for total monetary consideration of \$2,800

**APPROVED AS RECOMMENDED**

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

- 46.** Adopt recommended resolution approving and authorizing Director of Department of Public Works and Planning, or his or her designee, to approve and execute agreements with requesting cities substantially in the form of the template agreement attached as Exhibit A to the recommended resolution, subject to approval as to legal form by County Counsel; and find that approval of recommended resolution is exempt from California Environmental Quality Act and direct Department of Public Works and Planning to file Notice of Exemption with the Office of the Fresno County Clerk

**APPROVED AS RECOMMENDED**

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

Resolution No. 16-372

## **Social Services**

- 47.** Adopt Resolution dissolving the Human Resources Advisory Board

**APPROVED AS RECOMMENDED**

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

Resolution No. 16-373