



# County of Fresno

## Action Summary - Final

### 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*

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Tuesday, April 25, 2017

9:00 AM

Hall of Records

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

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

*REVEREND DORIS RICHETTI NOLAN, CHRIST LUTHERAN CHURCH, GAVE THE INVOCATION AND BERNICE E. SEIDEL, CLERK TO THE BOARD, LED THE BOARD IN THE PLEDGE OF ALLEGIANCE*

#### **1. Approve Agenda**

**A MOTION WAS MADE BY SUPERVISOR BERGEAS, SECONDED BY SUPERVISOR MENDES, THAT THE 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 27 - 55**

**A MOTION WAS MADE BY SUPERVISOR BERGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 29.1 AND 39 WHICH WERE PULLED FOR DISCUSSION AND SEPRATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### **Board of Supervisors**

#### **3. Presentation of Retirement Plaque to Elia Bonilla - Department of Social Services - twenty-seven years**

**PRESENTED RETIREMENT PLAQUE TO ELIA BONILLA**

**Chairman Pacheco**

4. Proclaim April 24-28, 2017 as "Walking Works!" Challenge Week and encourages all County of Fresno employees to become physically active and participate in the "Walking Works!" Challenge

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

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

Resolution No. 17-247

5. Adopt Resolution recognizing the 40th Pastoral Anniversary of Mr. Paul Binion and Mrs. Valarie Binion for their dedicated service at the Westside Church of God

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

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

Resolution No. 17-248

**Supervisor Borgeas**

6. Proclaim April 27, 2017 as "REAL CHANGE FRESNO DAY"

**A MOTION WAS MADE BY SUPERVISOR 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

Resolution No. 17-249

**Supervisor Magsig**

7. Adopt Resolution in the matter of supporting the "Climb to Kaiser" bicycling event

**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. 17-250

8. Adopt Proclamation recognizing the week of April 10-14 as Know More week in the County of Fresno

**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. 17-251

**Supervisor Mendes**

9. Proclaim April 25, 2017 as March for Babies day in Fresno County

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

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

Resolution No. 17-252

10. Proclaim May 2017 as Foster Care Month in Fresno County

**A MOTION WAS MADE BY SUPERVISOR MENDES, 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

Resolution No. 17-253

**Supervisor Quintero**

11. Proclaim April 25, 2017 as Christopher Zaczek day in Fresno County and recognize and express appreciation for his ongoing contributions and dedication to the residents

**A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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. 17-254

12. Adopt Resolution to proclaim April 25, 2017 as American Ambulance Day

**A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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. 17-255

**Internal Services**

13. 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 an enterprise property tax system for the Assessor and Auditor-Controller/Treasurer-Tax Collector offices; approve and authorize the Chairman to execute an agreement with Megabyte Systems, Inc. for the installation and perpetual licensing of the Megabyte Property Tax System, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,605,500; approve and authorize the Chairman to execute an agreement with Megabyte Systems Inc. for the support and maintenance of the Megabyte Property Tax System, effective 30 days after the "installation date" as referenced by Exhibit B of the Megabyte Licensing Agreement, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,780,000; approve and authorize the Clerk to the Board to execute Budget Transfer No. 16 (\$315,000) transferring FY 2016-17 appropriations within the Auditor-Controller/Treasurer-Tax Collector budget; approve and authorize the Clerk to the Board to execute Budget Transfer No. 17 (\$315,000) transferring FY 2016-17 appropriations within the Assessor-Recorder budget; and adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues for Internal Services Department, Information Technology Services-Equipment budget in the amount of \$630,000 (4/5 vote)

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

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

Agreement No. 17-153, Agreement No. 17-154, Resolution No. 17-256

**Public Works and Planning**

14. Consider and adopt Negative Declaration prepared for Initial Study Application No. 7151 for General Plan Amendment Application No. 548 and Amendment Application No. 3818, amending Fresno County General Plan by re-designating 0.45-acre portion of 38.44-acre parcel from Agriculture to Limited Industrial; adopt Resolution approving General Plan Amendment Application No. 548 as First General Plan Amendment of Agriculture and Land Use Element of Fresno County General Plan for 2017 as first cycle of adoption; and approve Ordinance pertaining to Amendment Application No. 3818 thereby rezoning subject 0.45-acre portion of 38.44-acre parcel from the AE-20 Zone District to the M-1(c) Zone District in order to amend current zoning to allow for expansion of an existing barrel cooperage operation; located approximately 1,750 feet south of E. Central Avenue between S. Sunnyside and S. Fowler Avenues and 2.1 miles north of City of Fowler

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

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

Resolution No. 17-257, Ordinance No. R-475-3818

15. Adopt Resolution authorizing partial Cancellation of Agricultural Land Conservation Contract No. 7089 filed by Gabrielson Ranch, based on the ability to make the five Consistency Findings listed under Government Code Section 51282 (b); and authorize Chairman to sign Certificate of Tentative Cancellation and approve recordation of Certificate of Cancellation at such time as all conditions included in Certificate of Tentative Cancellation have been satisfied

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

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

Resolution No. 17-258

16. Adopt required findings and Resolution approving vacation of public road right-of-way of McKenzie Avenue, from Cornelia Avenue westerly approximately 2,460 feet if the Board finds that: (1) vacation is determined to meet criteria for general vacation, pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code; (2) right-of-way is not useful as non-motorized transportation facility, pursuant to Section 892 of Streets and Highways Code; and (3) vacation is consistent with County General Plan

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

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

Resolution No. 17-259

17. Receive information regarding County's past efforts to identify and develop a regional industrial site, and provide direction to staff as determined necessary

**RECEIVED PRESENTATION. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR BORGEAS, TO DIRECT STAFF TO PROCEED WITH EVALUATION OF OPTIONS TO DEVELOP AN INDUSTRIAL AREA WITHIN FRESNO COUNTY WITH INITIAL FOCUS ON THE MALAGA, CALWA, AND GOLDEN STATE INDUSTRIAL CORRIDOR. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

18. Consider appeal of Planning Commission's denial of Director Review and Approval Application No. 4465 proposing operational modifications to existing commercial horse arena authorized by Director Review and Approval Application No. 4112 in order to increase the number of authorized event days from 12 event days per year to 26 event days per year on 40.05-acre parcel in AL-40 Zone District; and determine that required Findings specified in Fresno County Ordinance Code Section 872-C can or cannot be made for approval or denial of Director Review and Approval request to modify existing use, project site is located on west side of Rusty Spur Lane approximately 710 feet south of its intersection with Millerton Road, and approximately three miles east of unincorporated community of Friant

**CONDUCTED HEARING; RECEIVED PUBLIC TESTIMONY; CLOSED HEARING. A MOTION MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR QUINTERO, TO GRANT APPEAL FILED BY CHARLES MAXWELL, AND APPROVE DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4465, ADOPTING STAFF'S RECOMMENDED FINDINGS, AND RECOMMENDED CONDITIONS OF APPROVAL AND PROJECT NOTES ATTACHED AS EXHIBIT B OF STAFF'S REPORT, AND TWO ADDITIONAL CONDITIONS OF APPROVAL AS FOLLOWS: (1) APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4465, AND (2) THE NUMBER OF AUTHORIZED EVENT DAYS IS LIMITED TO TWENTY-FOUR (24) PER YEAR. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 4 - Magsig, Mendes, Pacheco, and Quintero

**Noes:** 1 - Borgeas

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

19. 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 MENDES REPORTED THAT ON FRIDAY, APRIL 21ST, THE WATER MASTER LOWERED THE FLOOD RELEASE THRESHOLD TO 300 CUBIC FEET/SECOND PER DAY. SUPERVISOR QUINTERO RECOGNIZED THAT SATURDAY, APRIL 22ND WAS EARTH DAY AND DISTRICT DIRECTOR ARI MARTINEZ, OF DISTRICT 3, ORGANIZED A COMMUNITY CLEAN-UP DAY WHICH INCLUDED A ¼ MILE ALLEY CLEAN UP AT CHESTNUT AND CLINTON. SEVERAL COUNTY EMPLOYEES PARTICIPATED. SUPERVISOR QUINTERO EXTENDED AN INVITATION TO HIS COLLEAGUES, DEPARTMENT HEADS AND ALL SENIORS TO THE SENIOR SPRING FLING SCHEDULED FOR MAY 12TH AT THE MOSQUEDA CENTER. SUPERVISOR MAGSIG ANNOUNCED THAT THURSDAY, APRIL 27TH THROUGH SUNDAY, APRIL 30TH IS THE 102ND ANNUAL CLOVIS RODEO**

**Board Appointments**

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

**A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR BERGEAS, THAT THE NOMINATION FOR REAPPOINTMENTS BE APPROVED AS FOLLOWS:**

**BEHAVIORAL HEALTH BOARD  
REAPPOINTED ANNA ALLEN (TERM TO 4/1/2020)**

**HISTORICAL LANDMARKS AND RECORDS COMMISSION  
REAPPOINTED JANICE STEVENS (TERM TO 1/4/2021)  
REAPPOINTED NANCY ENLOE (TERM TO 1/4/2021)  
REAPPOINTED LOU CATALLO (TERM TO 1/4/2021)  
REAPPOINTED SUSAN LOUCKS (TERM TO 1/4/2021)**

**HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE  
REAPPOINTED DONALD E. HAMMER (TERM TO 1/4/2021)**

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

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

**Public Presentations**

21. 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**

22. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Paul Nerland; Employee Organization: All Bargaining Units and Management and Unrepresented Employees - Hours, Wages and Terms and Conditions of Employment

**HELD; NO REPORTABLE ACTION**

23. Conference with legal counsel - Existing Litigation Government Code, section 54956.9(d)(1) - PG&E, et al., v. County of Fresno, et al., Fresno Superior Court Case No.: 15CECG01274; Risk Management Claim No.: 9376

**HELD; NO REPORTABLE ACTION**

24. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)

**HELD; NO REPORTABLE ACTION**

- 25.** Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d) (4) (2 cases)

**HELD; NO REPORTABLE ACTION**

- 26.** Conference with Real Property Negotiators - Government Code 54956.8 Properties: 300 W. Pontiac Way, Clovis, CA 93612; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Cook Land Company, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions

**HELD; NO REPORTABLE ACTION**

### **Adjourn**

**A MOTION WAS MADE BY SUPERVISOR BERGEAS, 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 WITH THE EXCEPTION OF ITEMS 29.1 AND 39 WHICH WERE PULLED FOR DISCUSSION AND SEPRATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**Board of Supervisors**

27. Approve minutes of meeting for April 4, 2017

**APPROVED AS RECOMMENDED**

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

**Chairman Pacheco**

28. Adjourn in memory of Victoria Elaine Samarin

**APPROVED AS RECOMMENDED**

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

**Supervisor Mendes**

- 28.1 Adjourn in Memory of Marian Tillman Jensen

**APPROVED AS RECOMMENDED**

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

**Supervisor Quintero**

29. Adjourn in memory of Judge Armando O. Rodriguez

**APPROVED AS RECOMMENDED**

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

- 29.1** Approve and authorize the use of Board of Supervisor District 3 funds, in the amount of \$1000 for the Community Outreach event, Senior Spring Fling on May 12th 2017. Direct the County Administrative Officer to develop an Administrative Policy and/or Process setting out guidelines for use of County funds for Community Outreach by the end of the month of May 2017

**A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO APPROVE AND AUTHORIZE THE USE OF BOARD OF SUPERVISOR DISTRICT 3 FUNDS, IN THE AMOUNT OF \$1,000 FOR THE COMMUNITY OUTREACH EVENT, SENIOR SPRING FLING ON MAY 12, 2017. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR BORGEAS, TO DIRECT THE COUNTY ADMINISTRATIVE OFFICER TO DEVELOP AN ADMINISTRATIVE POLICY AND/OR PROCESS SETTING OUT GUIDELINES FOR USE OF COUNTY FUNDS FOR COMMUNITY OUTREACH AND RETURN TO THE BOARD ON JUNE 6, 2017. COUNTY ADMINISTRATIVE OFFICER TO WORK WITH SUPERVISORS QUINTERO AND BORGEAS IN DEVELOPING AN ADMINISTRATIVE POLICY AND/OR PROCESS SETTING OUT GUIDELINES FOR USE OF COUNTY FUNDS FOR COMMUNITY OUTREACH. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 4 - Borgeas, Magsig, Mendes, and Quintero

**Noes:** 1 - Pacheco

### **Auditor Controller-Treasurer/Tax Collector**

- 30.** Adopt Budget Resolution increasing FY 2016-17 appropriations in the Interest and Miscellaneous Expenditures Org 2540 in the amount of \$503,970 to allow for the transfer of cash from the General Fund to the Local Revenue Fund 2011 (4/5 vote); adopt Budget Resolution increasing FY 2016-17 estimated revenues in the AB 109 Planning Grant Org 3439 in the amount of \$503,970; adopt Budget Resolution re-budgeting appropriations from FY 2014-15 Budget to the FY 2016-17 Budget for the Capital Projects Org 1910 in the amount of \$29,870 to allow for the transfer of cash from the General Fund to the Capital Project Fund (4/5 vote); adopt Budget Resolution decreasing the FY 2014-15 appropriations for Capital Projects Org 1910 in the amount of \$200,000 that were funded from proceeds of 2006 Tobacco Securitization Bonds, currently on deposit in the County's Endowment Fund, that were originally committed for a portion of cost related to acquiring land associated with the Animal Control Facility to allow for the re-alignment of appropriations and estimated revenues in the Animal Control Facility Org 8855; adopt Budget Resolution increasing the FY 2016-17 appropriations and estimated revenues in the County Animal Control Facility Org 8855 in the amount of \$229,870 using proceeds in the amount of \$200,000 of the 2006 Tobacco Securitization Bond proceeds currently on deposit in the County's Endowment Fund and \$29,870 as Operating Transfers In from Animal Control Facility Org 1910, for the cost related to acquiring land at 202 N. Teilman, Fresno, as a site for a new, permanent Animal Control Facility (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-220, Resolution No. 17-221, Resolution No. 17-222, Resolution No. 17-223, Resolution No. 17-224

**Sheriff/Coroner**

- 31.** 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, as Kronos, Inc. is the support provider for its licensed products; and approve and authorize the Chairman to execute a retroactive Agreement with Kronos, Inc. (Kronos), for licensing, maintenance, and technical support of Kronos scheduling and staffing software used by the Sheriff-Coroner's Office effective January 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 \$293,708

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-130

- 31.1** Retroactively authorize the Sheriff-Coroner, or her authorized representative, to submit the County's application to the U.S. Department of Justice, United States Marshals Service (USMS) for a new Detention Services Intergovernmental Agreement (IGA) No. 97-02-0015 for the County's housing of federal detainees in the Fresno County Jail (New IGA No. 97-02-0015), using the web-based Federal Intergovernmental Agreement system; approve the USMS template form of new IGA, and authorize the Chairman to approve and execute the New IGA No. 97-02-0015, including any additional terms or conditions that the Chairman may deem necessary or advisable, all of which is subject to approval as to accounting form by the Auditor-Controller/Treasurer-Tax Collector and approval as to legal form by County Counsel; approve form of Amendment No. 1 to Detention Services Intergovernmental Agreement No. 97-02-0015 (Amendment No. 1 to New IGA), relating to the West Annex Jail, to amend the New IGA No. 97-02-0015, and authorize the Chairman to approve and execute Amendment No. 1 to New IGA, including any additional terms or conditions that the Chairman may deem necessary or advisable, all of which is subject to approval as to accounting form by the Auditor-Controller/Treasurer-Tax Collector and approval as to legal form by County Counsel; and approve form of Amendment No. 1 to Detention Services Intergovernmental Agreement No. 97-02-0015 (Amendment No. 1 to Current IGA), relating to the West Annex Jail, to amend the current USMS Detention Services Intergovernmental Agreement No. 97-02-0015, dated June 16, 2010 (Current IGA No. 97-02-0015), and authorize the Chairman to approve and execute Amendment No. 1 to Current IGA, including any additional terms or conditions that the Chairman may deem necessary or advisable, all of which is subject to approval as to accounting form by the Auditor-Controller/Treasurer-Tax Collector and approval as to legal form by County Counsel

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-132

**County Counsel**

32. Approve and authorize the Chairman to execute a retroactive Amendment I to Agreement P-17-077-Q with Epstein, Becker & Green, PC, for outside legal services in an amount not to exceed \$250,000, to represent the County of Fresno in appeals of federal and state; disallowances of cost reimbursement claims, effective March 1, 2017 through December 31, 2017; and adopt Budget Resolution increasing FY 2016-17 appropriations for County Counsel Org 0710 in the amount of \$250,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-133, Resolution No. 17-225

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

33. Approve and authorize the Chairman to execute Amendment II to Agreement A-11-102-1 with RTZ Associates, Inc., to provide Provider Eligibility Tracking System computer application services, effective January 1, 2011 through June 30, 2021 (\$216,051)

Sitting as the Fresno County Board of Supervisors:

Approve and authorize the Chairman to execute Amendment II to Agreement A-11-102-1 with RTZ Associates, Inc., to provide Provider Eligibility Tracking System computer application services, effective January 1, 2011 through June 30, 2021 (\$216,051)

**APPROVED AS RECOMMENDED**

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

Agreement No. 11-102-2

**Administrative Office**

34. Adopt Resolution proclaiming continuation of the local emergency status as a result of the 2017 February Winter Storms

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-226

35. Approve amendments to Conflict of Interest Codes for Fresno Irrigation District and Fresno Unified School District

**APPROVED AS RECOMMENDED**

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

**Agriculture**

36. Authorize the Fresno County Agricultural Commissioner/Sealer of Weights and Measures to Execute Specific Revenue Agreements for FY 2017-18, (estimated \$2,160,490); and Authorize the Fresno County Agricultural Commissioner/Sealer to execute amendments to these same revenue agreements on behalf of the County of Fresno, including approving any revenue changes within a 15% increase or decrease of each agreement's amount

**APPROVED AS RECOMMENDED**

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

**Behavioral Health**

37. Approve and authorize the Chairman to execute an Agreement with Mental Health Systems, for master lease housing services to Department of Behavioral Health permanent supportive housing clients, effective May 1, 2017 through June 30, 2022 for a five year and two-month period, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,338,698

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-135

**Human Resources**

38. Approve Resolutions Rejecting Claims for Damages

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-227 through Resolution No. 17-238

39. Approve Amendment to the Salary Resolution to establish a pay provision for Peace Officer Standards Training Management Certification for the Chief of Investigations classification, effective April 24, 2017, as reflected in Appendix B; and, approve Amendment to the Salary Resolution adjusting the salary for the Supervising Communications Dispatcher classification, effective April 24, 2017, as reflected on Appendix B

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

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

Salary Resolution No. 17-021

40. Approve the Addenda to Memoranda of Understanding regarding salary adjustments for identified classifications as reflected in Appendix C, effective April 24, 2017, within the following Representation Units: Unit 3 - Mental Health Professionals and Social Workers, Unit 12 - Clerical, Paramedical, Building, and Service Employees, Unit 36 - Supervisory Employees, represented by SEIU Local 521; approve the Addendum to the Memorandum of Understanding regarding salary adjustments for identified classifications within Unit 13 - Crafts and Trades, represented by Stationary Engineers - Local 39, effective April 24, 2017, as reflected in Appendix C; approve the salary adjustment for the Quality Improvement Coordinator classification, effective April 24, 2017, as reflected on Appendix C; and, approve the salary adjustments for Account Clerk I/II/III - Confidential and Supervising Account Clerk I - Confidential classifications to maintain salary parity with their equivalent non-confidential classifications, effective April 24, 2017, as reflected on Appendix C

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 17-023

**Public Health**

41. Approve and authorize the Chairman to execute Amendment I to Agreement No. 15-266 with the California Department of Public Health for the California Home Visiting Program, effective April 25, 2017 with no change to the term through June 30, 2019 and decreasing the maximum by \$11,428 to a total of \$3,573,928

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-266-1

42. Retroactively authorize the Department of Public Health's previous submittal of a grant application in the amount of \$183,226 to the Public Health Foundation Enterprises, Inc. for Zika Response Resources

**APPROVED AS RECOMMENDED**

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

**Public Works and Planning**

43. Approve and authorize Chairman to execute a retroactive reimbursement agreement with Friant Ranch, a Limited Partnership, to reimburse County for costs incurred to process Friant Ranch's request to construct an access from its planned development to Friant Road, effective retroactively from October 1, 2016 through April 25, 2020, with two optional one-year extensions (\$20,000); adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues for P&RM - Specials Studies Deposit Organization 1186 in amount of \$20,000 (4/5 vote); and adopt Budget Resolution increasing FY 2016-17 appropriations and estimated revenues for Public Works and Planning - Roads Org 4510 in amount of \$20,000 (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-137, Resolution No. 17-239, Resolution No. 17-240

44. Approve and authorize Chairman to execute Master Overall Work Program Agreement with Fresno County Council of Governments

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-138

45. Approve and authorize the Chairman to execute on-call consultant services agreements with BSK Associates, EBA Engineering, Geo-Logic Associates, GHD Services, Golder Associates, James W. Babcock, SCS Engineers, Stantec Consulting Services, Stratus Environmental, and Tetra Tech BAS, to assist the Department of Public Works and Planning in developing various regulatory compliance and mandated landfill projects, each effective for a period of three years, with two one-year extensions (maximum of \$500,000 each)

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-139 through Resolution No. 17-148

46. Approve and authorize Chairman to execute Second Amendment to Agreement No. 13-761 with Central State, Inc., to add leachate pumping and removal services at American Avenue Disposal Site and increase annual maximum limit from \$320,000 to \$470,000 for years four and five (\$1,740,000); and adopt Budget Resolution increasing FY 2016-17 appropriations in American Avenue Disposal Site Org 9026 in amount of \$50,000 from American Avenue Disposal Site Fund 0700 General Reserves (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Agreement No. 13-761-2, Resolution No. 17-241

47. Approve and authorize Chairman to execute Cost Sharing Agreement with Cross Valley Canal Exchange Contractors for the National Environmental Policy Act Consultant Regarding the Renewal of Central Valley Project water Supply and Conveyance Contracts (\$491.40); and designate Kern Tulare Water District as the Coordinating Agency for the National Environmental Policy Act Compliance Efforts

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-150

48. Adopt resolution authorizing conveyance of 10-acre homesite parcel from existing 95.84-acre parcel subject to Agricultural Land Conservation Contract No. 2583

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-242

49. Adopt resolution authorizing conveyance of 10-acre homesite parcel from existing 117.10-acre parcel subject to Agricultural Land Conservation Contract No. 2497

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-243

50. Award Contract No. 16-22-SW, American Avenue Disposal Site Modules 7 and 8 Excavation and Liner System Construction to lowest bidder, Wood Bros Inc., 14147 18th Avenue, Lemoore in total amount of \$5,686,540; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$210,000, which is approximately 3.69% of total contract construction cost

**APPROVED AS RECOMMENDED**

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

51. Approve and authorize Chairman to execute First Amendment to Agreement No. 16-J-02 for services with Durham Construction Company, Inc., for maintenance and repair projects, increasing maximum Agreement amount from \$1,500,000 to \$4,000,000

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-151



- 52.** Adopt Budget Resolution increasing the FY 2016-17 appropriations in Public Works and Planning Org 4360 in the amount of \$1,257,000 for architectural and construction work (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-244

- 53.** Adopt required findings and Resolution approving the summary vacation of 10-feet of a 20-foot wide public utility easement within Tract No. 5990 if Board finds that (1) vacation is determined to meet criteria for summary vacation, pursuant to Chapter 4 of Part 3 of Division 9 of Streets and Highways Code; (2) easement area to be vacated is not useful as non-motorized transportation facility, pursuant to Section 892 of Streets and Highways Code; and (3) vacation is consistent with County General Plan

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-245

- 54.** Adopt Resolution amending Schedule of Drainage Costs and Fees for local drainage areas and Storm Drainage and Flood Control Master Plan pursuant to Section 17.64.050 of Fresno County Ordinance Code

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-246

### **Social Services**

- 55.** Approve and authorize the Chairman to execute an additional revenue allocation Agreement with the California Department of Health Care Services for Medi-Cal Outreach and Enrollment activities, effective March 12, 2014 through June 30, 2018 (\$1,009,560)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-152