



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 to the Board of Supervisors

Tuesday, September 12, 2017

9:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

LEAD PASTOR DAVID HOPPER, VALLEY FRIENDS CHURCH, GAVE THE INVOCATION AND LED THE BOARD IN THE PLEDGE OF ALLEGIANCE

AN ANNOUNCEMENT WAS MADE BY THE CLERK TO THE BOARD INFORMING THE PUBLIC THAT THE SECOND HEARING TO AMEND THE MASTER SCHEDULE OF FEES, CHARGES AND RECOVERED COSTS ORDINANCE AMENDING SECTION 1600 – HUMAN RESOURCES WILL BE SCHEDULED FOR SEPTEMBER 26, 2017

1. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR MENDES, TO APPROVE REQUEST TO ADD ITEM NOT INCLUDED ON POSTED AGENDA FINDING THE NEED FOR ACTION AROSE AFTER POSTING OF THE AGENDA PURSUANT TO GOVERNMENT CODE SECTION 54954.2 (SEE PAGE 8 FOR ADDED ITEM). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, 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 29 - 63

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 32 WHICH WAS PULLED FOR DISCUSSION AND SEPERATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Chairman Pacheco

3. Proclaim September 2017 Hmong History Month in recognition of the Hmong men, women and children who served the United States with loyalty and bravery

A MOTION WAS MADE BY SUPERVISOR BERGEAS, 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. 17-415

Supervisor Magsig

4. Adopt proclamation recognizing September 2017 as Wine Month in Fresno County

A MOTION WAS MADE BY SUPERVISOR MAGSIG, 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. 17-410

5. Proclaim September 10th through 16th, 2017 "Suicide Prevention Week"

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

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

Resolution No. 17-411

Supervisor Mendes

6. Proclaim the week of September 10 - 16, 2017 as 4-H Club Week 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. 17-412

Supervisor Quintero

7. Proclaim the month of September 2017 as National Alcohol and Drug Addiction Recovery Month

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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. 17-413

8. Recognize the Central California Women's Conference 30th anniversary and Proclaim September 19, 2017 as Central California Women's Conference Day

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

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

Resolution No. 17-414

Administrative Office

9. Receive Presentation by Jim Yovino, Superintendent of Fresno County Schools regarding arts education and the vital connection between the arts and our local economy

RECEIVED

10. Provide direction to staff regarding a proposal from Fresno County Fire Protection District to provide fire and emergency response to County territory not served by a designated agency

THE BOARD, BY CONSENSUS, DIRECTED STAFF TO CONTINUE TO WORK WITH THE FRESNO COUNTY FIRE PROTECTION DISTRICT TO DEVELOP OPTIONS THAT WOULD POTENTIALLY ELIMINATE THE DISTRICT'S COUNTYWIDE COMMUNITY FACILITIES DISTRICT (CFD) FEE AND POTENTIALLY REDUCE THE CFD FEE WITHIN THE MILLERTON SPECIFIC PLAN AREA IN EXCHANGE OF THE COUNTY'S CONSIDERATION TO REINSTATE DISTRICT FUNDING, AND RETURN TO THE BOARD FOR FURTHER ACTION

11. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 20 filed by Hanjrah, Inc. dba Arco AM.PM located on 25430 W. Dorris Avenue, Coalinga, CA 93210

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

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

12. Approve formation of County of Fresno Economic Development Action Team (EDAT) Standing Committee with Structure, Objectives and Composition as outlined in Attachment A

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, SECONDED BY SUPERVISOR MAGSIG, TO APPROVE FORMATION OF COUNTY OF FRESNO ECONOMIC DEVELOPMENT ACTION TEAM (EDAT) STANDING COMMITTEE WITH STRUCTURE, OBJECTIVES AND COMPOSITION AS OUTLINED IN ATTACHMENT A OF AGENDA ITEM. SUPERVISOR QUINTERO (CHAIRMAN'S DESIGNEE) AND SUPERVISOR MAGSIG WERE DESIGNATED AS THE SUPERVISORS TO WORK ON POLICY ISSUES RELATED TO EDAT, AND SUPERVISOR QUINTERO (CHAIRMAN'S DESIGNEE) AND 2ND SUPERVISOR DESIGNATED TO PARTICIPATE, WHO SHALL BE THE SUPERVISOR FROM THE DISTRICT WHERE THE PROJECT/ISSUE UNDER DISCUSSION IS LOCATED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Works and Planning

13. Adopt Resolution authorizing partial Cancellation of Agricultural Land Conservation Contract No. 91 filed by Debbie Davis, based on 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 MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Borgeas

Resolution No. 17-416

14. Provide direction to staff on an updated Capital Improvement Plan prepared by Department of Public Works and Planning

A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, SECONDED BY SUPERVISOR BORGEAS, TO DIRECT STAFF TO PROCEED WITH THE PROPOSED UPDATED CAPITAL IMPROVEMENT PLAN AS PART OF THE PUBLIC FACILITIES IMPACT FEE STUDY AND RETURN TO THE BOARD IN OCTOBER, 2017, WITH AN ORDINANCE AMENDMENT TO EXTEND THE CURRENT FEE SUSPENSION DEADLINE TO EXPIRE NO SOONER THAN JULY 1, 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

15. Adopt Mitigated Negative Declaration prepared for Initial Study Application No. 6987, including Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3808; approve Ordinance pertaining to Amendment Application No. 3808 thereby rezoning subject 22-acre parcel from AL-20 Zone District to an M-3(c) Zone District to allow limited number of Light Manufacturing, General Industrial, and Heavy Industrial uses as requested by the Applicant; and designate County Counsel to prepare a fair and adequate summary of proposed ordinance, and direct Clerk to the Board to post and publish required summary in accordance with Government Code Section 25124(b)(1), subject property is located at northeast corner of East Annadale and South Willow Avenues, adjacent to City Limits of Fresno

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

Ordinance No. R-477-3808

16. Conduct public protest hearing regarding proposed annexation of territory to Community Facilities District 2006-01; if there is no "majority protest" within Countywide Mello-Roos Community Facilities District 2006-01 or proposed annexation territory, overrule any protests, and adopt and authorize Chairman to sign Resolution Calling a Special Election for a vote of qualified electors within territory proposed for annexation to Countywide Mello-Roos Community Facilities District 2006-01 (Police Protection Services) of County of Fresno, for combined propositions of Levying a Special Tax to finance enhanced police protection services, and including such annexation territory in Countywide Mello-Roos Community Facilities District 2006-01 for purposes of appropriations limit of Countywide Mello-Roos Community Facilities District 2006-01; conduct landowner voter special election (landowners owning 2/3 of the area of proposed annexation territory must vote in favor) for territory included in Annexation Map No. 9A of Community Facilities District No. 2006-01 (Exhibit A); approve canvass of the votes, and if election is in favor of Special Tax Levy and including proposed annexation territory in Countywide Mello-Roos Community Facilities District 2006-01 for purposes of its appropriations limit, adopt and authorize Chairman to sign Resolution Declaring Results of landowner Special Election for proposed recordation of an Amendment to Notice of Special Tax Lien; and conduct first reading of "An Ordinance of the County of Fresno Levying a Special Tax within Annexation Territory No. 9A of Countywide Mello-Roos Community Facilities District 2006-01 (Police Protection Services) of the County of Fresno," waive reading of Ordinance in its entirety, and set September 26, 2017, as date for second reading and approval of such Ordinance by your Board

CONDUCTED PUBLIC PROTEST HEARING. NO PROTESTS RECEIVED. CLOSED PUBLIC PROTEST HEARING. CONFIRMED THAT THERE WAS NO MAJORITY PROTEST. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO ADOPT AND AUTHORIZE THE CHAIRMAN TO SIGN THE RESOLUTION CALLING A SPECIAL ELECTION FOR A VOTE OF THE QUALIFIED ELECTORS WITHIN THE TERRITORY PROPOSED FOR ANNEXATION TO COUNTYWIDE MELLO-ROOS COMMUNITY FACILITIES DISTRICT 2006-01 (POLICE PROTECTION SERVICES) OF THE COUNTY OF FRESNO. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

CONDUCTED SPECIAL LANDOWNER ELECTION PER RECOMMENDED ACTION THREE (3) OF AGENDA ITEM. A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR BORGEAS, TO APPROVE THE CANVASS OF VOTES (BALLOT WAS MARKED YES) AND ADOPT AND AUTHORIZE THE CHAIRMAN TO SIGN THE RESOLUTION DECLARING RESULTS OF LANDOWNER SPECIAL ELECTION FOR PROPOSED RECORDATION OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

CONDUCTED FIRST READING OF "AN ORDINANCE OF THE COUNTY OF FRESNO LEVYING A SPECIAL TAX WITHIN ANNEXATION TERRITORY NO. 9A OF COUNTY-WIDE MELLO-ROOS COMMUNITY FACILITIES DISTRICT 2006-01 (POLICE PROTECTION SERVICES) OF THE COUNTY OF FRESNO". A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO WAIVE READING OF THE ORDINANCE IN ITS ENTIRETY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY VICE CHAIRMAN QUINTERO, TO SET SEPTEMBER 26, 2017, AS THE DATE FOR THE SECOND READING AND APPROVE OF SUCH ORDINANCE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 17-417, Resolution No. 17-418

- 17.** Receive verbal report on the bid opening for Contract No. 17-10-C, Riverdale Pedestrian Improvements, and award Contract No. 17-10-C to the bidder with the lowest responsive bid; and authorize the Director of Department of Public Works and Planning, or designee, to execute Contract Change Orders up to the limit allowable under Public Contract Code Section 20395(d) for Contract No. 17-10-C

RECEIVED VERBAL REPORT. A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO AWARD CONTRACT NO. 17-10-C, RIVERDALE PEDESTRIAN IMPROVEMENTS, TO THE LOWEST RESPONSIBLE BIDDER, AVISON CONSTRUCTION, INCORPORATED, IN THE AMOUNT OF \$497,497.00 AND AUTHORIZED THE DIRECTOR OF DEPARTMENT OF PUBLIC WORKS AND PLANNING, OR DESIGNEE, TO EXECUTE CONTRACT CHANGE ORDERS UP TO THE LIMIT ALLOWABLE (\$37,374.85) UNDER PUBLIC CONTRACT CODE SECTION 20395(D) FOR CONTRACT NO. 17-10-C. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

- 18.** Consider and adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7289 including Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3822 and Unclassified Conditional Use Permit No. 3576; approve ordinance pertaining to Amendment Application No. 3822 thereby rezoning a 7.22-acre portion of a 32.93-acre parcel (APN 300-542-14S) from the R-1-C(c) Zone District to an 'O' Zone District; determine that required Findings specified in Fresno County Ordinance Code Section 873-F can be made and approve Unclassified Conditional Use Permit No. 3576 to allow the use of tertiary-treated recycled water on the subject 7.22 acres (APN 300-542-14S); and designate County Counsel to prepare fair and adequate summary of proposed ordinance, and direct Clerk to the Board to post and publish required summary in accordance with Government Code Section 25124(b)(1), subject parcel is located within Millerton Specific Plan, approximately 5,098 feet west of Auberry Road, 980 feet south of Millerton Road and 2.5 miles east of unincorporated community of Friant

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

Ordinance No. R-478-3822

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 BERGEAS CONGRATULATED AUSTIN EWELL OF FRESNO ON HIS NEW POSITION AS DEPUTY ASSISTANT SECRETARY FOR THE WATER AND SCIENCE DIVISION OF THE UNITED STATES DEPARTMENT OF THE INTERIOR. HE ALSO REPORTED THAT THE GREEK FESTIVAL WAS A HUGE SUCCESS AND THANKED CHAIRMAN PACHECO FOR HIS TIME VOLUNTEERING IN THE BBQ BOOTH. CHAIRMAN PACHECO RECOGNIZED SUPERVISOR BERGEAS FOR HIS WORK IN COORDINATING AND ORGANIZING THE ENTIRE GREEK FESTIVAL, MAKING IT A GREAT SUCCESS. SUPERVISOR QUINTERO CONGRATULATED CHAIRMAN PACHECO FOR BEING A PARTICIPANT IN THE SUPERBOWL OF THE DAIRY INDUSTRY'S WORLD DAIRY EXPO. CHAIRMAN THANKED SUPERVISOR QUINTERO FOR FILLING IN FOR HIM AT THE BIG FRESNO FAIR OPENING IN OCTOBER WHILE HE IS ATTENDING THE WORLD DAIRY EXPO IN MADISON, WISCONSIN. SUPERVISOR MAGSIG ANNOUNCED HE AND CHAIRMAN PACHECO TOURED THE CHEVRON FIELDS IN COALINGA. SUPERVISOR MAGSIG STATED THAT HUNDREDS OF JOBS ARE TIED TO THE OPERATION IN COALINGA AND CHEVRON IS THE THIRD HIGHEST TAX REVENUE GENERATOR FOR FRESNO COUNTY. SUPERVISOR MAGSIG ALSO REPORTED ON HIS TOUR OF THE FLOOR OF THE DEL WEBB BUILDING THAT HOUSES THE DA'S PROSECUTORS HOMICIDE UNIT AND RECOGNIZED THAT THE DIVISION WILL BE ABLE TO OPERATE MUCH MORE DILIGENTLY WHEN THEY ARE RELOCATED. SUPERVISOR MAGSIG EXPRESSED KUDOS TO THE SHERIFF'S DEPARTMENT FOR THEIR EFFORT IN THE COORDINATION OF RECOVERING OF THE BODIES OF THE THAILAND STUDENTS TRAPPED IN THE KINGS RIVER FROM THE ACCIDENT IN LATE JULY

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 APPOINTMENT AND REAPPOINTMENT BE APPROVED AS FOLLOWS:

CIVIL SERVICE COMMISSION

APPOINTED FRANK FLORES TO REPLACE TRICIA MILLER (TERM TO 1/4/2021)

COMMISSION OF THE STATUS OF WOMEN

REAPPOINTED PAMELA FREEMAN FOBBS (TERM TO 6/30/2019)

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

RECEIVED

Closed Session

22. Conference with legal counsel – Significant Exposure to Litigation – Government Code section 54956.9(d)(2) or (d)(3) (2 cases)
NOT HELD
23. Conference with legal counsel – Initiation of Litigation – Government Code section 54956.9(d)(4) (2 cases)
NOT HELD
24. 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
25. Conference with Real Property Negotiators - Government Code 54956.8 Properties: 2100 Tulare Street, Fresno, CA 93721; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Lance-Kashian & Co., Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION
26. Conference with Real Property Negotiators - Government Code 54956.8 Properties: 205 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
27. Conference with Real Property Negotiators - Government Code 54956.8. Property: Undeveloped land at Turner and Armstrong in the Fancher Creek Development; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Fancher Creek Properties LLC., Under Negotiations: Instructions to County's negotiator may concern purchase of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION
28. Conference with Real Property Negotiators - Government Code 54956.8. Property: 909 W. Nielsen, Fresno, CA 93707; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Austin Enterprises, LP., Under Negotiations: Instructions to County's negotiator may concern purchase of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION

Special items not included on posted agenda

A MOTION WAS MADE BY SUPERVISOR BERGEAS, SECONDED BY SUPERVISOR MENDES, TO APPROVE REQUEST TO TAKE ACTION ON ITEM NOT INCLUDED ON POSTED AGENDA FINDING THE NEED FOR ACTION AROSE AFTER THE POSTING OF THE AGENDA. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Adjourn in Memory of Hubert E. Chandler

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

Adjourn

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

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

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 32 WHICH WAS PULLED FOR DISCUSSION AND SEPERATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

29. Approve minutes of meeting for August 22, 2017

APPROVED AS RECOMMENDED

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

Chairman Pacheco

30. Adjourn in Memory of Anthony Taylor

APPROVED AS RECOMMENDED

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

Supervisor Mendes

31. Adopt Resolution opposing the petition and application submitted to the State Water Resources Control Board by Semitropic Water Storage District to revise the appropriated stream status and water rights of the Kings River

APPROVED AS RECOMMENDED

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

Resolution No. 17-404

Supervisor Quintero

32. Approve community outreach expenditure per Administrative Policy No. 75

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

County Clerk/Registrar of Voters

33. Approve Riverdale Irrigation District, Tranquillity Irrigation District, and Sierra Cedars Community Services District's request to move from odd to even-numbered year elections and set the date for the Districts' elections to occur on the same day as the Statewide General Election

APPROVED AS RECOMMENDED

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

34. Adopt a Resolution approving the City of Coalinga's request for the County Clerk/Registrar of Voters to conduct a Consolidated Special Municipal Election with Riverdale Irrigation District on November 7, 2017

APPROVED AS RECOMMENDED

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

Resolution No. 17-405

Sheriff/Coroner

35. Retroactively authorize a waiver of the 28 hours per week and/or 960 hours per calendar year maximum hours limitation for the Extra-Help position listed on Attachment A in the Sheriff-Coroner's Office, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

APPROVED AS RECOMMENDED

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

36. Accept annual report of expenditures from the Inmate Welfare Trust Fund for FY 2016-17

APPROVED AS RECOMMENDED

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

- 37.** 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 Fresno County Superintendent of Schools has been the exclusive provider of educational services at the County jail since 1994; and approve and authorize the Chairman to execute a retroactive Agreement with Fresno County Superintendent of Schools to provide an Adult Education Program within the Jail Facilities, effective October 1, 2016 through September 30, 2021, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$593,437

APPROVED AS RECOMMENDED

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

Agreement No. 17-450

- 38.** Approve and authorize the Chairman to execute retroactive Amendment III to Agreement #14-392 with the County of Los Angeles Sheriff's Department to adjust the billing rates per mile with no change in the cost per meal for FY 2017-18, effective July 1, 2017 for the transportation of prisoners; and authorize the Sheriff-Coroner, or her authorized representative, to sign future amendments through the end of the contract term date of June 30, 2019 that do not increase the annual allocation of \$8,000

APPROVED AS RECOMMENDED

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

Agreement No. 14-392-3

Administrative Office

- 39.** Review the findings and recommendations of the 2016-17 Fresno County Grand Jury Final Report No. 4 and adopt the recommended responses; and, order the Board's responses to the 2016-17 Fresno County Grand Jury Final Report No. 4 be filed with the Presiding Judge of the Superior Court

APPROVED AS RECOMMENDED

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

- 40.** 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 "unusual or extraordinary circumstances" exception and authorize the Chairman to execute the Agreement with the Veterans Memorial Museum for the continued promotion, improvement, operation and maintenance of the museum effective October 1, 2017 through June 30, 2018 (\$20,000)

APPROVED AS RECOMMENDED

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

Agreement No. 17-452

- 41.** Approve amendments to Conflict of Interest Code for Housing Authorities, City and County of Fresno (Fresno Housing Authority)

APPROVED AS RECOMMENDED

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

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

APPROVED AS RECOMMENDED

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

Resolution No. 17-406

- 43.** Approve and adopt the 2018 regular meeting schedule for the Board of Supervisors as outlined in Attachment "A"; and direct the Clerk to the Board to publish the 2018 regular meeting schedule of the Board of Supervisors on the Fresno County website and to advise all County departments of the meeting schedule and submission dates for agenda items

APPROVED AS RECOMMENDED

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

Agriculture

- 44.** Approve and authorize the Chairman to execute a Revenue Agreement with the California Department of Parks and Recreation for water hyacinth control, effective January 1, 2018 through December 31, 2018 (\$17,042)

APPROVED AS RECOMMENDED

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

Agreement No. 17-453

Behavioral Health

45. 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 Special Training Courses; and, approve and authorize the Chairman to execute a sole source Agreement with the Regents of the University of California, on behalf of the University of California, Davis, to provide training for Department of Behavioral Health staff, effective September 12, 2017 through June 30, 2018 (\$382,500)

APPROVED AS RECOMMENDED

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

Agreement No. 17-454

46. 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 Special Training Courses; and, approve and authorize the Chairman to execute a sole source Agreement with Behavioral Tech to provide training for Department of Behavioral Health staff, effective September 12, 2017 through June 30, 2020 (\$147,840)

APPROVED AS RECOMMENDED

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

Agreement No. 17-455

Human Resources

47. Approve amendment to the Salary Resolution to increase a pay provision for a Chief Deputy District Attorney or Assistant District Attorney assigned to the Officer Involved Shooting/In-Custody Death Team, effective September 11, 2017, as reflected in Appendix B

APPROVED AS RECOMMENDED

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

Salary Resolution No. 17-036

Internal Services

48. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 under the “unusual or extraordinary circumstances” exception for emergency cleanup services; and, approve and authorize the Chairman to execute an Agreement with Belfor Property Restoration for emergency clean up services 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 \$2,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 17-456

49. Approve and authorize the Chairman to execute Retroactive Amendment I to Lease Agreement # 13-092, with Richard A. Ciummo & Associates, Inc. for the office space at 3333 E. American Avenue, Fresno, CA 93725 to continue the lease on a month-to-month basis, effective July 1, 2017 through June 30, 2022, with an increase in the rent from \$1,335.30 per month to \$1,362.01 per month, not to exceed \$85,055 for the term

APPROVED AS RECOMMENDED

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

Agreement No. 13-092-1

50. 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” to purchase Geographic Information Systems software products and maintenance and support services from Environmental Systems Research Institute, Inc. (ESRI) used to provide geographic relational data and mapping information for the County of Fresno; and approve and authorize the Chairman to execute a new Enterprise License Agreement and Master Agreement with ESRI for a term not to exceed four consecutive years (three-year base contract with an optional one-year extension) for a maximum potential cost not to exceed \$1,010,000

APPROVED AS RECOMMENDED

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

Agreement No. 17-458

51. Make a finding that it is in the best interest of the County to suspend the competitive bidding process under Administrative Policy No. 34 for unusual or extraordinary circumstances to secure Information Technology specific research and analysis services through Gartner, Inc., to provide emerging technology practices for County departments; and approve and authorize the Chairman to execute a retroactive Agreement with Gartner, Inc. for subscription-based research, executive coaching, and advisory services for the Internal Services Department, effective September 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 \$977,658

APPROVED AS RECOMMENDED

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

Agreement No. 17-459

Library

52. Adopt Resolution accepting and expressing gratitude for the non-monetary donation of 20 Bookshare subscriptions and training valued at \$3,300 to the Fresno County Public Library from the Califa Group

APPROVED AS RECOMMENDED

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

Resolution No. 17-407

53. Approve and authorize Chairman to ratify the County Librarian's previous execution of a Participant Letter of Agreement with the California State Library and Califa Group allowing the Fresno County Public Library to participate in the Virtual Reality Experience Project for the period of May 1, 2017 through June 30, 2018; and adopt Resolution accepting and expressing gratitude for the donation of virtual reality equipment valued at \$3,090 from the California State Library and Califa Group for use in connection with the Project and thereafter

APPROVED AS RECOMMENDED

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

Agreement No. 17-460, Resolution No. 17-408

54. Approve designation and placement of Kingsburg High School and Washington Elementary on the County's Register of Centennial Schools; and authorize the Chairman to execute the certificate for these Centennial Schools

APPROVED AS RECOMMENDED

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

Public Health

55. Approve and authorize the Chairman to execute a retroactive revenue Agreement with Pistoiresi Ambulance Service, for dispatching services through the Fresno County Emergency Medical Services (EMS) Communications Center, effective July 1, 2017 through June 30, 2018, with one optional one-year extension (\$445,741); Agreement with KWPH Enterprises, d.b.a. American Ambulance, for dispatching of Pistoiresi Ambulance Service through the Fresno County EMS Communications Center, effective July 1, 2017 through June 30, 2018, with one optional one-year extension (\$389,643); revenue Agreement with Sierra Ambulance Service for dispatching services through the Fresno County EMS Communications Center, effective July 1, 2017 through June 30, 2018, with one optional one-year extension (\$142,410); Agreement with KWPH Enterprises, d.b.a. American Ambulance, for dispatching of Sierra Ambulance Service through the Fresno County EMS Communications Center, effective July 1, 2017 through June 30, 2018, with one optional one-year extension (\$124,288); and, authorize the Director of the Department of Public Health to execute a written approval of a one-year extension to the agreements in Recommended Action Nos. 1 to 4, when appropriate pursuant to the terms of the agreements

APPROVED AS RECOMMENDED

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

Agreement No. 17-461, Agreement No. 17-462, Agreement No. 17-463, Agreement No. 17-464

56. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the City of Fresno, for dispatching services for the City of Fresno Fire Department through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2017 through June 30, 2018 (\$787,572); and, retroactive Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for City of Fresno Fire Department dispatching services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2017 through June 30, 2018 (\$717,284)

APPROVED AS RECOMMENDED

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

Agreement No. 17-465, Agreement No. 17-466

57. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health, Office of AIDS, for AIDS Drug Assistance Program funds, effective July 1, 2016 through June 30, 2019 (\$5,000); and, authorize the Director of Public Health, or designee, to execute future amendments to the Agreement with the California Department of Public Health Office of AIDS, AIDS Drug Assistance Program, with County Counsel and Auditor-Controller/Treasurer-Tax Collector approval

APPROVED AS RECOMMENDED

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

Agreement No. 17-467

- 58.** Approve and authorize the Chairman to execute a retroactive revenue Agreement with the State Emergency Medical Services Authority, for multi-county emergency medical services coordination, effective July 1, 2017 through June 30, 2018 (\$404,842)

APPROVED AS RECOMMENDED

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

Agreement No. 17-468

- 59.** 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, 2017 through June 30, 2018 (\$1,317,644)

APPROVED AS RECOMMENDED

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

Agreement No. 17-469

Public Works and Planning

- 60.** Approve and authorize Chairman to execute Program Supplement No. N223 Rev. 1 Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for Fowler Avenue from South Avenue to Elkhorn Avenue, Federal Project No. CML-5942(211), (\$3,825,362) and Program Supplement No. N259 Rev. 1 Master Agreement for Federal Aid No. 06-5942R with California Department of Transportation for Kamm Avenue from SR 145 to Jameson Avenue, Federal Project No. CML-5942(254), (\$2,858,215)

APPROVED AS RECOMMENDED

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

Agreement No. 17-470, Agreement No. 17-471

- 61.** Adopt a Resolution of Intention and set the time of 9:00 a.m. on October 17, 2017 as the time to conduct a hearing for the proposed vacation of 'H' Street public road right-of-way. Vacation Application No. V17-02

APPROVED AS RECOMMENDED

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

Resolution No. 17-409

- 62.** Approve and authorize Chairman to execute Agreements with Avila & Associates, Inc.; Biggs Cardosa Associates, Inc.; BKF Engineers, Inc.; Carollo Engineers, Inc.; Cornerstone Structural Engineering Group, Inc.; Drake Haglan & Associates, Inc.; Electrical Power Systems, Inc.; JLB Traffic Engineering, Inc.; Kleinfelder, Inc.; Krazan & Associates, Inc.; Mark Thomas & Company, Inc.; MGE Engineering, Inc.; Moore Twining Associates, Inc.; NCM Engineering Corp.; NV5, Inc.; O'Dell Engineering, Inc.; Peters Engineering Group; Provost & Pritchard Consulting Group; Quincy Engineering, Inc.; Technicon Engineering Services, Inc.; TJKM Transportation Consultants; TRC Engineers, Inc.; and T.Y. Lin International, term of each Agreement shall be for a period of three years commencing upon execution through September 12, 2020. These Agreements may be extended for two additional consecutive twelve month periods upon written approval of both parties no later than thirty days prior to first day of the next twelve month extension period. Director of Public Works and Planning or his or her designee is authorized to execute such written approval on behalf of the County based on Consultant's satisfactory performance (combined \$14,950,000)

APPROVED AS RECOMMENDED

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

Agreement No. 17-472 through Agreement No. 17-478, Agreement No. 17-481 through Agreement No. 17-496

Social Services

- 63.** Approve and Authorize the Chairman to execute Amendment I to Agreement No. A-14-648 with Saba Software, Inc. for the Training Record-Keeping and Learning Management System extending the term by two years from November 3, 2017 through November 2, 2019 and increasing the maximum by \$115,500 to a total of \$393,680

APPROVED AS RECOMMENDED

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

Agreement No. 14-648-1