



# 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*

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Tuesday, November 14, 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**

*BRANDI L. ORTH, COUNTY CLERK/REGISTRAR OF VOTERS GAVE THE INVOCATION AND LED THE BOARD IN THE PLEDGE OF ALLEGIANCE*

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

**A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, SECONDED BY SUPERVISOR BORGEAS, 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 20 - 56**

**A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 35 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### **Chairman Pacheco**

#### **3. Proclaim November 17, 2017 as World Prematurity Day as part of the Every Woman Every Child Initiative**

**A MOTION WAS MADE BY CHAIRMAN PACHECO, 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. 17-511

**Supervisor Quintero**

4. Proclaim November 2017 as "National Runaway Prevention Month"

**A MOTION WAS MADE BY VICE CHAIRMAN QUINTERO, 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. 17-512

**Chairman Pacheco**

5. Discuss services to residents of North Central Fire Protection District and provide direction to staff

**DISCUSSED**

**County Clerk/Registrar of Voters**

6. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsections 802, 803, and 805 and adds Subsections 809, 810 and 811 to Section 800 - County Clerk/Registrar of Voters; waive reading of the Ordinance in its entirety; and set second hearing for December 5, 2017; Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and Direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1)

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

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

**Noes:** 1 - Borgeas

**Administrative Office**

7. Receive presentation from Paul Yoder and Michael Corbett, State lobbyists, regarding legislative actions

**RECIEVED**

**Human Resources**

8. Hear and consider appeal from Risico Claims Management regarding recommended award of Third Party Administration and associated ancillary services to Acclamation Insurance Management Services (AIMS); and, approve and authorize Chairman to execute an Agreement with AIMS for workers' compensation third party claims administration and associated ancillary services, effective January 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$11,893,917

**HEARD AND CONSIDERED APPEAL FROM RISICO CLAIMS MANAGEMENT REGARDING RECOMMENDED AWARD OF THIRD PARTY ADMINISTRATION AND ASSOCIATED ANCILLARY SERVICES TO ACCLAMATION INSURANCE MANAGEMENT SERVICES**

**A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO DENY APPEAL FROM RISICO CLAIMS MANAGEMENT AND APPROVE RECOMMENDED ACTION 2 OF AGENDA ITEM. DIRECTED STAFF TO RETURN TO THE BOARD JUNE, 2019 WITH A STATUS UPDATE ON THE PERFORMANCE OF THE NEW VENDOR. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Agreement No. 17-598

**Public Works and Planning**

9. Consider appeal of Planning Commission's denial of Variance Application No. 4025 proposing to allow creation of 2.3-acre parcel and 2.55-acre parcel from existing 4.85-acre parcel in AE-20 Zone District; project site is located on southwestern corner of E. Reno Road and Auberry Road, approximately one mile northeast of nearest city limits of City of Fresno

**CONDUCTED PUBLIC HEARING, AND RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR BORGEAS, TO DENY THE APPEAL FILED BY MATT RATZLAFF, AND DENY VARIANCE APPLICATION NO. 4025, BASED ON AN INABILITY TO MAKE FINDING 4. THE MOTION FAILED BY THE FOLLOWING VOTE:**

**Ayes:** 2 - Borgeas, and Magsig

**Noes:** 3 - Mendes, Pacheco, and Quintero

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY CHAIRMAN PACHECO, TO GRANT THE APPEAL FILED BY MATT RATZLAFF, AND APPROVE VARIANCE APPLICATION NO. 4025, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT, A REQUIREMENT THAT THE APPLICANT ENTER INTO AN INDEMNIFICATION AGREEMENT WITH THE COUNTY, A LIMITATION OF ONE RESIDENCE ALLOWED ON EACH PARCEL PERMITTED TO BE CREATED BY THIS APPLICATION, AND DIRECTION TO THE DEPARTMENT OF PUBLIC WORKS AND PLANNING TO STUDY THE AREA SURROUNDING THE SUBJECT PROPERTY TO DETERMINE WHETHER ITS GENERAL PLAN AND ZONING DESIGNATIONS NEED TO BE CHANGED. THE BOARD DETERMINED THAT THE FOUR REQUIRED VARIANCE FINDINGS CAN BE MADE, AS STATED BY THE APPLICANT'S REPRESENTATIVE, AS FOLLOWS:

1. WHILE THE ZONING FOR THE SUBJECT PROPERTY IS AE-20, ALL OF THE PROPERTIES IN THE IMMEDIATE AREA ARE LESS THAN THE 20 ACRE MINIMUM. THE EXTRAORDINARY CIRCUMSTANCES AND CONDITION IS THAT THE SUBJECT PROPERTY HAS 330 FEET OF FRONTAGE ON AUBERRY ROAD AND 700 FEET OF FRONTAGE ON RENO ROAD. ADDITIONALLY, THERE IS A PG&E, PAC TELEPHONE AND CABLE EASEMENT THAT DISSECTS THROUGH THE PROPERTY AT MIDPOINT FROM NORTH TO SOUTH. THIS EASEMENT DIVIDES THE PROPERTY INTO 2 PARCELS THAT ARE ROUGHLY 350 X 300;
2. THE SUBJECT PROPERTY FACES AUBERRY ROAD WHERE THE ZONING IS AE-20. ALONG THE EAST SIDE OF AUBERRY THERE ARE 9 PARCELS WITHIN 1200 FEET THAT ARE LESS THAN 2.5 ACRES. WITHIN A HALF MILE OF THE SUBJECT PROPERTY THERE ARE 25 PARCELS SMALLER THAN 2.5 ACRES. THE SUBJECT PROPERTY CURRENTLY HAS TWO SINGLE FAMILY DWELLINGS AND EACH OF THESE DWELLINGS HAS A TESTED WELL OF GREATER THAN 30 GPM AND A CERTIFIED SEPTIC SYSTEM. APPROVAL OF THE VARIANCE WOULD GRANT RIGHTS TO THE PROPERTY OWNERS EQUAL TO THEIR NEIGHBORS THAT HAVE LESS THAN 20 ACRES. NO PARCEL IN THE HALF MILE RADIUS HAS 20 ACRES. THE LARGEST IS 18 +/- ACRES WITH THE MAJORITY BEING 2 TO 5 ACRES;
3. CONCUR WITH STAFF'S FINDING AS STATED IN THE STAFF REPORT;
4. THE SUBJECT PROPERTY WAS ZONED A-1 FROM 1960 TO 1977 WHEN IT BECAME AE-20 UNDER THE GENERAL PLAN THAT WAS ADOPTED IN 1977. THE A-1 AGRICULTURE ZONING ALLOWED A RESIDENCE ON A ONE-ACRE PARCEL. SINCE THAT TIME THE PLANNING COMMISSION AND BOARD OF SUPERVISORS HAVE APPROVED A NUMBER OF VARIANCES IN RECOGNITION OF THE AREA NOT BEING CONDUCIVE TO AGRICULTURAL PURPOSES. THERE IS NO FARMING OPERATION ALONG AUBERRY ROAD OR RENO ROAD CLOSER THAN ONE-HALF MILE TO THE SUBJECT PROPERTY. THE STAFF HAS RECOGNIZED THIS AREA WILL NEVER BE USED FOR FARMING AND HAS SUGGESTED IN THE STAFF REPORT THAT THE BOARD BEGIN THE PROCESS OF CHANGING THE ZONING THAT REFLECTS ITS CURRENT SIZE AND USE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**Noes:** 1 - Magsig

10. Hear and consider, and take appropriate action, on: (a) Protest by apparent second-lowest responsible bidder, USS Cal Builders, Inc. (USS), 8051 Main Street, Stanton, CA, regarding proposed "Conditional Award" of Contract No. 16-S-04, West Annex Jail, for construction of West Annex Jail in downtown Fresno, to apparent lowest responsible bidder, Bernards Bros., Inc (Bernards), 555 First Street, San Fernando, CA; and (b) USS's request that "Conditional Award" of Contract No. 16-S-04, West Annex Jail, instead be made to USS (whose bid is in total amount of \$82,975,000, including base bid, all additive bids, and allowance); find that Bernards is lowest responsible bidder for Contract No. 16-S-04, West Annex Jail, and that deviations in Bernards's bid from strict bidding requirements are immaterial and are waived, in discretion of the Board and in furtherance of best interests of County; and award Contract No. 16-S-04, West Annex Jail, to lowest responsible bidder, Bernards, in total amount of \$81,756,000, including base bid, all additive bids, and allowance, subject to and conditioned upon approval of contract award to Bernards, including Bernards's bid proposal, by State of California Department of Finance (DOF) (collectively, the Conditional Award); authorize Director of Public Works and Planning (Director), or his designee, to execute Contract Change Orders up to \$210,000, which is approximately 0.26% of Bernards's total construction contract cost; adopt Budget Resolutions increasing FY 2017-18 appropriations and estimated revenues in various Orgs for West Annex Jail project, as appropriate, from State Senate Bill 1022 funding (\$74,511,353), Proposition 172 revenues (\$4,255,489), 2002 tobacco securitization bond proceeds (\$32,013), 2006 tobacco securitization bond proceeds (\$2,177,556), and other sources (\$7,309,742) (4/5 votes); and authorize Director and Chairman to take respective actions to consummate award of Contract No. 16-S-04, West Annex Jail, to Bernards, and related construction contract

**HELD PUBLIC HEARING. THE PROTESTING BIDDER, USS CAL BUILDERS, INC., DID NOT MAKE AN APPEARANCE, BUT THE BOARD CONSIDERED WRITTEN CORRESPONDENCE, STAFF PRESENTATION AND RECEIVED TESTIMONY FROM BERNARDS BROS., INC., PERTAINING TO THE BID PROTEST.**

**CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR BORGEAS, SECONDED BY SUPERVISOR MENDES, TO CONSIDER AND TAKE APPROPRIATE ACTION ON 1A AND 1B OF AGENDA ITEM, RESULTING IN DENIAL OF THE BID PROTEST. 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, TO APPROVE RECOMMENDED ACTIONS 2, 3, 4, 5, 6, 7, 8, 9, 10, AND 11 OF AGENDA ITEM. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Resolution No. 17-513, Resolution No. 17-514, Resolution No. 17-515, Resolution No. 17-516, Resolution No. 17-517

11. Consider appeal of Planning Commission's denial of Variance Application No. 3998 proposing to allow creation of 1.5-acre parcel from existing 18.86-acre parcel (20-acre gross; remaining 17.36-acre parcel to be combined with a 39.49-acre parcel) in the AE-20 Zone District; consider adoption of Negative Declaration prepared for Initial Study Application No. 7160; and determine whether Required Findings specified in Fresno County Ordinance Code Section 877.A can be made for approval of Variance and articulate for the record the manner in which Findings are met, project site is located on northeast corner of E. South and S. Alta Avenues, approximately two miles east of City of Reedley

**CONDUCTED PUBLIC HEARING, AND RECEIVED PUBLIC TESTIMONY FROM APPLICANT'S REPRESENTATIVE. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO GRANT THE APPEAL FILED BY CERES MANAGEMENT GROUP, AND APPROVE VARIANCE APPLICATION NO. 3998 AND ADOPT THE NEGATIVE DECLARATION PREPARED FOR INITIAL STUDY APPLICATION NO. 7160, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT. THE BOARD DETERMINED THAT THE FOUR REQUIRED VARIANCE FINDINGS CAN BE MADE, AS STATED BY THE APPLICANT'S REPRESENTATIVE, AS FOLLOWS:**

1. THE RESIDENTIAL STRUCTURE ON THE PROPERTY IS LONG STANDING, HAVING BEEN BUILT IN 1956, AND THE PROPOSAL IS TO CREATE A HOMESITE SATISFYING ALL DEVELOPMENT STANDARDS;
2. APPLICANT HAS A RIGHT TO CREATE THIS HOMESITE, AND THE EVIDENCE FROM AN APPRAISER FAMILIAR WITH THE FRESNO, KINGS, KERN COUNTIES' REAL ESTATE MARKETS, WHO DEMONSTRATED THAT WITH THE CONSOLIDATION OF FARMS, THE HOMESITES HAVE NO VALUE BECAUSE LARGER FARMS ARE NOT INTERESTED IN OWNING AND MANAGING RESIDENCES, AND THAT THIS HAS BEEN DEMONSTRATED IN THE CASE OF THE SUBJECT PROPERTY;
3. CONCUR WITH STAFF'S FINDING AS STATED IN THE STAFF REPORT;
4. THE COUNTY'S WILLIAMSON ACT COMMITTEE DETERMINED THAT THE REQUIRED FINDINGS COULD BE MADE FOR TERMINATION OF THE CONTRACT ON THE PORTION OF THE SUBJECT PARCEL THAT THIS APPLICATION SEEKS TO RESERVE AS A HOMESITE ON A SEPARATE PARCEL, AND THIS APPLICATION WOULD CREATE TAKE A SUBSTANDARD PARCEL AND MERGE A PORTION OF IT WITH A LARGER PARCEL, WHICH IS CONSISTENT WITH THE GENERAL PLAN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

### **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)

**SUPERVISOR BORGEAS REPORTED ON A SUCCESSFUL COMMUNITY MEETING THAT COVERED EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT. SUPERVISOR BORGEAS ALSO CONGRATULATED JORDAN SCOTT, PUBLIC INFORMATION OFFICER, ON A JOB WELL DONE WITH THE MEDIA AND OUTREACH FOR THE COMMUNITY MEETING. SUPERVISOR MAGSIG SUGGESTED THE BOARD HOST A LUNCHEON FOR THE DEPARTMENT HEADS TO SHOW APPRECIATION FOR THEIR HARD WORK AND DEDICATION**

**Board Appointments**

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

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

**FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE**

**APPOINTED BREANNE READ TO THE POSITION PREVIOUSLY HELD BY IKE GREWAL (TERM 1/4/2021)**

**FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD**

**REAPPOINTED RON HICKS (TERM TO 11/1/2019)**

**REAPPOINTED DAVID MERCER (TERM TO 11/1/2019)**

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

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

**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

**THERE WERE NO COMMENTS FROM MEMBERS OF THE PUBLIC**

**Closed Session**

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

**NOT HELD**

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

**HELD; NO REPORTABLE ACTION**

17. 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**

- 18.** 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**
- 19.** 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: Pontiac 3 and 5, LLC, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions  
**HELD; NO REPORTABLE ACTION**
- 19.1** Conference with Real Property Negotiators - Government Code 54956.8 Properties: 6870 E. Kings Canyon Road, Fresno, CA 93727; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Cha Vang, 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 MAGSIG, SECONDED BY SUPERVISOR MENDES, TO ADJOURN THE MEETING. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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



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**CONSENT AGENDA**

**A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 35 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**Board of Supervisors**

- 20.** Approve minutes of meeting for October 31, 2017

**APPROVED AS RECOMMENDED**

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

**Supervisor Mendes**

- 21.** Approve Certificate of Recognition honoring Dan Errotabere who has been selected as the Westside Distinguished Citizen by the Sequoia Council, Boy Scouts of America

**APPROVED AS RECOMMENDED**

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

- 22.** Adopt Resolution recognizing Daniel Perez, Fresno Regional Workforce Development's third quarter Outstanding Youth Participant award winner

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-503

**County Clerk/Registrar of Voters**

- 23.** Approve City of Clovis, Laguna Irrigation District, Fig Garden Fire Protection District, and Lanare Community Services District's request to move from odd to even-numbered year elections and set the date for the City of Clovis's and 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

**Sheriff/Coroner**

24. Retroactively authorize the Sheriff-Coroner's submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) Law Enforcement (LE) Specialized Units Program effective January 1, 2018 through December 31, 2018 (\$270,857)

**APPROVED AS RECOMMENDED**

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

25. Approve and authorize the Sheriff-Coroner, on behalf of the County, to execute retroactive Memorandums of Understanding (MOUs) for Central Valley High Intensity Drug Trafficking Areas (CV HIDTA) Resource Agencies for Grant Agreement G17CV0004A effective January 1, 2017 to December 31, 2018

**APPROVED AS RECOMMENDED**

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

26. Approve and authorize the Chairman to execute an agreement with Mark43 Inc. for the implementation of and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026, total not to exceed (\$11,700,150); and approve and authorize the Chairman to execute addendum to agreement with Mark43 Inc. for implementation and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-576, Agreement No. 17-577

27. Retroactively approve and authorize the Sheriff-Coroner, on behalf of the County to execute an agency participation agreement with the California Department of Corrections and Rehabilitation (CDCR), for the use of Parole Law Enforcement Automated Data System (LEADS); and approve and authorize the Sheriff-Coroner, on behalf of the County to execute a participating agency hold harmless agreement with CDCR, for the use of Parole LEADS

**APPROVED AS RECOMMENDED**

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

**Administrative Office**

28. Receive the Annual Report of the Fresno County Public Law Library for the Fiscal Year Ending June 30, 2017

**APPROVED AS RECOMMENDED**

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

29. 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; and, approve and authorize the Clerk to the Board to certify a Designation of Applicant's Agent Resolution for Non-State Agencies (Cal OES 130)

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-504

30. Approve revised Vision, Mission, and Guiding Principles for Fresno County; and accept Report from Facilitator Jackie Ryle

**APPROVED AS RECOMMENDED**

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

31. Direct that the Board of Supervisors and their assistants pay authorized (not including CSAC, NACO and Washington DC travel) reimbursable travel expenses out of each respective District's budget

**APPROVED AS RECOMMENDED**

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

**Agriculture**

32. Approve and authorize the Chairman to execute a Retroactive Revenue Agreement with the California Department of Food and Agriculture for citrus shipment inspections, effective October 1, 2017 through June 30, 2018 (\$98,176)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-578

**Behavioral Health**

33. Approve and authorize the Chairman to execute a Master Agreement with licensed and credentialed primary care clinics for mental health and substance use disorder treatment for children, adults, and families, effective upon execution through June 30, 2018 (\$3,100,000); Master Agreement with licensed and credentialed primary care clinics for mental health and substance use disorder treatment for children, adults, and families, effective July 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$124,800,000; and authorize the Director of the Department of Behavioral Health, or designee, to add qualified facilities to the Master Agreement, as necessary

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-579

34. Approve and authorize the Chairman to execute an Agreement with Central Star Behavioral Health, Inc., for adult mental health crisis residential treatment services, effective December 1, 2017, not to exceed five years and seven months consecutively, which includes a seven-month ramp-up and implementation phase followed by a three-year base contract and two optional one-year extensions, total not to exceed \$11,667,380; and, a Facility Use Agreement with Star View Children and Family Services, Inc., effective May 1, 2018 through June 30, 2023, for County owned space at 496 S. Barton, Fresno, CA 93702, Building 337 (11,655 square feet), to be used by Central Star Behavioral Health, Inc. to provide adult mental health crisis residential treatment services

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-580, Agreement No. 17-581

**Human Resources**

35. Approve the Resolution setting the salaries for elected County Department Heads, effective for the term of office commencing on January 7, 2019, and ending on January 2, 2023

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

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

Resolution No. 17-518

36. Approve the Memorandum of Understanding for Representation Unit 42 – Engineers, represented by the Association of County Engineers, effective November 20, 2017 through November 17, 2019; and, the related Salary Resolution Amendments as reflected in Appendix B

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 17-050

37. Approve Amendment to the Salary Resolution deleting the Public Health Microbiologist I classification, retitling Public Health Microbiologist II to Public Health Microbiologist, and establishing the Public Health Microbiologist Trainee classification, effective November 20, 2017, as reflected on Appendix A; and, Addendum to the Memorandum of Understanding regarding salary range adjustments for the Public Health Microbiologist classifications in Representation Unit 19 - Professional Employees, effective November 20, 2017, as reflected on Appendix A

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 17-047

**Internal Services**

38. Adopt Resolution acknowledging the emergency nature of the flood incident at the Fresno County University Medical Center and make a finding pursuant to County Administrative Policy 34 that unusual and extraordinary circumstances exist such that it is in the best interest of the County to suspend competitive bidding, and negotiate and execute contracts for services and supplies as necessary for the remediation and restoration of County property; Authorize the Director of Internal Services/Chief Information Officer to negotiate and execute agreements and other documents necessary for the remediation and restoration of the Fresno County University Medical Center; and Adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues for the Internal Services Department, Facility Services Org 8935 in the amount of \$800,000 (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-505, Resolution No. 17-506

**Library**

39. Approve the Salary Resolution Amendment regarding deletion of one Information Technology Support Technician I/II/III position and addition of one Office Assistant I/II/III position, as reflected in Appendix "C", effective November 20, 2017

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 17-048

**Probation**

40. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the Fresno County Superintendent of Schools for funding of one Deputy Probation Officer position at the Violet Heintz Education Academy - Day Reporting Center from July 1, 2017 through June 30, 2018 (\$133,069)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-582

41. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Clovis to assign two sworn Police Officers to the Public Safety Realignment Adult Compliance Team, effective July 1, 2017 through June 30, 2018 (\$243,810)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-583

42. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Selma to assign a sworn Police Officer to the Public Safety Realignment Adult Compliance Team, effective July 1, 2017 through June 30, 2018 (\$160,448)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-584

- 43.** Approve and authorize the Chairman to execute First Amendment to Agreement No. 15-227 with the Fresno Pacific University Center for Peacemaking and Conflict Studies for victim and offender reconciliation services for the Probation Department, effective upon execution with no change in term to June 30, 2020, increasing the contract maximum by \$110,484 to \$230,484; Adopt Budget Resolution increasing FY 2017-18 appropriations in the Youthful Offender Block Grant Org 3434 in the amount of \$26,484 (4/5 vote); and Adopt Budget Resolution increasing FY 2017-18 appropriations and estimated revenues in the Probation Org 3430 in the amount of \$26,484 (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-227-1, Resolution No. 17-507, Resolution No. 17-508

**Public Defender**

- 44.** Retroactively authorize the Public Defender's previous submittal of a grant application to The California Endowment (\$93,329); approve and authorize the Chairman to execute a grant agreement with The California Endowment effective September 15, 2017 through September 14, 2018 (\$93,329) and authorize the Public Defender, or her designee, to sign expenditure forms and activity reports for this grant agreement; and adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$93,329 (4/5 vote)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-587, Resolution No. 17-509

**Public Health**

- 45.** Retroactively authorize the Department of Public Health's submittal of a grant application in the amount of \$2,644,280 to the California Department of Public Health for funds associated with the California Oral Health Program

**APPROVED AS RECOMMENDED**

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

46. Approve and authorize the Chairman to execute Amendment I to Agreement No. 14-676 with Community Medical Centers, to extend the term of the existing agreement to provide care to eligible Medically Indigent Services Program (MISP) patients by one year from December 1, 2017 to November 30, 2018, with an optional 12-month extension and no increase in the maximum of \$11,543,197; and, Amendment I to Agreement No. 14-677 with University Faculty Associates, Inc., to extend the term of the existing agreement to provide medical services to eligible MISP patients by one year from December 1, 2017 to November 30, 2018, with an optional 12-month extension and no increase in the maximum of \$3,847,732

**APPROVED AS RECOMMENDED**

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

Agreement No. 14-676-1, Agreement No. 14-677-1

47. Conduct second hearing and adopt Ordinance amending Ordinance Code of the County of Fresno, Title 9-Animals by adding sections 9.04.055, 9.04.115, and 9.04.135 to Chapter 9.04-Dog Licensing and Control and revise or update terminology in various sections within Chapters 9.04, 9.08-Pets or Novelties, 9.12-Estray-Impoundment, and 9.16-Rodents and Predatory Animals; and waive reading of the ordinance in its entirety

**APPROVED AS RECOMMENDED**

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

Ordinance No. 17-022

**Public Works and Planning**

48. Approve and authorize Chairman to execute Agreement with Caruthers Community Services District for Caruthers Water Valve Replacement, Community Development Block Grant Project No. 17111 (\$250,000)

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-590

49. Approve and authorize the Chairman to execute four Program Supplement Revisions to Master Agreement for Federal Aid No. 06-5942R with the California Department of Transportation

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-591, Agreement No. 17-592, Agreement No. 17-593, Agreement No. 17-594



- 50.** Retroactively authorize the Director of the Department of Public Works and Planning submittal of a grant application in the amount of \$24,054,000 to the United States Department of Transportation for the FY 2017 Transportation Investment Generating Economic Recovery (TIGER) Program; and, authorize the Director to execute the FY 2017 TIGER Program grant funding agreement and all other documents necessary to participate in the program to fund improvements to Millerton Lake State Recreation Area, subject to review by the Auditor-Controller/Treasurer-Tax Collector and County Counsel

**APPROVED AS RECOMMENDED**

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

- 51.** Approve and authorize Chairman to execute Agreement with BC Laboratories, Inc., to provide State-mandated analytical water testing services for County disposal sites at maximum annual limit of \$83,950 (\$69,960 for Basic Services and \$13,990 for Extra Services) for maximum total of \$419,750 over anticipated five-year term of Agreement

**APPROVED AS RECOMMENDED**

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

Agreement No. 17-595

- 52.** Adopt resolution authorizing Director of Public Works and Planning to execute United States Government Standard Form 299 Application for Transportation and Utility Systems and Facilities on Federal Lands and pay associated fee; to execute Letter of Agreement with Bureau of Reclamation and pay associated administrative fees for Bureau of Reclamation's review process; and to execute Temporary Construction Permit prepared by Bureau of Reclamation

**APPROVED AS RECOMMENDED**

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

Resolution No. 17-510

- 53.** Approve and authorize Chairman to execute Amendment 1 to Agreement No. A-16-657 with United Rentals (North America), Inc. increasing annual maximum expenditures for Maintenance Division from \$75,000 to \$200,000 (with resultant new \$1,050,000 contract maximum)

**APPROVED AS RECOMMENDED**

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

Agreement No. 16-657-1

- 54.** Award Contract No. 17-07-C, Bethel Avenue and Mountain View Avenue Traffic Signal, Project No. HSIPL-5942(243), to lowest bidder, Don Berry Construction, Inc., 13701 Golden State Blvd., Kingsburg, in amount of \$922,701.40; and authorize Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$58,635, which is approximately 6.35% of the total contract construction costs, the limit allowable under Public Contract Code 20395(d) for Contract 17-07-C

**APPROVED AS RECOMMENDED**

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

- 55.** Approve Salary Resolution Amendment to Delete one (1) Capital Projects Division Manager for Public Works and Planning - Capital Projects 4360, as reflected on Appendix "D", effective November 20, 2017, and retitle one (1) Development Services Manager to Development Services and Capital Projects Manager for Public Works and Planning - Development Services and Capital Projects 43600200 as reflected on Appendix "D", effective November 20, 2017

**APPROVED AS RECOMMENDED**

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

Salary Resolution No. 17-049

**Social Services**

- 56.** Approve and authorize the Chairman to execute retroactive Amendment I to Agreement No. A-15-459 with the California Department of Social Services for access to TALX Corporation's Work Number Express Service Online Employment Verification System, effective September 30, 2017 and remaining in effect until terminated by either party with no change to the compensation (\$0)

**APPROVED AS RECOMMENDED**

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

Agreement No. 15-459-1