



County of Fresno

Action Summary - Final

Board of Supervisors

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Sal Quintero, 3rd District, Chairman
Andreas Borgeas, 2nd District, Vice-Chairman
Brian Pacheco, 1st District
Buddy Mendes, 4th District
Nathan Magsig, 5th District

Jean M. Rousseau, County Administrative Officer
Daniel C. Cederborg, County Counsel
Bernice E. Seidel, Clerk to the Board of Supervisors

Tuesday, January 9, 2018

9:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

DUE TO A POWER OUTAGE, CHAIRMAN CONVENED THE MEETING AT APPROXIMATELY 9:38 A.M.

FRESNO COUNTY SHERIFF'S DEPARTMENT COLOR GUARD PRESENTED COLORS FOR FRESNO COUNTY BOARD OF SUPERVISORS. CITY OF FRESNO MAYOR LEE BRAND GAVE THE INVOCATION AND LED THE BOARD IN THE PLEDGE OF ALLEGIANCE

1. Designation of Officers and remarks by Board Members

DESIGNATED SUPERVISOR SAL QUINTERO AS CHAIRMAN AND SUPERVISOR BERGEAS AS VICE CHAIRMAN. RECEIVED REMARKS FROM BOARD MEMBERS

2. Approve Agenda

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, THAT THE AGENDA BE CONTINUED TO JANUARY 23, 2018, WITH THE EXCEPTION OF ITEMS 3, 4 & 5. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

3. Approve Consent Agenda - Item Numbers 20 - 42

A MOTION WAS MADE BY VICE CHAIRMAN BERGEAS, SECONDED BY SUPERVISOR MAGSIG, THAT THE CONSENT AGENDA BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Chairman Quintero

4. Proclaim 2018 as County Cities' Year

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

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

Resolution No. 18-001, Resolution No. 18-007 through Resolution No. 18-020

- Recess -

RECESS WAS NOT HELD

Board of Supervisors

5. Presentation of Retirement Plaque to Glory G. Gibbs (Gigi) - Department of Public Works and Planning - 33 Years of Service

PRESENTED RETIREMENT PLAQUE TO GLORY G. GIBBS (GIGI)

Supervisor Magsig

6. Adopt proclamation recognizing January 2018 as National Slavery and Human Trafficking Prevention Month in the County of Fresno

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

7. Adopt Resolution supporting the Fresno Madera Continuum of Care in their efforts to conduct the annual Point-in-Time Count in Fresno County

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

Administrative Office

8. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 20 filed by Beal Developments, LLC dba Beal Chevron located on 5596 E. Kings Canyon Road, Fresno, CA 93727

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

Agriculture

9. Approve Amendment to the Salary Resolution (Appendix "C") deleting one Agricultural and Standards Specialist I/II/III position and adding one Office Assistant I/II/III position and one Agricultural Technician position in the Department of Agriculture Organization 4010 effective January 15, 2018; Adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues for Department of Agriculture Organization 4010 in the amount of \$350,000 (4/5 vote); Adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues for the Internal Services Department, Fleet Services - Equipment Org 8911 in the amount of \$32,000 (4/5 vote); and, Adopt Budget Resolution increasing the FY 2017-18 appropriations for Public Works and Planning - Roads Organization 4510 in the amount of \$325,000 (4/5 vote)

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

Human Resources

10. Conduct first hearing to amend the County of Fresno Ordinance Code by amending section 2.08.060 and repealing section 2.08.090 of Title 2, Chapter 2.08 and enacting new section 2.04.040 of Title 2, Chapter 2.04 related to the Clerk of the Board of Supervisors; waive the reading of the ordinance in its entirety; and set second hearing for January 23, 2018; and, 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, subdivision (b)(1)

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

Board of Supervisors' Committee Reports and Comments

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

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

12. Approve the Chairman's 2018 Appointments of Board Members to various Boards, Commissions and Committees as presented in Exhibit A; adopt California Form 806 - Agency Report of Public Official Appointments as presented in Exhibit B, and direct the Clerk to the Board to post on the County's internet website

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

Board Appointments

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

CONTINUED AGENDA ITEM TO JANUARY 23, 2018

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
CONTINUED AGENDA ITEM TO JANUARY 23, 2018

Closed Session

15. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (2 Cases)
CONTINUED AGENDA ITEM TO JANUARY 23, 2018
16. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 2 Cases
CONTINUED AGENDA ITEM TO JANUARY 23, 2018
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
CONTINUED AGENDA ITEM TO JANUARY 23, 2018
18. Conference with legal counsel - Existing Litigation, Government Code, section 54956.9(d)(1) - PG&E, et al. v. County of Fresno, et al. Risk Management Claim No.: 9376
CONTINUED AGENDA ITEM TO JANUARY 23, 2018
- 18.1 Conference with Legal Counsel - Significant Exposure to Litigation, Government Code, section 54956.9(d)(2) - Eliza Cervantes, et al. v County of Fresno, et al. Risk Management Claim No.: 9573
CONTINUED AGENDA ITEM TO JANUARY 23, 2018
19. Conference with Real Property Negotiators - Government Code 54956.8 Properties: Parking Lot at the corner of Merced and Broadway (APN: 466-211-13); County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: the City of Fresno, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions
CONTINUED AGENDA ITEM TO JANUARY 23, 2018
- 19.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) County of Fresno Appeal of Disallowance; United States Department of Health & Human Services, Departmental Appeals Board, Docket No. A-17-57
CONTINUED AGENDA ITEM TO JANUARY 23, 2018

Adjourn

A MOTION WAS MADE BY CHAIRMAN QUINTERO, SECONDED BY SUPERVISOR MENDES, TO ADJOURN THE MEETING AT APPROXIMATELY 10:40 A.M.. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

APPROVED:

/s/ Sal Quintero
SAL QUINTERO, CHAIRPERSON OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF FRESNO

ATTEST:

BY: /s/ Bernice E. Seidel

BERNICE E. SEIDEL

CLERK TO THE BOARD OF SUPERVISORS

COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON: January 23, 2018

CONSENT AGENDA

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

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

Board of Supervisors

- 20.** Approve minutes of meeting for December 12, 2017

APPROVED AS RECOMMENDED

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

Chairman Quintero

- 20.1** Adjourn in Memory of Stella Dictos

APPROVED AS RECOMMENDED

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

- 20.2** Adjourn in Memory of Homer Henry Burrows Jr.

APPROVED AS RECOMMENDED

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

Assessor/Recorder

- 21.** Approve and authorize the Chairman to execute an Agreement with Tyler Technologies, Inc. for a cashiering system, effective upon execution, not to exceed six consecutive years, which includes a five-year base contract and one automatic one-year renewal, total not to exceed \$1,988,309

APPROVED AS RECOMMENDED

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

Agreement No. 18-005

County Clerk/Registrar of Voters

- 22.** Approve Central California Irrigation District's request to move from odd to even-numbered year 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

23. Approve and authorize Chairman to execute retroactive Second Amendment to Agreement 15-371 with the City of San Joaquin to extend the term of the existing Agreement for law enforcement services by one year from July 1, 2017 to June 30, 2018 (\$90,647); and adopt Budget Resolution increasing FY 2017-18 appropriations and estimated revenues for Sheriff-Coroner Org 3111 in the amount of \$4,941 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 15-371-2, Resolution No. 18-002

Administrative Office

24. 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. 18-003

Behavioral Health

25. Approve and authorize the County Behavioral Health Director/Alcohol and Other Drug Program Administrator to execute retroactive Substance Abuse Prevention and Treatment Agreement No. 17-94127 with the California Department of Health Care Services, including required certifications, for the provision of substance use disorder treatment services to County residents, effective July 1, 2017 through June 30, 2020 (\$13,932,099)

APPROVED AS RECOMMENDED

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

Human Resources

26. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34, when the contract is with a federal, state, or local governmental agency for the solicitation of Special Training Courses; and, approve and authorize the Chairman to execute an Agreement with the Regents of the University of California, on behalf of the University of California, at Irvine to provide psychiatric fellowship training for primary care providers, effective January 9, 2018 through December 31, 2018 (\$225,000)

APPROVED AS RECOMMENDED

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

Agreement No. 18-007

27. 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 when obtaining the services of special counsel to assist the County; and approve and authorize the Chairman to execute an Agreement with Liebert Cassidy Whitmore to assist the County by providing specialized legal services during upcoming Memorandum of Understanding negotiations, effective upon execution, not to exceed two consecutive years, total not to exceed \$175,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-008

28. Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for: Department of Public Works and Planning, Roads Division, Sr. Engineering Tech William Goossen, as named in Fresno County Superior Court Case No.17CECG03631, Maximiano Becerra-Correa v. County of Fresno, et al.

APPROVED AS RECOMMENDED

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

Agreement No. 18-009

Probation

29. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Reedley to assign a sworn Police Officer to the Public Safety Realignment Act Adult Compliance Team, effective July 1, 2017 through June 30, 2018 (\$181,500)

APPROVED AS RECOMMENDED

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

Agreement No. 18-010

30. Approve and authorize Chairman to execute First Amendment to revenue Agreement No. 17-441 with Fresno Unified School District adding overtime compensation for services provided by Deputy Probation Officers at Fresno Unified School District school sites, effective upon execution with no change in term to June 30, 2018 and increasing the maximum by \$84,960 to a total of \$384,960; and adopt Budget Resolution increasing FY 2017-18 appropriations and estimated revenues in the Probation Org 3430 in the amount of \$84,960 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 17-441-1, Resolution No. 18-004

Public Defender

31. Approve and authorize the Chairman to execute a Revenue Agreement with the Fresno Regional Workforce Development Board effective upon execution to December 31, 2018 (\$45,530); including the following required forms: (1) Workforce Innovation and Opportunities Act Assurances and Certifications Standard of Conduct; (2) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower-Tier Covered Transactions; (3) Signatory Authorization form; and adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$22,765 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 18-012, Resolution No. 18-005

32. Approve Salary Resolution Amendment for the Public Defender deleting one vacant Paralegal I position and adding one Systems and Procedures Analyst I position as reflected in Appendix "D", effective January 15, 2018

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-001

Public Health

33. Approve and authorize the Chairman to execute a Retroactive Application for Assistance Revenue Agreement for submission to the California Governor's Office of Emergency Services for the FY 2017 Emergency Management Performance Grant, effective July 1, 2017 through June 30, 2018 (\$327,425); approve and authorize the Chairman to execute the attached letter assuring the State the County will provide and appropriate all matching funds, including any cash match, required for the grant project; approve and authorize the Chairman to execute the Fiscal Year 2017 Emergency Management Performance Grant Agreement Articles, Assurances, Certifications, Terms and Conditions and Governing Body Resolution

APPROVED AS RECOMMENDED

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

Agreement No. 18-013

34. Approve and authorize Chairman to execute a retroactive Agreement with KWPH Enterprises, d.b.a. American Ambulance, for Laton Fire Department dispatching services through the Fresno County Emergency Medical Services Communications Center, effective January 1, 2018 through June 30, 2019 (\$3,944) ; approve and authorize Chairman to execute retroactive Agreement with KWPH Enterprises, d.b.a. American Ambulance, for Clovis Fire Department dispatching services through the Fresno County Emergency Medical Services Communications Center, effective January 1, 2018 through June 30, 2019 with two optional two-year extensions (\$1,541,463); and, authorize the Director of the Department of Public Health, or designee, to execute a written approval of each two-year extension, with KWPH Enterprises, d.b.a. American Ambulance for Clovis Fire Department dispatching, when appropriate pursuant to the terms of the agreement

APPROVED AS RECOMMENDED

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

Agreement No. 18-014, Agreement No. 18-015

35. Approve and authorize the Chairman to execute a retroactive revenue Agreement with California Department of Public Health, for the Maternal, Child and Adolescent Health programs, effective July 1, 2017 through June 30, 2018 (\$6,841,257)

APPROVED AS RECOMMENDED

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

Agreement No. 18-016

36. Adopt Resolution authorizing the submittal of five successive and separate one-year grant applications to the California Department of Resources Recycling and Recovery for Waste Tire Enforcement Grant Program for the period of July 1, 2017 through June 30, 2022; approve and authorize the Chairman to execute a retroactive application for Waste Tire Enforcement Grant for year one of the five successive and separate one-year grant applications to the California Department of Resources Recycling and Recovery for Waste Tire Enforcement Grant Program for the period of July 1, 2017 through June 30, 2018 (\$300,000); and approve and authorize the Director of the Department of Public Health, or designee, to execute and submit the four successive and separate one-year grant applications and related requests for payment of estimated grant funding for the period of July 1, 2018 through June 30, 2022 (\$1,200,000)

APPROVED AS RECOMMENDED

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

Resolution No. 18-006

37. Approve and authorize the Chairman to execute a retroactive Application for Assistance Revenue Agreement for submission to the California Governor's Office of Emergency Services for the Fiscal Year 2017 Homeland Security Grant Program, September 1, 2017 through May 31, 2020 (\$1,070,199); approve and authorize the Chairman to execute the attached letter assuring the California Governor's Office of Emergency Services the County will provide and appropriate all matching funds, including any cash match, required for the Homeland Security Grant Program; approve and authorize the Vice-Chairman to execute the Governing Body Resolution and Chairman to execute Grant Assurances; approve and authorize the Auditor-Controller/ Treasurer-Tax Collector to continue issuing payments based on written order of the Homeland Security Grant Program Approval Authority in accordance with California Governor's Office of Emergency Services Guidelines for this grant

APPROVED AS RECOMMENDED

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

Agreement No. 18-018

Public Works and Planning

38. Approve and authorize Chairman to execute Agreement with City of Sanger for Sanger Street Light Improvements (Phase VI), Community Development Block Grant Project No. 17611 (\$189,649)

APPROVED AS RECOMMENDED

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

Agreement No. 18-019

- 39.** Accept the Grant of Easement and authorize the Chairman to execute the Right of Way Contract and Temporary Construction Permit required for the Travers Creek Bridge Replacement Project on Manning Avenue for a total monetary consideration of \$35,600

APPROVED AS RECOMMENDED

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

- 40.** Adopt plans and specifications for Contract 17-18-C, Fresno County Monitoring Wells and award construction contract to lowest bidder, Arthur & Orum Well Drilling, Inc., 14870 S. East Ave., Fresno, in total amount of \$267,660, including base bid and additive bid

APPROVED AS RECOMMENDED

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

- 41.** Conduct second hearing and adopt Ordinance amending Fresno County Ordinance Code, Title 8 - Health and Safety, regulating management, collection and/or disposal of solid waste; and waive reading of Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 18-001

Social Services

- 42.** Approve and authorize the Chairman to execute a lease Agreement with 5561 Sultana, LLC, for 9,552 square feet of office space at 5091 N. Fresno St., Suites 115, 116, 117, and 122, Fresno, CA, for use by the Department of Social Services, effective upon first date of occupancy, not to exceed five consecutive years, which includes a three-year base contract and one optional two-year extension, total not to exceed \$2,188,676

APPROVED AS RECOMMENDED

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

Agreement No. 18-020