



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 of the Board of Supervisors

Tuesday, August 7, 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

COMMUNITY CONNECTIONS PASTOR LARRY POWELL, PEOPLES CHURCH, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY VICE CHAIRMAN BORGEAS, SECONDED BY SUPERVISOR MENDES, THAT THE AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 6 WHICH WAS CONTINUED TO AUGUST 21, 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 26 - 62

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BORGEAS, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 28 WHICH WAS PULLED FOR DISCUSSION AND SEPERATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Supervisor Magsig

3. Proclaim August 7, 2018 as Stan Oken Day in Fresno County

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

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

Resolution 18-279

Supervisor Mendes and Supervisor Pacheco

4. Adopt Resolution in memory of Fred Machado

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

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

Resolution No. 18-280

Chairman Quintero

5. Receive presentation and oral report from H. Spees, Strategic Initiatives, Office of Mayor Lee Brand, City of Fresno regarding Homelessness Task Force and designate Supervisor Quintero to serve as a member of the Homelessness Task Force

RECEIVED PRESENTATION AND ORAL REPORT FROM H. SPEES, STRATEGIC INITIATIVES, OFFICE OF MAYOR LEE BRAND, REGARDING THE STREET 2 HOME PROGRAM. A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY SUPERVISOR MENDES, TO HAVE JEAN ROUSSEAU, COUNTY ADMINISTRATIVE OFFICER AND HIS DESIGNEE THE POINT PERSONS FOR THE COUNTY REGARDING HOMELESSNESS. THE COUNTY ADMINISTRATIVE OFFICER SHALL WORK WITH THE DEPARTMENT HEADS AND KEEP THE BOARD APPRISED ON THE STATUS OF THE HOMELESSNESS MEETINGS

Sheriff/Coroner

6. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsection 2609 of Section 2600 - Sheriff-Coroner; waive reading of the Ordinance in its entirety; and set second hearing for August 21, 2018; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1)

CONTINUED TO AUGUST 21, 2018

Administrative Office

7. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Alwajih Enterprise, Inc., DBA Cargo Mart, located on 20952 S Elm Ave., Laton, CA 93242

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

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

Probation

8. Approve and authorize the Chairperson to execute a retroactive revenue Agreement with Fresno Unified School District to provide partial funding for services provided by nine Deputy Probation Officers assigned to various Fresno Unified School District school campuses, effective July 1, 2018 through June 30, 2019, total not to exceed \$337,500; and approve Amendment to the Salary Resolution adding one Deputy Probation Officer position to Probation Org 3430, effective August 13, 2018, as reflected in Appendix C

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

Agreement No. 18-443, Salary Resolution No. 18-038

9. Approve Amendment to the Salary Resolution adding three Deputy Probation Officer positions and six Probation Technician positions to Probation Org 3430 effective August 13, 2018 as reflected in Appendix D

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

Salary Resolution No. 18-039

Public Health

10. Confirm appointment of Dr. Sara Goldgraben, effective August 7, 2018, to the position of Health Officer pursuant to Fresno County Charter Section 16

A MOTION WAS MADE BY VICE CHAIRMAN BERGEAS, 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

11. Conduct first hearing to amend the Master Schedule of Fees, Charges, and Recovered Costs Ordinance by amending Section 900 - Environmental Health by adding subsection 951 and waive reading of the Ordinance in its entirety and set second hearing for September 11, 2018; and, designate County Counsel to prepare a fair and adequate summary of the proposed ordinance and direct the Clerk of the Board to post and publish the required summary in accordance with California Government Code, section 25124(b)(1)

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

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

Public Works and Planning

12. Consider Appeal of Planning Commission's denial of Unclassified Conditional Use Permit Application No. 3501 proposing to allow high-intensity park, with related improvements for special events and meetings, on an approximately 5.4-acre portion of a 20-acre parcel in AE-20 Zone District; and if Appeal is granted; adopt Mitigated Negative Declaration prepared for Initial Study Application No. 6986, and determine that required Findings specified in Fresno County Zoning Ordinance, Section 873(F) can be made for approval of Conditional Use Permit; subject property is located at northwest corner of W. Clinton and N. Madera Avenues approximately 2.3 miles north of nearest city limits of City of Kerman

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY SUPERVISOR MENDES, TO: (1) GRANT THE APPEAL; (2) DETERMINE THAT THE REQUIRED FINDINGS SPECIFIED IN FRESNO COUNTY ORDINANCE CODE SECTION 873-F CAN BE MADE PURSUANT TO STAFF'S ANALYSIS CONTAINED IN ATTACHMENT B OF THE AGENDA ITEM; (3) ADOPT THE MITIGATED NEGATIVE DECLARATION PREPARED FOR INITIAL STUDY APPLICATION NO. 6986, AND (4) APPROVE UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3501, SUBJECT TO THE REVISED OPERATIONAL STATEMENT LISTED IN ATTACHMENT C OF THE AGENDA ITEM, THE MITIGATION MEASURES AND CONDITIONS LISTED IN THE STAFF REPORT TO THE PLANNING COMMISSION, AND THE FOLLOWING ADDITIONAL CONDITION: PRIOR TO OCCUPANCY, THE PROJECT PROPONENT SHALL ENTER INTO AN AGREEMENT WITH FRESNO COUNTY INCORPORATING THE PROVISIONS OF THE "RIGHT-TO-FARM" NOTICE (ORDINANCE CODE, SECTION 17.04.100) FOR ACKNOWLEDGEMENT OF THE INCONVENIENCIES AND DISCOMFORT ASSOCIATED WITH NORMAL FARM ACTIVITIES IN THE SURROUNDING OF THE PROPOSED DEVELOPMENT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

13. Consider appeal filed by Applicant regarding Conditions of Approval Nos. 2 and 3 of Planning Commission's approval of Variance Application No. 4039, requiring certification be provided that Reno Road has been improved to not less than the A-15 County Road Improvement standard across the frontage of proposed Parcel 1 and Parcel 2 to Auberry Road, and the requirement to provide for maintenance of this road segment, project site is located on south side of E. Reno Road, approximately 700 feet west of Auberry Road, approximately one mile northeast of nearest city limits of City of Fresno

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BORGEAS, TO DENY THE APPEAL AND UPHOLD THE PLANNING COMMISSION'S CONDITIONS OF APPROVAL IMPOSED ON VARIANCE APPLICATION NO. 4039. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Administrative Office

14. Conduct public forum in accordance with Government Code section 7283.1(d); receive report from the Sheriff regarding the Sheriff's Office interaction and communication with the United States Immigration and Customs Enforcement; and receive public comment

CONDUCTED PUBLIC HEARING. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING. RECEIVED REPORT FROM SHERIFF MIMS REGARDING SHERIFF'S OFFICE INTERACTION AND COMMUNICATION WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT

Board of Supervisors' Committee Reports and Comments

15. 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 MAGSIG REPORTED THAT HE RECENTLY ATTENDED THE NATIONAL ASSOCIATION OF COUNTIES (NACO) CONFERENCE IN NASHVILLE, TENNESSEE ON BEHALF OF THE COUNTY AS THE VOTING REPRESENTATIVE. SUPERVISOR MENDES REQUESTED NOTIFYING NACO, IN WRITING, THAT THE COUNTY'S REPRESENTATIVE SHOULD HAVE THE ABILITY TO VOTE FOR WHOEVER THEY WANT, HAVING THE ABILITY TO SPLIT AWAY FROM THE CALIFORNIA CAUCUS. SUPERVISOR MAGSIG COMMENTED ON AGENDA ITEM 26.2, ADJOURN IN MEMORY OF BRIAN HUGHES. SUPERVISOR MAGSIG SHARED THAT HE ATTENDED THE FUNERAL OF BRIAN HUGHES WHO LIVED IN SQUAW VALLEY. BRIAN WAS A FIREFIGHTER ON A HOT SHOT CREW WHO DIED FIGHTING FIRES IN MARIPOSA COUNTY. CHAIRMAN QUINTERO ANNOUNCED THAT THE MEETING WAS ALSO ADJOURNED IN MEMORY OF BARBARA HUNT. BARBARA WAS A LEGEND AND A GOOD PERSONAL FRIEND WHO HE HAS KNOWN SINCE 1960. BARBARA ATTENDED MANY OF THE CITY COUNCIL MEETINGS. AS A SIDE NOTE, THE YEAR THE CHICAGO BEARS WON THE CHAMPIONSHIP HER SON, RON COX WAS ON THE TEAM AS A LINEBACKER

Board Appointments

16. Approve amended Chairman's 2018 Appointments of Board Members to various Boards, Commissions Committees, appointing Supervisor Pacheco to replace Supervisor Magsig as the representative to the Fresno County Local Agency Formation Commission (LAFCo) and appointing Supervisor Mendes as the alternate to LAFCo (as reflected on Exhibit A); approve the amended California Form 806 - Agency Report of Public Official Appointments as presented in Exhibit B, and direct the Clerk of the Board to post on the County's internet website

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

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

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

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BERGEAS, THAT THE NOMINATIONS FOR APPOINTMENTS AND REAPPOINTMENTS BE APPROVED AS FOLLOWS:

BEHAVIORAL HEALTH BOARD

APPOINTED JERRY WENGERD (TERM TO EXPIRE 04/01/2020)

REAPPOINTED DONALD VANDERHEYDEN (TERM TO EXPIRE 04/01/2020)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

REAPPOINTED FRANK C. FOWLER (TERM TO EXPIRE (08/03/2022)

LOWER SAN JOAQUIN LEVEE DISTRICT

REAPPOINTED DON SKINNER (TERM TO EXPIRE 06/06/2022)

REAPPOINTED MARTIN SEAN HOWARD (TERM TO EXPIRE 06/06/2022)

FRESNO COUNTY EMPLOYEES RETIREMENT ASSOCIATION BOARD (FCERA)

APPOINTED STANLEY L. MCDIVITT TO THE POSITION PREVIOUSLY HELD BY SANDY BROWN (TERM TO EXPIRE 12/31/2020)

WEST FRESNO COUNTY RED SCALE PROTECTIVE DISTRICT

REAPPOINTED JAMES K. KARLE (TERM TO EXPIRE 07/29/2022)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

18. 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 3 minutes per person and no more than 15 minutes total per topic
- RECEIVED**

Closed Session

19. Conference with legal counsel – Significant Exposure to Litigation - Government Code section 54956.9(d)(2) (2 Cases)
- HELD; NO REPORTABLE ACTION**
20. Conference with legal counsel - Initiation of Litigation; Government Code Section 54956.9(d)(4) - 2 Cases
- THE BOARD, BY UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL'S OFFICE TO INITIATE CODE ENFORCEMENT AND/OR SUMMARY ABATEMENT LITIGATION AGAINST HORSTENSE MARTINEZ AND THE PROPERTY AT 3440 E. JOYCE DRIVE, FRESNO, CALIFORNIA**

21. 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
22. Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Delfino Neira; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment
HELD; NO REPORTABLE ACTION
23. Conference with Legal Counsel- Existing Litigation- Government Code, Section 54956.9 (d)(1) - Michael Estrada vs. County of Fresno; Workers' Compensation Appeals Board Number ADJ97987389
HELD; NO REPORTABLE ACTION
24. 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 lease and option to purchase of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION
25. 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
- 25.1 Conference with legal counsel – Existing Litigation Government Code section 54956.9(d)(1) - Phillips v. State of California et al. Fresno County Superior Court Case Number 15CECG02201
HELD; NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY VICE CHAIRMAN BORGEAS, SECONDED BY SUPERVISOR MAGSIG, TO ADJOURN THE MEETING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent: 1 - Pacheco

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 OF THE BOARD OF SUPERVISORS

COUNTY OF FRESNO, STATE OF CALIFORNIA

APPROVED ON: August 21, 2018

CONSENT AGENDA

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BERGEAS, THAT THE CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 28 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

26. Approve minutes of meeting for July 10, 2018

APPROVED AS RECOMMENDED

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

Chairman Quintero

- 26.1 Adjourn In Memory of Barbara Hunt

APPROVED AS RECOMMENDED

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

Supervisor Magsig

- 26.2 Adjourn in Memory of Brian Hughes

APPROVED AS RECOMMENDED

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

Supervisor Mendes

27. Adjourn in Memory of Louie P. Cardoza of Selma, California

APPROVED AS RECOMMENDED

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

Supervisor Magsig and Supervisor Mendes

28. 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 for a focused Opportunity Analysis; approve and authorize the Chairman to execute an agreement with the Economic Development Corporation to identify specific properties that have development opportunities along key transportation corridors within Districts 1, 4 and 5, effective upon execution through June 30, 2019, total not to exceed \$80,500; and, approve the use of Board of Supervisors District 1, 4 and 5 funds for these expenditures per Administrative Policy No. 75

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 - Borgeas, Magsig, Mendes, and Pacheco

Abstain: 1 - Quintero

Agreement No. 18-442

County Clerk/Registrar of Voters

29. Accept the Certified Statement of Vote for the June 5, 2018 Consolidated Statewide Primary Election

APPROVED AS RECOMMENDED

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

District Attorney/Public Administrator

30. Approve Amendment to the Salary Resolution allocating two additional Supervising Legal Assistant positions to District Attorney Org 2860, effective August 13, 2018 as reflected in Appendix E

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-036

31. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the Fresno Unified School District to provide funding for one Deputy District Attorney for the Attendance Matters Program, effective July 1, 2018 through June 30, 2019 (\$240,000)

APPROVED AS RECOMMENDED

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

Agreement No. 18-414

32. Adopt Resolution accepting and expressing gratitude for the donation of \$300,000 from Table Mountain Rancheria for the Fresno County District Attorney's Identification Theft Prosecution Unit for FY 2018-19

APPROVED AS RECOMMENDED

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

Resolution No. 18-272

Sheriff/Coroner

33. Adopt Budget Resolution increasing FY 2018-19 appropriations for the Public Facility Fees Fund 1550, Subclass 15506, Sheriff Patrol & Investigations to transfer \$28,027.91 plus accrued interest (4/5 vote); and adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for the Sheriff-Coroner Org 3111 in the amount of \$28,027.91 plus accrued interest, for the purchase of a used vehicle (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 18-273, Resolution No. 18-274

County Counsel

34. Approval of settlement agreement and mutual release between County of Fresno and Wood Bros., Inc. (WBI) pertaining to Contact No. 16-22-SW, for excavation and construction of the liner system for American Avenue Disposal Site, Modules 7 and 8, providing for a reduction in the assessment of liquidated damages from \$185,000 to \$100,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-415

Administrative Office

35. Approve and authorize the Chairman to execute a retroactive Agreement with the Superior Court of California for charges to County Departments for the Court's Odyssey System access, door access, badges, and WiFi usage effective August 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 \$600,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-416

36. 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. 18-275

37. Authorize Board members to execute a resolution supporting Congressional efforts to secure continued Federal funding for the 2014 Farm Bill Pilot Projects, including the Fresno Bridge Academy program

APPROVED AS RECOMMENDED

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

Resolution No. 18-276

Agriculture

38. Approve and authorize the Chairman to execute a retroactive Cooperative Agreement with the California Department of Food and Agriculture for the Nursery Inspection program, effective July 1, 2018 through June 30, 2019, with a total reimbursement amount of \$11,785

APPROVED AS RECOMMENDED

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

Agreement No. 18-417

Behavioral Health

39. Approve and authorize the Chairman to execute a Master Agreement with multiple Short-Term Residential Treatment Programs and out-of-state group homes for the provision of specialty mental health services to clients residing in their program, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two option one-year extensions, total not to exceed \$4,500,000; and, authorize the Director of the Department of Behavioral Health, or designee, to add and/or delete Short-Term Residential Treatment Programs and out-of-state group homes to/from the Master Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 18-418

40. Make a finding that 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 Relias Learning, LLC is the only provider to offer a Learning Management System meeting specified requirements; and, approve and authorize the Chairman to execute an Agreement with Relias Learning, LLC, to provide a learning management system for the Department of Behavioral Health, effective September 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 \$535,111

APPROVED AS RECOMMENDED

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

Agreement No. 18-419

Human Resources

41. Approve and authorize Chairman to execute Agreement to Defend Public Officer(s) or Employee(s) for: William Nemoto, Correctional Officer III, David Gutierrez, Correctional Officer IV and John Palacios, Correctional Officer III, as named in United States District Court Eastern District Court of California Case No: 1:15-CV-01200-BAM-(PC), Michael Hernandez Gonzalez v. Mims, et al.

APPROVED AS RECOMMENDED

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

Agreement No. 18-420, Agreement No. 18-421, Agreement No. 18-422

42. Approve the Memoranda of Understanding for the following Representation Units represented by SEIU Local 521, effective July 30, 2018, through July 26, 2020: Unit 03 - Mental Health Professionals and Social Workers, Unit 04 - Eligibility Workers, Unit 12 - Clerical, Paramedical, Building and Service Employees, Unit 22 - Professional, Para-Professional, and Technical Employees, Unit 36 - Supervisory Employees; and approve the related Salary Resolution Amendments as reflected on Appendix "B"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 18-037

43. Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for: Department of Child Support Services, Director Kari Gilbert, as named in United States District Court Eastern District Court of California Case No.1:17-CV-01748-DAD-EPG, Madhu Sameer v. Sameer Khara, et al.

APPROVED AS RECOMMENDED

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

Agreement No. 18-423

44. Approve and authorize the Chairman to execute Third Amendment to Agreement No. 16-049 with San Joaquin Valley Insurance Authority for Cash Advances and Repayment

APPROVED AS RECOMMENDED

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

Agreement No. 16-049-3

Internal Services

45. Approve and authorize the Chairman to execute a retroactive assignment of Agreement No. 13-693 from Loss Protection and Investigations, Inc., to Iron Mountain Secure Shredding, Inc., for the shredding and destruction of confidential documents and information media

APPROVED AS RECOMMENDED

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

Agreement No. 13-693

46. Approve and authorize the Chairperson to execute retroactive Master Agreement with multiple vendors to amend and restate, and replace and supersede existing and previously amended Purchasing Agreement No. P-17-081-P for components, emergency response and large scale installation services for Identiv-Hirsch Velocity access control system services, effective March 15, 2017, increasing the maximum agreement cost by \$250,000, for a total potential five-year cost not to exceed \$799,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-425

Public Health

47. Approve and authorize the Chairman to execute a retroactive Amendment I to Agreement No. 16-683 with Children and Families Commission of Fresno County for the Nurse-Family Partnership program extending the term by one year from July 1, 2018 to June 30, 2019 and increasing the maximum by \$226,356 to a total of \$626,964; approve and authorize the Chairman to execute a retroactive Amendment I to Agreement No. 16-684 with Children and Families Commission of Fresno County for the Nurse Liaison program extending the term by one year from July 1, 2018 to June 30, 2019 and increasing the maximum by \$385,592 to a total of \$1,049,973

APPROVED AS RECOMMENDED

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

Agreement No. 16-683-1, Agreement No. 16-684-1

48. 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, 2018 through June 30, 2021 total not to exceed \$2,463,741; and, approve and authorize the Chairman to execute a 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, 2018 through June 30, 2021 total not to exceed \$2,261,395

APPROVED AS RECOMMENDED

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

Agreement No. 18-428, Agreement No. 18-429

Public Works and Planning

49. Approve and authorize Chairman to execute Program Supplement Agreement No. N252 Rev. 1 to Administering Agency-State Master Agreement for Federal Aid Project No. 06-5942R with California Department of Transportation for Federal Project No. BRLO-5942(238) Ennis Road over Sand Creek Bridge (\$100,000)

APPROVED AS RECOMMENDED

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

Agreement No. 18-430

50. Conduct second hearing and adopt Ordinance to amend Fresno County Master Schedule of Fees, Charges, and Recovered Costs Sections 1000 - Computer Services (EMIS); 1500 - Parks and Recreation; and 2200 - Public Works; and waive reading of Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 18-013

51. Adopt Resolution approving Measure C Extension Local Transportation Pass-Through Revenue Certification and Claim forms for FY 2018-19 and authorize the Chairman to execute the claim forms, certifying that the revenues are not being used to substitute property tax funds previously used for local transportation purposes, and confirming the County's intent to complete reporting requirements no later than November 15, 2018

APPROVED AS RECOMMENDED

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

Resolution No. 18-277, Agreement No. 18-431, Agreement No. 18-432, Agreement No. 18-433, Agreement No. 18-434, Agreement No. 18-435, Agreement No. 18-436

- 52.** Approve petition for waiver of absences for Kent Stratford to allow him to retain his position on Fresno County Zoo Authority Board

APPROVED AS RECOMMENDED

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

- 53.** Adopt Resolution declaring surplus County owned excess property, a single-family residence, located at 4585 E. Harvard Avenue, Fresno, and authorize Clerk of the Board to publish a notice of intention to sell County owned excess property for minimum bid of \$80,000 by public auction on September 11, 2018 at 9:00 a.m. (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 18-278

- 54.** Adopt plans and specifications for Contract No. 18-05-J, Class A (General Engineering) Job Order Contract, and award to bidder with lowest responsive bid, Durham Construction Company, Inc., 1025 Holland Avenue, Clovis in total amount of \$1,500,000; adopt plans and specifications for Contract No. 18-06-J, Class A (General Engineering) Job Order Contract, and award to bidder with second lowest responsive bid, Newton Construction & Management, Inc., 2436 Broad Street, San Luis Obispo, in total amount of \$1,500,000; adopt plans and specifications for Contract No. 18-J-01, Class B (General Building) Job Order Contract, and award to bidder with lowest responsive bid, Durham Construction Company, Inc., 1025 Holland Avenue, Clovis, in total amount of \$1,500,000; adopt plans and specifications for Contract No. 18-J-02, Class B (General Building) Job Order Contract, and award to bidder with second lowest responsive bid, Haus Construction, Inc., 1479 W. Barstow, Fresno, in total amount of \$1,500,000; and adopt plans and specifications for Contract No. 18-J-03, Class B (General Building) Job Order Contract, and award to bidder with third lowest responsive bid, Puma Construction and Restoration, Inc., 4387 W. Santa Ana, Fresno, in total amount of \$1,500,000

APPROVED AS RECOMMENDED

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

- 55.** Amend authorization allowing Director of Department of Public Works and Planning, subject to review and approval of County Counsel and Auditor-Controller/Treasurer-Tax Collector, to execute a Utility Agreement with Pacific Gas & Electric and any amendments that Director deems necessary for construction of Auberry Road at Copper Avenue Traffic Signal Installation Project, increasing maximum authorization by \$56,688 to \$180,000

APPROVED AS RECOMMENDED

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

56. Accept Easement Deed and authorize Chairman to execute Right-of-Way Contract to facilitate Travers Creek Bridge Replacement, Federal Project No. BRLO-5942(227) on Parlier Avenue for a total monetary consideration of \$8,700

APPROVED AS RECOMMENDED

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

57. Authorize Director of Department of Public Works and Planning, subject to review and approval by County Counsel and Auditor-Controller/Treasurer-Tax Collector, to execute amendments to Emergency Drought Funding Assistance Program grant from Department of Water Resources, as deemed necessary by the Director for receipt of \$2,463,560 for Fresno County Westside Water Distribution Improvement project at County Service Areas 30 (El Porvenir) and 32 (Cantua Creek), including cumulative changes of up to \$250,000 in the grant amount

APPROVED AS RECOMMENDED

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

Social Services

58. Approve and authorize the Chairman to execute a Memorandum of Understanding with the California Automated Consortium Eligibility System, a Joint Powers Authority, for the procurement, implementation, maintenance, and operations of shared welfare services for all 58 California counties, effective after execution by all 18 Welfare Client Data System Consortium Counties and the California Automated Consortium Eligibility System, and terminating upon the formation of the California Statewide-Automated Welfare System

APPROVED AS RECOMMENDED

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

Agreement No. 18-437

59. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy 34 for unusual or extraordinary circumstances for an Automated Client Appointment Management System for the Department of Social Services; and approve and authorize the Chairman to execute an Agreement with EZappt, LLC for maintenance and enhancement of the Automated Client Appointment Management System, effective August 8, 2018, not to exceed five consecutive years, which includes a two-year base contract with three optional one-year extensions, total not to exceed \$170,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-438

- 60.** Approve and authorize the Chairman to execute a Memorandum of Understanding with the California Department of Child Support Services for access to the California Support Enforcement System effective upon execution by the California Department of Child Support Services, not to exceed three consecutive years (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 18-439

- 61.** Approve and authorize the Chairman to execute an Agreement with Golden State Family Services, Inc. for Therapeutic Foster Care 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. 18-440

- 62.** Approve and authorize the Chairman to execute a Lease Agreement with E Street Fresno, LLC for 10,500 square feet of office space at 1209 E St., Fresno, CA for use by the Department of Social Services, effective November 19, 2018, not to exceed two consecutive years, which includes a one-year base contract and one optional one-year extension, total not to exceed \$263,453

APPROVED AS RECOMMENDED

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

Agreement No. 18-441