



County of Fresno

Action Summary - Final

Board of Supervisors

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

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

Tuesday, October 8, 2019

9:00 AM

Hall of Records

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

Invocation and Pledge of Allegiance

MIKE HARRIS, DEPUTY DIRECTOR OF THE VETERANS MEMORIAL, GAVE THE INVOCATION AND LED THE BOARD OF SUPERVISORS IN THE PLEDGE OF ALLEGIANCE

1. Approve Agenda

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, THAT THE AGENDA BE APPROVED WITH ITEM 10 TO FOLLOW ITEM 4. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 20 - 53

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

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

Board of Supervisors

3. Presentation of Retirement Plaque to Tammy L. Edgell - Department of Social Services - 27 Years of Service

PRESENTED RETIREMENT PLAQUE TO TAMMY L. EDGELL

Chairman Magsig

4. Proclaim the month of October 2019 as Breast Cancer Awareness Month in Fresno County

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

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

Resolution No. 19-367

Auditor Controller-Treasurer/Tax Collector

5. Consider and take action on request from the State Department of Finance by choosing one of the following three options: authorize the Auditor-Controller/Treasurer-Tax Collector to provide a \$30,000 loan to the Mendota Designated Local Authority for the 2020 calendar year for staff costs, as requested by the State Department of Finance; or, direct staff to prepare a resolution of the Board electing to have the County serve permanently as the successor agency of the former Mendota Redevelopment Agency and return to the Board with the proposed resolution for approval, as alternatively proposed by the State Department of Finance; or, reject both options presented by the State Department of Finance and take no action

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, THAT THE OPTIONS PRESENTED BY THE STATE DEPARTMENT OF FINANCE BE REJECTED AND NO ACTION TAKEN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

District Attorney

6. Approve Amendment to the Salary Resolution adding one Senior District Attorney Investigator position to the District Attorney-Grants Org 28625500, effective October 21, 2019 as reflected in Appendix E; and adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues for the District Attorney Org 28625500 in the amount of \$183,408 (4/5 vote)

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

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

Salary Resolution No. 19-034, Resolution No. 19-368

Sheriff/Coroner/Public Administrator

7. 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; waive reading of the Ordinance in its entirety; and set second hearing for October 22, 2019; 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)

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR QUINTERO, THAT THIS MATTER BE APPROVED WITH THE EXCEPTION OF THE POSITION OF DEPUTY SHERIFF III, WHERE RATES ARE TO REMAIN AT THE FISCAL YEAR 2018-2019 LEVEL. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Human Resources

8. Approve adjustments to the salaries of the County Administrative Officer, Assistant County Administrative Officers, and appointed Department Heads, effective October 7, 2019

A MOTION WAS MADE BY SUPERVISOR QUINTERO THAT THIS MATTER BE APPROVED WITH THE EXCEPTION OF THE ADJUSTMENT TO THE SALARIES OF THE ASSISTANT COUNTY ADMINISTRATIVE OFFICER POSITIONS, PENDING THE STUDY THAT WAS REQUESTED LAST YEAR, TO DETERMINE APPROPRIATE PLACEMENT AND DESIGNATION OF THE ASSISTANTS COUNTY ADMINISTRATIVE OFFICER POSITIONS COMPARED TO DEPARTMENT HEADS. STAFF TO RETURN TO THE BOARD WITH THE RESULTS FOR FURTHER DISCUSSION. MOTION FAILED FOR LACK OF SECOND

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

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

Abstain: 1 - Quintero

Probation

9. Adopt Budget Resolution increasing the FY 2019-20 appropriations in the Local Community Corrections Org 3436 in the amount of \$2,029,863 (4/5 vote); adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues in Probation Org 3430 in the amount of \$2,029,863 (4/5 vote); and approve Amendment to the Salary Resolution adding the following positions: one Probation Services Manager, three Deputy Probation Officers, ten Probation Technicians, and one Office Assistant to Probation Org 3430 effective October 21, 2019 as reflected in Appendix "F"

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

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

Resolution No. 19-369, Resolution No. 19-370, Salary Resolution No. 19-035

Public Works and Planning

10. Conduct majority protest hearings for and, if no majority protests, adopt resolutions to: form Zones F and G of County Service Area No. 34, reapportion and re-levy the assessment for water contract administration and Millerton Lake Pump ready-to-serve maintenance in County Service Area No. 34, and levy assessments and fees for services to be provided in Zone F and Zone G. Also, if no majority protests approve and authorize the Chairman to execute two subdivider agreements with the developers of Zone F and G

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR QUINTERO, TO ACCEPT CERTIFIED VOTER COUNTS ON FILE WITH THE CLERK OF THE BOARD, DATED SEPTEMBER 30, 2019, PROVIDED BY THE FRESNO COUNTY CLERK/REGISTRAR OF VOTERS, SHOWING THE NUMBER OF REGISTERED VOTERS RESIDING IN PROPOSED COUNTY SERVICE AREA 34 ZONE F AND IN PROPOSED COUNTY SERVICE AREA 34 ZONE G. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

CONDUCTED PROTEST HEARINGS FOR PUBLIC COMMENT ON ALL OF THE MATTERS BEFORE THE BOARD PER RECOMMENDED ACTIONS AS FOLLOWS: 1) FOR THE FORMATION OF COUNTY SERVICE AREA 34 ZONES F (THE VISTAS) AND G (GRANVILLE); 2) FOR THE REAPPORTIONED AND RE-LEVIED ASSESSMENT FOR WATER CONTRACT ADMINISTRATION AND MILLERTON LAKE PUMP READY-TO-SERVE MAINTENANCE ASSESSMENT IN CSA 34 INCLUDING ZONES F AND G; 3) FOR THE ASSESSMENTS AND SERVICE FEES FOR CSA 34 ZONES F AND G INCLUDING ASSESSMENTS FOR LOCAL WATER AND SEWER UTILITY SYSTEM READY-TO-SERVE MAINTENANCE, STORM DRAIN AND ROAD MAINTENANCE, AND STREET LIGHTING AND PUBLIC RIGHT-OF-WAY LANDSCAPE MAINTENANCE, WATER SERVICE FEES, AND SEWER SERVICE FEES. RECEIVED PUBLIC TESTIMONY. A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, TO CLOSE PROTEST HEARINGS FOR PUBLIC COMMENT ON ALL THESE MATTERS AND DIRECTED STAFF TO TABULATE ALL VALID ASSESSMENTS BALLOTS AND WRITTEN PROTESTS BY THE CLERK FOR EACH OF THE PROCEEDINGS. STAFF CONFIRMED THAT THERE WAS NO MAJORITY PROTEST IN ANY OF THE PROCEEDINGS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

A MOTION AS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, TO ADOPT RESOLUTIONS FORMING COUNTY SERVICE AREA NO. 34 ZONES F AND G; A RESOLUTION REAPPORTIONING AND RE-LEVYING THE ASSESSMENT FOR WATER CONTRACT ADMINISTRATION AND MILLERTON LAKE PUMP READY-TO-SERVE MAINTENANCE; FIVE RESOLUTIONS LEVYING THE APPROVED BENEFIT ASSESSMENTS AND SERVICE FEES FOR ZONE F; AND, FIVE RESOLUTIONS LEVYING THE APPROVED BENEFIT ASSESSMENTS AND SERVICE FEES FOR ZONE G. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

A MOTION AS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR PACHECO, TO APPROVE AND AUTHORIZE THE CHAIRMAN TO EXECUTE TWO SUBDIVIDER AGREEMENTS, ONE WITH SUBDIVIDER WC DEVELOPERS, INC AND ONE WITH 3B DEVELOPMENT, INC., TO ENSURE ADEQUATE FUNDING FOR OPERATIONS AND MAINTENANCE COSTS FOR SERVICES PROVIDED THROUGH COUNTY SERVICE AREA 34 ZONE F AND ZONE G RESPECTIVELY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Resolution No. 19-371 through Resolution No. 19-383, Agreement No. 19-533, Agreement No. 19-534

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)

CHAIRMAN MAGSIG CONGRATULATED SUPERVISOR PACHECO ON HIS BROWN SWISS COWS. SUPERVISOR PACHECO THANKED CHAIRMAN FOR HIS COMMENTS AND REPORTED HE RECENTLY COMPETED IN THE WORLD DAIRY EXPO WHERE ONE OF HIS HEIFERS WON ITS CLASS AND WAS NAMED JUNIOR CHAMPION OF THE SHOW, WHICH MEANS IT IS THE TOP RATED HEIFER IN THE UNITED STATES, AND ANOTHER OF HIS COWS REPEATED LAST YEAR'S WIN IN ITS CLASS. SUPERVISOR MENDES ANNOUNCED THAT THE CARUTHERS FAIR, WHICH IS THE BIGGEST FREE GATE FAIR IN CALIFORNIA, WAS A BIG SUCCESS, WITH THE SHERIFF'S DEPARTMENT HELPING WITH THE OVERALL SECURITY OF THE FAIR. SUPERVISOR BRANDAU REPORTED THAT THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) WAS MEETING IN MODESTO TODAY TO DISCUSS PROJECTS THE CALIFORNIA GAS TAX IS FUNDING. GOVERNOR NEWSOME RECENTLY SIGNED AN EXECUTIVE ORDER TAKING GAS TAX DOLLARS AWAY FROM ROAD PROJECTS AND INTO RAIL PROJECTS INCLUDING TWO PROJECTS THAT AFFECT THE CENTRAL VALLEY – THE WIDENING OF HIGHWAY 99 IN MADERA AND TULARE COUNTIES. THE CTC HAS TO FINALIZE THEIR DECISION ON PROJECTS BY NOVEMBER 15, 2019. SUPERVISOR BRANDAU SUGGESTED A LETTER TO CTC, FROM THE BOARD, REQUESTING A MEETING BE HELD IN FRESNO COUNTY SO THE CITIZENS IMPACTED BY THE CHANGES CAN VOICE THEIR CONCERNS. DIRECTION WAS PROVIDED THAT STAFF PREPARE THE LETTER IN THE NEXT FEW DAYS FOR CHAIRMAN MAGSIG AND SUPERVISOR BRANDAU'S SIGNATURES. CHAIRMAN MAGSIG THANKED FRESNO COUNTY AND COLLEAGUES FOR ATTENDING THE STATE OF THE COUNTY LUNCHEON. CHAIRMAN MAGSIG STATED HE HAD THE PLEASURE OF MEETING WITH TOMOCHIKA UYAMA, THE CONSUL GENERAL OF JAPAN, WHERE THEY DISCUSSED JAPAN'S PRIORITIES, AS WELL AS THE TRADE BETWEEN JAPAN AND FRESNO COUNTY AGRICULTURE

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY VICE CHAIRMAN MENDES, THAT THE NOMINATION FOR REAPPOINTMENTS BE APPROVED AS FOLLOWS:

ASSESSMENT APPEALS BOARD
REAPPOINTED DAVID HAMILTON (TERM TO EXPIRE 9/5/2022)

FRESNO COUNTY FIRE PROTECTION DISTRICT
REAPPOINTED DAN GUICE (TERM TO EXPIRE 9/30/2023)
REAPPOINTED JOHN ARABIAN (TERM TO EXPIRE 9/30/2023)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

13. 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

14. Conference with legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases

HELD, NO REPORTABLE ACTION

15. Conference with legal counsel – Significant Exposure to Litigation; Government Code, section 54956.9(d)(2) - 2 Cases

HELD, NO REPORTABLE ACTION

16. 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

17. Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Rebecca Cassidy v. County of Fresno, et al., Fresno County Superior Court Case No.: 18CECG00624; Risk Management Claim No.: 9836

HELD, NO REPORTABLE ACTION

18. Conference with Real Property Negotiators - Government Code, Section 54956.8 Properties: 5555 E. Olive and 5520 E. Hedges, Fresno, CA 93727 (APN 455-223-12U); County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: Pacific Telephone and Telegraph Company, a California Corporation. Under Negotiations: Instructions to County's negotiator may concern lease and option to purchase of properties, price, terms and conditions

HELD, NO REPORTABLE ACTION

- 18.1 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - Comunidades Unidas por un Cambio v. County of Fresno, Fresno County Superior Court, Case No. 18CECG04586

HELD, NO REPORTABLE ACTION

- 18.2** Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - National Prescription Opiate Litigation, United States District Court, Northern District of Ohio, Case No. 1:17-MD-2804

HELD, NO REPORTABLE ACTION

Sitting as the Fresno County In-Home Supportive Services Public Authority Board of Directors and as the Fresno County Board of Supervisors:

- 19.** Conference with Labor Negotiator (Government Code, section 54957.6): Agency Negotiator: Joy Cronin; Employee Organization: SEIU-Local 2015 - Hours, Wages and Terms and Conditions of Employment

HELD, NO REPORTABLE ACTION

Adjourn

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR QUINTERO, THAT THIS MEETING BE ADJOURNED FOLLOWING CLOSED SESSION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

APPROVED:

/s/ Nathan Magsig
NATHAN MAGSIG, CHAIRMAN 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: October 22, 2019

CONSENT AGENDA

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

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

Board of Supervisors

- 20.** Approve minutes of meeting for September 24, 2019

APPROVED AS RECOMMENDED

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

Chairman Magsig

- 21.** Adjourn in memory of Clovis Police Captain Dan Sullivan who protected and served the community of Clovis for nearly three decades

APPROVED AS RECOMMENDED

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

Supervisor Brandau

- 21.1** Adjourn in memory of Fresno County Sheriff Office Mounted Patrol Horse "Fig", who served Fresno County faithfully for 20 years

APPROVED AS RECOMMENDED

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

- 21.2** Adjourn in memory of Paul Freeburg, long-term Internal Services Employee

APPROVED AS RECOMMENDED

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

Supervisor Quintero

- 22.** Approve community outreach expenditure of \$5,000 to the Calwa Recreation & Park District per Administrative Policy No. 75. subject to execution of a release of liability agreement; and, authorize the County Administrative Officer, or designee, to execute the release of liability agreement

APPROVED AS RECOMMENDED

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

Auditor Controller-Treasurer/Tax Collector

23. Receive and file the Fresno County Audit Committee Minutes from May 17, 2019 meetings

APPROVED AS RECOMMENDED

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

24. Make a finding that it is in the best interest of the County to waive the competitive bidding process under Administrative Policy No. 34 under the “unusual or extraordinary circumstances” exception and authorize the Chairman to execute an Agreement with the State of California Employment Development Department for the procurement of confidential wage and benefit information related to the collection of court ordered debt, effective September 1, 2019 through August 31, 2022 for a maximum amount of \$5,136; and, approve and authorize the Chairman to execute the standard, State-provided Contractor Certification Clause 307 and Indemnity Agreement

APPROVED AS RECOMMENDED

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

Agreement No. 19-513

25. Adopt resolution authorizing the County Auditor-Controller/Treasurer-Tax Collector to make one or more loans to the Coalinga-Huron Recreation and Parks District under Government Code section 23010 for fiscal year 2019-20 in the aggregate maximum amount of \$400,000.00

APPROVED AS RECOMMENDED

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

Resolution No. 19-361

District Attorney

26. Authorize a waiver of the 960 hours per calendar year maximum hours limitation for the Extra-Help positions listed on Attachment A in the District Attorney’s Office, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240

APPROVED AS RECOMMENDED

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

Sheriff/Coroner/Public Administrator

27. Approve amendment to the Salary Resolution deleting one vacant Office Assistant I/II/III position and adding a Crime Analyst I/II/III classification with one allocated position to Sheriff Org 3111, effective October 21, 2019 as reflected in Appendix D and approve amendment to the Salary Resolution deleting one vacant Investigative Technician position and adding a Crime Analyst I/II/III classification with one allocated position to District Attorney Org 2860, effective October 21, 2019 as reflected in Appendix D

APPROVED AS RECOMMENDED

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

Salary Resolution No. 19-030

Administrative Office

28. Adopt Resolution recognizing the graduating veterans and the mentors of the Fresno County Veteran's Treatment Court

APPROVED AS RECOMMENDED

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

Resolution No. 19-362

29. Approve and authorize the Chairman to execute a Professional Services Agreement by and between the County of Fresno and the Fresno Local Agency Formation Commission for County services, effective January 1, 2020, not to exceed five consecutive years, which includes a three-year base contract, and two optional one-year extensions (\$0)

APPROVED AS RECOMMENDED

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

Resolution No. 19-514

30. Retroactively approve Fresno County Fiscal Year 2018-19 Indian Gaming Special Distribution Fund Annual Report to the State Legislature

APPROVED AS RECOMMENDED

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

31. 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 - Magsig, Mendes, Brandau, Pacheco, and Quintero

Resolution No. 19-363

32. Approve and authorize the Chairman to execute retroactive Fire Protection Reimbursement Agreement with California Department of Forestry and Fire Protection for the period July 1, 2019 through June 30, 2020 (\$1,189,078); and direct the County Administrative Officer to provide written notice to California Department of Forestry and Fire Protection that the County will extend or enter into a new fire protection reimbursement agreement for the 2020-2021 fiscal year with at least the same level of services as the recommended agreement

APPROVED AS RECOMMENDED

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

Agreement No. 19-515

Agriculture

33. Approve and authorize the Fresno County Agricultural Commissioner/Sealer of Weights and Measures to execute a retroactive Cooperative Agreement with the California Department of Food and Agriculture for the Industrial Hemp Cultivation Program with Registration, effective April 30, 2019 through June 30, 2020, with a total reimbursement amount of \$2,000. Authorize the Fresno County Agriculture Commissioner/Sealer to approve, and execute on behalf of the County of Fresno, amendments to this revenue agreement on behalf of the County of Fresno, which may increase or decrease this agreements maximum by an amount not to exceed the greater of 15% of the agreement maximum, or \$10,000, subject to Approval as to legal form by County Counsel, and approval as to accounting form by the Auditor-Controller/Treasurer-Tax Collector

APPROVED AS RECOMMENDED

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

Behavioral Health

34. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for updated software and continued maintenance from CompuTrust Software Corporation, as the software is exclusively provided by this vendor; and, approve and authorize the Chairman to execute a retroactive Agreement with CompuTrust Software Corporation for software products used by the Public Guardian to identify and administrate the estates of persons under conservatorship, manage trust and court records, and inventory real and personal property, effective October 7, 2019 through June 30, 2024, total not to exceed \$323,735

APPROVED AS RECOMMENDED

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

Agreement No. 19-516

County Counsel

35. Approve and authorize the Chairman to execute a specialized legal services Agreement with Best, Best and Krieger, LLP in connection with the County of Fresno's comprehensive review of its General Plan and Zoning Ordinance, and the associated environmental review, effective upon execution, not to exceed five consecutive years, which includes a three-year term and two optional one-year extensions, total not to exceed \$300,000

APPROVED AS RECOMMENDED

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

Agreement No. 19-517

36. Approve and authorize Chairman to execute a Settlement Agreement and Release of Claims with The Dow Chemical Company and Shell Oil Company to settle the County's claim related to 1,2,3-Trichloropropane groundwater contamination by payment of \$2,000,000 to the County for the credit of County Service Area No. 14

APPROVED AS RECOMMENDED

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

Agreement No. 19-518

Human Resources

37. Approve the Salary Resolution Amendments associated with the adoption of the FY 2019-20 Budget as reflected on Appendix "A", on file with the Clerk of the Board, to become effective as indicated on Appendix "A"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 19-031

38. Approve the Amendment to the Salary Resolution as reflected in Appendix B, effective October 7, 2019

APPROVED AS RECOMMENDED

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

Salary Resolution No. 19-032

39. Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Brian Erickson, Deputy Sheriff III and Michael Hernandez, Deputy Sheriff, Sheriff/Coroner, as named in Eastern District Court Case No: 1:19-CV-00775-DAD-EPG, Dennis Maric v. County of Fresno, et al., Risk Management claim No.:10126

APPROVED AS RECOMMENDED

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

Agreement No. 19-519, Agreement No. 19-520

Internal Services

40. Approve Salary Resolution Amendment for the Internal Services Department - Security Services Org 8970, deleting the Security Officer I classification from the Salary Resolution and retitling the Security Officer II classification to Security Officer, as reflected on Appendix C, effective October 21, 2019; approve the Addendum to the Memorandum of Understanding for Representation Unit 2 - Sheriff's and Probation Personnel, represented by the Fresno County Public Safety Association, regarding the deletion of the Security Officer I classification and retitling of the Security Officer II classification, as reflected on Appendix C, effective October 21, 2019

APPROVED AS RECOMMENDED

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

Salary Resolution No. 19-033

41. Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances, as International Business Machines Corporation possesses proprietary products; and approve and authorize the Chairman to execute a retroactive Agreement with International Business Machines Corporation for the purchase and support of software, hardware, maintenance, service, and technical support of the numerous products used throughout the County, effective July 16, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$5,000,000; and authorize the Director of Internal Services/Chief Information Officer or his or her designee to sign and execute various operational documents associated with the payment of the annual licenses, support, and maintenance for the products, as well as the purchase and technical support of future products

APPROVED AS RECOMMENDED

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

Agreement No. 19-521

Probation

42. Approve and authorize the Chairman to execute a retroactive Mental Health Training Grant Agreement with the Board of State and Community Corrections (BSCC) for the period of May 1, 2019 through September 30, 2020 (\$54,000); and adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenue in Probation Org 3430 in the amount of \$54,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 19-522, Resolution No. 19-364

43. Retroactively authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES) for the Victim Witness (VW) Program (\$1,659,359); approve and authorize the Chairman to execute a retroactive Grant Application/Agreement for the VW Program with Cal OES, effective October 1, 2019 through September 30, 2020; and adopt resolution authorizing the Chairman to execute the retroactive grant Application and Agreement and any extensions or amendments thereto with Cal OES for the period of October 1, 2019 through September 30, 2020, subject to approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector; not to exceed \$1,659,359

APPROVED AS RECOMMENDED

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

Agreement No. 19-523, Resolution No. 19-365

Public Health

44. Approve and authorize the Chairman to execute a retroactive Agreement with California Department of Health Care Services for the FY 2019-20 Medi-Cal County Inmate Program, effective July 1, 2019 through June 30, 2020 (\$2,306,967)

APPROVED AS RECOMMENDED

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

Agreement No. 19-524

Public Works and Planning

45. Approve and authorize Chairman to execute Agreement with Caruthers Community Services District for Caruthers Water Valve Replacement, Phase II, Community Development Block Grant Project No. 18111, effective upon execution through April 30, 2021 (\$250,000)

APPROVED AS RECOMMENDED

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

Agreement No. 19-525

46. Approve and authorize Chairman to execute Agreement with Caruthers Community Services District for Caruthers Lift Station Replacement, Community Development Block Grant Project No. 19111, effective upon execution through April 30, 2021 (\$250,000)

APPROVED AS RECOMMENDED

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

Agreement No. 19-526

47. Approve and authorize Chairman to execute Amendment I to Agreement No. 18-561 with City of Kerman for Kerman Stanislaus Avenue Park Development, Community Development Block Grant Project No. 17371, effective upon execution, with no change in the term and increasing maximum by \$142,404 to \$592,404

APPROVED AS RECOMMENDED

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

Agreement No. 18-561-1

48. Authorize Director of Department of Public Works and Planning, or designee, to negotiate agreements with up to thirty (30) private engineering and architectural firms to provide multi-disciplinary on-call professional consultant services, effective upon execution, not to exceed five consecutive years, each of which will provide for a three-year base contract and two optional one-year extensions, total not to exceed \$500,000 to \$600,000, a combined maximum total of \$1,800,000; and authorize Director of Department of Public Works and Planning, or designee, upon review and approval by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute Consultant Services Agreements to expedite services needed on various projects

APPROVED AS RECOMMENDED

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

49. Conduct second hearing on and adopt Ordinance amending Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending 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 - Magsig, Mendes, Brandau, Pacheco, and Quintero

Ordinance No. 19-020

50. Adopt Resolution to Schedule a Public Hearing on November 5, 2019 at 9:00 a.m. or as soon thereafter as the matter may be heard, for Resolution of Necessity supporting condemnation of necessary right-of-way to facilitate Travers Creek Bridge Replacement Project on Lincoln Avenue, Federal Project ID No. BRLO-5942 (226), and Notice Affected Property Owners (4/5 vote)

APPROVED AS RECOMMENDED

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

Resolution No. 19-366

51. Approve request by City of Fresno to acquire right-of-way, excluding eminent domain condemnation action, from three parcels adjacent to existing County right-of-way in identified unincorporated areas of County as needed in conjunction with Sanger Unified School District's traffic signals with associated components and lane widening project at intersection of S. Armstrong and E. Jensen Avenues

APPROVED AS RECOMMENDED

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

- 52.** Approve and authorize the Chairman to execute a retroactive First Amendment to Agreement No. 16-655 with Quinn Company Inc. dba Quinn Rental Services, for heavy equipment rental, to remove the annual maximum, allowing the Department of Public Works and Planning to utilize the remaining funds from prior contract years, effective November 15, 2016, with no change to the compensation amount or term of November 15, 2016 through November 15, 2021 (\$1,250,000)

APPROVED AS RECOMMENDED

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

Agreement No. 16-655-1

Social Services

- 53.** Approve and authorize the Chairman to execute retroactive State FY 2019-20 County Subvention Program Certificate of Compliance, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2019 to June 30, 2020 (\$119,758); Approve and authorize the Chairman to execute retroactive State FY 2019-20 Medi-Cal Certificate of Compliance, for the Fresno County Department of Social Services - Veterans Services Office (Org 7110), effective July 1, 2019 to June 30, 2020 (\$9,587)

APPROVED AS RECOMMENDED

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

Agreement No. 19-530, Agreement No. 19-531