



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, December 10, 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

Jameson White, Director Fresno-Madera Youth of Christ, 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 BRANDAU, THAT THIS AGENDA BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

2. Approve Consent Agenda - Item Numbers 22 - 65

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 34 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Supervisor Quintero

3. Proclaim December 2019 as Toys for Tots Month

A MOTION WAS MADE BY SUPERVISOR QUINTERO, 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 19-452

Auditor Controller-Treasurer/Tax Collector

4. Conduct public hearings on claims for excess proceeds resulting from the 2016 sale of tax-defaulted property for two (2) items, including item 144 (APN 140-120-06) for excess proceeds in the amount of \$29,685.22 and item 396 (APN 510-060-30) for excess proceeds in the amount of \$89,622.77; and, make a determination if claimants for the two (2) items submitted information and proof sufficient to establish a right to all or any portion of the excess proceeds

CONDUCTED PUBLIC HEARING ON CLAIMS FOR EXCESS PROCEEDS. RECEIVED PUBLIC TESTIMONY. CLOSED PUBLIC HEARING. A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS MATTER BE ACTED ON AS FOLLOWS: 1) A DETERMINATION WAS MADE THAT THE CLAIMANTS FOR ITEMS 144 (APN 140-120-06) AND 396 (APN 510-060-30) SUBMITTED INFORMATION AND PROOF SUFFICIENT TO ESTABLISH EXCESS PROCEEDS IN ACCORDANCE WITH THE ADDITIONAL DOCUMENTS THAT WERE RECEIVED; 2) DIRECTED COUNTY COUNSEL TO PREPARE RESOLUTION IN ACCORDANCE TO THE ADDITIONAL DOCUMENTS RECEIVED BY CLAIMANTS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Administrative Office

5. Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 20 filed by Hani and Nayef Aidaroos Mohammed Mohsen, dba Three Rocks Market, 16039 S. Derrick Ave., Cantua Creek, CA 93608-9719

A MOTION WAS MADE BY SUPERVISOR PACHECO, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS REQUEST FOR DETERMINATION BE APPROVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

6. Authorize the County Administrative Officer to develop two agreements, one with the City of Fresno and one with the State of California, Department of Transportation for the receipt of an administrative fee for the use of the Adult Offender Work Program

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

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

Public Defender

7. Adopt Budget Resolution increasing the FY 2019-20 appropriations in the Local Community Corrections Org 3436 in the amount of \$132,555 (4/5 vote); adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$132,555 (4/5 vote); and approve Amendment to the Salary Resolution adding one Defense Social Work Supervisor position to the Public Defender's Org 2880, effective December 16, 2019 as reflected in Appendix C

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

Resolution No. 19-453, Resolution No. 19-454, Salary Resolution No. 19-048

Public Works and Planning

8. Adopt Resolution adopting San Joaquin River Exchange Contractors Groundwater Sustainability Plan for portions of the Delta-Mendota Groundwater Subbasin including a portion of Fresno County Management Area B

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. 19-455

9. Approve Amendment to Salary Resolution adding two Senior Staff Analyst allocations in Public Works and Planning - Special Districts Administration Org 9140, effective December 16, 2019, as reflected on Appendix F; and approve Amendment to Salary Resolution adding one Senior Planner allocation and one Planner I/II/III position in the Public Works and Planning - Water & Natural Resources Org 43600300, effective December 16, 2019, as reflected on Appendix F; and approve Amendment to Salary Resolution adding one Senior Planner allocation, one Staff Analyst I/II/III position, one Traffic Operations Lead Supervisor allocation, and deleting one Office Assistant I/II/III position in the Public Works and Planning - Roads Org 4510, effective December 16, 2019 as reflected on Appendix F; and adopt Budget Resolution increasing FY 2019-20 appropriations for Public Works and Planning - Water & Natural Resources Org 43600300 in amount of \$58,000 (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. 19-049, Resolution No. 19-456

10. Authorize Department of Public Works and Planning to coordinate with City of Sanger and Fresno County Economic Development Corporation to determine project feasibility for potential joint submittal of an Economic Development Administration infrastructure grant application for improvements along S. Academy Avenue from E. California Avenue to State Route 180

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

11. Conduct first hearing on an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.030 through 11.24.100, to reflect various changes to the Ordinance Code as a result of recent traffic studies; waive reading of Ordinance in its entirety; and set second hearing for January 21, 2020; and designate County Counsel to prepare a fair and adequate summary of proposed Ordinance; and direct the Clerk of the Board to post and publish 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 AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

12. Consider and adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7655 including Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3837 and Variance Application No. 4073; approve Ordinance pertaining to Amendment Application No. 3837 thereby rezoning a 2.5-acre portion of a 15.10-acre parcel from the AL-40 to an AE-20 Zone District; approve Variance Application No. 4073 to allow 2.5-acre portion to be created with less than required 20-acre minimum parcel size and remaining 12.6-acre portion of parcel to remain as a legal non-conforming parcel in AL-40 Zone District; and designate County Counsel to prepare fair and adequate summary of proposed ordinance and direct Clerk of the Board to post and publish required summary in accordance with California Government Code, Section 25124(b)(1), subject parcel is located on east side of E. Trimmer Springs Road approximately 4.3 miles north of its intersection with Belmont Avenue and 7.8 miles northeast of nearest city limits of City of Sanger

A MOTION WAS MADE BY SUPERVISOR BRANDAU, 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

Ordinance No. R-487-3837

13. Consider and adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7517, including the Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. 556 and Amendment Application No. 3833; Adopt Resolution approving General Plan Amendment Application No. 556 amending the County-adopted Roosevelt Community Plan by re-designating a 0.34-acre parcel from Low-Density Residential to Medium-High Density Residential as the Second General Plan Amendment of the Agriculture and Land Use Element of the Fresno County General Plan for 2019; Approve Ordinance pertaining to Amendment Application No. 3833 thereby rezoning the subject 0.34-acre parcel from the R-1-B(nb) (Single-Family Residential, 12,500 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District to R-2(nb)(c) (Low-Density Multiple-Family Residential, 6,600 square-foot minimum parcel size, Neighborhood Beautification Overlay, Conditional) Zone District conditionally limited to the uses permitted in the R-1 Zone District (Section 827.1-A.) and one-family or multiple-family dwellings (Section 827.1-D) limited to a maximum of three units; 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 Government Code, Section 25124(b)(1). The subject parcel is located on the northeast corner of N. Fine and E. Washington Avenues in a County island in the City of Fresno (4955 E. Washington Avenue) (APN 462-132-10)

A MOTION WAS MADE BY SUPERVISOR QUINTERO, SECONDED BY SUPERVISOR BRANDAU, TO ACT ON THE MATTER AS FOLLOWS: 1) ADOPTED THE MITIGATED NEGATIVE DECLARATION PREPARED FOR INITIAL STUDY APPLICATION NO. 7517; 2) ADOPTED A RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. 556 TO RE-DESIGNATE A 0.34-ACRE PARCEL FROM LOW-DENSITY RESIDENTIAL TO MEDIUM-HIGH DENSITY RESIDENTIAL AS THE SECOND GENERAL PLAN CYCLE OF 2019; 3) APPROVED THE ORDINANCE PERTAINING TO AMENDMENT APPLICATION NO. 3833, REZONING THE SUBJECT 0.34-ACRE SITE FROM THE R-1-B(NB) TO THE R-2(NB)(C) ZONE DISTRICT TO ALLOW THOSE USES PERMITTED IN THE R-1 ZONE DISTRICT (SECTION 827.1-A.) AND ONE- OR MULTIPLE-FAMILY DWELLINGS (SECTION 827.1-D); 4) DESIGNATED 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), AND; 5) THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR ALL LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF INITIAL STUDY APPLICATION NO. 7517 AND AMENDMENT APPLICATION NO. 3833 AND PROVIDE SECURITY IN THE AMOUNT OF \$100,000 FOR ANY SUCH LEGAL COSTS INCURRED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 3 - Brandau, Pacheco, and Quintero

Noes: 2 - Magsig, and Mendes

Resolution No. 19-458, Ordinance No. R-488-3833

Board of Supervisors' Committee Reports and Comments

14. 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 QUINTERO ACKNOWLEDGED A PRESS CONFERENCE THAT WAS HELD TO ANNOUNCE THE REBUILDING OF THE SWIMMING POOL AT CALWA PARK AND PUBLICLY THANKED CONGRESSMAN COSTA FOR ENSURING ADEQUATE LANDSCAPING OF THE CALWA POST OFFICE AND ENHANCING THE REVITALIZATION OF NEW BUSINESSES COMING TO THE CALWA AREA. SUPERVISOR BRANDAU ANNOUNCED FRESNO'S CHRISTMAS TREE LANE IS OPEN FOR COMMUNITY ENJOYMENT, WITH A WALK-ONLY NIGHT SCHEDULED FOR WEDNESDAY, DECEMBER 12TH. CHAIRMAN MAGSIG REPORTED ON HIS ATTENDANCE AT THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) CONVENTION DECEMBER 3 – 6, 2019, IN SAN FRANCISCO ALONG WITH MANY COLLEAGUES. HE ALSO ANNOUNCED THAT THE BEAR MOUNTAIN LIBRARY CELEBRATED THEIR 25TH ANNIVERSARY DECEMBER 7, 2019 AND MENTIONED THAT THE CLOVIS CHILDREN'S ELECTRIC PARADE WAS HELD THE SAME EVENING. CHAIRMAN MAGSIG WISHED MERRY CHRISTMAS AND HAPPY HOLIDAYS TO ALL AND CONGRATULATED SUPERVISORS BRANDAU AND QUINTERO ON RUNNING UNOPPOSED IN THE MARCH ELECTION, SO THE THREE WILL BEGIN TO SERVE A NEW TERM TOGETHER STARTING JANUARY 2021

Board Appointments

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

A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY SUPERVISOR QUINTERO, THAT THE NOMINATION FOR APPOINTMENTS BE APPROVED AS FOLLOWS:

HISTORICAL LANDMARKS AND RECORDS COMMISSION

APPOINTED BLAKE ZANTE TO THE POSITION PREVIOUSLY HELD BY ELIZABETH M. LAVAL (TERM TO EXPIRE 1/3/2023)

APPOINTED PAULA LLOYD TO THE POSITION PREVIOUSLY HELD BY NANCY ENLOE (TERM TO EXPIRE 1/4/2021)

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Presentations

16. 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

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 legal counsel - Initiation of Litigation; Government Code, section 54956.9(d)(4) - 2 Cases
THE BOARD OF SUPERVISORS, BY UNANIMOUS VOTE, AUTHORIZED THE COUNTY TO JOIN IN THE LITIGATION SUING THE CALIFORNIA STATE DEPARTMENT OF HEALTH OVER THE PROMULGATION AND DEVELOPMENT OF THE NETWORK ADEQUACY STANDARD REGULATIONS ON BEHALF OF THE COUNTY'S BEHAVIORAL HEALTH DEPARTMENT, JOINING A GROUP OF COUNTIES CHALLENGING THE PROCESS
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 Real Property Negotiators - Government Code 54956.8 Properties: 500 E. Elkhorn, Caruthers, CA 93609; County Negotiator: Jean M. Rousseau, County Administrative Officer or Designee. Negotiating Parties: North Fork Kings Groundwater Sustainability Agency, Under Negotiations: Instructions to County's negotiator may concern purchase or lease of properties, price, terms and conditions
HELD; NO REPORTABLE ACTION
- 20.1 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
- 20.2 Conference with Legal Counsel -- Existing Litigation, Government Code section 54956.9(d)(1) - Phillips, et al. v. State of California, et al., Fresno County Superior Court Case Number 15CECG02201
HELD; NO REPORTABLE ACTION
- 20.3 Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - BNSF v. Alameda County, et al, United States District Court, Northern District of California, Case No. 4:19-cv-07230-HSG
HELD; NO REPORTABLE ACTION

- 20.4** Conference with legal counsel - Existing Litigation - Government Code, section 54956.9(d)(1) - 1. Wonderful Nut Orchards LLC v. County of Fresno, Fresno County Superior Court Case No. 19CECG04364

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:

- 21.** 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; RECEIVED PUBLIC TESTIMONY. NO REPORTABLE ACTION

Adjourn

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

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

APPROVED:

/s/ Ernest Buddy Mendes
ERNEST BUDDY MENDES, 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 January 7, 2020

Consent Agenda

A MOTION WAS MADE BY VICE CHAIRMAN MENDES, SECONDED BY SUPERVISOR BRANDAU, THAT THIS CONSENT AGENDA BE APPROVED WITH THE EXCEPTION OF ITEM 34 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Board of Supervisors

- 22.** Approve minutes of meeting for November 19, 2019

APPROVED AS RECOMMENDED

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

Supervisor Brandau

- 22.1** Adjourn in memory of Craig Baltz, an employee in the Internal Services Department

APPROVED AS RECOMMENDED

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

Supervisor Pacheco

- 22.2** Adjourn in memory of Marvin E. Meyers, who was a farmer and agricultural pioneer dedicated to the education of Valley students

APPROVED AS RECOMMENDED

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

Supervisor Pacheco and Supervisor Mendes

- 23.** Adopt Resolution recognizing the Parnagian Family for receiving the Ag One Community Salute Award from the Jordan College of Agricultural Sciences and Technology in honor of their devoted service to agriculture, the community and Fresno County

APPROVED AS RECOMMENDED

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

Resolution No. 19-431

Assessor/Recorder

24. Approve and authorize the Chairman to execute Second Amendment to Agreement No. 16-676 with BMI Imaging Systems, Inc. for additional services related to the inventory of microfilm rolls, microfiche, archive writing, and digital archiving services, effective upon execution, with no change in potential term to December 5, 2021, and increasing the maximum Agreement cost by \$110,000, to a total not to exceed \$547,779

APPROVED AS RECOMMENDED

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

Agreement No. 16-676-2

Auditor Controller-Treasurer/Tax Collector

25. Adopt a resolution approving a March 2020 sale of tax-defaulted properties that are subject to the Tax Collector's power to sell

APPROVED AS RECOMMENDED

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

Resolution No. 19-432

County Clerk/Registrar of Voters

26. Approve and authorize the Chairman to execute Amendment I to Agreement No. 19-172 with the State of California for reimbursement funds for replacement of voting systems and related equipment, effective upon execution by the California Department of General Services through June 30, 2022, increasing award amount by \$1,858,157.20 to a total of \$4,744,657.20; and adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the County Clerk - Elections Org 28500500 in the amount of \$1,858,157.20 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 19-172-1, Resolution No. 19-433

District Attorney

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 as the California Department of Justice is a State agency and provides alcohol analysis services at a reduced rate; and approve and authorize the Chairman to execute Agreement with the California Department of Justice, for alcohol analysis services, effective January 1, 2020 through December 31, 2029, total not to exceed \$1,200,000

APPROVED AS RECOMMENDED

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

Agreement No. 19-725

28. 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 2019-20

APPROVED AS RECOMMENDED

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

Resolution No. 19-434

29. Retroactively authorize the District Attorney's previous submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) for the Electronic Suspected Child Abuse Report System for the time period January 1, 2020 through December 31, 2020 (\$250,000); authorize the Chairman to execute a grant Application/Agreement and Certification of Assurance of Compliance for the Electronic Suspected Child Abuse Report System with Cal OES for the time period January 1, 2020 through December 31, 2020 (\$250,000); and adopt Budget Resolution increasing FY 2019-20 appropriations and estimated revenues in the District Attorney- Grants Org 2862 in the amount of \$125,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 19-726, Resolution No. 19-435

Sheriff/Coroner/Public Administrator

30. Approve and authorize the Chairman to execute a revenue Agreement with Legacy Long Distance International, Inc. to provide Local, IntraLata, InterLata and Interstate telephone and video visitation services to inmates incarcerated in County Jail Facilities, effective January 1, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions

APPROVED AS RECOMMENDED

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

Agreement No. 19-727

Administrative Office

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. 19-436

32. Approve and authorize the Chairman to execute Amendment I to Agreement No. 19-271 with the Veterans Memorial Museum for the continued promotion, improvement, operation and maintenance of the Museum, effective upon execution with no change in term to June 30, 2020 and increasing the maximum by \$6,000 to a total of \$26,000; and, approve and authorize the Chairman to execute Amendment I to Agreement No. 18-538 with the Fresno City/County Historical Society for operation and maintenance of the Kearney Mansion Museum Complex, effective upon execution with no change in term to September 30, 2028 and increasing the maximum by \$6,000 to a total of \$199,250

APPROVED AS RECOMMENDED

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

Agreement No. 19-271-1, Agreement No. 18-538-1

33. Conduct second hearing on and adopt an Ordinance amending the Fresno County Ordinance Code, Title 2, Chapter 2.38, Section 2.38.010 relating to the Children and Families Commission of Fresno County; and waive reading of the Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 19-023

Behavioral Health

34. Adopt and authorize the Chairman to execute a Resolution authorizing Fresno County's participation in the California Department of Housing and Community Development No Place Like Home Program (NPLH) - Round Two; and, Chairman's execution of documents related to the NPLH Program - Round Two; and, approve NPLH Program - Round Two development applications with County development sponsors/co-applicants, Fresno Housing Authority and UPHoldings to apply for, and if successfully funded, develop supportive housing projects and services utilizing NPLH Program - Round Two funds

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

Resolution No. 19-457

35. Approve and authorize the Chairman to execute a Retroactive Performance Agreement No. 18-95242 with the California Department of Health Care Services, effective July 1, 2018 through June 30, 2021 (\$0)

APPROVED AS RECOMMENDED

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

Agreement No. 19-728

36. Approve and authorize the County Behavioral Health Director/Alcohol and Other Drug Program Administrator to execute Amendment A01 to Agreement No. 18-95145 with the California Department of Health Care Services (DHCS), including required certifications, for the provision of substance use disorder services to County residents, effective upon execution by DHCS, with no change in term of January 1, 2019 through June 30, 2021 or compensation amount of \$181,657,157

APPROVED AS RECOMMENDED

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

County Counsel

37. Approve and authorize the Chairman to execute Amendment I to Agreement No. 18-597 with McCormick Barstow, LLP to represent the County of Fresno and its employees in Phillips v. State of California, et al., effective upon execution with no change in term to September 10, 2021 and increasing the maximum by \$400,000 to a total of \$750,000

APPROVED AS RECOMMENDED

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

Agreement No. 18-597-1

Human Resources

38. Approve the reclassification of Identification Technician I/II/III/IV and Senior Identification Technician positions in the Crime Scene Unit of the Sheriff's Office to Crime Scene Specialist I/II/III and Supervising Crime Scene Specialist, effective December 16, 2019, as reflected in Appendix "G"; approve the reclassification of Identification Technician I/II/III positions in the Property and Evidence Unit of the Sheriff's Office to Property and Evidence Technician I/II, effective December 16, 2019, as reflected in Appendix "G"; approve the deletion of the Identification Technician IV and Senior Identification Technician classifications, effective December 16, 2019, as reflected in Appendix "G"

APPROVED AS RECOMMENDED

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

Salary Resolution No. 19-045

39. Approve the Memorandum of Understanding for Representation Unit 31 - Public Defenders, represented by the Professional Association County Employees, effective December 16, 2019, through December 12, 2021

APPROVED AS RECOMMENDED

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

40. Adopt resolution, which approves extending provisions of the California Military & Veterans Code, section 395.03 to eligible permanent County employees, effective December 16, 2019 through December 13, 2020

APPROVED AS RECOMMENDED

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

Resolution No. 19-437

41. Approve Resolutions Rejecting Claims for Damages; and, approve Resolution Rejecting Application for Leave to Present a Late Claim

APPROVED AS RECOMMENDED

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

Resolution No. 19-438 through Resolution No. 19-449

- 42.** Approve and authorize the Chairman to execute Participation Agreement with the San Joaquin Valley Insurance Authority (SJVIA), for the purpose of participating in the SJVIA health insurance (Anthem Blue Cross and Kaiser), pharmacy program (EmpiRx), dental insurance (Delta Dental) and vision insurance (Vision Service Plan) for employees and retirees, effective December 16, 2019 through December 31, 2020; approve and authorize the Chairman to execute an Agreement with Kaiser Permanente for group medical services for the period January 1, 2020 through December 31, 2020, for retirees; approve and authorize the Chairman to execute an Agreement with UnitedHealthcare for Part D Medicare prescription services for the period January 1, 2020 through December 31, 2020, for retirees; approve and authorize the Chairman to execute Agreements with MyWorkplace, Inc. and Administrative Solutions, Inc. for Medicare retiree eligibility, billing, and accounting services, effective January 1, 2020 through December 31, 2020; approve the correct monthly premiums for retirees and dependents enrolled in the Medicare plans for Plan Year 2020, effective January 1, 2020; approve and authorize the Chairman to execute First Amendment to Agreement No. 16-433 with Keenan & Associates for benefit consulting services effective December 10, 2019; and, approve and authorize the Director of Human Resources, or designee, to execute related health plan documents, business associate agreements and other agreements, amendments, thereto, subject to review and approval by County Counsel and the Auditor-Controller / Treasurer-Tax Collector

APPROVED AS RECOMMENDED

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

Agreement No. 19-729, Agreement No. 19-730, Agreement No. 19-731, Agreement No. 19-732, Agreement No. 19-733, Agreement No. 16-433-1

- 43.** Approve amendments to Department Conflict of Interest Codes, on file with the Clerk of the Board, to become effective immediately

APPROVED AS RECOMMENDED

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

- 44.** Addenda to Memoranda of Understanding for Representation Units 1, 14, 35, 37 and 38

APPROVED AS RECOMMENDED

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

Internal Services

45. Approve and authorize the Chairman to execute a five (5) year Lease Agreement with the City of Fresno for communication antenna space atop the Fresno County Plaza Building, effective July 1, 2020 through June 30, 2025, with five automatic annual renewals, ending June 30, 2030 (4/5 Vote)

APPROVED AS RECOMMENDED

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

Agreement No. 19-744

46. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of imaging software; and approve and authorize the Chairman to execute an Agreement with ECS Imaging, Inc. for imaging software, effective January 6, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$2,000,000

APPROVED AS RECOMMENDED

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

Agreement No. 19-734

47. Approve Salary Resolution Amendment transferring 14 positions from the Probation Department Org 3440 to the Internal Services Department Org 8935 and adding 1 Supervising Janitor allocation to the Internal Services Department Org 8935, effective December 30, 2019 as reflected on Appendix E; adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the Internal Services Department - Facility Services Division Org 8935 in the amount of \$589,579 (4/5 vote)

APPROVED AS RECOMMENDED

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

Salary Resolution No. 19-047, Resolution No. 19-450

- 48.** Approve and authorize the Chairman to execute First Amendment to Agreement No. 19-202 with Durham Construction Company, Inc. for repair, remodeling, and other repetitive projects to be done according to unit prices, effective upon execution with no change in term to June 4, 2020, to increase the maximum Agreement amount by \$2,900,000 to a total potential amount not to exceed \$4,900,000; and Approve and authorize the Chairman to execute First Amendment to Agreement No. 19-203 with Velis Engineering, Inc. for repair, remodeling, and other repetitive projects to be done according to unit prices, effective upon execution with no change in term to June 4, 2020, to increase the maximum Agreement amount by \$2,900,000 to a total potential amount not to exceed \$4,900,000; and Adopt a Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues in Internal Services Department, Facility Services Org 8935 in the amount of \$5,800,000 (4/5 vote)

APPROVED AS RECOMMENDED

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

Agreement No. 19-202-1, Agreement No. 19-203-1, Resolution No. 19-451

- 49.** Approve and authorize the Chairman to execute an Agreement with Johnson Controls International, Inc. for maintenance and support of Metasys, a building automation software system, 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 \$1,500,000

APPROVED AS RECOMMENDED

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

Agreement No. 19-735

- 50.** Make a finding that it is in the best interest of the County to waive the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances, as AssetWorks LLC is the sole provider of the FleetFocus and FuelFocus software; and approve and authorize the Chairman to execute an Agreement with AssetWorks LLC for maintenance and support of FleetFocus and FuelFocus, effective January 1, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$575,000

APPROVED AS RECOMMENDED

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

Agreement No. 19-736

Probation

51. 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 Adult Compliance Team, effective July 1, 2019 through June 30, 2020 (\$188,029)

APPROVED AS RECOMMENDED

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

Agreement No. 19-737

52. Approve and authorize 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, 2019 through June 30, 2020 (\$147,396)

APPROVED AS RECOMMENDED

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

Agreement No. 19-738

53. Approve and authorize Chairman to execute a retroactive revenue Agreement with the Fresno County Superintendent of Schools for services provided by two Deputy Probation Officers for the Truancy Intervention Program effective July 1, 2019, not to exceed five consecutive years, which includes a one-year base contract with four optional one-year extensions, total not to exceed \$698,440

APPROVED AS RECOMMENDED

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

Agreement No. 19-739

Public Health

54. Approve and authorize the Chairman to execute the California Enhanced HIV/AIDS Case Reporting System (eHARS) Data Use and Disclosure Agreement with the California Department of Public Health (CDPH) for the exchange of HIV/AIDS case reporting system data, effective upon execution by the State (\$0); approve and authorize the Director of the Department of Public Health, or designee, and Department employees identified as having a need to access eHARS to execute the Agreement by Employee/Contractor to Comply with Confidentiality Requirements; and, authorize the Director of the Department of Public Health, or designee, to execute, upon review and approval by County Counsel as to legal form, amendments to the eHARS Data Use and Disclosure Agreement with the CDPH

APPROVED AS RECOMMENDED

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

Agreement No. 19-740

- 55.** Make a finding that it is in the best interest of the County to waive the competitive bidding process under Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of ongoing maintenance and support of the web-based automated emergency notification system for the Department of Public Health; and, approve and authorize the Chairman to execute the sole source Agreement with Vesta Solutions, Inc., for ongoing maintenance and support of the web-based automated emergency notification system, 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 \$234,510

APPROVED AS RECOMMENDED

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

Agreement No. 19-741

- 56.** Approve and authorize the Chairman to initial and accept the revised Agreement No. 19-042 Subaward Face Sheet with the California Governor's Office of Emergency Services for the Homeland Security Grant Program Revenue Agreement (\$1,074,211)

APPROVED AS RECOMMENDED

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

Agreement No. 19-042-1

- 57.** Approve and authorize the Chairman to execute retroactive revised Agreement No. 19-524 with the 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. 19-524-1

Public Works and Planning

- 58.** Conduct second hearing on an Ordinance to amend Chapter 11.12 - Parking or Stopping Restrictions of the Fresno County Ordinance Code, to add Section 11.12.060 - Snow Removal Conditions, to prohibit or restrict the parking or standing of vehicles on designated streets, highways, or portions thereof, for the purpose of snow removal; adopt proposed amendment (Section 11.12.060) to Chapter 11.12; and waive reading of Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 19-024

59. Conduct second hearing on and adopt an Ordinance amending Fresno County Ordinance Code, Title 15 – Building and Construction, including the Statement of Local Findings, regulating building and construction within Fresno County; and waive reading of the Ordinance in its entirety

APPROVED AS RECOMMENDED

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

Ordinance No. 19-025

60. Approve and authorize the Chairman to execute a First Amendment to Agreement No. 17-054 with AAA Quality Services, Inc. for portable chemical toilet rental and maintenance services removing the annual maximum compensation payable for each relevant department, effective upon execution with no change in term to February 27, 2022 and increasing the maximum by \$25,000 to a total of \$260,000

APPROVED AS RECOMMENDED

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

Agreement No. 17-054-1

61. Conduct second hearing and take action to: adopt proposed amendments to Fresno County Ordinance Code, Title 17 - Divisions of Land, Chapter 17.92 - Clovis Development Fees Applicable within Sphere of Influence of City of Clovis, and a Schedule of Fees; and waive reading of Ordinance in its entirety and adopt proposed Ordinance

APPROVED AS RECOMMENDED

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

Ordinance No. 19-026

Social Services

62. Approve and authorize the Chairman to execute First Amendment to Lease Agreement No. A-15-285 with Reedley Center, Inc., for office space located at 1670-1690 East Manning Avenue, Reedley, amending the term of the Agreement to three (3) automatic one (1) year extensions, and authorizing the County Administrative Officer, Director of Internal Services/Chief Information Officer, or their designee, to terminate Lease Agreement No. A-15-285, upon 180 days' written notice

APPROVED AS RECOMMENDED

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

Agreement No. 15-285-1

- 63.** Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Housing and Community Development for Emergency Solutions Grant funds, effective upon execution by the State, through May 12, 2021 (\$285,252)

APPROVED AS RECOMMENDED

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

Agreement No. 19-742

- 64.** Approve and authorize the Chairman to execute an Agreement with RH Community Builders for Landlord Engagement and Risk Mitigation Fund services, effective upon execution through June 30, 2024, total not to exceed \$1,093,335

APPROVED AS RECOMMENDED

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

Agreement No. 19-743

- 65.** Authorize a waiver of the 28 hours per week and/or 960 hours per calendar year 2020 maximum hours limitation for Extra-Help positions listed on Attachment A in the Department of Social Services, 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