

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, February 14, 2017

2:00 P.M.

Note: Members of the Board of Supervisors may have an interest in certain contracts that the Board considers where the member holds a position on a non-profit corporation that supports the functions of the County. Supervisors are assigned to these positions as part of annual committee assignments by the Chairman of the Board. These interests include, with the Supervisor holding the position, the following: California State Association of Counties (Supervisors Perez, Maggard and Gleason); Community Action Partnership of Kern (Supervisor Maggard); Kern County Network for Children (Supervisor Gleason); Kern Economic Development Corporation (Supervisors Scrivner, Maggard, and Couch); Southern California Water Committee (Supervisors Couch and Maggard); Tobacco Funding Corporation, Kern County (Supervisors Gleason and Scrivner); Kern County Foundation, Inc. (Supervisor Couch); and Kern Medical Center Foundation (Supervisors Maggard and Scrivner).

BOARD RECONVENED

Supervisors: Gleason, Scrivner, Maggard, Couch, Perez

ROLL CALL: All Present

NOTE: The vote is displayed in bold below each item. For example, Gleason-Perez denotes Supervisor Gleason made the motion and Supervisor Perez seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" OR "C" WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item 42 concerning PUBLIC EMPLOYEE APPOINTMENT/ RECRUITMENT - Title: Director of Libraries (Government Code Section 54957) - HEARD; NO REPORTABLE ACTION

Item 43 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Titles: Director of Airports, County Administrative Officer (Government Code Section 54957) - HEARD; NO REPORTABLE ACTION

Item 44 concerning a CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2)(e)(1)) Number of cases: One (1) Significant exposure to litigation in the opinion of the Board of Supervisors on the advice of legal counsel, based on: Facts and circumstances that might result in litigation against the County but which the County believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed - HEARD; NO REPORTABLE ACTION

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE AND SPELL YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!

ALAN PRICE, PRESIDENT, HAVILAH HISTORICAL SOCIETY AND HAVILAH CENTENNIAL GROUP, THANKED THE BOARD FOR APPROVING ITEM NO. 9 ON THE CONSENT AGENDA

MONA SIDHU HEARD REGARDING CANCELED MEETINGS OF THE HUMAN RELATIONS COMMISSION DUE TO LACK OF A QUORUM

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a][2])

CHAIRMAN SCRIVNER CALLED ON CRAIG POPE, DIRECTOR, PUBLIC WORKS DEPARTMENT, TO PROVIDE A BRIEFING ON ROAD SAFETY DURING THE RECENT WEATHER EVENTS; HEARD PRESENTATION BY CRAIG POPE

DEPARTMENTAL REQUESTS

PUBLIC WORKS DEPARTMENT - Administration and Engineering

S.D. #2

- CA-3) Proposed Resolution of Acceptance of Offers of Dedication of Easement located between Sand Canyon Road and Umfalozi Road, Tehachapi area (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2017-020; DIRECTED CLERK OF THE BOARD TO RECORD

Couch-Gleason: All Ayes

S.D. #3

- CA-4) Contract No. 17011, Plans, Specifications and Notice to Contractors for Pedestrian Path Improvements on Oswell Frontage Road from Pioneer Drive to Tate Street, Bakersfield (Fiscal Impact: \$249,548; Community Development Block Grant Funds and Road Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM FURTHER CEQA REVIEW, PER SECTION 15301(c) OF THE STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PUBLIC WORKS DEPARTMENT TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MARCH 15, 2017, AT 11:00 A.M.

Couch-Gleason: All Ayes

PUBLIC WORKS DEPARTMENT - Finance

S.D. #2

- CA-5) Request for cancellation of designations for County Service Area No. 66.3 in the amount of \$7,700 and approval to increase appropriations in the amount of \$7,700 for payment of gate house fees associated to sump maintenance (Fiscal Impact: \$7,700; County Service Area No. 66.3 Fund 40863; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO PROCESS THE SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS

Couch-Gleason: All Ayes

All S.D.s

- CA-6) Proposed Resolution directing preparation of a written report for service charges in all County Service Areas for Fiscal Year 2017-2018 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2017-021

Couch-Gleason: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- CA-7) December 31, 2016 Compliance and Accountability Report (Fiscal Impact: None) - RECEIVED AND FILED

Couch-Gleason: All Ayes

- CA-8) Proposed contribution to Golden Empire Youth Tackle Football, Inc. in support of the Southern Ravens Youth Football and Cheer Program, in the amount of \$500 (Fiscal Impact: \$500; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO PAY

Couch-Gleason: All Ayes

- CA-9) Proposed contribution to Havilah Centennial Group, Inc., to replace a historical plaque, in the amount of \$814 (Fiscal Impact: \$814; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO PAY

Couch-Gleason: All Ayes

- CA-10) Request to establish a mid-year capital project in Budget Unit 1960 for audiovisual digital camera surveillance system at the Lerdo Maximum Medium Facility (Fiscal Impact: \$350,000; AB109 Realignment; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO PROCESS THE SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS

Couch-Gleason: All Ayes

Legislative Matter

- CA-11) In-Home Supportive Services for elderly and disabled, proposed FY 2017-2018 State Budget transfer of cost and collective bargaining responsibility to counties (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Couch-Gleason: All Ayes

- CA-12) Continued federal tax-exempt status for municipal bonds (Fiscal Impact: None) - ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Couch-Gleason: All Ayes

COUNTY ADMINISTRATIVE OFFICE - General Services Division

S.D. #5

- CA-13) Proposed Memorandum of Communication Site Lease Agreement pursuant to Agreement 038-2017 with Fresno MSA Limited Partnership dba Verizon Wireless for use of a portion of Kern Medical Complex (Fiscal Impact: None) - MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTION 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 072-2017

Couch-Gleason: All Ayes

All S.D.s

- CA-14) Proposed addition of one Fiscal Support Supervisor and one Fiscal Support Specialist, with concurrent deletions of two Fiscal Support Technicians and one Fiscal Support Assistant positions, upon vacancy, in Budget Unit 1610 (Fiscal Impact: \$18,807 Savings FY 2016-2017, \$64,963 Savings FY 2017-2018; Not Budgeted; Discretionary) - APPROVED; REFERRED TO HUMAN RESOURCES DIVISION TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Couch-Gleason: All Ayes

- CA-15) Request approval of expenditures for Host/Hostess Volunteer Recognition Event scheduled for May 23, 2017 (Fiscal Impact: \$3,000; Budgeted; Discretionary) - APPROVED

Couch-Gleason: All Ayes

- CA-16) Report Regarding Contract Change Orders (Various Projects) (Fiscal Impact: None) - RECEIVED AND FILED

Couch-Gleason: All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED ON FEBRUARY 7, 2017

- CA-17) Proposed Ordinance adding Chapter 8.62 to Title 8 of the Kern County Ordinance Code related to onsite wastewater treatment systems (Fiscal Impact: None) - ENACTED ORDINANCE G-8682

Couch-Gleason: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- CA-18) Budget Transfers - APPROVED NOS. 124 THROUGH 134

Couch-Gleason: All Ayes

- CA-19) Minutes for week of December 5, 2016 - APPROVED WITH CORRECTION TO DECEMBER 6, 2016 ITEM NO. 20 P.M., CORRECTING "Section 2.170.0560" AND CORRECTION TO MINUTES FOR DECEMBER 6, 2016 ITEM 47-X P.M., CORRECTING "REFERRED TO COUNTY COUNSEL (Copyies to Risk Management and Human Resources)"

Couch-Gleason: All Ayes

CA-20) Miscellaneous Letters and Documents - FILED

Couch-Gleason: All Ayes

CA-21) Letters Received and Referred by Clerk of the Board - APPROVED AND FILED

Couch-Gleason: All Ayes

CA-22) Claims and Lawsuits Filed with and Referred by Clerk of the Board - APPROVED AND FILED

Couch-Gleason: All Ayes

ADJOURNED TO TUESDAY, MARCH 7, 2017 AT 9:00 A.M.

Gleason

/s/ Kathleen Krause
Clerk of the Board

/s/ Zack Scrivner
Chairman, Board of Supervisors

20) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Animal Services

- A) Sixteen thank you letters re donations received for Kern County Animal Shelter

Auditor-Controller

- B) Fraud and Ethics Activity Report for the six months ended December 31, 2016

Clerk of the Board

- C) Received, certified and transmitted to Recorder for recordation as follows:

- 1) Tract Map 7240 - Phase 3 S.D. #4

General Services

- D) Acceptance of Franchise Bond SU1136138, issued by Arch Insurance Company, in the amount of \$25,000 and submitted by California Resources Production Corporation, Inc. in compliance with the assignment of Franchise Ordinance F-424

Grand Jury

- E) Grand Jury Final Report concerning the Kern County Animal Services (Copies to each Supervisor, CAO, and Animal Services)

Local Agency Formation Commission (LAFCo)

- F) Resolution No. 17-01, Proceeding No. 1699 in the matter of Lamont Public Utility District: Annexation No. 29

Treasurer-Tax Collector

- G) Cash Receipts and Disbursements for January 2017

Miscellaneous

- H) Four emails re staffing reductions at fire stations (Copies to each Supervisor, CAO, Fire, and County Counsel)
- I) Letter from National Association of Counties thanking Kern County for participating in the national Stepping Up initiative to reduce the number of people with mental illnesses in jails (Copies to each Supervisor, CAO, Sheriff, and Mental Health)
- J) Letter from Tejon Ranch Company re Grapevine Specific and Community Plan Development Agreement No. 1 ("Development Agreement") Notice of Tolling of Commencement of Term (Copies to each Supervisor, CAO, Planning and Natural Resources, and County Counsel)
- K) Email from Richard Brown, U.S. Army Corps of Engineers, re Isabella Dam Situation Report, February 2017 (Copies to each Supervisor, CAO, County Counsel, Public Works, Fire, Office of Emergency Services, Public Health, and Emergency Medical Services)

- L) Correspondence from Richard J. Woodley, United States Department of the Interior, re Petitions for Temporary Transfer - License 1986 and Permits 11885, 11886, and 11887 (Applications 23, 234, 1465, and 5638), Friant Division, Central Valley Project, California
- M) Notice from Southern California Edison Company re filing of two separate applications that change electric rates (Copies to each Supervisor, CAO, General Services, and County Counsel)
- N) Notification of Pacific Gas and Electric Company's application requesting approval to change rates for the 2018-2022 Demand Response programs (Copies to each Supervisor, CAO, General Services, and County Counsel)
- O) Notice of Default for property located at 19525 Sycamore Drive, Tehachapi (Copy to Property Management)
- P) Notice of California Environmental Quality Act Public Scoping Meetings (Copies to each Supervisor, CAO, Planning and Natural Resources, and County Counsel)
- Q) Agenda for Kern River Groundwater Sustainability Agency's meeting on February 8, 2017
- R) Agenda for Kern Health Systems meeting on February 9, 2017
- S) Summary of Kern County Audit Advisory Committee meeting on August 31, 2016
- T) Summary of Kern Health Systems meeting on December 15, 2016
- 21) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) City of Bakersfield Resolution 020-17 - REFERRED TO ELECTIONS
- 22) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Jarred Michael Allen v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Bear Mountain Recreation and Park District v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of William L. Davis, Jr. v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Erika Tinoco DeLeon v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Kellie Espy-Malone v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of Angelita Jaramillo v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Claim in the matter of Logan Juarez v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- H) Claim in the matter of Juan Leon v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Joshua Ray Denton v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Juan and Eloisa Sepulveda v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Craig Tatro v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Fatima Leon Tinoco v. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Plaintiff's Claim and Order to Go to Small Claims Court in the matter of Herbert B. Williamson v. Kern County Board of Supervisors, et al. (Case No. BCS-16-003104) - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Summons and Complaint in the matter of Nsele Mengi Nsuangani v. County of Kern (Case No. BCV-16-102533) - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Human Resources)
- O) Summons and Complaint in the matter of La Paloma Generating Company, LLC v. County of Kern et al. (Case No. BC645390) - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Assessor)

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