SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 15, 2011
2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Scrivner, Maggard, Watson, Goh

ROLL CALL: All Present

NOTE: The vote is displayed in bold below each item. For example, McQuiston-Watson denotes Supervisor McQuistion made the motion and Supervisor Watson 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 ON TUESDAY, MARCH 15, 2011, AT 9:00 A.M. - ITEM NOS. 46, 47, 47A AND 49 - NO REPORTABLE ACTION TAKEN

Item No. 48 concerning a request for Closed Session regarding a lawsuit entitled James Ramsey v. County of Kern, WCAB Case No. ADJ3158682 (Government Code Section 54956.9(a)) – A WORKERS’ COMPENSATION CASE FILED BY APPLICANT JAMES RAMSEY FOR ALLEGED INJURIES ARISING OUT OF HIS EMPLOYMENT WITH THE COUNTY OF KERN. MR. RAMSEY WAS EMPLOYED AS A DETENTIONS OFFICER WITH THE KERN COUNTY SHERIFF’S DEPARTMENT.

BY A UNANIMOUS VOTE, THE BOARD APPROVED SETTLEMENT AUTHORITY BY WAY OF A COMPROMISE AND RELEASE AGREEMENT FOR ONE HUNDRED FORTY-FIVE THOUSAND DOLLARS ($145,000); AUTHORIZED THE AUDITOR-CONTROLLER TO ISSUE WARRANTS AS REQUESTED BY COUNTY COUNSEL; AND AUTHORIZED COUNTY COUNSEL TO DIRECT THE COUNTY’S ATTORNEY-OF-RECORD TO PRESENT THE PROPOSED SETTLEMENT TO THE WORKERS’ COMPENSATION APPEALS BOARD AND EXECUTE ALL NECESSARY CLOSING DOCUMENTS.
ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

Watson-Scrivner: All Ayes

KERN SANITATION AUTHORITY

C-1) Request to set public hearing to consider Written Report of Sewer Service Charges for Kern Sanitation Authority and proposed Ordinance to collect Fiscal Year 2011-2012 Sewer Service Charges on the Tax Roll (Fiscal Impact: None) - RECEIVED AND FILED; SET HEARING FOR TUESDAY, APRIL 12, 2011, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF FILING OF REPORT AND HEARING; WAIVED READING; INTRODUCED ORDINANCE

Watson-Goh: All Ayes

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

Watson-Goh: All Ayes

FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

C-2) Request to set public hearing to consider Written Report of Sewer Service Charges for Ford City-Taft Heights Sanitation District and proposed Ordinance to collect Fiscal Year 2011-2012 Sewer Service Charges on the Tax Roll (Fiscal Impact: None) - RECEIVED AND FILED; SET HEARING FOR TUESDAY, APRIL 12, 2011, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF FILING OF REPORT AND HEARING; WAIVED READING; INTRODUCED ORDINANCE

Watson-McQuiston: All Ayes

ADJOURNED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT; RECONVENED AS BOARD OF SUPERVISORS

Watson-McQuiston: All Ayes

PUBLIC PRESENTATIONS

3) 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!

PENNY MELKO HEARD REGARDING INDUSTRIAL WIND ENERGY PROJECTS

JON MCGOWAN, COUNTY EMPLOYEE, HEARD REGARDING BUDGETING AND LABOR NEGOTIATION STRATEGIES

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

4) 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])

NO ONE HEARD
HEARINGS

DEVELOPMENT SERVICES AGENCY
Planning and Community Development Department

CA-5) Request from McKittrick 5 Properties, L.P., by Delmarter and Deifel, to change the permitted uses from limited agriculture to exclusive agriculture on 129.86 acres located on the south side of Sullivan Road, approximately 1/2 mile east of Tracy Avenue, Buttonwillow (S.D. #4)

Specific Request:
A change in zone classification from A-1 to A or a more restrictive district (ZCC #59, Map #99)
(General Rule, Section 15061(b)(3); Published Shafter Press) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2011-048 AND ENACTED ORDINANCE G-8126 APPROVING ZONE CHANGE AS REQUESTED

Watson-Scrivner: All Ayes

6) Request from Alondra Medina Camacho to change the permitted uses from estate residential to low-density residential with an additional single-family dwelling on 0.37 acre located at 330 Hudson Drive, north of McKee Road, Bakersfield (S.D. #5)

Specific Request:
(a) A change in zone classification from E (1) RS to R-1 or a more restrictive district (ZCC #27, Map #124-31)
(b) A Conditional Use Permit to allow an additional single-family dwelling that does not exceed the maximum density permitted (Section 19.18.030) in an R-1 District (CUP #24, Map #124-31)
(General Rule, Section 15061(b)(3) for zone change; Categorically Exempt, Section 15303 for conditional use permit; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2011-049 AND 2011-050 AND ENACTED ORDINANCE G-8127 APPROVING ZONE CHANGE AS REQUESTED; APPROVED CONDITIONAL USE PERMIT SUBJECT TO CONDITIONS

Goh-Scrivner: All Ayes

DEPARTMENTAL REQUESTS

DEVELOPMENT SERVICES AGENCY
Planning and Community Development Department

S.D. #2

CA-7) Proposed Williamson Act Land Use Contract No. 11-5 on 24.68 acres with David J. Hollinsworth and Linda S. Hollinsworth, Husband and Wife, for 2012 Calendar Year. Agricultural Preserve No. 18 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Scrivner: All Ayes
S.D. #4

CA-8) Request for exception to requirement for connection to public sewer, Kathy Robinson (Robby’s Nursery) by Warren Pechin, Hageman Frontage Road, west of Allen Road, Bakersfield (Fiscal Impact: None) (from 2/22/2011) - PER RECOMMENDATION OF THE DIRECTOR OF ENGINEERING, SURVEYING & PERMIT SERVICES, APPROVED EXCEPTION TO WESTERN ROSEDALE SPECIFIC PLAN SEWER SERVICE POLICIES

Watson-Scrivner: All Ayes

All S.D.’s

CA-9) Annual Report regarding General Plan and Housing Element (Fiscal Impact: None) - RECEIVED AND FILED

Watson-Scrivner: All Ayes

DEVELOPMENT SERVICES AGENCY
Engineering, Surveying and Permit Services Department

Continued Hearing

S.D. #4


Watson-Scrivner: All Ayes
S.D. #1

CA-11) Request to set public hearing on proposed increased assessments for County Service Area No. 72, Delano area (Fiscal Impact: $632 Additional Revenue FY 2011-2012; CSA’s; Budgeted; Discretionary) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15273 OF STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, MAY 10, 2011, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; DIRECTED ENGINEERING, SURVEYING & PERMIT SERVICES DEPARTMENT TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER’S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; ADOPTED RESOLUTION 2011-051 SETTING HEARING TO CONSIDER INCREASED ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 72

Watson-Scrivner: All Ayes

S.D. #3

CA-12) Request to set public hearing on proposed increased assessments for County Service Area No. 8, northeast Bakersfield area (Fiscal Impact: $2,650 Additional Revenue FY 2011-2012; CSA’s; Budgeted; Discretionary) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15273 OF STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, MAY 10, 2011, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; DIRECTED ENGINEERING, SURVEYING & PERMIT SERVICES DEPARTMENT TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER’S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; ADOPTED RESOLUTION 2011-052 SETTING HEARING TO CONSIDER INCREASED ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 8

Watson-Scrivner: All Ayes

CA-13) Request to set public hearing on proposed increased assessments for County Service Area No. 54, west Bakersfield area (Fiscal Impact: $2,456 Additional Revenue FY 2011-2012; CSA’s; Budgeted; Discretionary) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15273 OF STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, MAY 10, 2011, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; DIRECTED ENGINEERING, SURVEYING & PERMIT SERVICES DEPARTMENT TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER’S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; ADOPTED RESOLUTION 2011-053 SETTING HEARING TO CONSIDER INCREASED ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 54

Watson-Scrivner: All Ayes
CA-14) Request to set public hearing on proposed increased assessments for County Service Area No. 21, east Bakersfield area (Fiscal Impact: $732 Additional Revenue FY 2011-2012; CSA’s; Budgeted; Discretionary) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15273 OF STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, MAY 10, 2011, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; DIRECTED ENGINEERING, SURVEYING & PERMIT SERVICES DEPARTMENT TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER’S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; ADOPTED RESOLUTION 2011-054 SETTING HEARING TO CONSIDER INCREASED ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 21

Watson-Scrivner: All Ayes

CA-15) Request to set public hearing on proposed increased assessments for County Service Area No. 62, Randsburg-Johannesburg area (Fiscal Impact: $3,649.50 Additional Revenue FY 2011-2012; CSA’s; Budgeted; Discretionary) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15273 OF STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, MAY 10, 2011, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; DIRECTED ENGINEERING, SURVEYING & PERMIT SERVICES DEPARTMENT TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER’S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; ADOPTED RESOLUTION 2011-055 SETTING HEARING TO CONSIDER INCREASED ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 62

Watson-Scrivner: All Ayes

All S.D.’s

CA-16) Proposed retroactive Amendment No. 4 to Agreement 1086-2005 with Minner, Stinnett, Koo & Agbayani for plan review services for the Building Inspection Division, to adopt new rate schedule, effective May 1, 2010 through April 30, 2011 (Fiscal Impact: $1,044; Building Inspection Division; Budgeted; Department 2625 Non-General Fund; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 151-2011

Watson-Scrivner: All Ayes
DEVELOPMENT SERVICES AGENCY
Roads Department

S.D. #1

CA-17) Proposed Amendment No. 1 to Common Use Agreement 848-2009 with North Kern Water Storage District for bridge improvements for the Seventh Standard Road widening project (Fiscal Impact: $17,000; Seventh Standard Road Widening Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 152-2011

Watson-Scrivner: All Ayes

CA-18) Proposed establishment of a 30-mile-per-hour speed limit on Webb Avenue between Lake Isabella Boulevard and Clark Street, Lake Isabella area (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Watson-Scrivner: All Ayes

S.D. #3

CA-19) Contract No. 11014, identify apparent low bid of Burtch Construction for construction on North Chester Avenue curb ramps, in an amount not to exceed $94,937.10 (Fiscal Impact: $94,937.10; Community Development Block Grant Funds; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Watson-Scrivner: All Ayes

S.D. #4

CA-20) Proposed payment to Chuck Sears and Laura Hudson in the amount of $80,000 for acquisition of a portion of Parcel J required for construction of Hageman Road/Burlington Northern Santa Fe (BNSF) Separation of Grade at Allen Road (Fiscal Impact: $80,000; Hageman Road Separation of Grade Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Watson-Scrivner: All Ayes

CA-21) Proposed payment to Charles Richard Vigstrom and Barbara Ann Vigstrom, trustees, in the amount of $85,000 for acquisition of a portion of Parcel J required for construction of Hageman Road/BNSF Separation of Grade at Allen Road (Fiscal Impact: $85,000; Hageman Road Separation of Grade Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Watson-Scrivner: All Ayes

S.D. #5

CA-22) Proposed Contract No. 11010 with Global International Development, Inc., for construction on Lamont Street Improvements, in an amount not to exceed $179,833 (Fiscal Impact: $179,833; Community Development Block Grant Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 153-2011

Watson-Scrivner: All Ayes
WASTE MANAGEMENT

S.D. #4

CA-23) Request to set public hearing to consider the report “Universal Collection in Buttonwillow”, adoption of Universal Collection in Buttonwillow and placing basic residential collection service charges on the property tax rolls (Fiscal Impact: None) - RECEIVED AND FILED; SET HEARING FOR TUESDAY, MAY 3, 2011, AT 2:00 P.M.; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF HEARING AND NOTICE OF PROTEST HEARING; DESIGNATED COUNTY COUNSEL AS OFFICIAL TO PREPARE A FAIR AND ADEQUATE SUMMARY; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND SUMMARY OF PROPOSED ORDINANCE; AND CAUSE NOTICE OF PROTEST HEARING TO BE MAILED TO PARCEL OWNERS OF RECORD

Watson-Scrivner: All Ayes

COUNTY ADMINISTRATIVE OFFICE

CA-25) Proposed response to Grand Jury report entitled Kern County Sheriff’s Department Lamont Substation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Scrivner: All Ayes

Legislative Matters

CA-26) Proposed Resolution requesting legislation exempting qualified renewable energy projects from water supply assessment (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2011-056; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Scrivner: All Ayes

CA-27) AB 46 (Perez), requiring disincorporation of the City of Vernon (Fiscal Impact: None) - ADOPTED POSITION OF SUPPORT IF AMENDED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Scrivner: All Ayes

CA-28) Request to support F-35C Joint Strike Fighter, full funding and squadron location at Lemoore Naval Air Station (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2011-057; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Scrivner: All Ayes
CA-29) Community Development Block Grant full funding (Fiscal Impact: None) - ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE
Watson-Scrivner: All Ayes

CA-30) SB 325 (Rubio), Creation of Central California Rail Authority (Fiscal Impact: None) - ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE
Watson-Scrivner: All Ayes

CA-31) AB 720 (Hall), Limiting discretion of County Road Commissioners to contract for road repairs (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE
Watson-Scrivner: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division
Hearings
S.D. #1

CA-32) Proposed Resolution and Ordinance granting pipeline franchise to Ranch House Estates Water Company (Fiscal Impact: $1,200 Renewal Fee; $175 Revenue; General Fund; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION, AS APPROPRIATE; ADOPTED RESOLUTION 2011-058 AND ENACTED ORDINANCE F-541
Watson-Scrivner: All Ayes

S.D. #4

CA-33) Proposed Resolution and Ordinance granting pipeline franchise to Brock Mutual Water Company (Fiscal Impact: $1,200 Renewal Fee; $2,140 Revenue; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION, AS APPROPRIATE; ADOPTED RESOLUTION 2011-059 AND ENACTED ORDINANCE F-542
Watson-Scrivner: All Ayes

S.D. #1

CA-34) Request to set hearing for approval to initiate the purchase of a 24.54 acre portion of A.P.N. 482-030-43, from Paramount Land Company, L.P.; and request to appropriate unanticipated revenue (Fiscal Impact: $268,000; Not Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2011-060; AUTHORIZED AUDITOR-CONTROLLER TO PROCESS SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061 (A)(3); SET HEARING FOR TUESDAY, APRIL 12, 2011, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH HEARING THREE (3) TIMES IN ACCORDANCE WITH SECTION 6063 OF THE GOVERNMENT CODE
Watson-Scrivner: All Ayes
CA-35) Proposed Amendment No. 1 to Agreement 691-2010 with Cannon Associates for additional services and fees for the Leroy Jackson Park Improvements, increasing the amount by $7,400, to a new not to exceed amount of $97,000 (Fiscal Impact: $7,400; Community Development Block Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 155-2011

Watson-Scrivner: All Ayes

CA-36) Proposed Amendment No. 2 to Agreement 957-2009 with Harrel Engineering for additional structural engineering services for the new fire station in Pine Mountain Club, an increase of $20,350, for a new not to exceed amount of $103,950 (Fiscal Impact: $20,350; C.O.P. Project Funding; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 156-2011

Watson-Scrivner: All Ayes

S.D. #5

CA-37) Change Order No. 16 for the new Central Plant at Kern Medical Center, an increase of $220,707, for a new total of $11,771,753; and proposed Resolution to dispense with bidding requirements for Change Orders in excess of ten (10) percent of contract amount (Fiscal Impact: $220,707; Kern Medical Center Enterprise Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2011-061; AUTHORIZED CHAIRMAN TO SIGN

Watson-Scrivner: All Ayes

All S.D.’s

CA-38) Job Order Contract Project Listing Update (Various Projects) (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED

Watson-Scrivner: All Ayes

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

CA-39) Proposed Agreement with the City of Maricopa for access to the Criminal Justice Information System (CJIS) beginning March 15, 2011, and continuing unless terminated by either the City of Maricopa or the County on thirty (30) days prior written notice, with estimated revenues of $840 annually (Fiscal Impact: $840; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 157-2011

Watson-Scrivner: All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED MARCH 1, 2011

CA-40) Proposed Ordinance adding Section 10.16.073 to Chapter 10.16 of Title 10 of the Kern County Ordinance Code establishing a no parking zone along the north side of Lagoon Drive, beginning one hundred sixty-two (162) feet east of the northeast curb return at Tracy Avenue, thence easterly a distance of twenty-six (26) feet, near Buttonwillow (Fiscal Impact: None) - ENACTED ORDINANCE G-8128

Watson-Scrivner: All Ayes
CA-41) Proposed Ordinance to amend Kern County Solid Waste Ordinance Sections 8.28.081 through 8.28.084 concerning Universal Collection Areas (Fiscal Impact: None) - ENACTED ORDINANCE G-8129
Watson-Scrivner: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

CA-42) Budget Transfers - APPROVED NOS.124 THROUGH 133
Watson-Scrivner: All Ayes

CA-43) Minutes for week of January 31, 2011 - APPROVED
Watson-Scrivner: All Ayes

CA-44) Miscellaneous Letters and Documents - FILED
Watson-Scrivner: All Ayes

CA-45) Letters Received and Referred by Clerk of the Board - APPROVED AND FILED
Watson-Scrivner: All Ayes

CA-46) Claims and Lawsuits Filed with and Referred by Clerk of the Board - APPROVED AND FILED
Watson-Scrivner: All Ayes

ADJOURNED TO TUESDAY, MARCH 22, 2011, AT 9:00 A.M.
Scrivner

/s/ Kathleen Krause
Clerk of the Board

/s/ Mike Maggard
Chairman, Board of Supervisors
44) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor

A) Response to Grand Jury report on Elections, investigating allegations of voter fraud

Clerk of the Board

B) Received, certified and transmitted to Recorder for recordation as follows:
   1) Tract Map No. 6364, Phase 5  S.D. #4

C) Monthly Referral Report for February 2011

General Services

D) Release of Safeco Insurance Company of America Bond No. 6510501, Stockdale Oil & Gas, Inc., in compliance with Franchise Ordinance F-374

Grand Jury

E) 2010-2011 Grand Jury Final Report re An Investigation of Alleged Election Irregularities in Kern County (Copies to each Supervisor, CAO and Auditor-Controller)

Local Agency Formation Commission

F) Notice of Hearing, Proceeding No. 1616 in the matter of City of Bakersfield, Annexation No. 604 (South H No. 2) (Copies to each Supervisor, CAO and Development Services Agency)

G) Notice of Hearing, Proceeding No. 1610 in the matter of Kern Tulare Water District, Detachment Y (Copies to each Supervisor, CAO and Development Services Agency)

H) Notice of Hearing in the matter of Public Hearing on Fiscal Year 2011-2012 LAFCO Preliminary Budget (Copies to each Supervisor, CAO and Development Services Agency)

Planning and Community Development

I) Recorded Irrevocable Offer of Dedication from Keith B. Gardiner and Jennifer T. Gardiner for Parcel Map Waiver No. 02-10 (Document No. 0211016124)

Sheriff

J) Response to Grand Jury report for Kern County Sheriff’s Office Lamont Substation

Treasurer-Tax Collector

K) Pooled Cash Portfolio Analysis Month Ended January 31, 2011
Miscellaneous

L) Letter from U.S. Congressman John Mica re Transportation Security Administration security screening opt-out program (Copies to each Supervisor, CAO, Airports and County Counsel)

M) Letter from Sherrie Fonbuena, State Department of Fish and Game, re notices of proposed regulatory action relating to Central Valley sport fishing, Klamath River sport fishing, ocean salmon sport fishing, mammal hunting, and Southeast Farallon Island Special Closure (Copies to each Supervisor, CAO and Parks)

N) Letter from James Frey, State Lands Commission, re request from United States Bureau of Prisons to grant a cession of concurrent criminal jurisdiction for five years over the Taft Correctional Institution (Copies to each Supervisor, CAO, Sheriff and County Counsel)

O) Letter from Mayor Willard Rodarmel, City of Lemoore, re Enlisting Support for the F-35C Joint Strike Fighter at Naval Air Station Lemoore (Copies to each Supervisor and CAO)

P) Letter from Paul Gorte, Redevelopment Manager, City of Taft, re Proposed 2011 Amendment to the Redevelopment Plan for the Taft Community Development Project No. 1 (Copies to each Supervisor, CAO, Auditor-Controller, Development Services Agency and County Counsel)

Q) Letter from Kathleen Philley, Director, Children’s Center, Bakersfield Adult School, re requesting support in preserving Proposition 10 funding at its current levels (Copies to each Supervisor and CAO)

R) Letter from Jodi Loeffler, Assistant Principal, Bakersfield Adult School, re requesting support in preserving Proposition 10 funding at its current levels (Copies to each Supervisor and CAO)

S) Letter from Robert Beehler, President and CEO, San Joaquin Community Hospital, re Revise Proposition 10 Funding Shift (Copies to each Supervisor and CAO)

T) Letter from Joaquin Arturo Revelo, Esq., re withdrawal of complaint concerning tax assessment on property (Copies to each Supervisor, CAO, Auditor-Controller and County Counsel)

U) Letter from Geneva Coats, California Federation of Dog Clubs, supporting proposed relocation of the Villalobos Rescue Center to the Tehachapi area (Copies to each Supervisor, CAO, Planning and County Counsel)

V) Letter from Staci Cash re support of Villalobos Rescue Center (Copies to each Supervisor, CAO, Planning and County Counsel)

W) Letter from John and Deborah Richardson re violations of unpermitted residential properties submitted to Code Compliance (Copies to each Supervisor, CAO, Engineering, Surveying and Permit Services-Code Compliance and County Counsel)

X) Thank you letter from Sally Morrison re display of In God We Trust (Copies to each Supervisor and CAO)

Y) E-mail from Linda Robredo re Grand Jury Report concerning New Frazier Park Library Oak Trees (Copies to each Supervisor, CAO and County Counsel)
Z) E-mail from Katherine King re Grand Jury Report concerning New Frazier Park Library Oak Trees (Copies to each Supervisor, CAO and County Counsel)

AA) E-mail from Kathleen Thompson re Kern Health Systems Board Members (Copies to each Supervisor, CAO, Kern Medical Center and County Counsel)

BB) E-mail from Zachary Yeates re support of F-35 Joint Strike Fighter (Copies to each Supervisor and CAO)

CC) Notification for T-Mobile Site No. SV12651A, installation of 6 antennas, Lamont (Copies to each Supervisor, CAO and Planning)

DD) Notification for T-Mobile Site No. SV12516B, installation of 17 antennas, Rosamond (Copies to each Supervisor, CAO and Planning)

EE) Notice of Unified Trustees Sale, Loan No. 1050246566-00026, 7737 Meany Avenue, Bakersfield (Copy to General Services-Property Management)

FF) Notice of Default and Election to Sell Under Deed of Trust, Loan No. 7428022164, Jorge Rosas Lanuza (Copy to General Services-Property Management)

GG) Notice of Application of Pacific Gas and Electric Company for Recovery of Costs of the Market Redesign and Technology Upgrade (MRTU) Initiative (Copies to each Supervisor, CAO, General Services and County Counsel)

HH) News Release from U.S. Forest Service re Los Padres Issues Safety Reminder as Winter Storm Approaches (Copies to each Supervisor and CAO)

II) News Release from Kern County Water Agency re Agency Praises Public Policy Institute of California’s Recommendation of State Water Project Organizational Reforms (Copies to each Supervisor, CAO and Development Services Agency)

JJ) News Release from Kern County Water Agency re Agency Reflects on State Water Project Contract While Approaching 50th Anniversary (Copies to each Supervisor, CAO and Development Services Agency)

KK) Notice from State Department of Alcoholic Beverage Control re applications for an alcoholic beverage license from: The Chatterbox Cafe®, 6629 Wofford Blvd, Wofford Heights; El Milagro Market, 575 Panama Lane, Bakersfield; Chavez Vineyards, 3045 - 90th Street W, Rosamond (Copies to each Supervisor, CAO, Planning and Environmental Health)

LL) Agenda for In-Home Supportive Services Advisory Committee on March 10, 2011

MM) Agenda for Early Childhood Council of Kern on March 2, 2011

NN) Agenda for Kern Health Systems Board of Directors on March 10, 2011

OO) Minutes for Kern Health Systems Finance Committee Meeting on February 4, 2011
PP) Minutes for Kern Health Systems Board of Directors Meeting on February 10, 2011

QQ) Minutes for Kern Health Systems Special Board of Directors Meeting on February 23, 2011

45) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED

A) Letter from U.S. Department of Housing and Urban Development re Homelessness Prevention and Rapid Re-Housing Program - REFERRED TO PLANNING AND COMMUNITY DEVELOPMENT (Copies to each Supervisor and CAO)

46) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED

A) Claim in the matter of Jayson Costa vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

B) Claim in the matter of Rosita Feliciano vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

C) Claim in the matter of Eugene Hayden vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

D) Claim in the matter of Vincent Najera vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

E) Claim in the matter of Wilson Rojas vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

F) Claim in the matter of Karen Socher vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

G) Claim in the matter of Southern California Edison vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

H) Claim in the matter of Nadia Nunez Rigoberto Nunez vs. County of Kern (dated 2/17/2011) - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

I) Claim in the matter of Nadia Nunez Rigoberto Nunez vs. County of Kern (dated 2/22/2011) - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

J) Wrongful Death Case Settlement Demand in the matter of Diana Stricklen vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

K) Claim for Damages, Wrongful Death, in the matter of Alma Nickisch and Hubert Karl Nickisch vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

L) Summons and Complaint in the matter of Jeannie Gillen vs. County of Kern et al. - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
M) Summons and Complaint in the matter of Kathy Grens vs. County of Kern et al. - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

N) Summons and Complaint in the matter of Thomas R. O’Connor vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

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