# AGENDA

## BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, June 20, 2023

2:00 P.M.

All agenda item supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors, 1115 Truxtun Ave., 5th Floor, Bakersfield, 93301 during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, following the posting of the agenda. Any supporting documentation that relates to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to the meeting will also be available for review at the same location.

**PLEASE REMEMBER TO TURN OFF ALL CELL PHONES, PAGERS OR ELECTRONIC DEVICES DURING BOARD MEETINGS.**

**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 Peters and Scrivner); Community Action Partnership of Kern (Supervisor Flores); Kern County Network for Children (Supervisor Peters); Kern Economic Development Corporation (Supervisors Scrivner, Couch, and Peters); Southern California Water Committee (Supervisors Couch and Flores); Tobacco Funding Corporation, Kern County (Supervisors Scrivner and Flores); Kern County Foundation, Inc. (Supervisor Flores); and Kern Medical Center Foundation (Supervisors Flores and Scrivner).

BOARD TO RECONVENE

Supervisors: Peters, Scrivner, Flores, Couch, Perez
ROLL CALL:

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT:
ALL ITEMS LISTED WITH A "CA" OR "C" ABOVE THE ITEM NUMBER ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY COUNTY STAFF. THE "CA" REPRESENTS THE CONSENT AGENDA FOR THE BOARD OF SUPERVISORS. THE "C" REPRESENTS THE CONSENT AGENDA FOR THE KERN SANITATION AUTHORITY AND/OR FORD CITY-TAFT HEIGHTS SANITATION DISTRICT AND/OR IHSS PUBLIC AUTHORITY. CONSENT ITEMS WILL BE CONSIDERED FIRST AND MAY BE APPROVED BY ONE MOTION. IF A MEMBER OF THE AUDIENCE WISHES TO COMMENT OR ASK QUESTIONS REGARDING AN ITEM OR ITEMS ON THE CONSENT AGENDA, THEY MAY DO SO PRIOR TO A VOTE BEING TAKEN ON THE CONSENT AGENDA. A MEMBER OF THE BOARD MAY REMOVE ANY ITEM FROM THE CONSENT AGENDA AND IT WILL BE CONSIDERED IN LISTED SEQUENCE WITH AN OPPORTUNITY FOR ANY MEMBER OF THE PUBLIC TO ADDRESS THE BOARD CONCERNING THE ITEM BEFORE ACTION IS TAKEN. A MEMBER OF THE PUBLIC MAY ALSO COMMENT ON ANY CLOSED SESSION ITEM.

STAFF RECOMMENDATION SHOWN IN CAPS

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!

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])

HEARINGS

PLANNING AND NATURAL RESOURCES DEPARTMENT

CA

3) **Request of AFTW Storage, LLC by QK for a Conditional Use Permit to allow the construction and operation of a 1.2-megawatt, Battery Energy Storage System facility and associated infrastructure on 1.19 acres, located at 11858 Copus Road, Mettler (S.D. # 4)**
Specific Request:
A Conditional Use Permit to allow for the construction and operation of a 1.2 megawatt (MW) battery energy storage system facility and associated infrastructure (Section 19.12.030.G) on an approximately 1.19-acre site in an A (Exclusive Agriculture) District (CUP #31, Map #160)
(Environmental Review: Categorically Exempt, Section 15303, of the State CEQA Guidelines; Published Bakersfield Californian) -
OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; PER PLANNING AND NATURAL RESOURCES DEPARTMENT RECOMMENDATION, ADOPT RESOLUTION AND RECOMMENDED FINDINGS APPROVING CONDITIONAL USE PERMIT SUBJECT TO RECOMMENDED CONDITIONS; APPROVE MEMORANDUM OF UNDERSTANDING/AGREEMENT AND AUTHORIZE CHAIRMAN TO SIGN

DEPARTMENTAL REQUESTS

PLANNING AND NATURAL RESOURCES DEPARTMENT

CA

4) Request of Jose Escobedo by Wiley D. Hughes Surveying, Inc. for an exception to the requirement for connection to public sewer for Tentative Parcel Map No. 12403, located at the south side of Houghton Road, between Eberle Road and Ashe Road, Bakersfield area; Environmental Review: Categorically Exempt, Section 15303(d) of the State CEQA Guidelines (Fiscal Impact: None) (S.D.#4) -
APPROVE EXCEPTION TO THE METROPOLITAN BAKERSFIELD GENERAL PLAN SEWER SERVICE POLICIES

PUBLIC WORKS DEPARTMENT

CA

5) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work located at 097-180-16 Highway 395, Ridgecrest, APN: 097-180-16 (Fiscal Impact: $20,181.40; Code Compliance Fund; Budgeted; Discretionary) (S.D. #1) –
OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(1), 15061(b)(2), 15061(b)(3), 15268, AND 15321 OF

STATE CEQA GUIDELINES; RECEIVE AND FILE REPORT; ADOPT RESOLUTION CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO ABATE PUBLIC NUISANCE ON SUBJECT PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN 10 DAYS, BE A LIEN AGAINST SUBJECT PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY AUDITOR AND TO BE COLLECTED IN SAME MANNER AND SUBJECT TO SAME PENALTIES AS ORDINARY COUNTY TAXES ON REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECT PUBLIC WORKS DEPARTMENT TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER

CA

6) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work located at 225 Mariposa Avenue, Bakersfield, APN: 011-334-12 (Fiscal Impact: $1,178.76; Code Compliance Fund; Budgeted; Discretionary) (S.D. #5) –
OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(1), 15061(b)(2), 15061(b)(3), 15268, AND 15321 OF STATE CEQA GUIDELINES; RECEIVE AND FILE REPORT; ADOPT RESOLUTION CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO ABATE PUBLIC NUISANCE ON SUBJECT PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN 10 DAYS, BE A LIEN AGAINST SUBJECT PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY AUDITOR AND TO BE COLLECTED IN SAME MANNER AND SUBJECT TO SAME PENALTIES AS ORDINARY COUNTY TAXES ON REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECT PUBLIC WORKS DEPARTMENT TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER

CA

7) Protest hearing on proposed confirmation of administrative penalties and costs incurred for nuisance abatement work located at Avenue A / Cagel Street, Rosamond, APN: 375-150-19 (Fiscal Impact: $7,262.27; Code Compliance Fund; Budgeted; Discretionary) (S.D. #2) –
OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(1), 15061(b)(2), 15061(b)(3), 15268, AND 15321 OF STATE CEQA GUIDELINES; RECEIVE AND FILE REPORT; ADOPT RESOLUTION CONFIRMING ADMINISTRATIVE PENALTIES AND COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO ABATE PUBLIC NUISANCE ON SUBJECT PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN 10 DAYS, BE A LIEN AGAINST SUBJECT PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY AUDITOR AND TO BE COLLECTED IN SAME MANNER AND SUBJECT TO SAME PENALTIES AS ORDINARY COUNTY TAXES ON REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECT PUBLIC WORKS DEPARTMENT TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER

CA

8) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work located at 716 Charlana Drive, Bakersfield, APN: 112-142-10 (Fiscal Impact: $13,768.73; Code Compliance Fund; Budgeted; Discretionary) (S.D. #3) –
OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(1), 15061(b)(2), 15061(b)(3), 15268, AND 15321 OF STATE CEQA GUIDELINES; RECEIVE AND FILE REPORT; ADOPT RESOLUTION CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO ABATE PUBLIC NUISANCE ON SUBJECT PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN 10 DAYS, BE A LIEN AGAINST SUBJECT PROPERTY AND CONSTITUTE A SPECIAL

ASSESSMENT TO BE PLACED ON TAX ROLL BY AUDITOR AND TO BE COLLECTED IN SAME MANNER AND SUBJECT TO SAME PENALTIES AS ORDINARY COUNTY TAXES ON REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECT PUBLIC WORKS DEPARTMENT TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER

CA

9) Protest hearing on proposed confirmation of administrative penalties and costs incurred for nuisance abatement work located at 1100 Quincy Street, Bakersfield, APN: 127-050-16 (Fiscal Impact: $10,523.17; Code Compliance Fund; Budgeted; Discretionary) (S.D. #5) –
OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(1), 15061(b)(2), 15061(b)(3), 15268, AND 15321 OF STATE CEQA GUIDELINES; RECEIVE AND FILE REPORT; ADOPT RESOLUTION CONFIRMING ADMINISTRATIVE PENALITIES AND COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO ABATE PUBLIC NUISANCE ON SUBJECT PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN 10 DAYS, BE A LIEN AGAINST SUBJECT PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY AUDITOR AND TO BE COLLECTED IN SAME MANNER AND SUBJECT TO SAME PENALTIES AS ORDINARY COUNTY TAXES ON REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECT PUBLIC WORKS DEPARTMENT TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER

CA

10) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work located at 2029 Rainbow Drive, Lake Isabella, APN: 263-322-15 (Fiscal Impact: $3,176.70; Code Compliance Fund; Budgeted; Discretionary) (S.D. #1) –
OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(1), 15061(b)(2), 15061(b)(3), 15268, AND 15321 OF STATE CEQA GUIDELINES; RECEIVE AND FILE REPORT; ADOPT RESOLUTION CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO ABATE PUBLIC NUISANCE ON SUBJECT PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN 10 DAYS, BE A LIEN AGAINST SUBJECT PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY AUDITOR AND TO BE COLLECTED IN SAME MANNER AND SUBJECT TO SAME PENALTIES AS ORDINARY COUNTY TAXES ON REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECT PUBLIC WORKS DEPARTMENT TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER

CA

11) Proposed Resolution authorizing filing of Congestion Mitigation and Air Quality (CMAQ) Program Applications (Fiscal Impact: None) (S.D.s #2 & 4) –
APPROVE; ADOPT RESOLUTION

CA

12) Proposed Resolution designating the Director and Assistant Directors of Public Works to sign and submit application for grant funds for pre-disaster mitigation and hazard mitigation grant programs with California Governor's Office of Emergency Services (Fiscal Impact: None) (All S.D.s) –
APPROVE; ADOPT RESOLUTION

CA

13) Proposed Resolution authorizing filing of Regional Surface Transportation Program applications (Fiscal Impact: None) (S.D.s #1, 2, 3, & 5) –
APPROVE; ADOPT RESOLUTION

CA

14) Contract No. 24009, Plans, Specifications, and Notice to Bidders for metal push wall at Lebec transfer station, Lebec (Fiscal Impact: $238,700; Solid Waste Enterprise Fund; Budgeted; Discretionary) (S.D. #2) –
MAKE FINDING PROJECT IS CATEGORICALLY EXEMPT FROM FURTHER CEQA REVIEW, PER SECTION 15301 OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN; AUTHORIZE PUBLIC WORKS TO PUBLISH NOTICE TO BIDDERS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JULY 19, 2023, AT 11:00 A.M.

CA

15) Contract No. 24010, Plans, Specifications, and Notice to Bidders for road resurfacing on Frazier Mountain Park Road from 2,000 feet west of Ralphs Ranch Road to Interstate 5 off ramp, Frazier Park (Fiscal Impact: $809,306; Road Maintenance and Rehabilitation Account; Budgeted; Discretionary) (S.D. #2) –
MAKE FINDING PROJECT IS CATEGORICALLY EXEMPT FROM FURTHER CEQA REVIEW, PER SECTION 15301(c) OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN; AUTHORIZE PUBLIC WORKS TO PUBLISH NOTICE TO BIDDERS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JULY 19, 2023, AT 11:00 A.M.

CA

16) Contract No. 24011, Plans, Specifications, and Notice to Bidders for road rehabilitation on Famoso Road from 1,000 feet west of Sherwood Avenue to 1000 feet south of Tule Road, McFarland (Fiscal Impact: $4,187,648; Road Maintenance and Rehabilitation Account; Budgeted; Discretionary) (S.D. #1) –
MAKE FINDING PROJECT IS CATEGORICALLY EXEMPT FROM FURTHER CEQA REVIEW, PER SECTION 15301 OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN; AUTHORIZE PUBLIC WORKS TO PUBLISH NOTICE TO BIDDERS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JULY 19, 2023, AT 11:00 A.M.

CA

17) Contract No. 23019, Plans, Specifications, and Notice to Bidders for traffic signal on South Dr. Martin Luther King Jr. Boulevard at Cheatham Avenue, Bakersfield (Fiscal Impact: $834,171; Congestion Mitigation and Air Quality Improvement Program; Budgeted; Discretionary) (S.D. #5) –
MAKE FINDING PROJECT IS CATEGORICALLY EXEMPT FROM FURTHER CEQA REVIEW, PER SECTION 15301(c) OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN; AUTHORIZE PUBLIC WORKS TO PUBLISH NOTICE TO BIDDERS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JULY 19, 2023, AT 11:00 A.M.

18) Contract No. 24006, Plans, Specifications, and Notice to Bidders for pedestrian and bike path improvements at various locations in Lamont (Fiscal Impact: $1,660,883; Road Maintenance and Rehabilitation Account; Budgeted; Discretionary) (S.D. #4) –
MAKE FINDING PROJECT IS CATEGORICALLY EXEMPT FROM FURTHER CEQA REVIEW, PER SECTION 15301(c) OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN; AUTHORIZE PUBLIC WORKS TO PUBLISH NOTICE TO BIDDERS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JULY 19, 2023, AT 11:00 A.M.

CA

19) Proposed Contract No. 23010, identify apparent low, responsive, and responsible bid and approve contract with Bowman Asphalt for shoulder improvements on Downing Avenue from 375 feet west of Alken Street to Wear

Street, Bakersfield in the amount of $113,288 (Fiscal Impact: $113,288; Road Fund; Budgeted; Discretionary) (S.D. #3) –
IDENTIFY APPARENT LOW, RESPONSIVE, AND RESPONSIBLE BID; APPROVE CONTRACT; AUTHORIZE DIRECTOR OF PUBLIC WORKS OR DESIGNEE TO SIGN; AUTHORIZE PUBLIC WORKS TO RELEASE ALL OTHER BID GUARANTEES

CA

20) Proposed Contract No. 24002, identify apparent low, responsive, and responsible bid and approve contract with Roy Allan Slurry Seal, Inc., for slurry seal at Wasco Airport Phase II, Wasco in the amount of $178,667.35 (Fiscal Impact: $178,667.35; Airport Improvement Program; Budgeted; Discretionary) (S.D. #4) –
IDENTIFY APPARENT LOW, RESPONSIVE, AND RESPONSIBLE BID; APPROVE CONTRACT; AUTHORIZE DIRECTOR OF PUBLIC WORKS OR DESIGNEE TO SIGN; AUTHORIZE PUBLIC WORKS TO RELEASE ALL OTHER BID GUARANTEES

CA

21) Proposed Utility Agreement with Level 3 Communications, LLC – Lumen Technologies, Inc., for the relocation and placement of new duct system for fiber cables on Atlas Court as part of Atlas Street Grade Separation Project, Contract No. 24003, Bakersfield (Fiscal Impact: $755,455.40 [FY 2022-2023]; Road Fund; Budgeted; Discretionary) (S.D. #3) –
APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA

22) Request for release of Faithful Performance Security Bond for street and drainage improvements one-year guarantee period, Tract 7233, northeast corner of Noriega Road and Rudd Avenue, western Rosedale (Fiscal Impact: None) (S.D. #1) –
RELEASE FAITHFUL SECURITY BOND NO. 100577196, ISSUED BY AMERICAN CONTRACTORS INDEMNITY COMPANY, IN THE AMOUNT OF $21,135

CA

23) Request for mid-year capital asset acquisition of one log splitter, to comply with SB 1383 recycling mandate, in an amount not to exceed $35,821 (Fiscal Impact: $35,821; Solid Waste Enterprise Fund; Not Budgeted; Discretionary) (All S.D.s) –
APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PROCESS THE SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS

CA

24) Request for mid-year capital asset acquisition of emission reduction credits to comply with SB 1383 recycling mandate, at an estimated cost of $73,169 (Fiscal Impact: $73,169; Solid Waste Enterprise Fund; Not Budgeted; Discretionary) (All S.D.s) –
APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PROCESS THE SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS

CA

25) Proposed consolidation of capital projects for improvements at Bena Landfill in the amount of $2,650,000 (Fiscal Impact: $2,650,000; Solid Waste Enterprise Fund; Budgeted; Discretionary) (All S.D.s) –
APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PROCESS THE SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS

COUNTY ADMINISTRATIVE OFFICE

CA

26) Request for retroactive authorization to apply for grant funding from the Bureau of Justice Assistance, Office of Justice Programs for correctional purposes in an estimated amount of $550,000 (Fiscal Impact: $550,000; General Fund; Budgeted; Discretionary) -
APPROVE; AUTHORIZE CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE TO SIGN ALL GRANT APPLICATION DOCUMENTS

CA

27) Proposed allocation from Real Estate Fraud Fund to Sheriff's Office for investigation and deterrence of real estate fraud crimes in the amount of $395,000 (Fiscal Impact: $395,000; Real Estate Fraud Fund; Budgeted; Discretionary) -
APPROVE

CA

28) Proposed release of General Fund designation in the amount of $417,411 for additional architectural improvements at the new Coroner Facility (Fiscal Impact: $417,411 General Fund; Not Budgeted; Discretionary) –
APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PROCESS THE SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS

CA

29) Proposed Resolution approving participation in the 2023-2024 California Arts Council State/Local Partnership Program at the request of the Arts Council of Kern (Fiscal Impact: None) -
APPROVE; ADOPT RESOLUTION

CA

30) Proposed retroactive addition of one Chief Workforce Development Officer and concurrent deletion of one Assistant County Administrative Officer position to Employers' Training Resource, effective June 17, 2023 (Fiscal Impact: None) -
APPROVE; REFER TO HUMAN RESOURCES DIVISION TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

CA

31) Request for approval to increase the 2011 Realignment Support Services Reserve Sub-account in the amount of $469,638 from one-time Fiscal Year 2021-2022 Growth Funds (Fiscal Impact: $469,638; 2011 Realignment; Not Budgeted; Discretionary) -
APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PROCESS THE SPECIFIED BUDGETARY ADJUSTMENTS AND ACCOUNTING TRANSACTIONS

CA

32) Proposed contribution to Kern County Animal Services in the amount of $14,000 to fund spay and neuter services for California City area (Fiscal Impact: $14,000; General Fund; Budgeted; Discretionary) -
APPROVE

COUNTY ADMINISTRATIVE OFFICE - General Services Division

CA

33) Proposed Resolution of Intent to set hearing for proposed 20-year non-public utility pipeline Franchise Ordinance to Tricor Energy, LLC (Fiscal Impact: $1,200 Administrative Fee; Not Budgeted; Discretionary) (S.D. #1) –
DESIGNATE THE OFFICE OF COUNTY COUNSEL AS THE OFFICIAL TO PREPARE A FAIR AND ADEQUATE SUMMARY; ADOPT RESOLUTION; SET HEARING FOR TUESDAY, JULY 25, 2023, AT 2:00 P.M.; DIRECT CLERK OF THE BOARD TO PUBLISH HEARING NOTICE AND SUMMARY OF PROPOSED ORDINANCE ONE TIME PER CALIFORNIA PUBLIC UTILITIES CODE SECTION 6232 IN THE BAKERSFIELD CALIFORNIAN

CA

34) Identify apparent low, responsive, and responsible bid and approve Contract No. 1650.7019.22 with DL Brown Construction, Inc., for Lost Hills Park Beautification–Phase 1 in an amount not to exceed $330,210 (Fiscal Impact: $330,210; Budgeted; Discretionary) (S.D. #4) –
IDENTIFY APPARENT LOW, RESPONSIVE, AND RESPONSIBLE BID; APPROVE CONTRACT; AUTHORIZE CHIEF GENERAL SERVICES OFFICER OR DESIGNEE TO SIGN; AUTHORIZE GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES

CA

35) Plans, Specifications and Notice to Contractors for Southeast Center HVAC Replacement Project in Bakersfield (Project No. 1650.7061.22) (Fiscal Impact: None) (S.D. #5) –
MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(3) AND 15301(d) OF THE STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN; AUTHORIZE GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE TUESDAY, AUGUST 1, 2023, AT 11:00 A.M

CA

36) Proposed Resolution of Intent and Purchase and Sale Agreement with Community Action Partnership of Kern (CAPK) to transfer real property known as a portion of 1300 18th Street in Bakersfield to CAPK (Fiscal Impact: $10,000,000 Revenue; Not Budgeted; Discretionary) (S.D. #5) –
MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15061(b)(3) AND 15301 OF STATE CEQA GUIDELINES; ADOPT RESOLUTION; AUTHORIZE CHAIRMAN TO SIGN AGREEMENT, GRANT DEED, AND ANY RELATED TRANSFER DOCUMENTS AS REQUIRED WHEN AVAILABLE, IN A FORM APPROVED BY COUNTY COUNSEL

CA

37) Proposed Amendment No. 1 to Engineering Services Agreement 047-2023 with Porter & Associates, Inc., to provide engineering consulting services for major maintenance and capital projects throughout Kern County to update the schedule of fees (Various Projects) (Fiscal Impact: None) (All S.D.s) –
APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA

38) Proposed Amendment No. 1 to Agreement with SC Anderson Group International, Inc., dba Anderson Group International, for Job Order Contract – Phase 25, to increase compensation amount by $3,000,000 for a new total amount not to exceed $4,000,000 (Various Projects) (Fiscal Impact $3,000,000; Budgeted; Discretionary) (All S.D.s) –
APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA

39) Proposed Amendment No. 2 to Agreement with Ken W. Smith Construction, Inc., for Job Order Contract – Phase 25, to increase compensation amount by $2,000,000 for a new total amount not to exceed $4,000,000 (Various Projects) (Fiscal Impact $2,000,000; Budgeted; Discretionary) (All S.D.s) –
APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA

40) Proposed Amendment No. 2 to Agreement with Vortex Construction for Job Order Contract – Phase 25, to increase compensation amount by $2,000,000 for a new total amount not to exceed $4,000,000 (Various Projects) (Fiscal Impact $2,000,000; Budgeted; Discretionary) (All S.D.s) –
APPROVE; AUTHORIZE CHAIRMAN TO SIGN

COUNTY ADMINISTRATIVE OFFICE - Human Resources Division

CA

41) Proposed Ordinance amending Section 3.04.020 of the Kern County Ordinance Code exempting the Chief Economic Development Officer, Chief Human Resources Officer, and Assistant Registrar of Voters from the Civil Service System (Fiscal Impact: None) -
APPROVE; WAIVE READING; INTRODUCE ORDINANCE

CA

42) Proposed new classification titled Chief Economic Development Officer (Item No. 0046) at salary range 78.0 and addition of one Chief Economic Development Officer to the County Administrative Office, effective June 20, 2023 (Fiscal Impact: $277,400 Annually; General Fund; Budgeted; Discretionary) –
APPROVE; DIRECT HUMAN RESOURCES DIVISION TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

COUNTY ADMINISTRATIVE OFFICE - Information Technology Services Division

CA

43) Request approval for cost increase of enterprise server software subscription with International Business Machines by $80,000, for a new total amount not to exceed $1,180,000 (Fiscal Impact: $80,000; Budgeted; Discretionary) –
APPROVE

CONSIDERATION OF ORDINANCE INTRODUCED ON JUNE 13, 2023

CA

44) Proposed Ordinance adding Section 10.04.600.05 to the Kern County Ordinance Code concerning a 45 mile-per-hour speed limit on Greely Road, between Brimhall Road and Rosedale Highway, a distance of approximately 5,300 feet, in Bakersfield -
ENACT ORDINANCE

MATTERS FOR EXECUTIVE APPROVAL

CA

45) Budget Transfers -
APPROVE

CA

46) Reconsideration of minutes for week of June 20, 2022
APPROVE WITH CORRECTIONS TO MINUTES FOR JUNE 21, 2022 TO CORRECT RECOMMENDED ACTION OF ITEM P.M. 4 TO READ: "...PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2022-129A AND MADE FINDINGS APPROVING SPECIFIC PLAN AMENDMENT..."; ITEM P.M. 5 TO READ: "…PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2022-131A AND MADE FINDINGS APPROVING AMENDMENT TO THE GENERAL PLAN…"; AND ITEM P.M. 6 to read: "…PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2022-132A AND MADE FINDINGS APPROVING AMENDMENT TO THE GENERAL PLAN…"

CA

47) Miscellaneous Letters and Documents -
FILE

CA

48) Claims and Lawsuits Filed with and Referred by Clerk of the Board -
APPROVE AND FILE

ADJOURN TO TUESDAY, JUNE 27, 2023 AT 9:00 A.M.

-

NEXT MEETINGS:

June 27, 2023

9:00 A.M. Regular Board Meeting

2:00 P.M. Regular Board Meeting

July 4, 2023

No Board Meeting

July 11, 2023

No Board Meeting

July 18, 2023

9:00 A.M. Regular Board Meeting

2:00 P.M. Regular Board Meeting

## AMERICANS WITH DISABILITIES ACT
## (Government Code Section 54953.2)

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

## DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than $250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than $250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

1) MISCELLANEOUS LETTERS AND DOCUMENTS - FILE

Employers' Training Resource

A) Workforce Innovation and Opportunity Act On-the-Job Training Agreements:

1) Tasteful Selections, LLC, WIOA Title 201, dated March 13, 2023, Agt. No. D237701

Grand Jury

B) Grand Jury Final Report concerning Kern County Children and Families Commission – First 5 Kern (Copies to each Supervisor and CAO)

Miscellaneous

C) Letter from Sierra Club Kern-Kaweah Chapter sent to California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation (OHMVR) Division, re application #705211 for purchase of land for an Off-Road Recreational Vehicle (ORV) Park (Copies to each Supervisor and CAO, General Services, and County Counsel)

D) Notice from State Water Resources Control Board re Water Right Application A025517X01

E) Notice from California Highway Patrol re Hazardous Materials Incident Report on May 28, 2023, South Edison Road, north of Mountain View Road, unincorporated Kern (Copies to Fire and Environmental Health Services)

1) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY CLERK OF THE BOARD - APPROVE AND FILE

A) Claim in the matter of AAA Insurance as subrogee of Ronald Antongiovanni – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

B) Claim in the matter of Earnest A. Davis – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

C) Claim in the matter of Ditchey Geiger LLC Attorney for AAA as subrogee of Gary Massie – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

D) Claim in the matter of Ryan Allen King – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

E) Claim in the matter of Miguel Munoz – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

F) Claim in the matter of Alyssa Puentes – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

G) Summons and Complaint in the matter of Barrett Daffin Frappier Treder and Weiss, LLP v. County of Kern, et al. (Superior Court Case No. BCV-23-101657) – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

H) Summons and Complaint in the matter of Adrian Ramirez Hernandez, an Individual v. County of Kern, et al. (Superior Court Case No. BCV-23-100632) – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

I) First Amended Complaint for Damages: liability for dangerous condition of public property, pursuant to Government Code Section 835 et seq.; vicarious liability for the wrongful acts or omissions by public entity employees and/or retention of unfit employee California Government Code Section 815.2; premises liability; and negligence in the matter of Hilda Rosa Rivera v. County of Kern, et al. (Superior Court Case No. BCV-23-100517) - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)