AGENDA

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 22, 2019
9:00 A.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 Perez, Maggard and Scrivner); 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 Maggard and Couch); Kern County Foundation, Inc. (Supervisor Couch); and Kern Medical Center Foundation (Supervisors Maggard and Scrivner).

BOARD TO RECONVENE

Supervisors: Gleason, Scrivner, Maggard, Couch, Perez

ROLL CALL:

SALUTE TO FLAG -

BOARD OF SUPERVISORS - PET OF THE WEEK

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.

STAFF RECOMMENDATION SHOWN IN CAPS
RESOLUTIONS/PROCLAMATIONS

CA 1) Resolution honoring Lisa Smiddy, Kern County Probation Department, upon her retirement with 30 years of dedicated service to the County of Kern - ADOPT RESOLUTION

2) Proclaim October 23, 2019 as National Bioenergy Day in Kern County - PROCLAIM; MAKE PRESENTATION

PUBLIC REQUESTS

CA 3) Request of Thomas J. Corson, Executive Director, Kern County Network for Children to submit the FY 2018-2019 annual report of Child Abuse Prevention Council activities - RECEIVE AND FILE ANNUAL REPORT

PUBLIC PRESENTATIONS

4) 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

5) 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))

DEPARTMENTAL REQUESTS

BEHAVIORAL HEALTH AND RECOVERY SERVICES

CA 6) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention for mentally disordered individuals per Welfare and Institutions Code Section 5150 (Fiscal Impact: None) - APPROVE

CA 7) Proposed sole source Agreement with LocumTenens.com, LLC to provide temporary physician and physician extender staffing services from October 22, 2019 through June 30, 2021, in a total amount not to exceed $1,200,000 (Fiscal Impact: $1,200,000; Realignment; Budgeted; Discretionary) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA 8) Proposed sole source Agreement with Jackson & Coker Locum Tenens, LLC, to provide temporary psychiatric physician staffing services from October 22, 2019 through June 30, 2021, in a total amount not to exceed $4,503,400 (Fiscal Impact: $4,503,400; Realignment; Budgeted; Discretionary) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN
CA 9) Proposed retroactive Agreement with The Regents of the University of California to provide child and adolescent psychiatric training for Psychiatry Division Child and Adolescent Psychiatry Fellows at the University of California, Los Angeles (UCLA) Neuropsychiatric Hospital from July 1, 2019 through June 30, 2022 (Fiscal Impact: None) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA 10) Proposed retroactive Agreement with California Department of State Hospitals, containing non-standard terms and conditions, to provide Felony Mental Health Diversion services for individuals deemed incompetent to stand trial from October 20, 2019 through October 19, 2022, in a total amount not to exceed $7,891,400 (Fiscal Impact: $7,891,400 Revenue; State; Budgeted; Discretionary) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN

 COUNTY COUNSEL

11) Report on California Public Utilities Commission (CPUC) emergency meeting regarding Public Safety Power Shut-off; request to join joint local government group participating in rulemaking process by CPUC concerning electric power line de-energization events (Fiscal Impact: Up to $75,000; Budgeted; Discretionary) - HEAR REPORT; DIRECT COUNTY COUNSEL TO TAKE NECESSARY STEPS TO JOIN THE JOINT LOCAL GOVERNMENT GROUP FOR PARTICIPATION IN THE PHASE 2 RULEMAKING PROCESS

CA 12) Proposed Ordinance amending Section 2.01.010 of Chapter 2.01, Title 2 of the Kern County Ordinance Code concerning government accountability (Fiscal Impact: None) - WAIVE READING; INTRODUCE ORDINANCE

 DISTRICT ATTORNEY

CA 13) Proposed retroactive Grant Agreement with the Department of Justice for the 2019 DNA Capacity Enhancement and Backlog Reduction Grant from January 1, 2020 through December 31, 2021, in an amount not to exceed $316,191 (Fiscal Impact: $316,191; Federal Grant; Budgeted; Discretionary) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN

 EMPLOYERS’ TRAINING RESOURCE

CA 14) Unusual travel request for Isaac Sanchez to attend the Chumura Connect 19 Conference in Orlando, Florida, from November 10 through 13, 2019, in an amount not to exceed $3,011 (Fiscal Impact: $3,011; Federal Funding; Budgeted; Discretionary) - APPROVE

CA 15) Proposed addition of five Job Developer and one Program Technician positions and deletion of two Program Specialist positions, effective October 26, 2019 (Fiscal Impact: $370,311; Federal Funding; Not Budgeted; Discretionary) - APPROVE; REFER TO HUMAN RESOURCES TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE
FIRE DEPARTMENT

16) Public hearing to consider proposed Resolution to revise and set fees for services provided and permits issued by the Kern County Fire Department (Fiscal Impact: Estimated Annual Revenue $600,000; Fire Fund; Not Budgeted; Discretionary) - OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PURSUANT TO SECTIONS 15061(b)(3), 15273, 15309, AND 15321 OF THE STATE CEQA GUIDELINES; APPROVE FEE SCHEDULE; ADOPT RESOLUTION

PUBLIC HEALTH SERVICES

17) Proposed repeal of Ordinance G-8681 establishing the schedule of fees for services provided and permits issued by the Kern County Fire Department (Fiscal Impact: None) - WAIVE READING; INTRODUCE ORDINANCE

18) Public Hearing to consider proposed Ordinances amending Section 8.04.150 of the Kern County Ordinance Code related to unpermitted food vending, repeal of Kern County Uncodified Ordinance G-8823, and adoption of a new Uncodified Ordinance related to service and permit fees for Environmental Health establishing a progressive penalty fee for providing a service without first having obtained a valid health permit (Fiscal Impact: Unknown) - OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; MAKE FINDING THIS IS NOT A PROJECT SUBJECT TO THE REQUIREMENTS OF CEQA, BUT IF DETERMINED A PROJECT IT IS EXEMPT FROM FURTHER CEQA REVIEW PURSUANT TO SECTION 15273 OF STATE CEQA GUIDELINES; APPROVE; ENACT ORDINANCES

19) Appeal of Guiying Niu to contest the decision of the Hearing Officer for Kern County Public Health Services Department to uphold the revocation of the massage establishment permit of Paradise Spa located at 919 North Chester, Bakersfield (Fiscal Impact: None) - OPEN APPEAL HEARING; RECEIVE TESTIMONY; CLOSE HEARING; DENY APPEAL

20) Proposed request to accept non-standard terms and conditions with GlobalStar USA for the purchase of satellite phone service plan, retroactive to July 1, 2019 through June 30, 2020, in an amount not to exceed $8,730 (Fiscal Impact: $8,730; State Grant; Budgeted; Discretionary) - APPROVE

21) Proposed addition of one Environmental Health Specialist in Training I/II/III, one Senior Office Services Specialist in Budget Unit 4122 and one Supervising Microbiologist, two Medical Assistant and one Billing Office Specialist I/II in Budget Unit 4110, one Program Technician and one part-time Program Support Supervisor in Budget Unit 4300, and the concurrent deletion of one Hazardous Materials Specialist IV in Budget Unit 4122, one Senior Office Services Specialist, one Program Technician, two Public Health Aide, and one Health Assessment and Epidemiology Manager in Budget Unit 4110, one Billing Office Specialist I/II and one Program Support Supervisor positions in Budget Unit 4300, effective October 22, 2019, resulting in an annual savings of $16,970 (Fiscal Impact: $16,970 Annual Savings; Not Budgeted; Discretionary) - APPROVE; REFER TO HUMAN RESOURCES DIVISION TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE
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CA 22) Request for authorization to purchase additional food for statewide medical health exercises and emergency preparedness trainings in the additional amount of $2,500, for a new total amount not to exceed $4,000 (Fiscal Impact: $2,500; Grant; Budgeted; Discretionary) - APPROVE

CA 23) Request for Chairman’s signature on documents associated with Agreement 568-2019 approved on September 10, 2019 with California Department of Public Health for the HIV/AIDS Surveillance program (Fiscal Impact: None) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN

SHERIFF

CA 24) Proposed retroactive Agreement with the 53rd District Agricultural Association and the Kern County Sheriff’s Reserve Association, containing non-standard terms and conditions, for law enforcement services at the 2019, 2020, and 2021 Desert Empire Fairs, October 18 through 20, 2019, October 16 through 18, 2020, and October 22 through 24, 2021, in an amount not to exceed $12,000 revenue (Fiscal Impact: $12,000 [FY 2019-2020 $4,000]; Sheriff’s Reserve Association; Not Budgeted; Discretionary) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA 25) Update on emergency replacement of the north cooling towers at the Lerdo jail facilities, and proposed retroactive purchase order with Trane for temporary cooling towers, in an amount not to exceed $50,000 (Fiscal Impact: $50,000; Budgeted; Mandated) - APPROVE; MAKE FINDING THERE IS NEED TO CONTINUE EMERGENCY PROJECT; AUTHORIZE PURCHASING AGENT TO ISSUE PURCHASE ORDER

CA 26) Unusual travel request for Chief Deputy Damian Nord, Sergeant Tommy Robins, and Administrative Coordinator Amy Maxwell to attend the 15th Annual IAPro and BlueTeam Users Conference in Nashville, Tennessee, from November 18 through 22, 2019, in an amount not to exceed $8,319 (Fiscal Impact: $8,319; Budgeted; Discretionary) - APPROVE

ADJOURN TO CLOSED SESSION

CLOSED SESSION

(If public reporting is required by Government Code Section 54957.1 relating to the following matter(s), the public reporting of any action taken in closed session will be made at the beginning of the next session of the Board of Supervisors.)

COUNTY ADMINISTRATIVE OFFICE

27) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: County Administrative Officer Ryan Alsop, and designated staff - Employee organizations: Service Employees’ International Union - Criminal Justice Unit; Kern Law Enforcement Association; Kern County Fire Fighters Union; Kern County Detention Officers’ Association; Kern County Probation Managers’ Association; Kern County Probation Officers’ Association; Kern County Sheriff's Command Association; Kern County Sheriff's Command Association II; Kern County Sheriff’s Command Association III; Service Employees’ International Union Local 521; Kern County Prosecutors’ Association; United Domestic Workers of America; Unrepresented Employees (Government Code Section 54957.6) -
COUNTY COUNSEL

28) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9 (d)(1) and (g)) Name of case: Arturo Sanchez v County of Kern, et al., United States District Court (Eastern) Case Number 1:18-CV-00347-DAD-JLT -

29) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9 (d)(1) and (g)) Name of case: Jody Kay Taylor v Ian Paul Chandler, et al., Kern County Superior Court Case Number BCV-18-100749 DRL -

RECONVENE FROM CLOSED SESSION; RECESS TO 2:00 P.M.
AGENDA

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BOARD TO RECONVENE

Supervisors: Gleason, Scrivner, Maggard, Couch, Perez

ROLL CALL:

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

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PUBLIC PRESENTATIONS

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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])

CONTINUED HEARINGS

PLANNING AND NATURAL RESOURCES DEPARTMENT

3) Request from Lourdes Morales by Brian Morales to change the permitted uses from General Commercial to Light Industrial with Precise Development Combining to facilitate the operation of a wholly enclosed recycling center on a 0.78-acre lot located at 2406 Edison Highway in the Bakersfield area (S.D. #5)
Specific Request:
   (a) A change in zone classification from C-2 to M-1 PD or a more restrictive district (ZCC #19, Map #103-27)
   (b) A Precise Development Plan to facilitate the operation of a wholly enclosed recycling center (Sections 19.36.020.E.2 and 19.56.020) on a 0.78-acre lot in a M-1 PD District (PD Plan #5, Map #103-27)
(Continued from September 10, 2019)
- OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPT RESOLUTION, RECOMMENDED FINDINGS, AND ENACT ORDINANCE APPROVING ZONE CHANGE AS REQUESTED; ADOPT RESOLUTION AND RECOMMENDED FINDINGS APPROVING PRECISE DEVELOPMENT PLAN SUBJECT TO RECOMMENDED CONDITIONS OF APPROVAL AS REQUESTED

HEARINGS

PLANNING AND NATURAL RESOURCES DEPARTMENT

4) Request from Rosamond 5 Solar Project by Clearway Energy Group, LLC to vacate portions of easements reserved for road and public utility purposes located in the Rosamond area (S.D. #2)
Specific Request:
A nonsummary vacation of portions of easements reserved for road and public utility purposes located within Section 28, T9N, R14W, SBB&M including: (1) The westerly and southerly 30 feet of the south half of the north half of the southeast quarter of the southeast quarter of Section 28, except those portions lying within the easterly 55 feet thereof; (2) The southerly 55 feet and the easterly and northerly 30 feet of the east half of the south half of the east half of the
(Continued on Page 3)
southwest quarter of the southeast quarter of Section 28, excepting therefrom the southerly 50 feet; (3) The easterly 30 feet, and the westerly 30 feet of the east half of the southwest quarter of the southeast quarter of Section 28, except those portions lying within the north half of said east half of the southwest quarter of the southeast quarter of Section 28 and except the portions lying in the southerly 30 feet of said east half of the southwest quarter of the southeast quarter of Section 28; and (4) The easterly 30 feet, the westerly 30 feet and the northerly 30 feet of the west half of the southwest quarter of the southeast quarter of Section 28, except those portions lying in the southerly 30 feet of said west half of the southwest quarter of the southeast quarter of Section 28 (232 3 098 Streets and Highways)

(Environmental Review: General Rule, Section 15061(b)(3), of the State CEQA Guidelines; Published Mojave Desert News)

OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; PER PLANNING AND NATURAL RESOURCES DEPARTMENT RECOMMENDATION, ADOPT RESOLUTION AND RECOMMENDED FINDINGS APPROVING NONSUMMARY VACATIONS, AS REQUESTED, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES AND DIRECT CLERK OF THE BOARD NOT TO RECORD RESOLUTION UNTIL WRITTEN VERIFICATION FROM THE KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT TO THE CLERK OF THE BOARD INDICATING THE NECESSARY COVENANTS OF ACCESS EASEMENTS HAVE BEEN RECORDED BY THE APPLICANT TO ENSURE ADEQUATE LEGAL ACCESS REMAINS TO PUBLIC ROADS FOR ALL AFFECTED PARCELS

CA 5) Request from Valentine Solar Project, LLC by EDF Renewable Development, LLC to vacate portions of public access easements located approximately 14 miles southwest of State Route 58 and approximately 28 miles east of Interstate 5 (I-5) in the Willow Springs area (S.D. #2)

Specific Request:

(a) Nonsummary vacation of portions of public access easements located: (1) All that portion of the northwest quarter of Section 32, Township 10 North, Range 14 West, SBB&M for Zone Map 215, County of Kern, State of California, which lies south of the Los Angeles Aqueduct being a parcel of land more particularly described as follows: The east 45 feet, the south 45 feet and that portion bounded by the west line of said east 45 feet, the north line of said south 45 feet and a curve concave to the northwest, having a radius of 20 feet and tangent to the last mentioned west and north lines

(b) A nonsummary vacation of portions of public access easements located within Section 4 of T9N, R14W, SBB&M for Zone Map 232; including: (1) All that portion of the north half of the west half of Lot 1 of the northwest quarter of Section 4, Township 9 north, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The north 30 feet and the east 30 feet thereof; (2) All that portion of the west half of the southeast quarter of the southwest quarter of the northwest quarter (Lot 1) of Section 4, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The south 45 feet thereof; (3) All that portion of the east half of Lot 1 of the northwest quarter Section 4, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The west 30 feet, the west half of the south 30 feet and the west half of the north 30 feet thereof; (4) All that portion of the east half of the southeast quarter of the southwest quarter of the northwest quarter (Lot 1) of Section 4, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The south 45 feet and the east

(Continued on Page 4)
(Continued from Page 3)

30 feet thereof; (5) All that portion of the west half of the northeast quarter of the southwest quarter of Section 4, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The north 30 feet and the south 30 feet thereof; (6) All that portion of the east half of the east half of the south half of the west half of Government Lot 2 of the northwest quarter of Section 4, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The south 30 feet, the north 30 feet and the east 30 feet thereof; (7) All that portion of the west half of the east half of the south half of the west half of Government Lot 2 of the northwest quarter of Section 4, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The south 30 feet thereof; (8) All that portion of the south half of the south half of the west half of Government Lot 2 of the northwest quarter of Section 4, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The south 30 feet thereof (c) A nonsummary vacation of portions of public access easement located within Section 5 of T9N, R14W, SBB&M for Zone Map 232; including: (1) All that portion of the southeast quarter of the north half of the west half of the southwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The east 30 feet, the south 30 feet and that portion bounded by the west line of said east 30 feet, the north line of said south 30 feet and a curve concave to the northwest having a radius of 20 feet and tangent to last mentioned west and north lines; (2) All that portion of the northeast quarter of the north half of the west half of the southwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The east 30 feet, the north 45 feet and that portion bounded by the west lines of said east 30 feet, the south line of said north 45 feet and a curve concave to the southwest having a radius of 20 feet and tangent to last mentioned west and south lines; (3) All that portion of the north half of the north half of the east half of the southwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The west 30 feet, the north 45 feet, the east 45 feet, that portion bounded by the east line of said west 30 feet, the south line of said north 45 feet and a curve concave to the southeast having a radius of 20 feet and tangent to last mentioned east and south lines and that portion bounded by the south line of said north 45 feet, the west line of said east 45 feet and a curve concave to the southwest having a radius of 20 feet and tangent to last mentioned south and west lines; (4) All that portion of the south half of the north half of the east half of the southwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The west 30 feet, the south 30 feet, the east 45 feet, that portion bounded by the east line of said west 30 feet, the north line of said south 30 feet and a curve concave to the northeast having a radius of 20 feet and tangent to last mentioned east and north lines and that portion bounded by the north line of said south 30 feet, the west line of said east 45 feet and a curve concave to the northwest having a radius of 20 feet and tangent to last mentioned north and west lines; (5) All that portion of the north half of the north half of the east half of the east half of Lot 2 in the northwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The west 30 feet, the north 30 feet the east 45 feet, that portion bounded by the east line of said west 30 feet, the south line of said north 30 feet and a (Continued on Page 5)
curve concave to the southeast, having a radius of 20 feet and tangent to the last mentioned east and south lines and that portion bounded by the south line of said north 30 feet, west line of said east 45 feet and a curve concave to the southeast having a radius of 20 feet and tangent to last mentioned west and south lines; (6) All that portion of the southeast quarter of the south half of the southwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The east 30 feet thereof; (7) All that portion of the northeast quarter of the south half of the west half of the southwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The east 30 feet, the north 30 feet and that portion bounded by the west line of said east 30 feet, the south line of said north 30 feet and a curve concave to the southwest having a radius of 20 feet and tangent to last mentioned west and south lines; (8) All that portion of the east half of the south half of the east half of the southwest quarter of Section 5, Township 9 North, Range 14 West, SBB&M, County of Kern, State of California, being a parcel of land more particularly described as follows: The west 30 feet, the north 30 feet and that portion bounded by the east line of said west 30 feet, the south line of said north 30 feet and a curve concave to the southeast having a radius of 20 feet and tangent to last mentioned east and south lines (215-32 3 098; 232-4 3 098 Streets and Highways)

(Environmental Review: Previously Certified Environmental Impact Report; Published Mojave Desert News) -

OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; PER PLANNING AND NATURAL RESOURCES DEPARTMENT RECOMMENDATION, ADOPT SECTION 15091 FINDINGS OF FACT AND SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPT MITIGATION MEASURE MONITORING PROGRAM; ADOPT RESOLUTION AND RECOMMENDED FINDINGS APPROVING NONSUMMARY VACATIONS OF THE REQUESTED EASEMENTS AS REQUESTED, SUBJECT TO EXCEPTING AND RESERVING A PUBLIC UTILITY EASEMENT FOR ANY EXISTING UTILITIES, AND DIRECT CLERK OF THE BOARD NOT TO RECORD RESOLUTION UNTIL WRITTEN VERIFICATION HAS BEEN PROVIDED BY THE KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT INDICATING THE NECESSARY COVENANTS OF ACCESS EASEMENTS HAVE BEEN RECORDED BY THE APPLICANT TO ENSURE ADEQUATE LEGAL ACCESS REMAINS TO PUBLIC ROADS FOR ALL AFFECTED PARCELS

6) Request from Christina Borchard by Diversified Project Services International, Inc. to vacate a portion of a public access easement located at Annette Road beginning 0.86 miles south of Highway 46 to Davis Road in the Shandon area (S.D. #4)

Specific Request:
A nonsummary vacation for a portion of a 60-foot-wide access easement for approximately 3.79 miles located between Davis Road and Highway 46 in the Shandon area (25 3 098 Streets and Highways)

(Environmental Review: General Rule, Section 15061(b)(3), 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 NONSUMMARY VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES AND DIRECT CLERK OF THE BOARD NOT TO RECORD RESOLUTION UNTIL A MEMORANDUM IS RECEIVED FROM THE KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT INDICATING ADEQUATE LEGAL ACCESS HAS BEEN ESTABLISHED FOR THE BENEFIT OF ALL PROPERTIES ON ANNETTE ROAD
Request from Wells AGC Holdings, LLC by McIntosh and Associates to cancel a 2.97-acre portion of a Farmland Security Zone Contract in Agricultural Preserve #9 on 78.18 acres located on the south side of Sullivan Road, approximately 1/2 mile east of Wasco Way, east of the Buttonwillow area (S.D. #4)
Specific Request:
Cancellation of a 2.97-acre portion of a 78.18-acre parcel of a Farmland Security Zone Contract within Agricultural Preserve #9 (Cancellation #19-02 Map #99)
(Environmental Review: General Rule, Section 15061(b)(3), of the State CEQA Guidelines; Published Shafter Press) - OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; PER KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT RECOMMENDATION, REFER BACK TO STAFF

DEPARTMENTAL REQUESTS

PLANNING AND NATURAL RESOURCES DEPARTMENT

Proposed Williamson Act Land Use Contract No.19-14 with Loyola Properties I L.P. and Loyola Properties II L.P., for 2020 Calendar Year; 733.61 acres; Agricultural Preserve No. 10; Environmental Review: Categorically Exempt, pursuant to Section 15317 of the State CEQA Guidelines (Fiscal Impact: None) (S.D.#4) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN; DIRECT CLERK OF THE BOARD TO RECORD

Proposed Williamson Act Land Use Contract No.19-15 with Loyola Properties I L.P. and Loyola Properties II L.P., for 2020 Calendar Year; 302.83 acres; Agricultural Preserve No. 10; Environmental Review: Categorically Exempt, pursuant to Section 15317 of the State CEQA Guidelines (Fiscal Impact: None) (S.D.#4) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN; DIRECT CLERK OF THE BOARD TO RECORD

Proposed Williamson Act Land Use Contract No.19-16 with Wildwood Farms, LLC, for 2020 Calendar Year; 108.43 acres; Agricultural Preserve No. 10; Environmental Review: Categorically Exempt, pursuant to Section 15317 of the State CEQA Guidelines (Fiscal Impact: None) (S.D.#4) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN; DIRECT CLERK OF THE BOARD TO RECORD

Request for Determination of Public Convenience or Necessity for the issuance of an Off Sale Beer and Wine - Package Store (Type 20) Liquor License in a C-2 (General Commercial) District located at 5500 South Union Avenue, Bakersfield; Applicant: Union Market, Inc. by Shahab Alnagar; Environmental Review: Categorically Exempt, pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Fiscal Impact: None) (S.D.# 5) - ADOPT RESOLUTION AND RECOMMENDED FINDINGS, APPROVING THE LIQUOR LICENSE AS REQUESTED
PUBLIC WORKS DEPARTMENT

CA 12) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work located at 3501 Terrace Way, Bakersfield, APN: 149-240-21 (Fiscal Impact: $2,078.40; 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 13) Proposed Contract No. 19092 with J.L. Plank, Inc., DBA Cen-Cal Construction for traffic signal modification on Mount Vernon Avenue at Quincy Street, Bakersfield, in an amount not to exceed $379,938.25 (Fiscal Impact: $379,938.25; Highway Safety Improvement Program Funds; Budgeted; Discretionary) (S.D.s #3 & #5) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA 14) Contract No. 19148, Plans, Specifications, and Notice to Contractors for loading dock expansion at Bakersfield Metropolitan (BENA) Sanitary Landfill (Fiscal Impact: $938,740; Solid Waste Enterprise Fund; Budgeted; Discretionary) (S.D.s #1 & #2) - MAKE FINDING PROJECT IS CATEGORIZICALLY 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 CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, NOVEMBER 20, 2019, AT 11:00 A.M.

CA 15) Proposed Resolution to approve completed offsite street and drainage improvements on Meacham Road, Renfro Road, and Prestonbrook Drive for Tract 6817, Phases 1 and 2, northeast corner of Meacham Road and Renfro Road, and to accept roads into the County Road System and accept irrevocable offer of dedications, street, and drainage improvements for maintenance (Fiscal Impact: None) (S.D. #1) - APPROVE; ADOPT RESOLUTION

CA 16) Proposed Resolution to approve completed offsite street and drainage improvements on Palm Avenue and Nord Road for Tract 6085, Phases A and B, northeast corner of Palm Avenue and Nord Avenue, and to accept roads into the County Road System and accept irrevocable offer of dedication, street, and drainage improvements for maintenance (Fiscal Impact: None) (S.D. #1) - APPROVE; ADOPT RESOLUTION
CA 17) Proposed Resolution to approve completed street and drainage improvements, Tract 6252, Phase E, western Rosedale area, and to accept roads into the County Road System and accept street and drainage improvements for maintenance (Fiscal Impact: None) (S.D. #1) - APPROVE; ADOPT RESOLUTION

CA 18) Request for release of faithful performance security (Bond No. 024067324) for street, water, sewer, and landscape improvements, one year guarantee period, Tract 6252, Phase E, western Rosedale area (Fiscal Impact: None) (S.D. #1) - RELEASE SECURITY (BOND NO. 024067324) IN THE AMOUNT OF $106,854 TO ISSUER, LIBERTY MUTUAL INSURANCE COMPANY

CA 19) Request to approve non-standard terms and conditions with LogMeIn, Inc. for GoToMeeting software (Fiscal Impact: $405; Solid Waste Enterprise Fund; Budgeted; Discretionary) (All S.D.s) - APPROVE; AUTHORIZE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH PURCHASE

CA 20) Proposed approval of mid-year capital asset acquisition of one flatbed trailer for the monitoring and maintenance of the department’s closed landfills in an amount not to exceed $15,000 (Fiscal Impact: $15,000; 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 21) Request for relief from accountability of accounts receivables for 165 uncollectable accounts totaling $55,674.12 from April 2015 to April 2019 (Fiscal Impact: $55,674.12: Development Services Fund $17,480.67; Code Compliance Fund $18,825.09; Road Fund $409.24; Solid Waste Enterprise Fund $18,959.12; Not Budgeted; Discretionary) (All S.D.s) - APPROVE

CA 22) Proposed Addendum No. 1 to the adopted mitigated negative declaration for the south Shafter sewer, truck line sewer and lift station project for the comparison of the original and modified projects design elements and change in management structure (Fiscal Impact: None) (S.D. #4) - APPROVE; ADOPT ADDENDUM; AUTHORIZE PUBLIC WORKS TO FILE NOTICE OF DETERMINATION; DIRECT PUBLIC WORKS TO PROCEED WITH PROJECT

COUNTY ADMINISTRATIVE OFFICE

CA 23) Proposed retroactive Agreements with Alzheimer’s Disease Association of Kern County in the amount of $30,000; Arts Council of Kern in the amount of $45,000; Bakersfield Museum of Art in the amount of $23,000; Bakersfield Symphony Orchestra in the amount of $45,000; Court Appointed Special Advocates in the amount of $65,000; Kern Literacy Council in the amount of $10,000; Valley Fever Americas Foundation in the amount of $23,000; Volunteer Center of Kern County in the amount of $5,000; and Community Action Partnership of Kern in the amount of $45,000 for Fiscal Year 2019-2020 contributions (Fiscal Impact: $291,000; General Fund; Budgeted; Discretionary) - APPROVE; AUTHORIZE CHAIRMAN TO SIGN
CA 24) Proposed contribution to Sheriff's Activity League for Shop with a Cop program in the amount of $1,000 (Fiscal Impact: $1,000; General Fund; Budgeted; Discretionary) - APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PAY

CA 25) Proposed contribution to Oildale Community Action Team to support community events in the amount of $500 (Fiscal Impact: $500; General Fund; Budgeted; Discretionary) - APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PAY

CA 26) Proposed contribution to Greater Lamont Chamber of Commerce for the Weedpatch Harvest Festival in the amount of $500 (Fiscal Impact: $500; General Fund; Budgeted; Discretionary) - APPROVE; AUTHORIZE AUDITOR-CONTROLLER TO PAY

COUNTY ADMINISTRATIVE OFFICE - General Services Division

CA 27) Proposed Amendment No. 1 to Agreement 026-2004 with Bear Mountain Limited extending the term for ten years from June 14, 2020 through June 15, 2030 for continued use of an Access Easement and Pipeline Easement located within the China Grade Sanitary Landfill (Fiscal Impact: None) (S.D. #3) - MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PURSUANT TO SECTIONS 15061(b)(3) AND 15301 OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA 28) Proposed retroactive Agreement with Bakersfield Investment Company for lease of 3715 Columbus Avenue, Bakersfield, for continued use of office space by Behavioral Health and Recovery Services from July 1, 2019 through June 30, 2024 (Fiscal Impact: $159,000 Annually; Behavioral Health & Recovery Services BU 4120; Budgeted; Discretionary) (S.D. #3) - MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PURSUANT TO SECTIONS 15301, 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA 29) Proposed License Agreement with City of Bakersfield, containing non-standard terms and conditions, for use by Assessor-Recorder’s Office of parking structure located at 1600 18th Street, Bakersfield from October 22, 2019 through October 21, 2024 (Fiscal Impact: Estimated $2,600 Annually; Recorder’s Fund 00192; Not Budgeted; Discretionary) (S.D. #5) - MAKE FINDING THAT PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PURSUANT TO SECTIONS 15061(b)(3) AND 15301 OF STATE CEQA GUIDELINES; APPROVE; AUTHORIZE CHAIRMAN TO SIGN

CA 30) Proposed approval of Terms of Use with Autodesk, Inc., containing non-standard terms and conditions, for the acquisition of architectural and engineering software with DLT Solutions (Fiscal Impact: $10,096; Budgeted; Discretionary) (All S.D.s) - APPROVE; AUTHORIZE PURCHASING AGENT TO ISSUE PURCHASE ORDERS

31) Response to April 30, 2019 request for review of Kern County’s Local Vendor Preference Policy (Fiscal Impact: None) (All S.D.s) - RECEIVE AND FILE
COUNTY ADMINISTRATIVE OFFICE - Human Resources Division

32) Request to declare impasse in bargaining over successor Memorandum of Understanding with United Domestic Workers of America, AFSCME, Local 3930, AFL-CIO and request to submit impasse to mediation (Fiscal Impact: None) - DECLARE IMPASSE; DIRECT CHIEF HUMAN RESOURCES OFFICER TO PROCEED WITH MEDIATION

CA
33) Proposed reclassification of eight Social Service Worker III classifications, Item 3660, in Budget Unit 5610 to Deputy Conservator, Item 4440, and salary change for Deputy Conservator, Item 4440/8233, from Range 55.6 to Range 60.4, effective October 21, 2019 (Fiscal Impact: $64,855; Aging and Adult Services; State/Federal; Budgeted; Discretionary) - APPROVE; REFER TO HUMAN RESOURCES DIVISION TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE AND RECLASSIFY INCUMBENT STAFF

CA
34) Request to employ retired County employees Diana Matthias as a Criminalist III, Step E, in the Crime Lab, effective October 22, 2019 and Terrance McMahon as a Deputy District Attorney V, Step E, in the District Attorney’s Office, effective July 1, 2019 for the period expiring June 30, 2020 for maximum 960 hours in Fiscal Year 2019-2020. (Fiscal Impact: $114,350 [$46,880 in Budget Unit 2200; $67,470 in Budget Unit 2180]; General Fund; Budgeted; Discretionary) - APPROVE

MATTERS FOR EXECUTIVE APPROVAL

CA
35) Budget Transfers - APPROVE

CA
36) Minutes for week of September 9, 2019 - APPROVE

CA
37) Miscellaneous Letters and Documents - FILE

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

ADJOURN TO TUESDAY, NOVEMBER 5, 2019 AT 9:00 A.M.
NEXT MEETINGS:
October 29, 2019
   No Board Meeting
November 5, 2019
   9:00 A.M. Regular Board Meeting
   2:00 P.M. Regular Board Meeting
November 12, 2019
   No Board Meeting
November 19, 2019
   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.
37) MISCELLANEOUS LETTERS AND DOCUMENTS - FILE

Animal Services

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

Clerk of the Board

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

1) Parcel Map 12210 S.D. #4
2) Parcel Map 12323 S.D. #4
3) Tract Map 7332 – Phase 1 S.D. #4

Employers' Training Resource

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

1) PCL Industrial Services, Inc., WIOA Title 201, dated September 16, 2019, Agt. No. D203811
2) Appliance Repair Specialist, Inc., WIOA Title 201, dated September 16, 2019, Agt. No. D203832
3) Larry M. Cho, M.D., Inc. dba The Industrial Medical Group, WIOA Title 201, dated September 23, 2019, Agt. No. D203817
4) Bakersfield Family Medical Group, Inc. WIOA Title 201, dated September 23, 2019, Agt. No. D203818
5) Bryant Fuel Systems, LLC, WIOA Title 201, dated September 23, 2019, Agt. No. D203836
6) PCL Industrial Services, Inc., WIOA Title 201, dated September 23, 2019, Agt. No. D203837
7) PCL Industrial Services, Inc., WIOA Title 201, dated September 23, 2019, Agt. No. D203840
8) PCL Industrial Services, Inc., WIOA Title 201, dated September 23, 2019, Agt. No. D203841
9) PCL Industrial Services, Inc., WIOA Title 201, dated September 23, 2019, Agt. No. D203839
10) Valley Achievement Center, WIOA Title 201, dated September 25, 2019, Agt. No. D203835
11) Emanuel V. Dozier, M.D., M.P.H., WIOA Title 201, dated September 26, 2019, Agt. No. D203849

Treasurer-Tax Collector

D) Cash Receipts and Disbursements for September 2019

Miscellaneous

E) Letter on behalf of Schizophrenia and Related Disorders Alliance of America (SARDAA) and Mental Health Collaborative of Kern County (MHCKC) re jailing drug-addicted homeless population (Copies to each Supervisor, CAO, County Counsel, Behavioral Health and Recovery Services, District Attorney, and Sheriff)

F) Email from Larry Curnow re power outage (Copies to each Supervisor, CAO, and County Counsel)
G) Email from Chris Horgan, Executive Director, Stewards of the Sequoia, with copy of response letter from United States Army Corps of Engineers, re construction lighting at Lake Isabella Dam facility (Copies from each Supervisor, CAO, Planning and Natural Resources, and County Counsel)

H) Email from Daphne Ranton-Porter re suggestion to address homelessness (Copies to each Supervisor, CAO, and County Counsel)

I) Worker Adjustment Retraining and Notification Act (WARN) notice re permanent employee layoff of employees of W.A. Thompson, Inc., at its beverage distribution facility located at 5101 District Boulevard, Bakersfield (Copies to each Supervisor, CAO, Employers’ Training Resource, Human Resources, and County Counsel)

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

A) Claim in the matter of Lynda Benavente - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

B) Claim in the matter of California Automobile Insurance Company on behalf of Rebecca Badgett – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

C) Claim in the matter of Luis Daniel Chavolla - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

D) Claim in the matter of Theresa Hammond - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

E) Claim in the matter of Princess Sade Hopkins - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

F) Claim in the matter of Richard and Alicia Scott - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

G) Claim in the matter of Amani Stacey Thomas - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

H) Claim in the matter of Don Whatley - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

I) Summons and Complaint in the matter of Lavar Newsome v. County of Kern, et al. (Superior Court Case No. BCV-19-102693) – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

J) Additional material to grievance received by Manuel Zepeda on January 25, 2019 (filed 2/5/2019 Item P.M. 22 H) – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

K) Plaintiff's Claim and Order to Go to Small Claims Court in the matter of Jamie Posey v. County of Kern (Superior Court Case No. BCS 19 003032) – REFERRED TO COUNTY COUNSEL (Copy to Risk Management)