

### Board Members

Doug Verboon, District 3, Chairman  
Craig Pedersen, District 4, Vice Chairman  
Joe Neves, District 1  
Richard Valle, District 2  
Richard Fagundes, District 5



### Staff

Rebecca Campbell, County Administrative Officer  
Lee Burdick, County Counsel  
Melanie Curtis, Deputy Clerk of the Board

## Board of Supervisors Regular Meeting Agenda

**Date:** Tuesday, March 10, 2020  
**Time:** 9:00 a.m.  
**Place:** Board of Supervisors Chambers, Kings County Government Center  
1400 W. Lacey Boulevard, Hanford, California 93230

☎ (559) 852-2362 ❖ FAX (559) 585-8047 ❖ website: <https://www.countyofkings.com>

In compliance with the Americans with Disabilities Act, if you require a modification or accommodation to participate in this meeting, including agenda or other materials in an alternative format, please contact the Board of Supervisors Office at (559) 852-2362 (California Relay 711) by 3:00 p.m. on the Friday prior to this meeting. The Clerk of the Board will provide assistive listening devices upon request.

*As a courtesy to those in attendance, please silence cell phones, pagers and electronic devices.*

- I. 9:00 AM **CALL TO ORDER**  
ROLL CALL – Clerk of the Board  
INVOCATION – BY INVITATION  
PLEDGE OF ALLEGIANCE
  
- II. **UNSCHEDULED APPEARANCES**  
*Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item.*
  
- III. **APPROVAL OF MINUTES**  
Approval of the minutes from the February 25, 2020 regular meeting and the March 3, 2020 special meeting.
  
- IV. **CONSENT CALENDAR**
  - A. **District Attorney:**  
Consider adopting Resolutions authorizing the District Attorney’s Office to submit Fiscal Year 2020-2021 applications for the following programs: Automobile Insurance Fraud Program, Workers Compensation Insurance Fraud Program, Violence Against Women Vertical Prosecution Program, and the Victim Witness Assistance Program.
  - B. **Public Works Department:**
    1. Consider:
      - a. Adopting a Resolution stating that there are no unmet transit needs in Kings County; and
      - b. Authorizing the Public Works Director to sign the claim form.
  - C. **Administration:**
    1. Consider denying the claim for damages filed by James Carlson.
    2. Consider appointing two members to the Law Library Board of Trustees.
    3. Consider appointing one member of the Tri-County Regional Health Authority Commission/CalViva.



**V.**

**REGULAR AGENDA ITEMS**

**A. Human Resources - Henie Ring/Carolyn Leist**

1. Consider:
  - a. Approving a new job specification for Probation Technician and set the salary at Range 169.0 (\$3,229-\$3,942); and
  - b. Allocating 3.0 FTE Probation Technicians in Budget Unit 233100, allocate 1.0 Probation Technician in Budget Unit 233200 and allocate 5.0 FTE Probation Technicians in Budget Unit 234000; and
  - c. Deleting 2.0 FTE Probation Aides and delete 1.0 Electronic Monitoring Technician in Budget Unit 233100, delete 1.0 FTE Probation Aide in 233200, and delete 1.0 FTE Electronic Monitoring Technician in Budget Unit 234000; and
  - d. Upward reclassifying the incumbents (S. Cervantes, M. Campbell, and M. Mosqueda) to Probation Technician with a change in salary in accordance with Personnel Rule 13073; and
  - e. Laterally reclassifying the incumbent (M. Bustamante) to Probation Technician with no change in salary in accordance with Personnel Rule 3022.

**B. Administration – Rebecca Campbell/Domingo Cruz**

1. Consider:
  - a. Approving the reserve allocation from the Fund 7019 in the amount of \$79,600 for the operation and maintenance expenses at the Kettleman City Community Services District Surface Water Treatment Plant; and
  - b. Approve the budget change. **(4/5 vote required)**

**VI. 10:00 AM PUBLIC HEARING**

**A. Community Development Agency – Greg Gatzka/Alex Hernandez**

Conduct a public hearing to give citizens an opportunity to make their comments known regarding what types of eligible activities the County should apply for under the State Community Development Block Grant Program in response to the 2019-2020 State Community Development Block Grant Notice of Funding Availability and consider providing direction to staff of which potential eligible activity or project the Board would like Staff to pursue.

**VII. BOARD MEMBERS ANNOUNCEMENTS OR REPORTS**

*On their own initiative Board Members may make a brief announcement or a brief report on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Section 54954.2a).*

- ◆ Board Correspondence
- ◆ Upcoming Events
- ◆ Information on Future Agenda Items

**VIII. CLOSED SESSION**

- ◆ **Significant exposure to litigation.** 1 case [Govt. Code Section 54956.9 (d)(2), (e)(2)]



**IX. ADJOURNMENT**

The next regularly scheduled meeting is scheduled for March 17, 2020, at 9:00 a.m.

***FUTURE MEETINGS AND EVENTS***

March 17	9:00 AM	Regular Meeting
March 17	11:00 AM	California Public Finance Authority Regular Meeting
March 24	9:00 AM	Regular Meeting
March 24	1:30 PM	Kings County Housing Authority Board of Directors Regular Meeting
March 24	2:00 PM	Kings In-Home Supportive Services Board Regular Meeting
March 31	9:00 AM	Regular Meeting
March 31	11:00 AM	California Public Finance Authority Regular Meeting
April 7	9:00 AM	Regular Meeting
April 14	9:00 AM	Regular Meeting
April 14	11:00 AM	California Public Finance Authority Regular Meeting

*Agenda backup information and any public records provided to the Board after the posting of the agenda will be available for the public to review at the Board of Supervisors office, 1400 W. Lacey Blvd, Hanford, for the meeting date listed on this agenda.*

### Board Members

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Richard Valle, District 2  
Richard Fagundes, District 5



### Staff

Rebecca Campbell, County Administrative Officer  
Lee Burdick, County Counsel  
Melanie Curtis, Deputy Clerk of the Board

## Board of Supervisors Regular Meeting Action Summary

**Date:** Tuesday, February 25, 2020  
**Time:** 9:00 a.m.  
**Place:** Board of Supervisors Chambers, Kings County Government Center  
1400 W. Lacey Boulevard, Hanford, California 93230

☎ (559) 852-2362 ❖ FAX (559) 585-8047 ❖ website: <https://www.countyofkings.com>

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- I. B1 **CALL TO ORDER**  
ROLL CALL – Clerk of the Board  
INVOCATION – Andrew Cromwell – Koinonia Church  
PLEDGE OF ALLEGIANCE  
ALL MEMBERS PRESENT
- II. B2 **UNSCHEDULED APPEARANCES**  
*Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item.*  
**Lupe Villa, Registrar of Voters, stated that 44,000 ballots were mailed out and there will be 27 polling places throughout the County for the March 3, 2020 election. He updated the Board regarding the use and testing of the new elections equipment. He stated that 1,900 ballots were issued to voters who were scheduled to vote in person. These voters were later issued letters with their voting options.**  
**Todd Barlow, County Superintendent of Schools, discussed and distributed an annual report the County Office of Education had printed with the *Hanford Sentinel* to inform the public about education in Kings County and stated that the County elementary school spelling bees will be taking place throughout the week at the Hanford Civic Auditorium.**
- III. B4 **EMPLOYEE RECOGNITION – REBECCA CAMPBELL/EDWARD HILL**  
Presentation to Czarina Marasigan, Public Health Nurse I, from the Department of Public Health for being selected as Outstanding Employee of the 1st Quarter, 2020.  
**INFORMATION ONLY - NOA**
- IV. B3 **APPROVAL OF MINUTES**  
Approval of the minutes from the February 11, 2020 regular meeting.  
**ACTION: APPROVED AS PRESENTED (JN, CP, RV, RF, DV -Aye)**



- V.      B5            **CONSENT CALENDAR**
- A.    County Counsel:**  
          Consider appointing Ronnie Fagundes and reappointing Wes Yeary and Robert Lohse as Trustees of the Hanford Cemetery District to serve the remainder of their four-year terms which began on January 6, 2020 and will expire on the first Monday of January 2024.  
          **ACTION: ITEM WAS PULLED FOR DISCUSSION**  
          **ACTION: ON A MOTION BY SUPERVISOR NEVES AND SECONDED BY SUPERVISOR PEDERSEN, THE BOARD APPOINTED RONNIE FAGUNDES (JN, CP, RV, DV –Aye, RF-Abstain)**  
          **ACTION: ON MOTION BY SUPERVISOR NEVES AND SECONDED BY SUPERVISOR PEDERSEN, THE BOARD REAPPOINTED WES YEARY AND ROBERT LOHSE (JN, CP, RV, RF, DV – Aye)**
- VI.            **REGULAR AGENDA ITEMS**
- B7            **A.    Community Development – Greg Gatzka**  
                  **Administration – Rebecca Campbell**  
                  1.    Consider:  
                  a.    Retroactively approving the First Amendment to State Agreement No. CCC-18-20012, for U.S. Census efforts and authorizing the County Administrative Officer to sign the Amendment; and  
                  b.    Approving the budget change. **(4/5 vote required)**  
                  **ACTION: APPROVED AS AMENDED (RF, RV, JN, CP, DV - Aye)**
- B8            **B.    Human Resources - Henie Ring/Carolyn Leist**  
                  Consider approving a new job specification for Deputy Director, Economic and Workforce Development and set the salary at Range 258.0 (\$7,835-\$9,559).  
                  **ACTION: APPROVED AS PRESENTED (JN, RF, RV, CP, DV - Aye)**
- B9            **C.    Job Training Office – Lance Lippincott**  
                  Consider approving the contract between the County of Kings-Job Training Office and ProPath, Inc. to conduct employability workshops within the County in an amount not to exceed \$40,000. **[Agmt 20-016]**  
                  **ACTION: APPROVED AS PRESENTED (JN, CP, RV, RF, DV - Aye)**
- B6            **D.    Probation Department – Kelly Zuniga**  
                  1.    Consider:  
                  a.    Authorizing the Chief Probation Officer to sign a Memorandum of Understanding with the Superior Court of California to provide pretrial services in Kings County; and  
                  b.    Allocating 1.0 Full Time Equivalency Deputy Probation Officer III; and  
                  c.    Approving the purchase of five computers and desk-top scanners; and  
                  d.    Approving the budget change. **(4/5 Vote Required)**  
                  **ACTION: APPROVED AS PRESENTED (JN, RF, RV, CP, DV- Aye)**



- B7**            **E. Administration – Rebecca Campbell/Julianne Phillips**
1. Consider authorizing the Chairman to sign a letter in response to a Non- Governmental Organization letter to the Department of Water Resources regarding the implementation of the Sustainable Groundwater Management Act.  
**ACTION: APPROVED AS PRESENTED (CP, RV, JN, RF, DV - Aye)**
  2. Consider:
    - a. Approving participation in the 2020 Dry Year Water Transfer Program; and
    - b. Authorizing the County Administrative Officer or her designee to execute the Buyer-Seller Agreement(s) upon receipt from State Water Contractors, Inc. subject to County Counsel Review.  
**ACTION: APPROVED AS PRESENTED (CP, RV, JN, RF, DV - Aye)**
  3. Consider approving a letter to the California Department of Food and Agriculture supporting the Lakeside Dairy Digester Cluster grant proposals by Maas Energy Works, which includes the signatures of all five members of the Board.  
**ACTION: APPROVED AS PRESENTED (RV, CP, JN, RF, DV - Aye)**
  4. Consider adopting the State and Federal Legislative Platform for calendar year 2020.  
**ACTION: On a motion by Supervisor Pedersen, seconded by Supervisor Valle, the Board approved the Federal Legislative Platform as presented and the State Legislative Platform with the addition of advocacy language from Supervisor Pedersen regarding the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program (CP, RV, JN, RV, DV - Aye)**

**VII. B8**            **PUBLIC HEARING**

- A. Administration – Rebecca Campbell/Roger Bradley**  
Hold a public forum to receive public comment regarding the Sheriff’s Office’s provision of information about and access to detained individuals to the Immigration and Customs Enforcement Agency.  
**Supervisor Verboon opened the public forum, comments were received from Gloria Hernandez, Luis Ojeda and David Robinson and the public forum was closed.**  
**NO OFFICIAL ACTION WAS TAKEN**

**VIII. B9**            **BOARD MEMBERS ANNOUNCEMENTS OR REPORTS**

*On their own initiative Board Members may make a brief announcement or a brief report on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Section 54954.2a).*

**John Devlin, Chief Information Officer, introduced Megan Barcellos, Account Clerk III, who started with the Information Technology Department on February 24, 2020.**

**Supervisor Pedersen stated that he attended the California Association of Counties meeting on February 12, 2020 and the San Joaquin Valley Air Pollution Control District meeting on February 20, 2020. He stated that he and Supervisor Verboon attended an event on February 19, 2020 in Bakersfield where President Trump signed the agreement aimed at providing water to the San Joaquin Valley.**

**Supervisor Valle stated that he attended the Kings County Latino Roundtable meeting on February 22, 2020. He thanked Assemblyman Rudy Salas for assisting Lake Bottom Brewery with their liquor license issue.**

**Supervisor Fagundes stated that he attended the Kings Community Action Organization Board meeting, the City County Coordinating Meeting on February 19, 2020 and the Kings County Commission on Aging meeting on February 20, 2020. He stated that he assisted with a softball team drive through dinner fundraiser on February 20, 2020.**



Supervisor Neves stated that he attended the First 5 Kings County Children and Families Commission meeting on February 11, 2020. He stated that he attended the Lemoore Chamber luncheon on February 12, 2020, the Census Committee meeting on February 14, 2020 and the Homelessness Collaborative meeting on February 19, 2020. He stated he attended the CalViva Finance Committee meeting on February 20, 2020, attended a meeting at the State Controller's Office on February 21, 2020 and attended the Knights of Columbus Pancake Breakfast and the Cabrillo Club Membership Luncheon on February 23, 2020. He stated he attended the West Hills College Paramedic Advisory Committee Meeting and the Behavioral Health Advisory Board meeting on February 24, 2020.

Supervisor Verboon stated that he and Supervisor Pedersen attended a water forum with U.S. Secretary of the Interior, David Bernhardt, on February 18, 2020 and the event with President Trump in Bakersfield on February 19, 2020. He stated that he attended the City County Coordinating meeting on February 19, 2020 and the Ag Roundtable on February 20, 2020. He stated that he attended the Save the Laundry Building event on February 22, 2020 and the Economic Development Corporation Board meeting on February 24, 2020. He thanked Clay Smith for assisting with the fire at the Porterville Library.

- ◆ Board Correspondence: Rebecca Campbell stated that the Board received correspondence from Dudley Ridge Water District – including the estimate of the sum required by the District to discharge all of its obligations for the 2020 calendar year and the amount to be raised by assessments, a notice of receipt of petition from the State Fish and Game Commission, a thank you letter from the Grand Jury to Department of Finance for visit/information regarding the services provided, a notice of intent to apply public health pesticides for vector control purposes to surface waters from the Kings Mosquito Abatement District and a notice from Olam advising of their closure of their Lemoore plant.
- ◆ Upcoming Events: Rebecca Campbell stated that the Black history month celebration will be held on February 29, 2020 from 6:00 p.m. to 9:00 p.m. at the Hanford Civic, a Census community forum will be held in Armona at the Senior Center on March 11, 2020 from 6:00 p.m. to 7:00 p.m. and the Kings County 4-H Tri-Tip Fundraiser will be held on March 12 from 4:00 p.m. to 6:30 p.m. at the University of California Cooperative Extension Office.
- ◆ Information on Future Agenda Items: Rebecca Campbell stated that the following items will be on an upcoming agenda : District Attorney – Continued participation in grant programs , Administration – Memorandum of Understanding between the CA Counties Foundation and the San Joaquin Valley Regional Association of California Counties for fiscal management and event planning registration, Administration – request to draw down operation and maintenance funds for Kettleman City Community Services District, Administration – Women's History Month, Administration – State lobbyist contract, Administration – Jail medical competency program contract award, Administration - SB 81 round two juvenile center remodel project – plans, specifications, and advertising, and Human Services – Medi-Cal Expansion Grant.

**IX. CLOSED SESSION**

**B13**

- ◆ Significant exposure to litigation. 1 case [Govt. Code Section 54956.9 (d)(2), (e)(1)]  
**REPORT OUT:** Lee Burdick stated that she did not anticipate any reportable action in closed session today.

**X. ADJOURNMENT**

The March 3, 2020 meeting has been cancelled due to Board participation in the National Association of Counties Conference. The next regularly scheduled meeting is scheduled for March 10, 2020, at 9:00 a.m.



- XI. 11:00 AM CALIFORNIA PUBLIC FINANCE AUTHORITY REGULAR MEETING CANCELLED**
- XII. 1:30 PM KINGS COUNTY HOUSING AUTHORITY BOARD OF DIRECTORS REGULAR MEETING CANCELLED**
- XIII. 2:00 PM KINGS IN-HOME SUPPORTIVE SERVICES BOARD REGULAR MEETING CANCELLED**

***FUTURE MEETINGS AND EVENTS***

March 3	9:00 AM	Regular Meeting Cancelled – National Association of Counties Conference
March 10	9:00 AM	Regular Meeting
March 17	9:00 AM	Regular Meeting
March 17	11:00 AM	California Public Finance Authority Regular Meeting
March 24	9:00 AM	Regular Meeting
March 24	1:30 PM	Kings County Housing Authority Board of Directors Regular Meeting
March 24	2:00 PM	Kings In-Home Supportive Services Board Regular Meeting
March 31	9:00 AM	Regular Meeting
March 31	11:00 AM	California Public Finance Authority Regular Meeting

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**Board Members**

Joe Neves, District 1  
Richard Valle, District 2  
Doug Verboon, District 3  
Craig Pedersen, District 4  
Richard Fagundes, District 5



**Staff**

Roger Bradley, Assistant C.A.O.  
Diane Freeman, Deputy County Counsel  
Melanie Curtis, Deputy Clerk of the Board

## Board of Supervisors Special Meeting Action Summary

**Date:** Tuesday, March 3, 2020  
**Time:** 9:00 a.m.  
**Place:** Board of Supervisors Chambers, Kings County Government Center  
1400 W. Lacey Boulevard, Hanford, California 93230

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- I. B1 **CALL TO ORDER**  
ROLL CALL – Clerk of the Board  
PLEDGE OF ALLEGIANCE  
MEMBERS PRESENTED: NEVES, VALLE, FAGUNDES  
MEMBERS ABSENT: PEDERSEN, VERBOON
  
- II. **TEMPORARY BOARD REORGANIZATION**  
In the absence of the Chairman and Vice Chairman, select a Chairman Pro Tem for this meeting.  
**ACTION: APPOINTED JOE NEVES AS CHAIRMAN PRO TEM (RV, RF, JN –Aye, CP, DV –Absent)**
  
- III. **UNSCHEDULED APPEARANCES**  
*Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item.*  
**Brian Thorburn of Southern California Edison thanked the Board for being a part of a successful year for Southern California Edison and discussed upgrades being made to the local electric system such as pole replacements and the use of covered conductors to mitigate the risk of fire.**
  
- IV. **REGULAR AGENDA ITEMS**  
B2 A. **Fire Department – Clay Smith/Amanda Verhaege**  
Consider adopting a Resolution ratifying a proclamation of a local emergency due to the potential for the accumulation of livestock carcasses.  
**ACTION: APPROVED AS AMENDED (RF, RV, JN – Aye, CP, DV –Absent)**
  
- V. **ADJOURNMENT**  
The next regularly scheduled meeting will be held on Tuesday, March 10, 2020, at 9:00 a.m.



# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** District Attorney's Office – Keith Fagundes

**SUBJECT:** CONTINUED PARTICIPATION IN GRANT PROGRAMS

**SUMMARY:**

**Overview:**

The District Attorney's (DA's) Office relies heavily on grant funding to carry out the functions of the Department. Each fiscal year, the various awarding agencies require your Board to adopt a resolution reaffirming the County's commitment to the grant funded programs, indicating support of the grant program for the fiscal year in which the grant award is received.

**Recommendation:**

**Adopt Resolutions authorizing the District Attorney's Office to submit Fiscal Year 2020-2021 applications for the following grant programs:**

- **Automobile Insurance Fraud Program**
- **Workers Compensation Insurance Fraud Program**
- **Violence Against Women Vertical Prosecution Program**
- **Victim Witness Assistance Program**

**Fiscal Impact:**

For each grant listed above, the revenues and expenses will be included in the DA's requested Fiscal Year (FY) 2020-2021 County Budget. In FY 2019-2020, the DA was awarded \$256,784 from the Workers' Compensation Insurance Fraud Program. In FY 2019-2020, the DA was awarded \$105,000 from the Automobile Insurance Fraud Program. Through the insurance fraud grant programs, the DA's Office is able to fund a Legal Secretary, a DA Investigator, and three quarters of a Deputy District Attorney. In FY 2019-2020, the DA was awarded \$202,545 for the Violence Against Women Vertical Prosecution Program.

(Cont'd)

**BOARD ACTION:**

APPROVED AS RECOMMENDED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed and adopted  
on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.

## **Agenda Item**

### **CONTINUED PARTICIPATION IN GRANT PROGRAMS**

**March 10, 2020**

**Page 2 of 2**

The VAWA program will provide full or partial funding for one Deputy District Attorney, DA Investigator, and one Victim Advocate. There is a 25% match obligation; the DA's Office has met the cash match in prior fiscal years with County General Funds. In FY 2019-2020, the DA was awarded \$398,395 in Federal Funding and \$35,177 in State funding for the Victim Witness Assistance Program. The DA's Office intends to apply for the maximum funding available for FY 2020-2021.

#### **BACKGROUND:**

The Workers' Compensation and Automobile Insurance Fraud Programs were established in FY 1996-1997, and have been in continuous existence since that time. The Insurance Fraud Unit investigates multiple types of automobile and workers' compensation insurance fraud claims, assists other agencies in the investigation of workers' compensation fraud, and educates local businesses of their obligations to hold the correct insurance coverage per the State of California.

The Violence Against Women Vertical Prosecution Program (VAWA) is a fairly new grant program to the County, and it was established in FY 2013-2014. This program vertically prosecutes domestic violence, stalking, and dating violence cases in Kings County. One specialized unit within the DA's Office handles the case from beginning to end.

The Victim/Witness (VW) Assistance Program is designed to provide comprehensive services to victims/witnesses of all types of violent crimes pursuant to California Penal Code §13835. The services provided include orientation to the criminal justice system, crisis intervention, emergency assistance, case status/disposition, court escort, direct counseling, victim of crime claims, notification of family, friends, and employers, property return, public presentations, resource and referral assistance, restitution, and training for criminal justice agencies. Kings County has participated in the program since 1984.

Each Resolution has been reviewed and approved by County Counsel as to form.

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF AN APPLICATION  
FOR FISCAL YEAR 2020/2021 GRANT  
FUNDING FOR AUTO INSURANCE  
FRAUD PROGRAM \_\_\_\_\_/

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the California Fraud Prevention Act (California Insurance Code sections 1871-1879) makes funding available through the California Department of Insurance to investigate and prosecute auto insurance fraud; and

WHEREAS, the Kings County Board of Supervisors desires, through the office of the District Attorney, to continue the Auto Insurance Fraud Program undertaken with prior grant awards; and

WHEREAS, the District Attorney desires to apply for fiscal year 2020/2021 funding made available through the Act, and specifically Section 1872.8 thereof, to support such program; and

WHEREAS, grant eligibility guidelines require that the County indemnify the State against liability that may stem from the Grant Award; and

WHEREAS, the Grant Award may not be used to supplant expenditures controlled by the Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The District Attorney of Kings County is hereby authorized to submit an Auto Insurance Fraud Program FY 2020/2021 Grant Application to the California Department of Insurance and to execute a Grant Award Agreement including any extensions or amendments thereof.
2. The Grant Award funds received shall not be used to supplant expenditures controlled by this Board.
3. This Board agrees that any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the County of Kings as the grant recipient and authorizing agency, and understands and agrees that the State of California and the California Department of Insurance disclaim responsibility for any such liability.

The foregoing Resolution was adopted upon motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, at a regular meeting held on the 10th day of March, 2020, by the following vote:

AYES: Supervisors  
NOES: Supervisors  
ABSENT: Supervisors  
ABSTAIN: Supervisors

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Chairman of the Board of Supervisors  
County of Kings, State of California

WITNESS my hand and seal of said Board of Supervisors this 10th day of March, 2020.

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Clerk of said Board of Supervisors

BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF AN APPLICATION FOR RESOLUTION NO. \_\_\_\_\_  
2020/2021 GRANT FUNDING FOR WORKERS'  
COMPENSATION INSURANCE FRAUD  
INVESTIGATIONS PROGRAM /

WHEREAS, the California Fraud Prevention Act (California Insurance Code sections 1871-1879) makes grant funding available through the California Department of Insurance to investigate and prosecute Workers' Compensation Insurance fraud; and

WHEREAS, such funding must be applied for on an annual basis; and

WHEREAS, grant eligibility guidelines require that the County indemnify the State against liability that may stem from the Grant Award; and

WHEREAS, the Grant Award may not be used to supplant expenditures controlled by the Board; and

WHEREAS, the Kings County Board of Supervisors desires, through the office of the District Attorney, to continue the Workers' Compensation Insurance Fraud Program undertaken by the District Attorney's office as a result of prior grants received; and

WHEREAS, the District Attorney's office desires to apply for funding made available through the Act, and specifically Section 1872.83 thereof, to support such program.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The District Attorney's office of Kings County is hereby authorized to submit a Workers' Compensation Insurance Fraud Program application to the California Department of Insurance and to execute a 2020/2021 Grant Award Agreement including any extensions or amendments thereof.
2. The Grant Award funds received shall not be used to supplant expenditures controlled by this Board.
3. This Board agrees that any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the County of Kings as the grant recipient and authorizing agency, and understands and agrees that the State of California and the California Department of Insurance disclaim responsibility for any such liability.

The foregoing Resolution was adopted upon motion by Supervisor \_\_\_\_\_,  
seconded by Supervisor \_\_\_\_\_, at a regular meeting held on the 10th day of March, 2020,  
by the following vote:

AYES: Supervisors  
NOES: Supervisors  
ABSENT: Supervisors  
ABSTAIN: Supervisors

---

Chairperson, Board of Supervisors  
County of Kings

WITNESS my hand and seal of said Board of Supervisors this 10th day of March, 2020.

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Clerk of said Board of Supervisors

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF THE AUTHORITY TO  
APPLY FOR VIOLENCE AGAINST WOMEN  
VERTICAL PROSECUTION PROGRAM FISCAL  
YEAR 2020-2021 GRANT FUNDS \_\_\_\_\_/

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the Legislature has found that Vertical Prosecution is a proven way of demonstrably increasing the likelihood of convicting sexual assault violators and domestic violence violators and ensuring appropriate sentences for such offenders; and

WHEREAS, Vertical Prosecution is an approach that assigns specially trained deputy district attorneys or prosecution units to a particular case from its filing to its completion; and

WHEREAS, a Vertical Prosecution Program has been established pursuant to the Services Training Officers Prosecutors (“STOP”) Formula Grant Program (“Program”) which was authorized in 1994 through the Violence Against Women Act (VAWA). VAWA, Public Law 103-322, was reauthorized in 2000, 2005, and most recently in 2013. The Program is administered by the Office on Violence Against Women, Office of Justice Programs, and the U.S. Department of Justice. This grant is administered by the California Office of Emergency Services Agency; and

WHEREAS, the Kings County Board of Supervisors, through its office of District Attorney, desires to apply for fiscal year 2020/2021 grant funding from this Program when it is available.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The District Attorney of the County of Kings is authorized to sign and submit an application to the Violence Against Women Prosecution Program to obtain 2020/2021 grant funds for the Vertical Prosecution program in Kings County.
2. The District Attorney is authorized to enter into a Grant Award Agreement if offered after application.
3. Kings County Board of Supervisors agrees to provide all matching funds, if any, required for said Program (including any amendment thereof) funding terms and conditions and that the cash match will be appropriated as required.
4. Any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and Office of Emergency Services Agency disclaim all responsibility for any such liability.



The foregoing Resolution was adopted upon motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, at a regular meeting held on the 10th day of March, 2020, by the following vote:

AYES: Supervisors  
NOES: Supervisors  
ABSENT: Supervisors  
ABSTAIN: Supervisors

---

Chairman of the Board of Supervisors  
County of Kings, State of California

WITNESS my hand and seal of said Board of Supervisors this 10th day of March, 2020.

---

Clerk of said Board of Supervisors

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF AN APPLICATION FOR  
FISCAL YEAR 2020/2021 VICTIM WITNESS  
ASSISTANCE PROGRAM GRANT FUNDING /

RESOLUTION NO: \_\_\_\_\_

WHEREAS, beginning FY 2013/2014 to present, the County of Kings has maintained, the “Kings County District Attorney’s Victim Witness Assistance Program” (“Program”) supported by grant funds made available through the Victim Witness Program administered by the Governor’s Office of Emergency Services (“OES”); and

WHEREAS, the Kings County Board of Supervisors desires, through the office of the District Attorney, to continue the Program in FY 2020/2021; and

WHEREAS, the District Attorney’s office desires to apply for FY 2020/2021 OES Victim Witness Program grant funds to support the Program.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The District Attorney of Kings County is authorized and directed to sign and submit to the OES a 2020/2021 Victim Witness Program Grant application, and is authorized to execute, on behalf of this Board, the Grant Award Agreement (“Agreement”).
2. The County, through its District Attorney, will comply with the Grant Conditions.
3. Any liability arising out of performance of this Agreement, including civil court actions for damages, shall be the responsibility of the County of Kings. The County recognizes that the State of California and OES disclaim responsibility for any such liability.
4. The Grant received thereunder will not be used to supplant expenditures controlled by the County.

The foregoing Resolution was adopted upon motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, at a regular meeting held on this 10th day of March, 2020, by the following vote:

AYES: Supervisors:  
NOES: Supervisors:  
ABSENTS: Supervisors:  
ABSTAIN: Supervisors:

\_\_\_\_\_  
Chairman of the Board of Supervisors  
County of Kings, State of California

WITNESS my hand and seal of said Board of Supervisors this 10th day of March, 2020.

\_\_\_\_\_  
Clerk of said Board of Supervisors



# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** Public Works Department – Kevin McAlister/Rhonda Mann

**SUBJECT:** LOCAL TRANSPORTATION FUNDS CLAIM RESOLUTION

**SUMMARY:**

**Overview:**

The Public Works Department seeks your Board’s approval of a Resolution stating there are no unmet transportation needs in Kings County based on findings made by the Kings County Area Public Transit Agency (KCAPTA), of which the County is a member agency. Approval to submit the claim form for these funds is also requested.

**Recommendation:**

- a. Adopt the Resolution stating there are no unmet transit needs in Kings County; and
- b. Authorize the Public Works Director to sign the claim form.

**Fiscal Impact:**

This action will provide \$708,211 in revenue for the Road Maintenance Fund, Budget Unit 311000, for Fiscal Year 2020-2021. This is the County’s share of the available funding for road maintenance and construction after funding for transit related programs have been allocated.

The total estimated Local Transportation Fund (LTF) allocation for Fiscal Year 2020-2021 is \$4.4 million. Anticipated allocations are as follows:

(Cont’d)

**BOARD ACTION:**

APPROVED AS RECOMMENDED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed and adopted  
on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.

## Agenda Item

### LOCAL TRANSPORTATION FUNDS CLAIM RESOLUTION

March 10, 2020

Page 2 of 3

Fund Share	Amount To Be Claimed or Available
Pedestrian and Bicycle Facilities	\$ 88,000 (available)
Transportation Planning Costs for Kings County Association of Governments	\$ 188,400
Public Transit (Kings Area Rural Transit)	\$1,200,000
Transportation Services (Avenal)	\$ 4,000
Public Transit (Corcoran)	\$ 503,190
Transportation Services (Corcoran)	\$ 95,000
Remaining Amount Available for Streets and Roads (Distributed by Population)	
Avenal	\$ 301,553
Corcoran	0*
Hanford	978,390
Lemoore	421,156
County	708,211

\*- Corcoran uses the amount available for streets for public transit

#### **BACKGROUND: You**

The Mills-Alquist-Deddeh Act (SB 325) was enacted by the California Legislature to improve existing public transportation services and encourage regional transportation coordination. Known as the Transportation Development Act (TDA) of 1971, this law provides funding to be allocated to transit and non-transit related purposes that comply with regional transportation plans.

The TDA established two funding sources: the LTF and the State Transit Assistance (STA) fund. Providing certain conditions are met, counties with a population under 500,000 (according to the 1970 federal census) may use the LTF for local streets and roads to conduct various construction and maintenance related projects. The STA funding can only be used for transportation planning and mass transportation purposes.

The LTF is derived from a ¼ cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF. Each county then apportions the LTF funds to each qualifying agency within the county based on population.

KCAPTA must hold at least one annual public hearing for the purpose of soliciting comments on the unmet transit needs that may exist within the jurisdiction, which might be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services. The definition adopted by KCAPTA by resolution for "unmet transit needs" states that such a need "at

## **Agenda Item**

### **LOCAL TRANSPORTATION FUNDS CLAIM RESOLUTION**

**March 10, 2020**

**Page 3 of 3**

a minimum, exists where local residents do not have access to private vehicles or other forms of transportation, due to age, income, or handicap, for the purpose of traveling to medical care, shopping, social/recreational activities, education/training, and employment.” KCAPTA has also adopted a definition of “reasonable to meet” by resolution which contains eight (8) criteria to be taken into consideration. It is not common for KCAPTA to find such unmet needs that reach the threshold of being reasonable to meet that would have a significant impact on funding for road projects. The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet. Comparing unmet transit needs with the needs for streets and roads is not allowable in determining transit needs that are reasonable to meet.

The funding distributed to the County (\$708,211) will go to the Road Fund and will be available for road maintenance and construction.

Because of the various timelines required to be met by KCAPTA, the cities, and the County, this Resolution is being presented based on the strong assumption that the KCAPTA governing board will find that there are no unmet transit needs which are reasonable to meet after it holds two public hearings. The first was held on February 26, 2020 and the second will be held on March 25, 2020. Said public hearings are held by KCAPTA on behalf of the County. If changes to the funding allocations shown above are required based on comments received during the public hearings, an amendment to this Resolution will be brought to your Board for consideration.

The Resolution has been reviewed by County Counsel as to form.

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA

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IN THE MATTER OF AUTHORIZING THE SUBMITTAL OF A CLAIM FOR LOCAL TRANSPORTATION FUNDS TO THE KINGS COUNTY ASSOCIATION OF GOVERNMENTS / RESOLUTION NO. \_\_\_\_\_

WHEREAS, the Transportation Development Act provides a Local Transportation Fund (LTF) for meeting transportation needs that can reasonably be met; and

WHEREAS, the County of Kings has joined in a joint powers agency, Kings County Area Public Transit Agency (KCAPTA); and

WHEREAS, KCAPTA has determined that there are no unmet transit needs that are reasonable to meet; and

WHEREAS, the County of Kings also has a serious need to sustain the current level of maintenance on streets and roads.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. That the Kings County Board of Supervisors hereby finds that there are no areas within the County with unmet public transportation needs which could be reasonably met by expansion of existing transportation systems or by establishing new systems.
2. That the Kings County Board of Supervisors claims the unused balance of Local Transportation Funds not used for public transit for maintenance of local streets and roads, that maintenance of streets and roads is categorically exempt from environmental review, and that the Kings County Public Works Director be authorized to sign and submit the claim for funds, and any subsequent amended claims required.

The foregoing Resolution was adopted upon motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, at a regular meeting held on the 10th of March 2020, by the following vote:

AYES: Supervisors  
NOES: Supervisors  
ABSENT: Supervisors  
ABSTAIN: Supervisors

\_\_\_\_\_  
Chairperson of the Board of Supervisors  
County of Kings, State of California

IN WITNESS WHEREOF, I have set my hand this 10th day of March, 2020

\_\_\_\_\_  
Clerk of said Board of Supervisors



**Kings County  
Association of Governments**

339 W. D Street, Suite B  
Lemoore, CA 93245  
Tel. (559) 852-2654  
Fax (559) 924-5632  
www.kingscog.org

Member Agencies: Cities of Avenal, Corcoran, Hanford and Lemoore, County of Kings

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February 27, 2020

Kevin McAlister  
County of Kings Public Works  
1400 W. Lacey Blvd.  
Hanford, CA 93230

**Subject: FY 2020-21 Transportation Development Act Fund Claims**

Dear Kevin:

This letter is to advise claimants of Transportation Development Act (TDA) funds of their area apportionments of the Local Transportation Fund (LTF) for FY 2020-21.

The estimate of funds available for apportionment is provided by the Kings County Auditor and is apportioned based on population percentages of each jurisdiction, from the most current Department of Finance population estimate.

Enclosed is a summary of the "Estimated FY 2020-21 Transportation Development Act Shares". Please note that the population percentages will be adjusted when the Department of Finance estimates are released on May 1st. Minor adjustments are also expected as the final budgets for KCAG and Kings County Area Public Transit Agency (KCAPTA) are adopted.

Provided are claim forms for Article 3 and Article 8 funds and a copy of KCAG Resolution No. 224 describing the procedure for the submission of claims. Please note the requirement to conduct a public hearing for the purpose of soliciting comments on the unmet transit needs that may exist within your jurisdiction. A copy of KCAG Resolution No. 99-06 describing the definitions of "unmet transit needs" and "reasonable to meet" is included. KCAPTA is conducting a public hearing on your agency's behalf on February 26 and March 25, 2020. All required attachments must be submitted with your Article 3 and Article 8 claims.

Return your completed claims **no later than April 1, 2020 before 5:00 p.m.** State law requires that the claims be filed with the RTPA before that time.

If you have any questions or need assistance in this matter, please call me at your convenience at (559) 852-2657.

Sincerely,

KINGS COUNTY ASSOCIATION OF GOVERNMENTS  
Terri King, Executive Director

A handwritten signature in cursive script, appearing to read 'Teresa Nickell', is written in black ink.

Teresa Nickell, Regional Planner

Enclosures

**ESTIMATED FY 2020-21  
TRANSPORTATION DEVELOPMENT ACT SHARES**

20-21 LOCAL TRANSPORTATION FUND SHARES				AMOUNT CLAIMED	AMOUNT REMAINING
1. Estimate of LTF for County Auditor pursuant to Section 6620 of the California Administrative Code:					\$4,400,000
2. Article 3, Pedestrian and Bicycle Facilities:				\$88,000 (amount available)	\$4,400,000
AMOUNT					
Claimed to date				\$0	
3. Shares of remaining LTF based on the Department of Finance population estimate as of May 1, 2019:					\$4,400,000
AGENCY	POPULATION*	PERCENTAGE	SHARE		
Avenal	13,823	8.9929%	\$395,688		
Corcoran	21,832	14.2034%	\$624,949		
Hanford	58,105	37.8017%	\$1,663,275		
Lemoore	26,257	17.0822%	\$751,617		
Kings Co.	33,693	21.9198%	\$964,471		
TOTAL	153,710	100.0000%	\$4,400,000		
4. LTF Administration and Article 8 Transportation Planning cost for KCAG:				\$188,400	\$4,211,600
AGENCY	PERCENTAGE	SHARE			
Avenal	8.9929%	\$16,943			
Corcoran	14.2034%	\$26,759			
Hanford	37.8017%	\$71,218			
Lemoore	17.0822%	\$32,183			
Kings Co.	21.9198%	\$41,297			
TOTAL	100.0000%	\$188,400			
5. Article 4, Public Transit, KART (Not Shared by Corcoran):				\$1,200,000	\$3,011,600
AGENCY	PERCENTAGE (Based on Pop. & Hrs. of Service)	SHARE			
Avenal	6.0993%	\$73,192			
Corcoran	0.0000%	\$0			
Hanford	51.1389%	\$613,667			
Lemoore	24.8482%	\$298,178			
Kings Co.	17.9136%	\$214,963			
TOTAL	100.0000%	\$1,200,000			
6. Article 8, Transportation Services, City of Avenal: (From Avenal's Share)				\$4,000	\$3,007,600
AGENCY		SHARE			
Avenal		\$4,000			
7. Article 4, Public Transit, Corcoran Dial-A-Ride: (From Corcoran's Share)				\$503,190	\$2,504,410
AGENCY		SHARE			
Corcoran		\$503,190			
8. Article 8, Transportation Services: (From Corcoran's Share)				\$95,000	\$2,409,410
AGENCY		SHARE			
Corcoran KART tickets		\$5,000			
Corcoran Amtrak tickets		\$90,000			
9. Remaining Article 8 shares for streets and roads. (By population % shown in item #3 above):				\$2,409,410	\$0
AGENCY		SHARE			
Avenal		\$301,553			
Corcoran		\$0			
Hanford		\$978,390			
Lemoore		\$421,256			
Kings Co.		\$708,211			
TOTAL		\$2,409,410			
Estimated FY 2020-21 LTF:				\$4,400,000	

\* Based on 2019 Department of Finance estimates released on May 1



**REQUEST FOR TDA FUNDS**

**PEDESTRIAN AND BICYCLE FACILITIES  
ARTICLE 3**

FISCAL YEAR: 2020-21  
TO: Kings County Association of Governments  
FROM CLAIMANT: Kings County  
1400 W. Lacey Blvd.  
Hanford, CA 93230

These funds are designated for the development of facilities for the exclusive use of pedestrians and bicyclists. They are allocated without respect to the apportionment of Article 4 or Article 8 funds. The amount of funds estimated to be available for this purpose is \$ 88,000.

I. SUMMARY OF PROJECT:

Briefly describe how you intend to use the requested funds and include an explanation of how this project will enhance commuting and/or recreational needs. How many people will benefit? Include a map if appropriate. Is this a new project or is it upgrading existing facilities?

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II. BUDGET INFORMATION:

Funding

TDA: .....	\$	_____
Local funds committed, if any .....	\$	_____
Federal Funds: .....	\$	_____
State Funds: .....	\$	_____
Other: _____ .....	\$	_____
Total cost of project: .....	\$	_____
Expenditures to date: .....	\$	_____

III. What steps have been taken to ensure that this project will continue to be funded and/or maintained after it has been implemented?

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IV. Describe your efforts to coordinate this project with other community agencies, citizens, etc. (Is this project included as a portion of a plan?)

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V. Explain what previous steps have been taken to promote the public's awareness of the benefits of non-motorized methods of transportation such as education programs or emphasis on safety requirements?

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VI. What is the time schedule for project completion?

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VII. Additional comments?

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VIII. Attach a signed resolution or minute order from your City Council or Board of Supervisors authorizing this request as Attachment "A".

\_\_\_\_\_  
Signature and Title

\_\_\_\_\_  
Date

**CLAIM FOR TDA FUND**

**OTHER CLAIMS  
ARTICLE 8**

1. Claimant: County of Kings Public Works  
1400 W. Lacey Blvd.  
Hanford, CA 93230
  
2. Claim for FY 2020-21
  
3. Amount of Apportionment (estimate): 21.9198% \$ 964,471
  
4. Purpose for which claimed funds will be used:  

Article 8, Section 99400(a), Local Street and Roads.	\$ <u>708,211</u>
Article 8, Section 99400(c), Transportation Services.	\$ <u>0</u>
Article 8, Section 99233.1 and 99402, Planning.	\$ <u>41,297</u>
Article 8, Section 99234.9, Rail Passenger Service Projects	\$ <u>0</u>
  
5. NOTE: KCAPTA will Claim \$ 214,963 through Article 4.
  
6. Has your governing body conducted a public hearing for the purpose of soliciting comments on the unmet transit needs that may exist within your jurisdiction?  

NO \_\_\_\_\_ YES \_\_\_\_\_
  
7. Has your governing body passed a resolution in which the finding was made that there are no areas within your jurisdiction with unmet public transit needs which could reasonably be met by expansion of existing transportation systems or by establishing a new system?  

NO \_\_\_\_\_ YES \_\_\_\_\_

Include a copy of that resolution and documentation of the finding, including evidence and information that provides the basis for the finding, and designate it as "Attachment B".

8. Has your governing body passed a resolution authoring the person whose signature appears below to submit this claim?

NO \_\_\_\_\_

YES \_\_\_\_\_

9. Proposed road maintenance and construction budget for the fiscal year of this claim:

\$ \_\_\_\_\_

Include a list of road maintenance and construction projects for which the funds are requested and designate it as "Attachment C".

10. Has your governing body certified environmental documents for projects to be funded by this claim?

NO \_\_\_\_\_

YES \_\_\_\_\_

11. \_\_\_\_\_  
Signature and Title

\_\_\_\_\_  
Date

Payment for projects approved by KCAG will be made to Claimant as money is available for distribution in Claimant's account.

BEFORE THE KINGS COUNTY ASSOCIATION OF GOVERNMENTS  
TRANSPORTATION POLICY COMMITTEE

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IN THE MATTER OF DEFINING )  
THE TERMS "UNMET TRANSIT )  
NEED" AND "REASONABLE )  
TO MEET" )

RESOLUTION NO. 99-06

RE: TDA DEFINITIONS

WHEREAS, the California Transportation Development Act of 1971 established the Local Transportation Fund (LTF), which is administered by the Kings County Association of Governments (KCAG) Transportation Policy Committee (TPC); and

WHEREAS, pursuant to Public Utilities Code, Section 99401.5 (c), prior to making any allocation of LTF money not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, KCAG must define the terms "unmet transit need" and "reasonable to meet". The definition adopted by the transportation planning agency for the terms "unmet transit needs" and "reasonable to meet" shall be documented by resolution or in the minutes of the agency; and

WHEREAS, pursuant to the 1998 Kings County Transit Development Plan, countywide definitions for the terms "unmet transit need" and "reasonable to meet" have been established.

NOW, THEREFORE, BE IT RESOLVED, that the Kings County Association of Governments Transportation Policy Committee defines the term "unmet transit need" and "reasonable to meet" as follows:

- a) "Unmet transit need", at a minimum, exist where local residents do not have access to private vehicles or other forms of transportation, due to age, income, or handicap, for the purpose of traveling to medical care, shopping, social/recreational activities, education/training and employment.
- b) It is "reasonable to meet" the above needs if the proposed or planned service can be operated while maintaining, on a system wide basis, the adopted service goals for that type of service and meet the following criteria:
  - 1) New, expanded, or revised transit service, if implemented or funded, would not cause the operator to incur expenditures in excess of the maximum amount of Transportation Development Act funds available to Kings County.
  - 2) The proposed transit service does not duplicate transit services currently provided by either public or private operators.
  - 3) The proposed transit service has community support from the general public, community groups and community leaders.
  - 4) New, expanded, or revised transit service, if implemented or funded, would allow the responsible operator to meet the TDA required rural area farebox and revenue ratio of 10% for the overall system.
  - 5) There is supporting data to indicate sufficient ridership potential for the new, expanded, or revised service.
  - 6) Implementation of the new, expanded, or revised transit service should achieve or be moving toward the goals outlined in the Kings County Transit Development Plan for a comparable type of service. Services not meeting the goals should be evaluated on a yearly basis to determine if modifications or cancellation of service should be implemented.

- 7) The proposed transit service shall have a reasonable expectation of future demand and available funding on a long term basis to maintain the service.
- 8) Is needed by and would benefit either the general public or the elderly and disabled population as a whole.

The foregoing Resolution was adopted on a motion by Commissioner Lakritz, and seconded by Commissioner Barba, at a regular meeting held on the 23rd day of June, 1999, by the following vote:

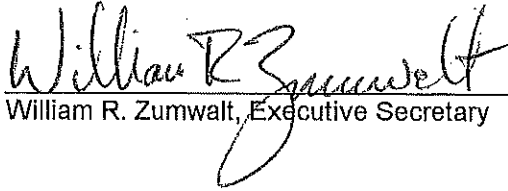
AYES: Lakritz, Barba, McCuen, Neves, Allvin  
NOES: None  
ABSENT: Woolley, Quintanilla  
ABSTAIN: None

KINGS COUNTY ASSOCIATION OF GOVERNMENTS  
TRANSPORTATION POLICY COMMITTEE



\_\_\_\_\_  
Joe Neves, Chairman Pro Tem

WITNESS, my hand this 28<sup>th</sup> day of June, 1999.



\_\_\_\_\_  
William R. Zumwalt, Executive Secretary

BEFORE THE KINGS COUNTY REGIONAL PLANNING AGENCY  
TRANSPORTATION POLICY COMMITTEE

\* \* \* \* \*

IN THE MATTER OF RESCINDING ) RESOLUTION NO. 224  
RESOLUTION NO. 11, AND ADOPTING )  
NEW RULES AND REGULATIONS FOR )  
THE ADMINISTRATION OF THE LOCAL ) RE: LTF RULES AND  
TRANSPORTATION FUND ) REGULATIONS

WHEREAS, Section 99261 of the Public Utilities Code states that the transportation planning agency may adopt rules and regulations supplemental to and consistent with, those of the California Department of Transportation to further delineate procedures for the submission of Local Transportation Fund (LTF) claims and stating criteria by which they will be analyzed and evaluated; and

WHEREAS, the Kings County Regional Planning Agency, Transportation Policy Committee adopted Resolution No. 11 in 1973, which established rules and regulations for the administration of the LTF; and

WHEREAS, changes in the use of the LTF since 1973 necessitates a change in the rules and regulations for the administration of the LTF.

NOW, THEREFORE, BE IT RESOLVED, that the Kings County Regional Planning Agency, Transportation Policy Committee rescinds Resolution No. 11 and adopts the following rules and regulations for the administration of the Local Transportation Fund:

Priority of Claims - Shall be as prescribed by State Law.

Form of Application - May be a letter request or submitted on the claim forms provided by the regional transportation planning agency.

Public Hearing Requirement - Each claimant requesting funds not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, must conduct a public hearing for the purpose of soliciting comments on the unmet transit needs that may exist within the jurisdiction of the claimant and that might be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services, or by expanding existing services.

Notice of the hearing, including the date, place, and specific purpose of the hearing shall be given at least 10 days in advance through publication in a newspaper of general circulation and posted at the location of the hearing. The claimant shall also send written notification to those persons and organizations which have indicated an interest in the subject of the hearing.

Following the public hearing, the claimants' governing body must adopt by resolution, a finding for the jurisdiction of the claimant that either there are no unmet transit needs, there are no unmet transit needs that are reasonable to meet, or there are unmet transit needs, including needs that are reasonable to meet. The resolution shall include evidence and information which provides the basis for the finding, and a summary of the testimony, if any, received at the public hearing. If the finding of the claimant is that there are unmet transit needs that are reasonable to meet, the claimant shall provide proposals to meet the transit need.

Evaluation and Review of Claims - Budget documents and other information shall be included in the claim in sufficient detail to show the following for each claim purpose:

- A. Public Utilities Code, Chapter 4, Article 3, Section 99233.3 - For facilities provided for the exclusive use of pedestrians and bicycles or for bicycle safety education programs, claims shall be accompanied by the following statements or documentation:
1. A statement of how the project for which funds are requested will enhance commuting and/or recreational needs and how the project will be maintained after it has been implemented.
  2. Budget information including amount of funds requested, project funding sources, total cost of the project, and expenditures to date.
  3. A project location map.
  4. A time schedule for completion of the project.
  5. A statement describing the claimants' efforts to coordinate with other agencies on the project.
  6. A statement explaining the claimants' past efforts in promoting the benefits of non-motorized transportation methods.
- B. Public Utilities Code, Chapter 4, Article 4, commencing with Section 99260 - For the support of public transportation systems, aid to public transportation research and demonstration projects, and contributions for the construction of grade separation projects, claims shall be accompanied by the following statements or documentation:
1. Amount claimed, the fiscal year and the purpose for which the claim is made, identified by the article and section of the Transportation Development Act which authorizes such claims.



2. A budget or proposed budget for the fiscal year of the claim.
3. A statement of projected or estimated revenues and expenditures for the prior fiscal year.
4. Budget information to show that the claimants proposed total expenditure of the funds received under this Article by an operator does not in any year exceed 50 percent of the amount required to meet operating, maintenance, and capital and debt service requirements of the system after deduction of approved federal grants estimated to be received and funds estimated to be allocated from the State Transit Assistance (STA) fund.
5. A statement identifying and substantiating the reason or need for an increase in operating budget in excess of 15 percent above the preceding year or a substantial increase or decrease in the scope of operating or capital budget provisions for major new fixed facilities.
6. If applicable, a request for a commitment for a long term capital outlay and if the funds are to be reserved in the LTF for that purpose.
7. Operating statistics for the prior fiscal year including total number of passengers, vehicle service hours, vehicle service miles, operating cost, and fares.
8. Operating and budget information to determine the operators' eligibility for State Transit Assistance (STA) Funds, including total fares and total revenue vehicle hours in the budget year of the claim and in the previous year.
9. A statement that the operator has maintained for the fiscal year the required ratio of fare revenues to operating cost of at least equal to one-tenth for nonurbanized area operators.
10. A statement that the operator does not routinely staff a vehicle designed to be operated by one person, with two or more persons.
11. A certification by the California Highway Patrol verifying that the operator is in compliance with Section 1808.1 of the Vehicle Code, which has been completed within the last 13 months prior to the filing of the claim.
12. A review of how the operator has made reasonable efforts to implement improvements recommended by either the Productivity Improvement Committee or Triennial Performance Audit.

13. A summary of efforts made by the claimant to determine if there are any unmet public transportation needs which could be reasonably met.
  14. Copies of all executed contracts, MOU's, or Letters of Agreement for service the agency is to provide outside its boundaries or for services to be provided by an entity under contract with the agency.
  15. A statement as to whether the current cost of the operators' retirement system for officers and employees is fully funded.
  16. A statement as to whether the operator has a private pension plan.
  17. A statement signed by the chief financial officer of the claimant attesting to their reasonableness and accuracy.
- C. Public Utilities Code, Chapter 4, Article 8, commencing with Section 99400 - For local streets and roads, transportation services, and transportation planning, claims shall be accompanied by the following statements or documentation:
1. The applicants proposed total expenditure (including that requested from the Local Transportation Fund) for the coming fiscal year for transportation system projects of maintenance and construction, shall be at least twice the allocation requested.
  2. A list of those particular system projects for which the funds are requested.
  3. A statement certifying that the funds will be expended only for purposes necessary and convenient to the development, construction, and maintenance of local streets and roads, including planning and contributions to the transportation planning process, acquisition of real property, and construction of facilities and buildings.
  4. Certification of environmental documents for projects to be funded by the claim.
  5. A statement that the amount of funds requested does not exceed, as a proportion of the total fund, the ratio the population served by the applicant bears to the total county population.
  6. Documentation of the claimants findings of unmet transit needs, to include a copy of the notice of hearing and proof of publication, a description of the actions taken to solicit citizen participation, and a copy of the resolution adopting the unmet needs finding, which includes evidence and information providing the basis of the finding and a summary of the testimony, if any, received at the public hearing.

Interest Earned - Shall remain in the Local Transportation Fund.

Time of Application - Shall be prior to 90 days before the beginning of the fiscal period of allotment.

Allocations - Will be granted by July 1st of the fiscal period of allotment. The statement of allocation will be given to the applicant, the County Treasurer, and the County Auditor. The Auditor shall make proportional payments to those applicants with statements of allocation at quarterly intervals during the fiscal year. Should State allocations for the fiscal period exceed the total amount of approved annual claims, the excess funds shall be allocated to the applicants on the proportional basis used to determine the applicants' maximum annual claims, on the condition that the applicants' total expenditures for the fiscal period for transportation system projects of maintenance and construction purposes shall be at least twice the total allocation received. Should the State allocations for the fiscal period be less than the total amount of approved annual claims, the applicants' approved annual claims shall be reduced on the proportional basis used to determine the applicants' maximum annual claims.

The foregoing Resolution was adopted on a motion by Commissioner Luis, seconded by Commissioner Buford, at a regular meeting held on the 20th day of February 1991, by the following vote:

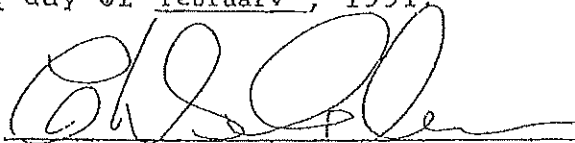
AYES: Luis, Buford, Hammond, McCuen, Kinney  
NOES: None  
ABSTAIN: None  
ABSENT: Hansen

KINGS COUNTY REGIONAL PLANNING AGENCY  
TRANSPORTATION POLICY COMMITTEE



Nick Kinney, Vice Chairman

WITNESS, my hand this 20th day of February, 1991.



Charles Gardner, Executive Secretary



# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** Administration – Rebecca Campbell/Sande Huddleston

**SUBJECT:** CLAIM FOR DAMAGES FOR JAMES CARLSON

**SUMMARY:**

**Overview:**

Claim for Damages are received by the Board of Supervisors and reviewed by the Risk Manager, as well as County Counsel. Their recommendation is brought before your Board for your consideration.

**Recommendation:**

**Deny the Claim for Damages filed by James Carlson.**

**Fiscal Impact:**

None with this action.

**BACKGROUND:**

On January 30, 2020, a claim for damages was filed by James Carlson, claiming that the Kings County Sheriff Department damaged his guns while they were booked into the evidence room. After investigation of the claim, County Counsel's office finds that the County is not liable for any damages. Pursuant to Government Code section 912.6, staff recommends your Board find that the claim is without merit and deny the claim.

---

**BOARD ACTION:**

APPROVED AS RECOMMENDED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed and adopted  
on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.



# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** Administration – Rebecca Campbell

**SUBJECT:** APPOINTMENTS TO THE LAW LIBRARY BOARD OF TRUSTEES

### **SUMMARY:**

#### **Overview:**

When a vacancy occurs on any board, commission, or committee over which a legislative body has appointing power, a vacancy notice shall be posted in the office of the clerk of the local agency and the local library before an appointment can be made. The legislative body shall not make a final appointment for at least 10 working days after the posting of a vacancy notice.

#### **Recommendation:**

**Appoint two members to the Law Library Board of Trustees. Pursuant to Board policy, the Administrative Office makes no recommendations on advisory board appointments.**

#### **Fiscal Impact:**

None.

#### **Advisory Board Statement:**

The Committee Coordinator recommends the reappointments of Lee Burdick and John Umscheid.

### **BACKGROUND:**

The complete membership of the Law Library Board of Trustees consists of seven members: five (5) Kings County Superior Court judges, the Chairman of the Board of Supervisors or a member of the bar as designee, and a member of the Bar to be appointed by the County Board of Supervisors. On April 23, 2019; the Board appointed John Umscheid to fill the position of Member of the Bar with a term ending December 31, 2019. Due to a staff oversight, this position was not included in the multiple board appointments brought before the Board on January 14, 2020. On July 23, 2019, the Board appointed Lee Burdick to fill the Board of Trustees position that is held either by the Chairman of the Board of Supervisors or a member of the bar designee, and on January 14, 2020, staff brought the reappointment of an incorrect name so this will correct that error.

(Cont'd)

**BOARD ACTION:**

APPROVED AS PRESENTED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed  
and adopted on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.

## **Agenda Item**

### **APPOINTMENTS TO THE LAW LIBRARY BOARD OF TRUSTEES**

**March 10, 2020**

**Page 2 of 2**

The purpose of the Law Library Board is to operate and maintain a County Law Library. California County Law Libraries are a separate entity from County Government; they are funded by a small share of civil court filing fees, and they are available to all patrons needing legal material. Library books are non-circulating and do not leave the library.

#### **Applicants:**

Lee Burdick – Chairman of the Board of Supervisors or a member of the bar designee

John Umsheid – Member of the Bar



# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** Administration – Rebecca Campbell

**SUBJECT:** APPOINTMENT TO THE TRI-COUNTY (FRESNO-KINGS-MADERA)  
REGIONAL HEALTH AUTHORITY COMMISSION/CALVIVA

**SUMMARY:**

**Overview:**

When a vacancy occurs on any board, commission, or committee over which a legislative body has appointing power, a vacancy notice shall be posted in the office of the clerk of the local agency and the local library before an appointment can be made. The legislative body shall not make a final appointment for at least 10 working days after the posting of a vacancy notice.

**Recommendation:**

**Appoint one member to the Tri-County Regional Health Authority Commission/Calviva. Pursuant to Board policy, the Administrative Office makes no recommendations on advisory board appointments.**

**Fiscal Impact:**

None.

**Advisory Board Statement:**

The Committee Coordinator recommends the reappointment of Harold Nikoghosian.

**BACKGROUND:**

The seventeen members that comprise the Tri-County Regional Health Authority Commission/Calviva are derived from the following agencies: six (6) members appointed by the Fresno County Board of Supervisors; three (3) appointed by the Kings County Board of Supervisors; three (3) appointed by the Madera County Board of Supervisors; three (3) members appointed by the Commission with one member each from Fresno, Kings and Madera Counties; one (1) member from the Children's Hospital of Central California; and one (1) member from the Community Regional Medical Center.

**BOARD ACTION:**

APPROVED AS PRESENTED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed  
and adopted on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.

## **Agenda Item**

### **APPOINTMENT TO THE TRI-COUNTY (FRESNO-KINGS-MADERA) REGIONAL HEALTH AUTHORITY COMMISSION/CALVIVA**

**March 10, 2020**

**Page 2 of 2**

The CalViva/Tri-County (Fresno-Kings-Madera) Health Authority Commission acts with full authority to carry out the mission of establishing a Medi-Cal Managed Care system in the region comprised of Fresno, Kings, and Madera Counties. The Commission exercises oversight responsibilities, makes and executes contracts, agreements and documents, employs agents and employees, deals in real estate, manages building leases and construction. Further, it has the authority to sue and be sued, adopt and manage budgets, employ legal counsel, incur debts, liabilities and obligations, establish a treasury for deposit and disbursement of funds, and adopt rules, regulations, policies, bylaws and procedures governing the operation of the Authority. The above is a representation of the Commission's Authority and is not a complete description of the Commission's duties.

#### **Applicant:**

Harold Nikoghosian – At Large/Primary member





# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** Human Resources – Henie Ring/Carolyn Leist

**SUBJECT:** NEW JOB SPECIFICATION AND POSITION ALLOCATION CHANGES IN  
THE PROBATION DEPARTMENT

**SUMMARY:**

**Overview:**

The Probation Technician will be a new classification in the Probation Department (Department) to combine the duties of the Electronic Monitoring Technician and Probation Aide positions in an effort to provide the Department with more flexibility in staffing the various programs, including the recently approved Pretrial Program.

**Recommendation:**

- a. Approve a new job specification for Probation Technician and set the salary at Range 169.0 (\$3,229-\$3,942); and
- b. Allocate 3.0 FTE Probation Technicians in Budget Unit 233100, allocate 1.0 Probation Technician in Budget Unit 233200 and allocate 5.0 FTE Probation Technicians in Budget Unit 234000;
- c. Delete 2.0 FTE Probation Aides and delete 1.0 Electronic Monitoring Technician in Budget Unit 233100, delete 1.0 FTE Probation Aide in 233200, and delete 1.0 FTE Electronic Monitoring Technician in Budget Unit 234000; and
- d. Upward reclassify the incumbents (S. Cervantes, M. Campbell, and M. Mosqueda) to Probation Technician with a change in salary in accordance with Personnel Rule 13073; and
- e. Laterally reclassify the incumbent (M. Bustamante) to Probation Technician with no change in salary in accordance with Personnel Rule 3022.

(Cont'd)

**BOARD ACTION:**

APPROVED AS RECOMMENDED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed and adopted  
on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.

## **Agenda Item**

### **NEW JOB SPECIFICATION AND POSITION ALLOCATION IN THE PROBATION DEPARTMENT**

**March 10, 2020**

**Page 2 of 2**

#### **Fiscal Impact:**

There is no fiscal impact to the County General Fund as a result of these changes. The cost of the reclassifications for the remainder of the Fiscal Year 2019-2020 is approximately \$2,054 for Budget Units 233100 and 233200. The cost of the four (4) new Probation Technician positions for the remainder of the Fiscal Year 2019-2020 is approximately \$73,149, including salary and benefits. Funding for the four new positions will be paid out of the grant funds received by the Kings County Superior Court, of which the Department will be reimbursed for the entire costs of the new positions. The funding for the additional four (4) new positions is immediately available and will be for a period of two years (Fiscal Year 2019-2020 and 2020-2021). However, since the pretrial program is a pilot program funded by the State, it is unforeseeable whether it will continue to be funded after 2021.

#### **BACKGROUND:**

On February 25, 2020, your Board authorized the Chief Probation Officer to sign a Memorandum of Understanding with the Superior Court of California to provide pretrial services in Kings County. As part of new pretrial program, the Probation Department requested additional personnel to perform the duties necessary to implement a robust pretrial program within the County. Additionally, the Probation Department requested a study of the Electronic Monitoring Technician and Probation Aide classifications. The request was based on the new program requirements and the inability of the Probation Department to assign current personnel to the newly funded program. The primary focus of the review was to create a new classification that would incorporate the duties and responsibilities of both the Electronic Monitoring Technician and Probation Aide positions.

Currently, the Department has two (2) Electronic Monitoring Technician positions and three (3) Probation Aide positions. Based on the review, Human Resources recommends the current Probation Aides be reclassified upward to Probation Technicians and set the salary equivalent to the Electronic Monitoring Technician position. Additionally, Human Resources recommends the current Electronic Monitoring Technician be laterally reclassified to Probation Technician. The Union has reviewed the proposed changes and signed a Side Letter of Agreement in support of the requested changes. The proposed job specification for the Probation Technician is attached.

Funding for the reclassified positions will continue to be paid for by their current funding sources, which includes one that receives General Fund monies and the other three, which are a compilation of SB678 and AB109 funding. It is important to note that the position that will receive General Fund monies is vacant and will most likely not be filled until Fiscal Year 2020-2021 budget cycle.

## PROBATION TECHNICIAN

### DEFINITION

Under supervision, assist Deputy Probation Officers in the investigation and supervision of inmates/offenders; conduct interviews, complete investigative reports and prepare recommendations to the court in support of Deputy Probation Officers; monitor compliance of offenders serving custody in the Electronic Monitoring Program and maintain electronic monitoring equipment; and to perform other related duties as required.

### DISTINGUISHING CHARACTERISTICS

The Probation Technician classification is utilized in the County Probation Department. Incumbents work under supervision of a Deputy Probation Officer learning the laws, practices and theories related to modern probation work and their work is subject to close review and evaluation. Incumbents work both in the office and the Kings County Jail assisting Deputy Probation Officers. It is distinguished from the class of Deputy Probation Officer in that the Probation Technician class provides support to the Probation Department professional staff, has no peace officer powers and is not assigned to the field.

### EXAMPLES OF DUTIES

*Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.*

Assists in the supervision of adult and juvenile inmates/offenders; assists in the interviewing of inmates/offenders, parents, agency officials and others concerned with the inmate/offender; assists in the supervision of case loads of juvenile and/or adult offenders placed on probation by the court to ensure that offenders comply with terms and conditions of probation; monitors offenders whereabouts via electronic monitoring software; responds to computer generated alerts; calls offenders to verify whereabouts; notifies the supervising Deputy Probation Officer if an offender is missing or out of compliance; monitors compliance through the use of reports and computer software; installs and removes electronic monitoring equipment (e.g., ankle monitor); fits monitoring device to offender; verifies equipment is transmitting properly; reviews and explains rules and regulations related to the electronic monitoring program and equipment as well as consequences of noncompliance and offenders responsibilities; prepares and submits various types of reports including recommendations; counsels the inmate/offender and prepares treatment plans; reviews court ordered documents; interprets minute orders, progress reports and other court related documents; sets-up appropriate payment plans and referrals for probationer; compiles, maintains and prepares statistical data records; performs data entry of offenders weekly schedules; administers drug and alcohol tests; operates multiple software computer programs utilized by Electronic Monitoring Program and the Probation Department; travels to off-site facilities and courts as needed and assigned; may testify in court regarding probationers.

### MINIMUM QUALIFICATIONS

*Any combination of education and experience likely to provide the required knowledge, skills and abilities may qualify. A typical way to obtain the required knowledge, skills and abilities would be:*

Education: Equivalent to two years of college, with major course work in corrections, criminal justice, social science or related field. (Paid experience performing duties related to the monitoring or supervising of wards/probationers or the responsibility for related records and paperwork in a County Probation Department may substitute for the required education on a year-for-year basis.)

## MINIMUM QUALIFICATIONS (cont'd)

Experience: None required.

License: Possession of a valid appropriate California driver's license issued by the State Department of Motor Vehicles.

Special Requirements: Ability to: (1) qualify for security clearance through a background investigation and fingerprint check; (2) perform data entry with speed and accuracy at a level sufficient to perform the duties of the position; (3) work eight hour shifts five days per week or ten hour shifts four days per week as assigned; (4) work irregular hours and variable shifts including evenings, nights, weekends, holidays and overtime; (5) work at off-site locations (e.g. jail); (6) work in a locked detentions facility which enforces a "lock down, no hostages" policy.

Knowledge of: Learn and apply State and local level laws, rules and regulations; learn and apply policies, procedures and programs of the Kings County Probation Department; fundamental aspects of human behavior, including patterns of crime and delinquency; principles and methods of controlling behavior problems; developmental needs of juveniles; principles and methods of inmate/offender supervision; techniques of interviewing and gathering information; individual and group counseling techniques; general office methods, procedures and equipment, including basic computer operation, keyboarding and data entry; basic record keeping practices; proper English usage, spelling and punctuation; basic arithmetic.

Ability to: Maintain confidentiality of sensitive information; understand and follow oral and written instructions; communicate effectively both orally and in writing; effectively handle adversarial situations and hostile people; establish and maintain cooperative work relationships; work effectively independently and in groups; interview and counsel adult and juvenile inmates/offenders effectively; demonstrate self initiative; use appropriate judgment in recognizing and exercising the scope and limit of authority; initiate, plan and complete assignments with little supervision; operate general office and computer equipment; demonstrate average level of physical dexterity and vision for working with small automated equipment and performing minor repairs; safely and efficiently operate and perform minor repairs on electronic monitoring and related equipment; demonstrate basic computer skills; perform basic data entry; keep daily and cumulative records; maintain accurate records; organize work and set priorities to meet deadlines; travel to off-site facilities and courts as needed and assigned; safely operate a motor vehicle; follow workplace safety policies and procedures; properly use personal protective equipment as directed and trained.

Work Environment: Work in an office environment, custodial setting or off-site location (e.g., County jail), including meeting with inmates/offenders for prolonged periods. Requires the ability to sit and work at a desk and computer terminals; work on the phone; vision to read, work at computer and drive, and to install and remove electronic monitoring equipment; hear and communicate orally, in person, on the phone and by radio; hand/eye coordination for use of computer/office equipment and files; physical ability to stand, walk, reach, lift, bend, keyboard, file, operate general office equipment; lift, carry and/or move files weighing up to 15 pounds. Travel to off-site facilities and courts as needed and assigned. Safely operate a motor vehicle.

Overtime Status: Non-Exempt Medical Group: C Probationary Period: One (1) year
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# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** Administration - Rebecca Campbell

**SUBJECT:** KETTLEMAN CITY COMMUNITY SERVICES DISTRICT SURFACE WATER  
TREATMENT PLANT FUNDING REQUEST

### **SUMMARY:**

#### **Overview:**

State funding of the Kettleman City Surface Water Treatment Plant (KCSWTP) was made contingent upon the establishment of specific trust funds to be held in reserve by the County. The County and the Kettleman City Community Services District (District) executed Agreement 14-029 (Agreement) for the purpose of creating these trust fund reserves on April 8, 2014. The District requests an allocation from the trust fund reserve held by the County as provided for by the Agreement.

#### **Recommendation:**

- a) Approve the reserve allocation from Fund 7019 in the amount of \$79,600 for the operation and maintenance expenses at the Kettleman City Community Services District Surface Water Treatment Plant; and
- b) Adopt the Budget Change. (4/5 Vote Required)

#### **Fiscal Impact:**

The request will not impact the General Fund. As called for in the Agreement, reserves have been set aside in a special trust fund to offset costs related to Operations and Maintenance of the KCSWTP. The balance of the reserve is \$864,331, and this request would draw down \$79,600.

### **BACKGROUND:**

This KCSWTP has a long history that started in approximately 2001 with a moratorium on new connections issued by the District due to diminished water quality. In 2009, the California Department of Public Health ("CDPH") issued a Compliance Order to the District related to benzene and arsenic levels in its water.

(Cont'd)

**BOARD ACTION:**

APPROVED AS RECOMMENDED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed and adopted  
on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.

## **Agenda Item**

### **KETTLEMAN CITY COMMUNITY SERVICES DISTRICT SURFACE WATER TREATMENT PLANT FUNDING REQUEST**

**March 10, 2020**

**Page 2 of 2**

Since that time, an overwhelming collaborative effort has been made by a contingent of people and agencies determined to bring the KCSWTP to the community. The KCSWP began operations earlier this year.

The KCSWTP treats and delivers water from the California Aqueduct using the State Water allocation provided to the District by the County. Grant funding allocated from the State Water Resources Control Board (Prop 84 - \$8,500,000) and the US Department of Agriculture (\$2,511,000) combined with the County's water allocation, reserve accounts, and other assistance funded this Project.

During the time assistance was being requested from the State, it was determined that help would be needed to fund ongoing operation and maintenance for the KCSWTP. Although the treatment plant construction is funded through the grants, District user fees provide a source for operations and maintenance, including residential and commercial users. The State, originally through CDPH, and now the State Water Resources Control Board Drinking Water Program, required that the District provide secondary funding sources in reserve to meet its obligations. Secondary funding sources provided for in the Agreement are designed to cover:

1. Potential catastrophic outage of the California Aqueduct (Reserve Fund KCTPR1),
2. Residential operation and maintenance increases above the O&M baseline (Reserve Fund KCTPR2),  
and
3. Potential inflationary costs associated with the State Water Project (Reserve Fund KCTPR2).

The Agreement required an initial \$90,000 deposit by the County to Fund KCTPR1, and a 20 year commitment to deposit an amount not to exceed \$150,000 annually from hazardous waste tax revenues received each fiscal year to Fund KCTPR2. The funds may be sourced only upon request and approval of the Board of Supervisors and after the District has made appropriate justification of the need. A letter from the District requesting drawdown of the KCTPR2 reserve is attached for reference. The total request for Fiscal Year 2019-2020 is \$79,600, which is the amount called for in the Agreement for this fiscal year.

In March 2015, the District adopted water rates through a Prop 218 process. This process established allowable water rates both before the water treatment plant was online and after. The process assumed the water treatment plant would be on-line in the 2016-17 fiscal year. Because of various delays, the water treatment plant did not come on-line until this year. Increases in water rates approved during the Prop 218 process took into account that the reserve fund would be used only to offset residential rate increases due to the water treatment plant. Revenues from the FY 2019-2020 rates are included in the Budget to offset operational costs for operation of the water treatment plant.

#### Attachments for Reference:

1. District Reserve Request Letter
2. Agreement No. 14-029 (between County and District to establish Reserve Accounts)
3. District's Fiscal Year 2019-2020 Proposed Annual Budget

AGREEMENT NO. 14-029

**AGREEMENT  
BETWEEN THE COUNTY OF KINGS AND THE  
KETTLEMAN CITY COMMUNITY SERVICES DISTRICT  
CREATING RESERVE FUND FOR  
WATER PROJECT NUMBER SRF1610009-005C [SDWSRF]  
P-84C-1610009-010C [PROP 84]**

THIS AGREEMENT is entered into on this 8<sup>th</sup> day of April, 2014, between the County of Kings, a political subdivision of the State of California (hereinafter referred to as "County") and the Kettleman City Community Services District on the terms and conditions hereinafter set forth.

**RECITALS**

**WHEREAS 1**, in July, 2004, a need was declared to establish a Kings County Redevelopment Agency ("Agency") which was accomplished by Ordinance No. 631 of the County of Kings ("County"); and

**WHEREAS 2**, after completing a feasibility study, A Redevelopment Plan with its objective to eliminate blight and preserve, encourage and increase employment opportunities for residents within Kettleman City ("Project Area") was presented to the Agency's Board of Directors who approved the Plan on June 28, 2005 and certified its compliance with the California Environmental Quality Act by Resolution No. RDA05-004; and

**WHEREAS 3**, Kettleman City is a small unincorporated community on the west side of Kings County in California which sits adjacent to Interstate 5 and has a significant commercial business area with motels, restaurants, gas stations and other service industries, and is located within the Agency Plan Project Area; and

**WHEREAS 4**, Kettleman City has a population of approximately 1500 and a median household income in the \$20,000 per year range; and

**WHEREAS 5**, the residential water supply in Kettleman City is provided by the Kettleman City Community Services District ("District"); and

**WHEREAS 6**, the District water comes from two existing groundwater wells which have deteriorated in quantity produced and which are contaminated with natural occurring benzene and arsenic that exceeds state and federal standards; and

**WHEREAS 7**, the diminished quantity has forced a moratorium on new connections as of November 19, 2001; and

**WHEREAS 8**, the District is currently treating for benzene and is under a compliance order dated January 23, 2009, from the California Department of Public Health (“CDPH”) for arsenic compliance; and

**WHEREAS 9**, the District currently serves about 310 residential customers; and

**WHEREAS 10**, the District has identified alternative projects through a \$400,000 planning grant from CDPH: 1) drilling new wells, which the District does not see as a good option because of the deteriorating quantity and quality of existing wells; and 2) a surface water treatment plant with primary supply from the California Aqueduct in conjunction with a 900 acre-foot contract between the State and County; and

**WHEREAS 11**, funding either alternative project is a challenge to the District because the average household cannot afford increased rates that typically come with improvement projects; and

**WHEREAS 12**, in furtherance of the implementation of the Agency Redevelopment Plan, in 2009 the Agency obtained a loan from the County in the amount of \$3,000,000 (the “County Loan”);

**WHEREAS 13**, the County Loan agreement provided that the Agency may use the County Loan proceeds to make loans or grants to the District to facilitate the development, improvement, expansion, and modernization of a water treatment plant, commercial storage tanks and other water distribution facilities (the “Water Treatment Plan”); and

**WHEREAS 14**, 2011 state legislation dissolved all redevelopment agencies in the State of California, and through that legislation, a process was included to recognize certain existing redevelopment payment obligations. These have come to be identified as Recognized Obligation Payment Schedule (ROPS); and

**WHEREAS 15**, the State Department of Finance eventually recognized the loan between the former Agency and the County as a ROPS and the County has been repaid all but a small portion of the \$3,000,000 loan from the former Agency; and

**WHEREAS 16**, prior to its dissolution, the former Agency assisted the District in applying for a \$3,000,000 grant from the California Department of Public Health (“CDPH”) as well as a \$2,000,000 grant from the U.S. Department of Agriculture (“USDA”) along with other potential funding sources such as Proposition 84; and

**WHEREAS 17**, On July 6, 2012 the District received a Notice of Acceptance of Application (NOAA) and a Letter of Commitment (LOC) from the California Department of Public Health, indicating that, pending completion of certain requirements, (including a water rate study and Prop 218 approval) CDPH will fund portions of the District’s estimated \$7,500,000 water treatment project (“Project”) as follows:



\$3,000,000 = Safe Drinking Water State Revolving Fund (SDWSRF) grant (Project No. SRF 1610009-005C) and the remainder of approximately \$4,500,000 from a Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act (Prop. 84) Grant (Project No. P84C-1610009-01C); and

**WHEREAS 18**, on August 28, 2012 the Kettleman City Community Services District received a Planning Grant through SDWSRF (Project no. 1610009-005P2) in the amount of \$500,000 and Prop 84 (Project No. P84C-161009-010P) in the amount of \$274,324 for conducting a pilot study to determine the most cost effective treatment process to use for the project and to design this process;

**WHEREAS 19**, although the treatment Project is funded through the foregoing grants, and District user fees will provide a source for operations and maintenance, including commercial users and pre-Project residential (hereinafter the "O&M Baseline"<sup>1</sup>), CDPH requires that the District provide a secondary funding source in reserve for 1) residential operation and maintenance increases above the O&M Baseline, 2) potential catastrophic outage of the California Aqueduct, and 3) to cover potential inflationary costs associated with State Water related to the District's subcontract with Tulare Lake Basin Water Storage District, who sub-contracts with the County related to its State Water Project contract; and

**WHEREAS 20**, an estimate has been made of the secondary reserve required to provide for increased residential operations and maintenance over the O&M Baseline, potential catastrophic outage of the California Aqueduct and potential State Water Project allocation inflationary costs; and

**WHEREAS 21**, the treatment Project's financial success is predicated on Chemical Waste Management ("Chem Waste") paying \$552,300 of the District's existing debt<sup>2</sup> (AS PER THE Local Assessment Committee Agreement), and Chem Waste receiving State and Federal permitting necessary to expand its current operations, which will in turn provide hazardous waste tax revenue to the County under its County issued Conditional Use Permit which approves said expansion; and

**WHEREAS 22**, in light of Agency's dissolution, and its repayment of the County Loan, County hereby pledges to establish two interest bearing Kettleman City Treatment Plant Reserves (Trust Funds) (the "KCTPR1" and "KCTPR2"), to promptly make a deposit of \$90,000 into KCTPR1 to provide a way to get water if there is a catastrophic outage of the California Aqueduct that would prevent water being delivered to the Project, and to annually, for a 20 year

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<sup>1</sup> The operation and maintenance costs are projected to go from pre-Project of approximately \$357,000 per year to approximately \$453,000 per year post-Project. The pre-Project costs are defined as the O&M Baseline. Of this increase, the portion that is applicable to the rates of residential users is approximately \$48,000 per year. A reserve is established by this Agreement to fund the residential portion of the increase plus inflation for a 20 year period from the date a Certificate of Completion is issued on the Project.

<sup>2</sup> Page 11 of the *Final Report and Recommendation, Kings County Local Assessment Committee ["LAC"] For the Proposed Chemical Waste Management, Inc. Kettleman Hills Facility Hazardous Waste Facility Expansion Project (Conditional Use Permit No. 05-10), Chemical Waste Management Inc. (referred to in the LAC as "CWMI")* (referred to herein as "Chem Waste" agreed as follows: "CWMI shall pay in full the existing debt owed as of March 19, 2009, by the Kettleman City Community Services District, estimated to be \$552,300."

period, waste tax revenues source permitting, deposit up to \$150,000 of its hazardous waste tax revenues received each fiscal year into KCTPR2: to offset inflationary costs of the State Water Project allocation that the District will be using for the Project, and to offset residential operation and maintenance increases above the O&M Baseline resulting from the Project. This annual contribution to KCTPR2 will be recalculated every five years and in no year will be more than \$150,000; however, if this Agreement becomes effective prior to Chem Waste receiving the permitting necessary to operate its expansion contemplated by County Conditional Use Permit No. 05-10, County will contribute as much of the hazardous waste tax revenue that it receives annually up to \$150,000 per year in the years prior to Chem Waste's complete approval to proceed with expansion; and, when and if full permitting is achieved, County will make up the difference for the years it fell short of the \$150,000 as hazardous waste tax revenue begins to increase beyond the \$150,000 per year minimum expected. The latter make-up provision is contingent upon Chem Waste's ability to expand. If Chem Waste is unable to expand, County will contribute as much hazardous waste tax revenue as it receives each year (up to the first \$150,000) until that source terminates; and

**WHEREAS 23**, the trust funds shall be sourced only on approval of a majority of the Board of Supervisors after request and appropriate justification therefore has been made by a majority of the District Board and presented to the Board of Supervisors; and

**WHEREAS 24**, said trust funds shall continue in existence for twenty-five years (25) years after a Certificate of Completion is issued on the construction of the Water Treatment Plant Project, subject to funding limitations outlined herein; and

**WHEREAS 25**, at the termination of the 25-year reserve period, any unused portion of the reserve deposited by the County, shall revert to the County General Fund for use as determined by the County Board of Supervisors; and

**NOW, THEREFORE**, it is hereby agreed as follows:

1. Recitals Incorporated. The RECITALS and exhibits (KCTPR1 and KCTPR2 schedules) mentioned herein are incorporated in full into this Agreement.

2. Establishment of Reserve, Trust Funds; Purpose. Upon approval of this Agreement by the legislative bodies of each of the parties, the County shall establish two interest bearing Kettleman City Treatment Plant Reserve Funds (the "KCTPR1" and "KCTPR2") which shall serve as a secondary reserve fund to assist the District with potential contingencies identified as follows: KCTPR1 (see attached contribution and interest schedule): to provide a way to get water if there is a catastrophic outage of the California Aqueduct that would prevent water being delivered to the Project; KCTPR2 (see attached contribution and draw schedule): to offset inflationary costs over the 25-year reserve period of State Water Project allocation that the District will be using for the Project and to offset increased residential operations and maintenance costs above the O&M Baseline.

Funding Reserve Accounts.

- a. The KCTPR1 shall be funded by County through a one-time \$90,000 deposit into the KCTPR1 within thirty (30) days after the Kings County Board of Supervisor's and the Kettleman City Community Services District Board have authorized entry into this Agreement, or upon approval by the later of the parties,
- b. The KCTPR2 shall be funded by County depositing annually up to the first \$150,000 of its Chem Waste Hazardous Waste Taxes revenues<sup>3</sup> for each fiscal year beginning in FY2014/15 and continuing for 19 years after the first \$150,000 deposit to KCTPR2 and as further detailed in WHEREAS 22 relating to Chem-Waste expansion permitting.

3. District Representations and Warranties. The District hereby represents, warrants and agrees that:

- a. it is a statutorily created Community Services District organized, existing, and acting under the laws of the State of California;
- b. it is in good standing as of the date of entry into this Agreement;
- c. it has the authority to enter into this Agreement;
- d. It is solely responsible for the water treatment Project and its operations and will complete it and operate it within the SDWSRF and Prop. 84 grant conditions and all applicable federal and state laws, rules and regulations, permits, and all applicable local ordinances.

5. Prudent Operations by District. The District agrees that it will operate the District and the Project prudently and will, before seeking any reserve from County, utilize first its District Operation and Maintenance budget.

6. Processing Reserve Draw Downs. If necessary to draw down KCTPR1 or KCTPR2 reserves, District will assemble written justification and supporting evidentiary documentation for an authorized need and approve, by a majority of its Board, a request to seek funding from the KCTPR1 and/or KCTPR2 by presenting said justification and request to the Kings County Board of Supervisors, who shall not unreasonably withhold approval if said request meets the criteria established by this Agreement.

7. Audit. The County reserves the right to audit the Districts records or inspect the Surface Water Treatment Project.

8. Term, Effective Date and Termination. The parties agree that this Agreement shall commence on approval of each respective legislative body, or the latter of the two, and continue until twenty years after the date of issuance of a Certificate of Completion of the Treatment Project, unless sooner terminated by one of the following events:

- a. The Project is not commenced or not completed;

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<sup>3</sup> This "license tax" is collected pursuant to Cal. Health & Safety Code section 25149.5. The County has collected this tax from Chem Waste since 1982 (Kings Co. Resolution No. 82-70, 84-059)

- b. The District violates a material grant provision, law or regulation that prevents the District from completing the Project;
- c. The County's Initial Deposit has been depleted and Chem Waste has not received its expansion permits;
- d. The County's Initial Deposit and any additional hazardous waste taxes received and deposited by County prior to the failure of Chem Waste to receive expansion permits have been depleted and no further such tax revenues are anticipated;
- e. The legal status of the District is dissolved and no successor entity is created or identified to assume the Project and complete it;
- f. The District declares bankruptcy by the filing of a Petition with a U.S. Bankruptcy Court.
- g. District fails to adopt water rates when and as required to operate and maintain the public water system, including the Project, for a term of at least twenty years from the date of issuance of a Certificate of Completion on the Project<sup>4</sup>.

9. Indemnification. District shall indemnify, hold harmless, protect and defend the County and its officers, employees, agents and representatives from loss, suits, actions or claims brought for, or on account of violation of laws, ordinances, rules, or regulations, or injury, damage, or loss, including death, caused by acts or omissions of the District, its employees, contractors, or agents; or in any way arising from entry into and carrying out the terms of this Agreement, or in any way related to or arising out of the water treatment Project including, but not limited to, its design, construction, operations, and maintenance.

10. Insurance. District agrees that for any policy of general liability insurance concerning the construction of the water treatment project, it will cause, and will require its contractors and subcontractors to cause, a certificate of insurance to be issued showing County, its officers, agents, and employees as additional insured; and shall provide County with all such certificates prior to the commencement of construction of the Project.

11. Waiver. A waiver by any party of any breach of any term, covenant or condition herein contained or a waiver of any right or remedy of such party available hereunder at law or in equity shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant or condition herein contained or of any continued or subsequent right to the same right or remedy. No party shall be deemed to have made any such waiver unless it is express, in writing and signed by the party so waiving.

12. Completeness of Instrument. This Agreement, together with its specific references and attachments, constitutes all of the agreements, understandings, representations, conditions, and covenants made by and between the parties hereto. Unless set forth herein, neither party shall be liable for any representations made express or implied.

13. Supersedes Prior Agreements. It is the intention of the parties hereto that this Agreement shall supersede any prior agreements, discussions, commitments, representations, or

<sup>4</sup> Note: Proposition 218 limits rate increases that include future adjustments to a period of not more than five years (See Cal. Const. Art. XIII C & D; Prop. 218 Omnibus Implementation Act Gov. Code sections 53750-53756; 53756(a).

agreements, written or oral, between the parties hereto with respect to the water treatment Project.

14. Rules of Construction. Unless otherwise provided in this Agreement, or unless the context otherwise requires, the following definitions and rules of construction shall apply herein.

14.1. Captions. The captions of this Agreement are for convenience in reference only and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of this Agreement.

14.2. Number and Gender. In this Agreement, the neuter gender includes the feminine and masculine, and the singular includes the plural, the word "person" includes corporations, partnerships, firms or associations, wherever the context so requires.

14.3. Mandatory and Permissive. The terms "shall" and "will" and "agrees" are mandatory. "May" is permissive.

14.4. Term Includes Extensions. All references to the term of this Agreement or the Agreement Term shall include any written extensions of such term.

15. Successors and Assigns. All representations, covenants and warranties specifically set forth in this Agreement, by or on behalf of or for the benefit of any or all of the parties hereto, shall be binding upon and inure to the benefit of such party, its successors and assigns.

16. Modification. No modification or waiver of any provisions of this Agreement or its attachments shall be effective unless such waiver or modification shall be in writing, signed by all parties, and then shall be effective only for the period and on the condition, and for the specific instance for which it is given.

17. Counterparts. This Agreement may be executed simultaneously and in several counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

18. Partial Invalidity. If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, covenants and provisions shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

19. Jurisdiction and Venue. It is agreed by the parties hereto that unless otherwise expressly waived by them in writing, action brought to enforce any of the provisions hereof or for declaratory relief hereunder shall be filed and remain in a court of competent jurisdiction in the County of Kings, State of California.

20. Controlling Law. The validity, interpretation and performance of this Agreement shall be controlled by and construed under the laws of the State of California.

21. Notices. All notices and demands of any kind which either party may require or desire to serve on the other in connection with this Agreement must be served in writing either by personal service or by registered or certified mail, return receipt requested, and shall be deposited in the United States Mail, with postage thereon fully prepaid, and addressed to the party so to be served as follows:

To County:

Chairman, Board of Supervisors  
County of Kings  
1400 W. Lacey Blvd., Bdg. #1  
Hanford, California 93230

To District:

Chairman, Kettleman City Community  
Services District  
110 General Petroleum Avenue  
P.O. Box 179  
Kettleman City, CA 93239

With a copy to:

County Counsel  
County of Kings  
1400 W. Lacey Blvd., Bdg. #4  
Hanford, California 93230

With copy to:

Raymond Carlson, Esq.  
Griswold, LaSalle, Cobb, Dowd and Gin, LLP  
111 E. 7th Street  
Hanford, CA 93230

23. Authority. Each party to this Agreement warrants and represents that they have the power and authority to enter into this Agreement in the names, titles and capacities herein stated and on behalf of any entities, persons, estates or firms represented or purported to be represented by such entity(s), person(s), estate(s) or firm(s) and that all formal requirements necessary or required by any state and/or federal law in order to enter into this Agreement have been fully complied with. Further, by entering into this Agreement, neither party hereto shall have breached the terms or conditions of any other Project or agreement to which such party is obligated, which such breach would have a material effect hereon.

THIS AGREEMENT is entered into by and between the parties as of the date and year first set forth above.

Exhibits:

- \_\_\_\_\_ KCTPR1 (catastrophic outage schedule)
- \_\_\_\_\_ KCTPR2 (O&M and SWP schedule)

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DISTRICT

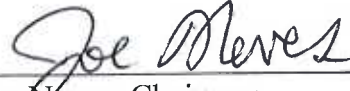
Date: May 21, 2014



Cecilio Barrera, Chairman Pro Tem  
Kettleman City Community Services District

COUNTY

Date: APR 8 2014



Joe Neves, Chairman,  
Kings County Board of Supervisors

ATTEST:

Date: APR 8 2014



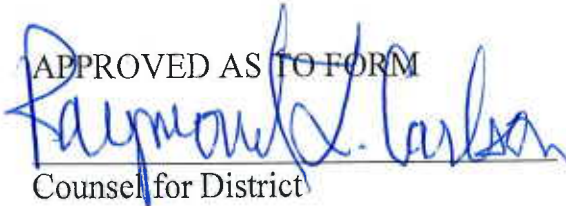
CATHERINE VENTURELLA,  
Clerk of the Board

APPROVED AS TO FORM



County Counsel

APPROVED AS TO FORM



Counsel for District

H:/RDA/Kett City Water Project/KCCSD-CoAgr.Re Reserve(Response to CDPH Comments Re Draft #2 5-3-13(At top Agreement No. \_\_\_ Draft #3 (10-16-13)

KCTPR1  
Catastrophic Outage Reserve

Fiscal Year	Project Year	Contribution	Reserve Balance	Interest	Annual Inflation
1	2	3	4	5	6
FY 2013-14		\$ 90,000	\$ 90,000		
FY 2014-15		\$ -	\$ 91,800	\$ 1,800	
FY 2015-16	1	\$ -	\$ 93,636	\$ 1,836	\$ 1,836
	2	\$ -	\$ 95,509	\$ 1,873	\$ 1,873
	3	\$ -	\$ 97,419	\$ 1,910	\$ 1,910
	4	\$ -	\$ 99,367	\$ 1,948	\$ 1,948
	5	\$ -	\$ 101,355	\$ 1,987	\$ 1,987
	6	\$ -	\$ 103,382	\$ 2,027	\$ 2,027
	7	\$ -	\$ 105,449	\$ 2,068	\$ 2,068
	8	\$ -	\$ 107,558	\$ 2,109	\$ 2,109
	9	\$ -	\$ 109,709	\$ 2,151	\$ 2,151
	10	\$ -	\$ 111,904	\$ 2,194	\$ 2,194
	11	\$ -	\$ 114,142	\$ 2,238	\$ 2,238
	12	\$ -	\$ 116,425	\$ 2,283	\$ 2,283
	13	\$ -	\$ 118,753	\$ 2,328	\$ 2,328
	14	\$ -	\$ 121,128	\$ 2,375	\$ 2,375
	15	\$ -	\$ 123,551	\$ 2,423	\$ 2,423
	16	\$ -	\$ 126,022	\$ 2,471	\$ 2,471
	17	\$ -	\$ 128,542	\$ 2,520	\$ 2,520
FY 2032-33	18	\$ -	\$ 131,113	\$ 2,571	\$ 2,571
FY 2033-34	19	\$ -	\$ 133,735	\$ 2,622	\$ 2,622
FY 2034-35	20	\$ -	\$ 136,410	\$ 2,675	\$ 2,675

Interest rate:    Inflation rate:  
2.00%            2.00%

Notes:

Allows for one time rental of pumps and pipeline to pump water from Aqueduct Pool 21, located 3800 feet north of the KCCSD Water Treatment Plant. Includes 15% contingency.



KCTPR2  
Offset of Operation & Maintenance and State Water Project Costs

Fiscal Year	Project Year	Draw			Contribution		
		O&M	State Water Project	Total	Annual Contribution	Fund Balance	Interest on Balance
1	2	3	4	5	6	7	8
					\$ 150,000	\$ 150,000	
FY 2014-15					\$ 150,000	\$ 255,438	\$ 3,000
FY 2015-16	1	\$ 47,562	\$ -	\$ 47,562	\$ 150,000	\$ 355,663	\$ 5,109
	2	\$ 48,989	\$ 5,895	\$ 54,884	\$ 150,000	\$ 450,128	\$ 7,113
	3	\$ 50,459	\$ 12,190	\$ 62,649	\$ 150,000	\$ 538,244	\$ 9,003
	4	\$ 51,972	\$ 18,914	\$ 70,886	\$ 150,000	\$ 619,382	\$ 10,765
	5	\$ 53,531	\$ 26,095	\$ 79,626	\$ 150,000	\$ 692,868	\$ 12,388
	6	\$ 55,137	\$ 33,764	\$ 88,902	\$ 150,000	\$ 757,979	\$ 13,857
	7	\$ 56,792	\$ 41,955	\$ 98,746	\$ 150,000	\$ 813,941	\$ 15,160
	8	\$ 58,495	\$ 50,702	\$ 109,198	\$ 150,000	\$ 859,925	\$ 16,279
	9	\$ 60,250	\$ 60,045	\$ 120,295	\$ 150,000	\$ 895,043	\$ 17,199
	10	\$ 62,058	\$ 70,023	\$ 132,080	\$ 150,000	\$ 918,345	\$ 17,901
	11	\$ 63,919	\$ 80,679	\$ 144,598	\$ 150,000	\$ 928,815	\$ 18,367
	12	\$ 65,837	\$ 92,060	\$ 157,897	\$ 150,000	\$ 925,365	\$ 18,576
	13	\$ 67,812	\$ 104,215	\$ 172,027	\$ 150,000	\$ 906,830	\$ 18,507
	14	\$ 69,846	\$ 117,196	\$ 187,043	\$ 150,000	\$ 871,964	\$ 18,137
	15	\$ 71,942	\$ 131,060	\$ 203,002	\$ 150,000	\$ 819,436	\$ 17,439
	16	\$ 74,100	\$ 145,867	\$ 219,967	\$ 150,000	\$ 747,821	\$ 16,389
	17	\$ 76,323	\$ 161,681	\$ 238,004	\$ 150,000	\$ 655,595	\$ 14,956
FY 2032-33	18	\$ 78,613	\$ 178,570	\$ 257,183	\$ 150,000	\$ 541,128	\$ 13,112
FY 2033-34	19	\$ 80,971	\$ 196,607	\$ 277,579	\$ 150,000	\$ -	\$ 10,823
FY 2034-35	20	\$ 83,400	\$ 215,871	\$ 299,272	\$ -	\$ -	\$ -

Totals                                   \$ 1,278,009   \$ 1,743,391   \$ 3,021,399   \$ 2,850,000                                   \$ 274,078

Annual  
Contribution:   \$ 150,000  
Interest Rate:                                   2%



# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM March 10, 2020

**SUBMITTED BY:** Community Development Agency – Greg Gatzka/Chuck Kinney

**SUBJECT:** PUBLIC HEARING – 2019-2020 COMMUNITY DEVELOPMENT BLOCK  
GRANT NOTICE OF FUNDING AVAILABILITY

**SUMMARY:**

**Overview:**

The purpose of this public hearing is to discuss possible activities and/or projects for funding under the County's Community Development Block Grant (CDBG) program, and to solicit public input regarding what types of eligible activities the County should apply for under the State CDBG Program. The Kings County Community Development Agency anticipates the submittal of an application in response to the 2019-2020 State CDBG Notice of Funding Availability (NOFA). A separate public hearing will be held to approve the specific projects/activities that will be part of the application submitted to the State.

**Recommendation:**

1. Conduct a public hearing to give citizens an opportunity to make their comments known regarding what types of eligible activities the County should apply for under the State Community Development Block Grant Program in response to the 2019-2020 State Community Development Block Grant Notice of Funding Availability; and
2. Provide direction to staff of which potential eligible activity or project the Board would like Staff to pursue.

**Fiscal Impact:**

None to the General Fund.

(Cont'd)

**BOARD ACTION:**

APPROVED AS RECOMMENDED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed and adopted  
on \_\_\_\_\_, 2020.

CATHERINE VENTURELLA, Clerk of the Board

By \_\_\_\_\_, Deputy.

## **Agenda Item**

### **PUBLIC HEARING – 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT NOTICE OF FUNDING AVAILABILITY**

**March 10, 2020**

**Page 2 of 2**

#### **BACKGROUND:**

The State of California, Department of Housing and Community Development administers a federal program known as the State Community Development Block Grant (CDBG) Program. The State Department of Housing and Community Development (HCD) have released the Notice of Funding Availability (NOFA) on January 21, 2020. HCD is anticipating the availability of \$60 Million for the program year 2019-2020 CDBG funds allocated to the State from Housing and Urban Development (HUD), a federal agency. HCD will be accepting two types of applications. For housing programs, a Competitive application will be used. All other projects will use the Over-the-Counter application, which has to meet the following criteria:

- Site control
- All funding/financing committed
- Procurement of engineer/architect completed
- Preliminary Plans complete with cost budget and schedule
- All Federal, State, and Local permits obtained
- Environmental Review completed

The grant application is due to the State on April 15, 2020. Awards are expected to be announced 90 days after the application due date.

2019-2020 NOFA competitive applications that pass threshold and eligibility standards will be scored on two components:

- A. Need Score** – need scores are set scores for different activity types that are based on public data sets that indicate the severity of community need for a specific activity.
- B. Activity Readiness** – activity readiness is an indicator of applicant preparedness for activity implementation. Applicants are strongly encouraged to complete as much preparation as possible prior to application submittal to shorten the time between award and expenditure. Each application will receive two reviews. Scores will be totaled for each reviewer and summed for the activity along with the need score. Applications will be ranked based on highest score.

Staff recommends that your Board conduct a public hearing to give citizens an opportunity to make their comments known regarding what type of eligible project the County should apply for under the State CDBG Program in response to the 2019-2020 State CDBG Notice of Funding Availability (NOFA).

After receiving public testimony, staff requests the Board provide direction to Staff on which potential eligible project your Board would like Staff to include in the 2019-2020 CDBG application to the State. A public hearing to formally approve the application and resolution for the 2019-2020 funding cycle will be held prior to submission of the application to the State.