



Kings County Board of Supervisors

Kings County Government Center
1400 W. Lacey Boulevard ❖ Hanford, California 93230
☎ (559) 582-3211 extension 2362 FAX (559) 585-8047

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board's Office at (559) 582-3211, ext. 2362 by 4:00 p.m. on the Friday prior to this meeting.

Action Summary

September 29, 2009

Place: Board of Supervisors Chambers
Kings Government Center, Hanford, CA

Time: 9:00 A.M.

Chairman:	Joe Neves	(District 1)	Staff:	Larry Spikes, County Administrative Officer
Vice-Chairman:	Richard Valle	(District 2)		Peter D. Mook, County Counsel
Board Members:	Tony Oliveira	(District 3)	Clerk of the Board:	Catherine Venturella
	Tony Barba	(District 4)	Hanford Sentinel:	Eiji Yamashita
	Richard Fagundes	(District 5)	Grand Jury:	Three members present

Please turn off cell phones and pagers, as a courtesy to those in attendance.

Regular Meeting

I B 1 CALL TO ORDER
ROLL CALL – Clerk of the Board
ALL MEMBERS PRESENT

II B 2 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.

Dr. Annie Wong, HIV/AIDS Physician Specialist contracted with the Kings County Health Department, stated that she was here today to ask the Board to keep the program going in Kings County despite the cuts from the State level.

Larry Spikes, County Administrative Officer stated that the County will work with Dr. Wong to look at alternatives to funding the program in light of the budget cuts made in Sacramento.

Dr. Mina Raju, Infectious Disease Specialist for Kings and Tulare Counties, praised Dr. Wong for her achievements with the clients from Kings County and stated that she is concerned with the loss of the program in Kings County burdening outlying counties facing their own budget constraints.

Dr. Daniel Engeberg, Family Practice Physician and Director of Residency stated his support for keeping the HIV program funding intact in Kings County reducing the program would place burden on the patients and other counties.

James Greene, Kings County resident stated that he has great concerns with the loss of the HIV program in Kings County and asked the Board to find solutions to keep it intact for the patients utilizing the program.

Unscheduled Appearances Continued

Samuel Carson, Kings County resident stated that the HIV program in Kings County is a model program and many patients are doing well under the program.

Rick Ferdinand, Kings County resident stated his concerns for the closure of the HIV program clinic in Kings County and stated that Dr. Wong is a valuable asset to Kings County and the residents.

Cindy Hauck, Kings County resident stated that she has concerns with animals in the Kings County Animal Control being exposed to fleas and ticks due to funding cuts for those types of services at the center.

Casey Raven, Kings County Dairy Princess came to announce "National Schools Milk Week" and stated that she would be speaking at local schools and promoting "Youth Understanding Milk, YUM".

Supervisor Valle asked if transportations would be provided for residents of Kettleman City to attend the public hearings on October 5-7, 2009 at the Planning Commissions meeting on the Chemical Waste Management expansion project.

Bob Henry, Chemical Waste Management stated that staff from the Community Development Agency contacted him last week with this request and that transportation will be provided through the Kings Area Rural Transit Agency for the residents of Kettleman City and Avenal for each day of the hearings.

III B 3

CONSENT CALENDAR

All items listed under the consent calendar are considered to be routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of any Board Member and made a part of the regular agenda.

A. Approval of the Minutes: September 22, 2009

B. Public Works Department:

Consider authorizing the Chairman to sign the Agreement with Technicon Engineering Services for geotechnical design services and limited construction services for the children's reading room addition to the Hanford Branch Library.[Agmt #09-093]

ACTION: APPROVED CONSENT CALENDAR AS PRESENTED (O/B-U)

IV

REGULAR AGENDA ITEMS

B 4

A. Human Resources – Allison Picard

Consider SEIU request for consideration to defer implementation of layoffs.

ACTION: APPROVED STAYING WITH THE OCTOBER 2, 2009 OFFICIAL DATE OF COUNTY LAYOFFS (O/B-U)

B 5

B. Waste Management Company – Bob Henry/Helen Luibel

Monthly report of facility and foundation activities.

INFORMATION ONLY - NOA

- B 6 C. County Counsel – Peter Moock**
1. Consider adopting a Resolution of a local emergency due to drought conditions in Kings County.[**Reso #07-048.61**]
ACTION: APPROVED AS PRESENTED (V/F-U)
 2. Consider adopting a Resolution declaring a local emergency due to local and statewide economic and fiscal crisis.[**Reso #09-006.17**]
ACTION: APPROVED AS PRESENTED (O/B-U)
 3. Consider appointments to the following Special Districts:
 - Melga Water District – 3 seats
 - El Rico Reclamation District No. 1618 – 1 seat
 - South Central Reclamation District No. 2125 – 1 seat
 - Delta Lands Reclamation District No. 770 – 1 seat
 - Homeland Reclamation District No. 780 – 1 seat
 - Tulare Lake Reclamation District No. 749 – 2 seats**ACTION: APPROVED AS PRESENTED (O/F-U)**
- B 7 D. Probation Department – Steve Brum/Margaret Wilhelm
Public Works Department – Harry Verheul**
- Consider authorizing the purchase of one 2009 Toyota Sienna CE van in an amount not to exceed \$28,176 for the Victim Witness Assistance Center and authorizing the Clerk of the Board to sign the budget appropriation and transfer form. (**4/5 vote required**)
ACTION: APPROVED AS PRESENTED (B/V-U)
- V B 8 & B 11 E. STUDY SESSION**
Administration – Larry Spikes/Rebecca Campbell
Overview of the California Statewide Interoperability Executive Committee Central Planning Area update.
INFORMATION ONLY - NOA
- VI B 9 F. PUBLIC HEARING**
Community Development Agency – Greg Gatzka/Kara Bounds
Conduct a public hearing to receive testimony on proposed amendments to the Housing Rehabilitation Program Guidelines and adopt a Resolution approving such changes.[**Reso#09-064**]
SUPERVISOR NEVES OPENED THE PUBLIC HEARING, NO TESTIMONY WAS RECEIVED AND THE PUBLIC HEARING WAS CLOSED.
ACTION: APPROVED AS PRESENTED (O/F-U)

VII B 10

G. APPEAL HEARING

Community Development Agency – Greg Gatzka/Mark Sherman

Consider:

1. Adopting Resolution No. 09-062 upholding the decision of the Kings County Planning Commission to uphold the Zoning Administrator's denial of Variance No. 09-01 and direct staff to bring the appeal of the Planning Commission's decision to revoke Site Plan Review No. 07-72 back to the Board at the earliest possible date, and
2. Directing the Clerk of the Board to give written notice of the decision, by mail, to the appellant and to the Community Development Agency within three (3) days after the date of the decision.[Reso #09-062]

SUPERVISOR NEVES OPENED THE APPEAL HEARING, TESTIMONY WAS RECEIVED FROM: MARK SHERMAN, COMMUNITY DEVELOPMENT AGENCY; FRANK FAGUNDES JR., APPEALANT; FRANK FAGUNDES, SR., APPEALANT; NORMAN MACEDO, NEIGHBOR AND SUPERVISOR NEVES CLOSED THE APPEAL HEARING.

ACTION: GRANTED VARIANCE FOR APPEALANT (O/B/V/N-Aye, F-No)

VIII B 12

H. Board Member 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).

Supervisor Barba stated that he attended the Chili Cook-off for Special Olympics at Civic Park and attend a reunion on September 26, 2009.

Supervisor Neves stated that he attended the Local Agency Formation Commission (LAFCO), Kings County Association of Governments (KCAG) and Kings County Area Public Transit Agency (KCAPTA) meetings on September 23, 2009 and discussed topics from the meetings. He stated that the 45 public comment period was opened for the Tri-County Health Authority insurance provider which will be discussed at the October meeting. He stated that he attended the Santa Rosa Rancheria Tachi Palace monthly breakfast and Arlene Dias' funeral services on September 25, 2009. He stated that he attended the Chili Cook-off at the Civic Park in Hanford and Chief Atwells' retirement party at the Santa Rosa Rancheria Tachi Palace Gaming Center on September 26, 2009 and stated that Rueben Barrios has been named the new Tribal Chairman. He stated that he attended the Behavioral Health Advisory Board meeting on September 28, 2009 and discussed topics from the meeting.

◆ **Board Correspondence: County Counsel, Peter Moock stated that staff received a letter from Kings County Association of Governments being awarded a grant for Kettleman City Community Safety and will hold a hearing on October 9, 2009 from 10:00 a.m. to 11:30 a.m. at the Kettleman City Hall at 75 5th Street, Kettleman City on the process. He stated that Kings County Victim Witness Program open house at their new facility will be on October 6, 2009.**

◆ **Information on Future Agenda Items: County Counsel, Peter Moock stated that the Board will be presenting service awards for county employees on the following dates October 6, 2009 at 9: 00 a.m. 20 year awards will be presented and at 2:00 p.m. 5 year awards will be presented and on October 13, 2009 at 9:00 a.m. 25 year awards will be presented and at 2:00 p.m. 10 year awards will be presented and on October 20, 2009 at 9:00 a.m. 30/35/40 year awards will be presented and at 2:00 p.m. 15 year awards will be presented. He stated that he would be bringing a Resolution to the Board on the Appeal Hearing decision today.**

- IX B 13 I. CLOSED SESSION**
Conference with Labor Negotiator/Meet and Confer: [Govt. Code Section 54957.6]
Negotiator: Larry Spikes
▪ **SEIU – Local 521**
Litigation initiated formally: The title is: *Daniel E. Ruff v. County of Kings et al., United States District Court No. CV-F-05-0631 OWW GSA.* [Govt. Code Section 54956.9]
Deciding to initiate litigation: (1 case) [Govt. Code Section 54956.9]

RECESS UNTIL 2:00 P.M.

ADJOURN AS THE BOARD OF SUPERVISORS

- X B 14 J. CONVENE AS THE BOARD OF EQUALIZATION**
♦ Hold a scheduled hearing for Application for Changed Assessment No. 06-011 filed by SK Foods LP for 1175 S. 19th Avenue, Lemoore, CA.
SUPERVISOR NEVES OPENED THE HEARING, TESTIMONY WAS RECEIVED FROM SHONDALE SEYMOUR, AGENT AND MIKE CARDOSA, KINGS COUNTY ASSESSOR OFFICE, JOHANNAH HARTLEY, DEPUTY COUNTY COUNSEL AND THE HEARING WAS CLOSED.
ACTION: UPHOLD THE ASSESSORS OPINION OF VALUE AND DENY THE APPEAL (B/F/V/N-Aye, O-Absent)

ADJOURN AS THE BOARD OF EQUALIZATION

ADJOURN AS THE BOARD OF SUPERVISORS

- XI B 15 K. ADJOURNMENT**
The next regularly scheduled meeting is scheduled for Tuesday, October 6, 2009, at 9:00 a.m.

Special Meeting ***Wednesday, September 30, 2009***

1:00 PM BOARD RETREAT – FOLLOW-UP
1:30 PM Ag Multi-Purpose Room, 680 Campus Drive, Hanford, CA 93230

<i>FUTURE MEETINGS AND EVENTS</i>		
Sept 30	1:30 PM	Board Retreat Follow-up
Oct 6	9:00 AM	Regular Meeting
Oct 13	9:00 AM	Regular Meeting – Youth In County Government Day
Oct 20	9:00 AM	Regular Meeting
Oct 27	9:00 AM	Regular Meeting
Oct 30	3:00 PM	County Halloween Costume Contest Judging

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.