

AGENDA

MEETING OF THE STANDING COMMITTEE ON PLANNING AND PUBLIC WORKS

1115 Truxtun Ave., Bakersfield, CA
5th Floor Point Conference Room
Wednesday, July 15, 2015

9:00 AM

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

1) Call to order

Supervisors: Scrivner, Couch

2) Roll call

3) Approval of Minutes from November 10, 2014 Meeting – APPROVE

4) Approval of Minutes from December 1, 2014 Meeting – APPROVE

5) Water Purveyors' Ability to Meet State Conservation Standards- HEAR
PRESENTATION; DISCUSS

6) Report on County's Water Franchises-HEAR PRESENTATION; DISCUSS

7) Board Member Announcements or Reports

8) Public Comment

9) Adjourn

**Americans with Disabilities Act
(Government Code Section 54954.2)**

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

MEETING MINUTES

STANDING COMMITTEE ON PLANNING AND PUBLIC WORKS

1115 Truxtun Ave., Bakersfield, CA
5th Floor Point Conference Room

Monday, November 10, 2014

10:00 AM

- 1) Meeting was called to order by Supervisor Scrivner at 10:03 a.m.
- 2) Roll Call
Present – Supervisors: Scrivner, Couch
- 3) Response to October 7, 2014 Board referral regarding recommendations for the structural realignment of Roads, Waste Management, and Engineering, Surveying and Permit Services Departments into a singular Public Works Department – HEARD PRESENTATION BY CRAIG POPE, DIRECTOR OF THE ROADS DEPARTMENT; ALSO HEARD DOUG LANDON, DIRECTOR OF WASTE MANAGEMENT AND GREG FENTON, DIRECTOR OF ENGINEERING, SURVEYING AND PERMIT SERVICES. ALL PROVIDED INFORMATION ON THE POTENTIAL EFFICIENCIES TO BE GAINED THROUGH A CONSOLIDATION OF THE THREE DEPARTMENTS INTO A SINGULAR PUBLIC WORKS DEPARTMENT. DIRECTION WAS GIVEN BY SUPERVISORS SCRIVNER AND COUCH TO PROVIDE ADDITIONAL INFORMATION REGARDING POSSIBLE CONCERNS FROM OTHER STAKEHOLDERS AND ADDITIONAL SPECIFICS RELATED TO THE EFFICIENCIES THAT CAN BE ACHIEVED. FURTHER DIRECTION GIVEN BY SUPERVISORS SCRIVNER AND COUCH TO SCHEDULE A SUBSEQUENT MEETING ON DECEMBER 1, 2014 TO ADDRESS THESE ISSUES.
- 4) Board Member Announcements or Reports – NONE
- 5) Public Comment – HEARD COMMENTS BY MIKE THOMAS AND SHERRY BOWYER OF THE KERN COUNTY RURAL HAULERS ASSOCIATION; MR. THOMAS AND MS. BOWYER EXPRESSED THAT THEY WERE NOT OPPOSED TO A PUBLIC WORKS CONSOLIDATION BUT WANTED TO BE ON THE RECORD WITH RESPECT TO SAFEGUARDING THE INTEGRITY OF THE WASTE ENTERPRISE FUND.
- 6) Meeting adjourned at 10:46 am

MEETING MINUTES

STANDING COMMITTEE ON PLANNING AND PUBLIC WORKS

1115 Truxtun Ave., Bakersfield, CA
3rd Floor Multi-Purpose Room

Monday, December 1, 2014

10:00 AM

- 1) Meeting was called to order by Supervisor Scrivner at 10:01a.m.
- 2) Roll Call
Present – Supervisors: Scrivner, Couch
- 3) Approval of Minutes
MINUTES FROM THE JUNE 2, 2014 WERE APPROVED (*SCRIVNER/COUCH*).
- 4) Response to October 7, 2014 Board referral regarding recommendations for the structural realignment of Roads, Waste Management, and Engineering, Surveying and Permit Services Departments into a singular Public Works Agency – HEARD PRESENTATION BY CRAIG POPE, DIRECTOR OF THE ROADS DEPARTMENT; ALSO HEARD DOUG LANDON, DIRECTOR OF WASTE MANAGEMENT. MR. POPE PROVIDED INFORMATION ON THE POTENTIAL EFFICIENCIES TO BE GAINED THROUGH A CONSOLIDATION OF THE THREE DEPARTMENTS INTO A SINGULAR PUBLIC WORKS DEPARTMENT. MR. POPE REFERENCED THE PUBLIC HEALTH DEPARTMENT AND THEIR EFFICIENCIES AND SAVINGS AS A MODEL AND FURTHER EMPHASIZED THE UTILITY IN CROSS-TRAINING ENGINEERS AND OTHER STAFF TO REALIZE GREATER FUNCTIONALITY ACROSS THE DEPARTMENT; MR. LANDON STATED THAT HE HAS NOT HEARD ANY CONCERNS FROM THE WASTE HAULERS.
- 5) Public Comment – HEARD COMMENTS BY BOB HAMPTON WITH WESTSIDE WASTE MANAGEMENT COMPANY, INC. MR. HAMPTON STATED THAT HE SPOKE WITH SOME OF THE OTHER RURAL HAULERS AND THEY HAVE NO ISSUES AND ARE COMFORTABLE WITH THE CONSOLIDATION OF DEPARTMENTS.
- 6) Board Member Announcements or Reports – MOTION BY SUPERVISOR COUCH TO RECOMMEND TO THE BOARD OF SUPERVISORS THE REORGANIZATION OF ROADS, WASTE MANAGEMENT AND ENGINEERING, SURVEYING AND PERMIT SERVICES INTO A SINGLE PUBLIC WORKS DEPARTMENTS (*COUCH/SCRIVNER*)
- 7) Meeting adjourned at 10:21 a.m.

**Kern County Water Purveyors
>3000 Connections**

<u>Name</u>	<u>Type</u>
1 City of Delano	Municipal Agency
2 City of Tehachapi	Municipal Agency
3 City of Wasco	Municipal Agency
4 City of Shafter	Municipal Agency
5 City of Bakersfield	Municipal Agency
6 Arvin Community Services District	Municipal Agency
7 West Kern Water District (Taft)	Municipal Agency
8 California Water Service--Bakersfield Metro	Investor-owned Utility
9 Oildale Mutual Water Company	Mutual Water Company
10 California Water Service--Kern River Valley	Investor-owned Utility
11 Rosamond Community Service District	Municipal Agency
12 Lamont Public Utility District	Municipal Agency
13 Indian Wells Valley Water District	Municipal Agency
14 Vaughn Water Company	Mutual Water Company
15 California City	Municipal Agency
16 East Niles Community Services District	Municipal Agency

How Cal Water can help:

Cal Water has a range of residential and commercial programs available to help our customers reduce their water use.

These include:

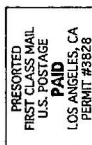
Residential

- High-efficiency toilet rebate
- High-efficiency clothes washer rebate
- Smart Irrigation Controller rebate
- Free sprinkler nozzles
- Water use efficiency evaluation program
- Turf replacement rebate (available June 1)
- High-efficiency toilet delivery program (available summer 2015)
- Home water use reports (available summer/fall 2015)

Commercial

- High-efficiency toilet rebate
- High-efficiency urinal rebate
- High-efficiency clothes washer rebate
- Smart Irrigation Controller rebate
- Rotating nozzle rebate
- Spray body with integrated pressure regulation and check valve rebate
- Free sprinkler nozzles
- Turf replacement rebate (available June 1)

More information on all of these programs can be found at www.calwater.com/conservation



Bakersfield District
3725 South H St.
Bakersfield, CA 93304

May 22 2015

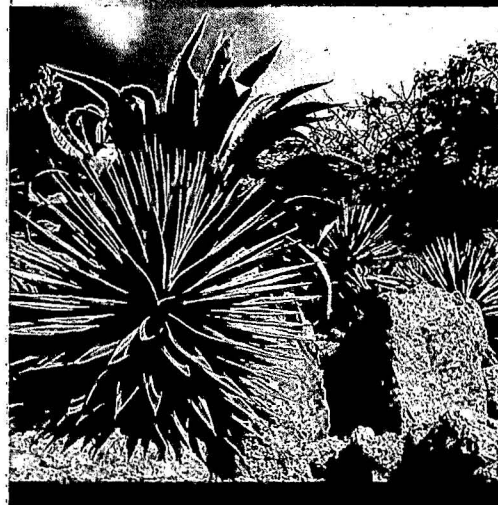
County of Kern - General Services
1115 Truxton Ave # 3
Bakersfield, CA 93301-4629



Quality. Service. Value.

The drought, water use restrictions, conservation and you.

Join Cal Water at Community Meeting
How Regulations Affect Bakersfield



DATE: Thursday, May 21, 2015

TIME: 6 p.m.

LOCATION: Cal Water Operations Center
3725 South H St.
Bakersfield, CA 93304

Dear California Water Service (Cal Water) customer:
Governor Brown has ordered a mandatory 25% reduction in urban water use statewide as we face this historic drought. In response to the governor's order, the State Water Resources Control Board set water-use reduction requirements for each community based upon average per capita water usage.

If approved in May, the draft regulations set by the Board and adopted by the California Public Utilities Commission will require both residential and non-residential water users in Cal Water's Bakersfield District to reduce their water use by 32% from their usage during July through September in 2013.

This reduction must be achieved by the end of February 2016. The good news is, you get credit for any water savings you achieved in 2014. So depending on your individual conservation efforts in 2014, you may need to achieve a lesser reduction. And Cal Water is here to help you achieve mandated reductions.

Please read on to learn more.

The State Water Resources Control Board has prohibited the following uses of water:

- Applying water to outdoor landscapes that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures
- Using a hose to wash motor vehicles unless the hose is fitted with a shut-off nozzle or device that causes it to cease dispensing water immediately when not in use
- Applying water to driveways and sidewalks
- Using water in a fountain or other decorative water feature, except where the water is part of a recirculating system
- Applying water to outdoor landscapes during and within 48 hours after measurable rainfall
- Serving drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafés, cafeterias, bars, or other public places where food or drink are served and/or purchased

Other water use restrictions:

- In order to achieve mandated water use reductions, landscape irrigation will be limited to no more than three days per week. We will provide more information and the schedule to customers in the coming weeks. Please be sure to observe any ordinances also set by your local government.
- Operators of hotels and motels are required to provide guests with the option of choosing not to have towels and linens laundered daily and to prominently display notice of this option in each guest room using clear and easily understood language.
- Once notified of a water leak that may exist on their property, customers must fix any leak that is within the customer's control.

Waste of water in Cal Water service areas can be reported online at:

www.calwater.com/conservation/water-waste-report

Violation of any of these prohibited or restricted water uses may be subject to enforcement measures, including a fine of up to \$100 for each day the violation occurs, installation of flow restrictors, or discontinuance of water service. Hotel, motel, and restaurant operators can email conservation@calwater.com for assistance obtaining table tents or signage. For questions about these prohibited uses of water and other water use restrictions, customers can visit www.calwater.com or contact their local Cal Water Customer Center at (661) 837-7200.

DATE: May 21, 2015 **TIME:** 6 pm. **LOCATION:** Cal Water Operations Center (3725 South H St., Bakersfield, CA 93304)
Refreshments will be provided.

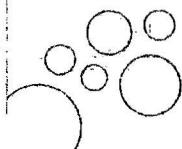
Water budgets:

Pursuant to the Board and Commission's newly adopted drought regulations, Cal Water has filed Schedule 14.1: Water Budgets and Enforcement Measures with the Commission, which regulates our operations. As part of Schedule 14.1, beginning in June 2015, all Cal Water customers will be given a "water budget," which is the amount of water they may use each month without incurring higher costs.

This water budget will be based on the units of water (Ccf's) each individual customer used in 2013. Because the Bakersfield District would be required to reduce water use by 32%, each customer's budget would be 32% less than the amount they used in that month in 2013. The amount of water budgeted for each customer will appear on his or her monthly water bill for the following month. Customers' water use history to 2013 will also be available online at www.calwater.com beginning in June.

Important details about customers' water budgets:

- The water budget applies to both residential and non-residential Cal Water customers.
- A drought surcharge will be applied to each Ccf used above a customer's allotted budget that month. The surcharge will typically be twice the per-unit charge in this district's highest quantity rate tier, up to \$10 per Ccf.
- For customers on the Low-Income Rate Assistance (LIRA) program, the drought surcharge is half the regular drought surcharge rate.
- Customers will be able to bank unused units of water from their monthly water budget for use in a future month. Should a customer exceed his or her monthly budget, any banked units of water will be applied to the overage.
- A minimum water budget of 7 Ccf has been established for single-family, residential customers. That means these customers' water budgets will not be below this threshold, regardless of 2013 water use.
- If specified criteria are met, a customer can file an appeal to have his or her water budget increased. Reasons appeals may be considered include: water use necessary for health and safety, business or economic needs, and significant long-term savings already achieved. Appeal procedures will be available at www.calwater.com by June 1.





GENERAL SERVICES DIVISION

MEMORANDUM

Jeff R. Frapwell
Asst. County Administrative Officer
for General Services

TO: Alan Christensen
Chief Deputy CAO

DATE: May 12, 2015

FROM: Tim Garrison
Real Property Manager

SUBJECT: Cal. Water Franchise Referral – May 5, 2015

General Franchise Information:

A Franchise Ordinance is an agreement between County and any company or individual ("Grantee") for use of county road right-of-way for the purpose of transporting electricity, gas, oil, water, or fiber optic cable. All Grantees pay County an annual fee for the privilege of using the right-of-way. The rates charged to private companies or individuals are set by the Board. The rates charged for public utilities, and publicly regulated companies are set by the California Public Utility Commission. The standard term of a Franchise Ordinance is 20 years. However, between 1956 and 1962 the Board granted three Franchises with no termination date, PG&E, California Water Service Company, and Oildale Mutual Water Company. The County currently has a total of 135 active Franchises, 33 are for the transportation of domestic water.

Exemption:

Special Service Districts such as Golden Hills Community Services District are exempt from the franchise process and may install water pipelines in County right-of-way merely by securing an encroachment permit from the Roads department.

California Water Company:

The Board of Supervisors granted Franchise Ordinance F-62 to California Water Service Company ("Cal. Water") in 1962. The Franchise allows Cal. Water to install and maintain pipelines in County road right-of-way throughout the County for the purpose of transporting domestic, agricultural, commercial, and any other lawful use of water.

Terms and Conditions of F-62

Term: No termination date. "The franchise shall remain in full force and effect until such time as Grantee shall surrender or abandon the pipelines or said franchise is forfeited for non-compliance".

Conditions:

1. Grantee to pay County an annual fee of 2% of modified gross receipts
2. Provide a verified statement of gross receipts with the annual payment
3. To repair any damage to County roads to the satisfaction of County
4. To relocate any pipelines to accommodate the widening or realignment of County roads
5. If Grantee fails to comply with any term or condition beyond the stated cure period, the Board can declare the Franchise forfeited.

County's enforcement powers over Grantees are limited to ensuring public safety and prompting timely payment of annual fees.

A complete list of domestic water franchises is attached.

Domestic Water Franchises

<u>Grantee</u>	<u>Franchise #</u>	<u>Expiration Date</u>	<u>Gross Receipts</u>
Aerial Acres	F-482	4/7/2025	\$35,000
Allen Rd. Mutual Water	F-582	8/22/2024	\$63,000
Alta Sierra Mutual Water	F-508/548*	7/10/2028	\$186,000
Brock Mutual Water	F-542	4/14/2031	\$113,000
Burlando Heights Mutual	F-410	2/5/2018	\$19,000
California Water Service Co.	F-62	None	\$70,500,000
Casa Loma Water	F-466/474*	2/5/2024	\$192,000
Crider Mutual Water	F-523	4/21/2029	\$11,000
Edgemont Acres Mutual Water	F-534	5/27/2030	\$120,000
Erskine Creek Water	F-479	11/30/2024	\$690,000
Fuller Acres Water	F-454	11/21/2022	\$106,000
Glennville Mutual Water	F-538	11/18/2030	\$29,000
Harvest Moon Mutual Water	F-425	11/9/2019	\$110,000
Kern Valley Mutual Water	F-510	8/28/2028	\$32,000
Lake of the Woods Mutual	F-505	6/12/2028	\$146,000
Maher Mutual Water	F-544	6/2/2031	\$36,000
Manon Manor Mutual	F-490	7/5/2026	\$45,000
Mil Potrero Mutual	F-550-563*	3/3/2032	\$507,000
Oildale Mutual Water Company	F-74	None	\$6,000,000
Mountain Mesa Water	F-455	11/15/2023	\$348,000
Ranch House Estates MWC	F-541	4/1/2031	\$5,000
Riverkern MWC	F-504	6/12/2028	\$64,000
Sierra Bella MWC	F-513	10/2/2028	\$71,000
Sierra Breeze MWC	F-535	7/22/2030	\$30,000
St. Clair Ranchos MWC	F-512	8/28/2028	\$32,000
Stockdale Annex MWC	F-403	9/4/2016	\$107,000
Stoco MWC	F-409	9/1/2017	\$169,000
Tejon Ranchcorp	F-584	11/14/2034	\$38,000
Union Pacific R/R (Keene Water)	F-408	2/27/2017	\$128,000
Vaughn Water Company	F-438	3/14/2022	\$6,100,000
Victory MWC	F-546	7/28/2031	\$89,000
West Tehachapi MWC	F-511	8/28/2008	\$20,000
Western Acres MWC	F-480	1/6/2025	\$63,000

*Multiple franchise numbers indicates an amended franchise.

ORDINANCE No. F-62

ORDINANCE GRANTING TO CALIFORNIA WATER SERVICE COMPANY, ITS SUCCESSORS AND ASSIGNS THE FRANCHISE OF INSTALLING, MAINTAINING AND USING PIPES, PIPELINES AND APPURTENANCES IN SO MANY AND IN SUCH PARTS OF THE PUBLIC ROADS WITHIN THE COUNTY OF KERN, STATE OF CALIFORNIA, AS THE GRANTEE OF SAID FRANCHISE MAY FROM TIME TO TIME ELECT TO USE FOR THE PURPOSE OF TRANSPORTING AND DISTRIBUTING WATER TO THE PUBLIC AND FOR ALL OTHER LAWFUL USES AND PURPOSES.

The following ordinance, consisting of twelve (12) sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Kern, State of California, at a regular meeting of the Board of Supervisors held on the 16th day of January, 1962, by the following vote, to wit:

AYES: Woollomes, Ming, Webb

NOES: Holt, Salzer

ABSENT: None

VANCE A. WEBB

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

(SEAL)

ATTEST:

VERA K. GIBSON

County Clerk and ex-Officio Clerk of the Board of Supervisors

THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance shall take effect and be in full force on and after the 15th day of February, 1962, and prior to the expiration of fifteen (15) days from the passage hereof shall be published once in The Bakersfield Californian, a newspaper of general circulation, published and printed in the County of Kern, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

Section 2. Whenever in this ordinance the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

(a) The word "grantee" shall mean California Water Service Company, and its lawful successors and assigns in respect to the franchise hereby granted;

(b) The word "franchise" shall mean the right, privilege and franchise hereinafter more particularly described;

(c) The phrase "public roads" shall mean the public highways, streets, roads, ways, alleys and places as the same now or may hereafter exist within the County of Kern, and which are subject to the jurisdiction of said county;

(d) The phrase "pipes and appurtenances" shall mean pipes, pipelines, mains, services, vents, vaults, manholes, meters, gauges, regulators, valves, conduits, appliances, attachments, appurtenances and, without limitation to the foregoing, any other property of grantee, located or to be located in, upon, along, across, through, under or over the public roads within said county, and used or useful for the transportation and distribution of water for sale and distribution for domestic, agricul-

tural, industrial, commercial and other lawful uses and purposes.

(e) The phrase "installing, maintaining and using" shall mean to lay, construct, erect, install, operate, maintain, use, repair or replace.

Section 3. The franchise of installing, maintaining and using pipes and appurtenances in so many and in such parts of the public roads as the grantee of said franchise may from time to time elect to use for the purpose of transporting and distributing water to the public for sale and distribution for domestic, agricultural, industrial, commercial and any and all other lawful uses and purposes, is hereby granted by said county to California Water Service Company, its successors and assigns.

Section 4. The term of said franchise shall commence with the effective date hereof, and continue and remain in full force and effect until such time as grantee shall surrender or abandon same or said franchise shall be forfeited for non-compliance by the possessor thereof with its terms, or the State of California, said county or other public corporation thereunto duly authorized, shall purchase by voluntary agreement or shall condemn and take under the power of eminent domain in accordance with then existing law all property actually used and useful in the exercise of said franchise situate within the unincorporated area of said County. Said franchise shall never be considered or taken into account, in fixing the value of said property, in excess of the actual cost to grantee hereof in procuring the same.

Section 5. All pipes and appurtenances which shall be laid and used under and pursuant to the provisions of this ordinance and in the exercise of said franchise shall be installed, constructed and maintained in a good and workmanlike manner under the reasonable direction of the County Road Commissioner and in compliance with all valid laws and ordinances from time to time in force.

Section 6. Grantee shall immediately upon installing, maintaining and using said pipes and appurtenances, or any part thereof, at its own cost and expense, place said public roads, or so much thereof as may have been damaged thereby, in as good order and condition as that in which they were before being disturbed or excavated for the purpose of installing, maintaining and using said pipes and appurtenances, or any part thereof.

Section 7. Grantee shall, during the term for which this franchise is granted, pay to said County two percent (2%) of its gross annual receipts arising from the use, operation or possession thereof, which percentage shall be payable annually as provided in Section 8 hereof.

Section 8. Grantee shall file with the Clerk of the Board of Supervisors within sixty (60) days after expiration of the year 1962, a statement verified by the oath of the manager or presiding officer of grantee showing in detail the gross receipts and gross earnings collected or received by grantee during the period commencing with the effective date hereof and ending December 31, 1962, through the use of any part of the pipes and appurtenances. Grantee shall file with the Clerk of the Board of Supervisors within sixty (60) days after expiration of each and every year subsequent to the year 1962, a statement verified by the oath of the manager or presiding officer of grantee showing in detail the gross receipts and gross earnings collected or received by grantee during the preceding year through the use of any part of the pipes and appurtenances.

Section 9. The consent of the Board of Supervisors shall not be required for any transfer of the

franchise by grantee in trust, by way of mortgage or hypothecation covering all and any part of grantee's property, which transfer, mortgage or hypothecation shall be for the purpose of securing an indebtedness of grantee or for the purpose of renewing, extending, re-funding, retiring, paying or canceling, in whole or in part, any such indebtedness at any time or from time to time.

Section 10. This franchise is granted under and pursuant to the provisions of the laws of the State of California which relate to the granting of franchises by counties.

Section 11. Except as otherwise provided herein, this franchise and privilege is granted and accepted subject to and in accordance with all of the "Terms and Conditions of Franchise" as provided in Ordinance No. F-3 of the County of Kern, as amended, and all said terms and

conditions are a part of this ordinance as if fully set out herein.

Section 12. The provisions of Section 9 of Part II of Ordinance No. F-3 shall not be applicable to this franchise; notwithstanding any provision in said Ordinance No. F-3 to the contrary, in the event of extreme emergency or in the event any unusual delay would endanger life or property, the grantee may enter upon the public roads and make such repairs as may be necessary without first securing a permit as required under Section 8 of Part II of said Ordinance No. F-3, as amended; provided, however, that in making repairs under this paragraph specified, the said grantee shall notify the office of the Kern County Road Commissioner as soon as possible, and shall take such precautions as are reasonable or necessary to protect the traveling public.

