

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 1, 2002

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Vacant, Parra
ROLL CALL: All Present

SALUTE TO FLAG - Led by Supervisor McQuiston

NOTE: The vote is displayed in bold below each item. For example, Patrick-Parra denotes Supervisor Patrick made the motion and Supervisor Parra seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH AN ASTERISK (*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming October 2, 2002 as Walk to School Day in Kern County - PROCLAIMED; MADE PRESENTATION TO DR. B. A. JINADU, DIRECTOR OF PUBLIC HEALTH SERVICES; DR. JINADU AND COSMAS GEORGE, SENIOR HEALTH EDUCATOR, HEARD

Patrick-Parra: All Ayes

- 2) Proclamation proclaiming October 2002 as California Children's Services Month in Kern County - PROCLAIMED; MADE PRESENTATION TO DR. PORTIA CHOI, DEPUTY HEALTH OFFICER, PUBLIC HEALTH SERVICES; DR. CHOI AND DR. B. A. JINADU HEARD; STAFF FROM CALIFORNIA CHILDREN'S SERVICES INTRODUCED

Parra-McQuiston: All Ayes

APPOINTMENTS

- *3) Reappointment of Louis Barbich as Third District member, term to expire June 11, 2006, and appointments of Lisa Sharpe as First District member, term to expire August 21, 2006, and Mary Beth Garrison as Second District member, term to expire October 24, 2004, to the Kern Asset Leasing Corporation - MADE REAPPOINTMENT AND APPOINTMENTS

Patrick-Parra: All Ayes

- *4) Reappointment of Scott Allen as First District member to the AIDS Advisory Board, term to expire August 16, 2005 - MADE REAPPOINTMENT

Patrick-Parra: All Ayes

PUBLIC PRESENTATIONS

- 5) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - JAMES BANN HEARD REGARDING AN ARREST

WESLEY MUHAMMAD CRAWFORD HEARD REGARDING KERN REGIONAL CENTER AND RECOGNIZED DR. MICHAEL CLARK AND HIS STAFF FOR THEIR WORK IN HELPING DEVELOPMENTALLY DISABLED CHILDREN

RECEIVED AND FILED DOCUMENT

Parra-Patrick: All Ayes

WESLEY MUHAMMAD CRAWFORD HEARD REGARDING PROBLEMS WITH THE PRIVATIZATION CONTRACTS PROCESS

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 6) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR PEREZ DISCUSSED PERMITTING REQUIREMENTS FOR OUT-OF-COUNTY AUTO DEALERS DOING TEMPORARY BUSINESS IN KERN COUNTY AND QUESTIONED WHETHER THERE IS AN ORDINANCE IN PLACE TO EITHER ALLOW OR RESTRICT THIS TYPE OF ACTIVITY

SUPERVISOR MCQUISTON COMMENTED THAT THERE MAY BE COMMERCE, WARRANTY, AND RELIABILITY ISSUES WITH REGARD TO OUT-OF-COUNTY AUTO DEALERS

REFERRED TO COUNTY COUNSEL TO REVIEW AND REPORT BACK TO THE BOARD

Patrick-McQuiston: All Ayes

DEPARTMENTAL REQUESTS

NON-AGENDA ITEMS

AIRPORTS

MOTION TO CONSIDER NON-AGENDA ITEMS 6A, 6B, AND 6C: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTERS OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE INFORMATION REGARDING GRANTS FROM THE AVIATION ADMINISTRATION WAS RECEIVED BY THE DEPARTMENT OF AIRPORTS AFTER THE AGENDA DEADLINE AND BOARD APPROVAL IS REQUIRED IMMEDIATELY

Parra-McQuiston: All Ayes

- 6A) Proposed retroactive grant acceptance of Federal Aviation Administration Grant Offer for AIP Project No. 3-06-0141-01 in the amount of \$100,000 to conduct a Master Plan Study at Lost Hills Airport, and authorize the Chairman to sign Contract No. DTFA08-02-C-21572, dated September 30, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 907-2002

McQuiston-Parra: All Ayes

- 6B) Proposed retroactive grant acceptance of Federal Aviation Administration Grant Offer for AIP Project No. 3-06-0112-02 in the amount of \$100,000 to conduct a Master Plan Study at Kern Valley Airport, and authorize the Chairman to sign Contract No. DTFA08-02-C-21571, dated September 30, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 908-2002

McQuiston-Parra: All Ayes

- 6C) Proposed retroactive grant acceptance of Federal Aviation Administration Grant Offer for AIP Project No. 3-06-0333-03 in the amount of \$100,000 to conduct a Master Plan Study at Wasco Airport, and authorize the Chairman to sign Contract No. DTFA08-02-C-21570, dated September 30, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 909-2002

McQuiston-Parra: All Ayes

CLERK OF THE BOARD

- 7) Selection of California State Association of Counties (CSAC) Board of Directors Members for 2003 - SELECTED SUPERVISOR PARRA AS DIRECTOR AND SUPERVISOR MCQUISTON AS ALTERNATE DIRECTOR; DIRECTED CLERK OF THE BOARD TO PROVIDE NOTIFICATION TO CSAC

Patrick-McQuiston: All Ayes

COUNTY COUNSEL

- 8) Proposed Ordinance repealing Chapter 5.36 and adding a new Chapter 5.36 regarding garbage franchises, updating provisions to conform with AB 939 and existing franchise agreements (from 9/3/2002 and 9/10/2002) - CONTINUED TO TUESDAY, OCTOBER 8, 2002 AT 9:00 A.M.

Parra-Patrick: All Ayes

- *9) Request of Environmental Health Services Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Parra: All Ayes

- *10) Request of Waste Management Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Parra: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *11) Proposed retroactive Agreement with Kern County Superintendent of Schools for basic skills instruction and GED preparation in southeast Kern County through the Kern County Regional Occupation Program to Workforce Investment Act eligible individuals from July 1, 2002 through June 30, 2003, in an amount not to exceed \$60,000 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 910-2002

Patrick-Parra: All Ayes

- *12) Proposed retroactive Agreement with Wasco Union High School District for comprehensive educational and employment readiness activities for Workforce Investment Act eligible youth from July 1, 2002 through June 30, 2003, in an amount not to exceed \$103,982 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 911-2002

Patrick-Parra: All Ayes

FIRE DEPARTMENT

- *13) Donation of surplus fire equipment to the State of Michoacan, Mexico - APPROVED

Patrick-Parra: All Ayes

- *14) Request to hire retired County employee Mary Jo Thompson, Senior Secretary, Range 47.0, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Patrick-Parra: All Ayes

- *15) Request for addition of one (1) Chief Deputy - Fire - C position at a Salary Range of 69.7, effective October 15, 2002, and deletion of one (1) Deputy Fire Chief - C position, effective upon appointment of Chief Deputy - Fire - C, in Budget Unit 2415 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Parra: All Ayes

HUMAN SERVICES

- *16) Request approval to allow 14 foster parents to attend the California State Foster Parent Association Training Conference in Anaheim, California, from October 10 through October 13, 2002, and for payment of travel expenses in an amount not to exceed \$10,424 (State/Federal; no County cost) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO PAY

Patrick-Parra: All Ayes

KERN MEDICAL CENTER

- *17) Request to hire retired County employee Patricia Harvey, Medical Secretary, Range 46.6, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Patrick-Parra: All Ayes

- *18) Proposed Agreement with Edward W. Taylor, III, M.D., for surgical services, from October 5, 2002 through October 4, 2007, in an amount not to exceed \$1,373,030 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 912-2002

Patrick-Parra: All Ayes

- *19) Proposed Agreement with Siu-Keung Chung, M.D., for surgical services, from October 5, 2002 through October 4, 2007, in an amount not to exceed \$1,300,730 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 913-2002

Patrick-Parra: All Ayes

MENTAL HEALTH SERVICES

- *20) Request to re-employ retired County employee Jeffrey L. Colbert, as a Mental Health Technician II, Range 46.5, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Patrick-Parra: All Ayes

PARKS AND RECREATION DEPARTMENT

- *21) Request to appropriate unanticipated revenue from Proposition 12, Roberti-Z'Berg-Harris Funds, for purchase and installation of Frazier Park Tot Lot - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$31,100 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$31,100 FROM APPROPRIATIONS FOR CONTINGENCIES TO CAPITAL PROJECTS BUDGET UNIT 1960

Patrick-Parra: All Ayes

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 21A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE INFORMATION REGARDING DONATION FROM THE NATIONAL PARK SERVICE WAS RECEIVED ON SEPTEMBER 27, 2002, AND BOARD APPROVAL IS REQUIRED BY 5:00 P.M., OCTOBER 1, 2002

McQuiston-Parra: All Ayes

- 21A) Request to accept offer from the National Park Service for the donation of eight (8) electric utility vehicles from Global Electric Motors (GEM), a Subsidiary of Daimler Chrysler, with a total value of approximately \$25,000 - ACCEPTED DONATION; AUTHORIZED PARKS DIRECTOR TO SIGN GEMCAR VEHICLE DONATION PROGRAM OFFER AND AGREEMENT

Patrick-Parra: All Ayes

PROBATION

- *22) Request to donate surplus paint to Luis Aguilar for distribution in Mexico - APPROVED

Patrick-Parra: All Ayes

PUBLIC HEALTH SERVICES

- *23) Proposed retroactive Agreement with Bakersfield AIDS Foundation for case management services for Ryan White Care Act Title II Funds, from April 1, 2002 through March 31, 2003, in an amount not to exceed \$23,732 (prior notification March 19, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 914-2002

Patrick-Parra: All Ayes

- *24) Proposed retroactive Agreement with Delano Regional Medical Center, Inc., for Clinical X-Ray Professional Services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$8,100 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 915-2002

Patrick-Parra: All Ayes

- *25) Proposed retroactive Agreement with State Department of Health Services for AIDS Drug Assistance Program, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$4,904 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 916-2002

Patrick-Parra: All Ayes

- *26) Proposed establishment of interest bearing trust fund for bio-terrorism grant monies - APPROVED; REQUESTED AUDITOR-CONTROLLER-COUNTY CLERK TO ESTABLISH INTEREST BEARING TRUST FUND

Patrick-Parra: All Ayes

- *27) Notification of anticipated retroactive Agreements for Black Infant Health Program Services, from October 1, 2002 through June 30, 2003 - RECEIVED AND FILED

Patrick-Parra: All Ayes

- *28) Proposed Application for local Public Health Preparedness and Response to Bioterrorism Program Grant Funding, for Fiscal Year 2002-2003, in the amount of \$855,884 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN APPLICATION AND RELATED CERTIFICATION

Patrick-Parra: All Ayes

SHERIFF

- *29) Donation of unsaleable surplus law enforcement equipment to Baja California State Law Enforcement, Mexicali, Baja California - APPROVED

Patrick-Parra: All Ayes

- *30) Application to hold a parade - Kern River Valley Chamber of Commerce on November 20, 2002 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY COUNSEL

- 31) Request for Closed Session regarding a lawsuit entitled County Sanitation District No. 2 of Los Angeles, et al. v. County of Kern, et al., Tulare County Superior Court Case No. 189564 (Government Code Section 54956.9(a)) -

RECONVENED FROM CLOSED SESSION; RECESSED TO 2:00 P.M.

Parra-McQuiston

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Steve A. Perez
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 1, 2002

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Vacant, Parra
ROLL CALL: All Present

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH AN ASTERISK (*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - NO ONE HEARD**

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - **NO ONE HEARD**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearing

All S.D.'s

- *3) Proposed Ordinance repealing and adding new chapters of Title 17 ("Code of Building Regulations") of the Kern County Ordinance Code as follows: 17.04, 17.08, 17.12, 17.16, 17.20, 17.24, 17.26, 17.28, 17.32, 17.36, 17.40, 17.44 and 17.48, which includes adoption of the California Building Standards Code and the following referenced Model Codes: Uniform Building Code (1997), Uniform Mechanical Code (2000), Uniform Plumbing Code (2000), National Electrical Code (1999), Uniform Fire Code (2000) and the 1997 Uniform Fire Code Standards as Amended by Uniform Fire Code Standards, 2000 Edition (not included in the California Building Standards Code), Appendix Chapter 1 of the Uniform Code for Building Conservation (1997), Uniform Code for the Abatement of Dangerous Buildings (1997), Uniform Housing Code (1997) as modified to establish a new Kern County Code of Building Regulations - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ENACTED ORDINANCE G-6914 TO BECOME EFFECTIVE FRIDAY, NOVEMBER 1, 2002

Parra-McQuiston: All Ayes

S.D. #1

- *4) Tract No. 6053, Phase 4, north side of West Day Avenue at northwest corner of North Chester Avenue and West Day Avenue, north Bakersfield, North Country Meadows, Inc. - ADOPTED RESOLUTION 2002-398 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTION 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE), ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY TURNAROUND AND SLOPE EASEMENTS; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Parra-McQuiston: All Ayes

- *5) Tract No. 6053, Phase 5, west side of North Chester Avenue, 400 feet north of West Day Avenue, north Bakersfield, North Country Meadows, Inc. - ADOPTED RESOLUTION 2002-399 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTION 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Parra-McQuiston: All Ayes

- *6) Tract No. 6053, Phase 6, west side of North Chester Avenue, 713 feet north of West Day Avenue, north Bakersfield, North Country Meadows - ADOPTED RESOLUTION 2002-400 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTION 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Parra-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *7) Proposed Agreement with Lake Isabella Community Services for implementation and maintenance of landscape improvements on Lake Isabella Boulevard - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 917-2002

Parra-McQuiston: All Ayes

- *8) Proposed Resolution to declare a portion of Verdugo Lane as a public highway and incorporate into County Road System - APPROVED; ADOPTED RESOLUTION 2002-401; DIRECTED CLERK OF THE BOARD TO RECORD

Parra-McQuiston: All Ayes

S.D. #3

- *9) Proposed handicap-parking zone on Oregon Street - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Parra-McQuiston: All Ayes

- *10) Contract No. 02036, Change Order No. 1 for construction on Hillcrest area streets, an increase in the amount of \$33,458.28, for a new total of \$400,204.28 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-McQuiston: All Ayes

S.D. #5

- *11) Easement Deed and proposed Right-of-Way Contract from Frank Phuong and Mai Lai providing for the purchase of approximately 100 square feet of their property, necessary for the improvement of Niles Street in the amount of \$800 - ACCEPTED DEED; ORDERED DEED RECORDED; AUTHORIZED CHAIRMAN TO SIGN RIGHT-OF-WAY CONTRACT (AGREEMENT 918-2002); AUTHORIZED AUDITOR-CONTROLLER TO MAKE PAYMENT

Parra-McQuiston: All Ayes

- *12) Contract No. 02033, Notice of Completion for construction on Edison Road and DiGiorgio Road - RECEIVED AND FILED

Parra-McQuiston: All Ayes

All S.D.'s

- *13) Contract No. 02029, Change Order No. 1 for construction of asphalt concrete overlay (windrow stockpile) at various locations in Kern County, an increase of \$3,569.31, for a new total of \$572,311.17 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-McQuiston: All Ayes

WASTE MANAGEMENT

All S.D.'s

- *14) Proposed Agreement with GeoSyntec Consultants, Inc., to provide environmental, civil and geotechnical engineering on active and inactive facilities from October 1, 2002, through August 31, 2005, in an amount not to exceed \$100,000 -

WITHDRAWN

- *15) Proposed Agreement with GeoSyntec Consultants, Inc., to provide environmental, civil and geotechnical engineering on closed and inactive facilities from October 1, 2002, through July 31, 2004, in an amount not to exceed \$200,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 919-2002

Parra-McQuiston: All Ayes

- 16) Report concerning Solid Waste Diversion Status - KEVIN BARNES, CITY OF BAKERSFIELD SOLID WASTE DIVISION, AND ROY WEYGAND, KERN COUNTY TAXPAYERS' ASSOCIATION, HEARD; RECEIVED AND FILED; APPROVED IN CONCEPT THE "CHARGE FOR DISPOSAL OF RECYCLABLE GREEN WASTE IN THE BAKERSFIELD METROPOLITAN AREA PROGRAM" AND THE "CATHODE RAY TUBE RECYCLING PROGRAM"

Patrick-Parra: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *17) Grants Research Unit status report - RECEIVED AND FILED

Parra-McQuiston: All Ayes

- *18) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 435, Local Agency Formation Commission (LAFCO) Proceeding No. 1343 - ADOPTED RESOLUTION 2002-402 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF THE COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2003-2004 IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING

Parra-McQuiston: All Ayes

- *19) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 436, Local Agency Formation Commission (LAFCO) Proceeding No. 1346 - ADOPTED RESOLUTION 2002-403 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF THE COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2003-2004 IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING

Parra-McQuiston: All Ayes

- *20) Proposed Agreement with Indian Wells Valley (IWV) 2000 for military base retention efforts in Fiscal Year 2002-2003 in the amount of \$60,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 920-2002

Parra-McQuiston: All Ayes

Legislative Matter

- *21) Proposition 51 - Traffic congestion relief and safe school bus trust fund -

WITHDRAWN

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *22) Request for subcontractor substitution for Job Order Contract Phase III project, reroofing of the Ridgcrest Library (1650.7121) - FOUND THAT RELIABLE AIR CONDITIONING & HEATING FAILED TO EXECUTE A WRITTEN CONTRACT WITH S.C. ANDERSON, INC.; APPROVED SUBSTITUTION OF SOUTHERN AIR TO COMPLETE THE HVAC PORTION OF PROJECT

Parra-McQuiston: All Ayes

- *23) Request for subcontractor substitution for the Probation Department's new Juvenile Treatment Facility (1960.8166) - FOUND THAT SAMPSON STEEL CONSTRUCTORS, INC., FAILED TO EXECUTE A WRITTEN CONTRACT WITH S.C. ANDERSON, INC.; APPROVED SUBSTITUTION OF MAYA STEEL FABRICATION, INC., TO COMPLETE THE STRUCTURAL STEEL AND METAL DECKING PORTION OF PROJECT

Parra-McQuiston: All Ayes

S.D. #3

- *24) Change Order No. 1 for Metro Recreation Center improvements, an increase of \$9,568, for a new total of \$402,412 (1960.8179) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-McQuiston: All Ayes

S.D. #5

- *25) Change Order No. 4 for demolition and grading at the former Department of Public Health site, a reduction of \$837.45, for a new total of \$400,888.41 (1960.8248) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-McQuiston: All Ayes

- *26) Change Order No. 1 for the new park at the former Department of Public Health site, an increase of \$2,177.50, for a new total of \$119,067.50 (1960.8248) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-McQuiston: All Ayes

- *27) Change Order No. 1 for the Sheriff's East Bakersfield Substation, an increase of \$8,618, for a new total of \$330,920 (1960.8250) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-McQuiston: All Ayes

All S.D.'s

- *28) Revised project list for the Job Order Contract, Phase III - APPROVED

Parra-McQuiston: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *29) Budget Transfers - APPROVED #29 THROUGH #31

Parra-McQuiston: All Ayes

- *30) Minutes for Week of September 2, 2002 - APPROVED

Parra-McQuiston: All Ayes

- *31) Miscellaneous Letters and Documents - FILED

Parra-McQuiston: All Ayes

- *32) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

Parra-McQuiston: All Ayes

- *33) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

Parra-McQuiston: All Ayes

ADJOURNED TO MONDAY, OCTOBER 7, 2002, AT 10:00 A.M.

McQuiston-

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Steve A. Perez
Chairman, Board of Supervisors

31) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

General Services

- A) Memorandum re filing of Acceptance of Franchise and Bond No. 0327558 from International Fidelity Insurance Company for Ordinance F-448 by Longbow, LLC

Local Agency Formation Commission

- B) Report and Recommendation, Proceeding No. 1336, in the matter of City of Bakersfield, Annexation No. 431 (Brimhall No. 9) (Copies to each Supervisor and CAO)
- C) Report and Recommendation, Proceeding No. 1338, in the matter of County Service Area No. 67, Annexation No. 1 (Copies to each Supervisor and CAO)
- D) Report and Recommendation, Proceeding No. 1340, in the matter of City of Shafter, Annexation No. 73 (Copies to each Supervisor and CAO)
- E) Agenda of meeting on Tuesday, September 24, 2002, and minutes to meeting of Tuesday, August 27, 2002 (Copies to each Supervisor and CAO)

Miscellaneous

- F) Letter from W. R. Gomes, University of California, re long-range plans to secure additional sources to maintain, expand and improve programs and facilities at the Shafter Research and Extension Center (Copies to each Supervisor, CAO, Agriculture Commission and Property Management)
- G) Letter from Tom Torlakson, State Senate Committee on Local Government, re Senate Bill 1326, the Local Government Omnibus Act of 2002 (Copies to each Supervisor, CAO, Treasurer-Tax Collector, Auditor-Controller, Clerk of the Board, Engineering and Survey Services, Elections, Probation and General Services)
- H) Letter from Eric M. Woodruff, Nextel Communications, re modification to cell site CA-1541B, Interstate 5 at Twisselman, APN 044-150-031 (Copies to each Supervisor, CAO and Planning)
- I) Letter from Christian H. Munson in opposition to Wilderness Bills S. 2535 and HR 4947 (Copies to each Supervisor, CAO, Planning and County Counsel)
- J) Letter from David A. Clendenen, Wind Wolves Preserve at San Emigdio Ranch, in support of Wilderness Bills S. 2535 and HR 4947 (Copies to each Supervisor, CAO, Planning and County Counsel)
- K) Letter from Joseph R. Schoenstein, Time Warner Cable, re AOL Time Warner, Inc., agreement with AT&T Corporation to restructure the Time Warner Entertainment Partnership (TWE) (Copies to each Supervisor, CAO and General Services)
- L) Letter from Paul Benz, Benz Sanitation, Inc., re support of Williamson Act Subventions (Copies to each Supervisor, CAO and Planning)

- M) Letter from Max H. Yuan, Federal Emergency Management Agency, re revision of Kern County's Flood Insurance Rate Map by Letter of Map Revision (LOMR) for floodplain management purposes and for all flood insurance policies and renewals issued (Copies to each Supervisor, CAO and Engineering and Survey Services)
- N) Letter from Dallas Jones, Governor's Office of Emergency Services, re submission of Kern County on the list for consideration for a Secretarial disaster designation based on losses due to drought (Copies to each Supervisor, CAO, Agricultural Commissioner and County Counsel)
- O) Letter from Dallas Jones, Governor's Office of Emergency Services, re California County Agricultural Commissioner Disaster Report form to document physical property and/or production losses due to drought (Copies to each Supervisor and CAO)
- P) Bulletin from American Land Rights Association, National Inholders Association (Copies to each Supervisor, CAO, Planning and County Counsel)
- Q) Bulletin from U.S. Department of Justice, Office of Justice Programs, re Office of Juvenile Justice and Delinquency Prevention News at a Glance, May/June 2002, Volume I, Number 3 (Copies to each Supervisor and CAO)
- R) Bulletin from U.S. Fish & Wildlife Service, Recovery Plan for the California Red-legged Frog (*Rana aurora draytonii*) (Copies to each Supervisor, CAO, Planning and County Counsel)
- S) Bulletin from California Office of Traffic Safety, OTS Tracks, Fall, 2002 (Copies to each Supervisor, CAO and Roads)
- T) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: El Palmar Restaurant, 128 Main Street, Buttonwillow; 7 Eleven, Inc., 2351 South Union Avenue, Bakersfield; Short Stop Liquor, 10000 Main Street, Lamont (Copies to each Supervisor, CAO and Planning)
- U) Notice from California Department of Water Resources re Preparation for the South Delta Improvements Program, Environmental Impact Report/Environmental Impact Statement for South Delta Improvements Program (Copies to each Supervisor, CAO and Resource Management Agency)
- V) Agenda of meeting from CALFED Bay-Delta Program, CALFED Bay-Delta Science Program, Environmental Water Account Review Workshop on Monday and Tuesday, October 21 and 22, 2002 (Copies to each Supervisor and CAO)
- 32) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Shaen Magan, Tule Ranch, Magan Farms & Honey Bucket Farms, re request for hearing to obtain extension of time for the land application of Class B biosolids - REFERRED TO COUNTY COUNSEL AND RESOURCE MANAGEMENT AGENCY (Copies to each Supervisor and CAO)

- B) E-mail from Lloyd Wiens, Frazier Park Adopt A Creek Project, re possible non-compliance by Frazier Park Sand & Gravel with conditions of Conditional Use Permit 20, Map 237 - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
- 33) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Ralph Stephens vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Summons and complaint in the matter of Bruce F. Scott vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Summons and complaint in the matter of Eddie Dean Hendrickson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Summons and complaint in the matter of Roxanne Ayala, Kenneth Edwards and Leroy Edwards vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)