

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, October 19, 2004

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra  
ROLL CALL: All Present

SALUTE TO FLAG - Led by Supervisor Watson

NOTE: The vote is displayed in bold below each item. For example, Patrick-Maben denotes Supervisor Patrick made the motion and Supervisor Maben 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) Resolution honoring Joseph Hansen for his accomplishments at the Summer 2004 Olympic Games (Gold Medalist - Rowing Eight with Coxswain) - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Parra: All Ayes**

- \*2) Resolution honoring Larsen Jensen for his accomplishments at the Summer 2004 Olympic Games (Silver Medalist 1500 meter Swimming Freestyle) - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Parra: All Ayes**

- \*3) Resolution honoring Gabriel Woodward for his accomplishments at the Summer 2004 Olympic Games (Bronze Medalist 4x100 Meter Relays Swim Team) - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Parra: All Ayes**

#### APPOINTMENTS

- \*4) Appointment of Carmen Handy as Education K-12 Member to the AIDS Advisory Board, term to expire August 16, 2005 - MADE APPOINTMENT

**Maben-Parra: All Ayes**

- \*5) Appointment of Keith Cornell Wolaridge as an At-large Business Member, replacing Mike Miller, to the Workforce Investment Board, term to expire December 31, 2004 - MADE APPOINTMENT

**Maben-Parra: All Ayes**

PUBLIC PRESENTATIONS

- 6) 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

- 7) 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 WATSON EXPRESSED APPRECIATION TO FIRE CHIEF DENNIS THOMPSON AND THE FIRE DEPARTMENT FOR CLEARING UNDERBRUSH AND REDUCING FIRE HAZARDS AT CAMP CONDOR; CHIEF THOMPSON HEARD

DEPARTMENTAL REQUESTS

AIRPORTS

- \*8) Proposed plan for acquisition of land for a Runway Protection Zone (RPZ) at Wasco Airport and confirmation of submission of grant application for California Department of Transportation Aeronautics Division (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE THE NOTICE OF EXEMPTION, IF REQUESTED; AUTHORIZED DIRECTOR TO EXECUTE AND SUBMIT NECESSARY DOCUMENTS TO STATE

**Maben-Parra: All Ayes**

- \*9) Proposed Agreement with Coffman Associates for Consultant Services to complete a Master Plan update for Meadows Field Airport (Fiscal Impact: \$596,663; Federal Grant; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 947-2004

**Maben-Parra: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*10) Proposed use of County employees as Election Officials (Fiscal Impact: \$80-\$99 per employee) - APPROVED

**Maben-Parra: All Ayes**

BOARD OF SUPERVISORS

- \*11) Request from Second District Supervisor Don Maben to forward correspondence to the Desert Managers Group (DMG), established under the California Desert Protection Act, requesting an active role for participation by counties - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Parra: All Ayes**

COUNTY COUNSEL

- \*12) Proposed Amendment No. 2 to Agreement 722-2002 with the law firm of Hanson, Bridget, Marcus, Vlahos & Rudy, LLP, for legal services, to increase the amount payable under the agreement from \$20,000 to \$40,000 (Fiscal Impact: \$20,000; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 948-2004

**Maben-Parra: All Ayes**

- \*13) Request of Kern County Water Agency to set hearing on proposed Zones of Benefit Numbers 7-06, 17-06, 18-06 and 19-06 and assessments to be levied thereon (Fiscal Impact: None) - ADOPTED RESOLUTION 2004-370 SETTING HEARING FOR TUESDAY, NOVEMBER 30, 2004, AT 9:00 A.M.

**Maben-Parra: All Ayes**

- \*14) Proposed Ordinance adding Subsection (170) to Section 10.16.041 of Chapter 10.16, Title 10, concerning a no stopping zone on the west side of Allen Road (Fiscal Impact: None)- WAIVED READING; INTRODUCED ORDINANCE

**Maben-Parra: All Ayes**

- \*15) Proposed Ordinance adding Section 10.20.020 and Section 10.20.030, Subsections (1) and (2) to Chapter 10.20, Title 10 of the Kern County Ordinance Code designating no stopping zones on state highways pursuant to Section 22506 of the California Vehicle Code (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Parra: All Ayes**

- \*16) Proposed deletion of one (1) Office Services Assistant - Confidential position, Budget Unit 1210, and addition of one (1) Office Services Technician - Confidential position, effective November 13, 2004 (Fiscal Impact: \$486.74; budgeted) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Parra: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*17) Request for authorization to close the Lake Isabella Career Services Center and terminate Agreement 706-98 (Fiscal Impact: Cost savings of \$54,000 annually) - APPROVED; AUTHORIZED GENERAL SERVICES TO PROCEED WITH TERMINATING THE AGREEMENT FOR LEASE AT 5640 LAKE ISABELLA BOULEVARD, LAKE ISABELLA AS OF JANUARY 31, 2005

**Maben-Parra: All Ayes**

- 18) Proposed Resolution requesting Friday office closure to the public for Employers' Training Resource department's offices at 2001 28th Street in Bakersfield and the Mojave and Taft Career Services Centers from January 8, 2005 through January 6, 2006 - APPROVED; ADOPTED RESOLUTION 2004-371

**Maben-Parra: 4 Ayes; 1 No - McQuiston**

FIRE DEPARTMENT

- \*19) Proposed Agreement with Kern High School District for the "Real World of Work" Program for the 2004/2005 school term (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 949-2004

**Maben-Parra: All Ayes**

HUMAN SERVICES

- \*20) Proposed retroactive Memorandum of Understanding with Maximus, Inc., for Medi-Cal Outreach and Education Services Health Care Options (HCO) Program, from October 1, 2004 through September 30, 2005 (Fiscal Impact: None; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 950-2004

**Maben-Parra: All Ayes**

- \*21) Proposed addition of seventeen (17) Social Services Worker I/II/III/IV/V; three (3) Social Services Supervisor I/II; two (2) Human Services Program Specialist; three (3) Human Services Technician I/II/III; seven (7) Office Services Technician; and one (1) Office Services Assistant positions to Budget Unit 5120, effective October 19, 2004 (Fiscal Impact: \$1,636,149; \$1,390,727 Federal/State; \$245,422 County; Budgeted; Mandated) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Parra: All Ayes**

- \*22) Proposed Temporary License Agreement for use of space at the Market Place Shopping Center for the Holiday Cottage from November 15, 2004 through December 17, 2004 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 951-2004

**Maben-Parra: All Ayes**

KERN MEDICAL CENTER

- \*23) Notification of retroactive Agreement with Nahid Razavi, an independent contractor, for design and implementation of a medical skills laboratory for resident physicians and medical students assigned to KMC (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Parra: All Ayes**

MENTAL HEALTH SERVICES

- \*24) Proposed Amendment No. 1 to Agreement 427-2004 with Dean Haddock, Licensed Marriage, Family & Child Counselor, dba Community Counseling and Psychological Services, for hearing officer services for Kern County consumers, to modify compensation language to allow for payment of retainer fee (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 952-2004

**Maben-Parra: All Ayes**

- \*25) Proposed sole source Agreement with Community Activators, Inc., to provide continuing specialized consultation/training services for vocational integration, Consumer/Family Learning Center, Aurora School projects, from October 19, 2004 to June 30, 2005, in an amount not to exceed \$27,000 (Fiscal Impact: \$27,000; Medi-Cal, State-Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 953-2004

**Maben-Parra: All Ayes**

- 26) Proposed Agreement with Clinica Sierra Vista, Inc., to provide a full continuum of mental health services for children and adolescents in the Greater Bakersfield area, from November 1, 2004 through June 30, 2005, in an amount not to exceed \$1,232,544 (Fiscal Impact: \$1,232,544; Medi-Cal, State - Mandated/Budgeted) - LINDA LOWE, DIRECTOR OF PROGRAMS, CLINICA SIERRA VISTA, HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 954-2004

**Parra-Watson: All Ayes**

PARKS AND RECREATION DEPARTMENT

- \*27) Report regarding non-profit and senior citizen group fee proposal relating to building use, and establishing public hearing date for proposed ordinance revisions (from August 31, 2004) - RECEIVED AND FILED REPORT; SET PUBLIC HEARING FOR TUESDAY, NOVEMBER 30, 2004, at 9:00 A.M.; DESIGNATED COUNTY COUNSEL AS THE OFFICIAL TO PREPARE A FAIR AND ADEQUATE SUMMARY OF THE PROPOSED ORDINANCE; DIRECTED CLERK OF THE BOARD TO PUBLISH PURSUANT TO GOVERNMENT CODE SECTIONS 66018 AND 6062(a) AND POST PURSUANT TO GOVERNMENT CODE SECTION 25124(b)(1)

**Maben-Parra: All Ayes**

PUBLIC HEALTH SERVICES

- \*28) Proposed retroactive Agreement with State Department of Health Services for Public Health Preparedness and Response to Bioterrorism, from July 1, 2004 through August 30, 2005, in an amount not to exceed \$1,179,582 (prior notification October 12, 2004) (Fiscal Impact: \$1,179,582; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 955-2004

**Maben-Parra: All Ayes**

- \*29) Proposed Public Health Preparedness and Response to Bioterrorism Plan Progress, and Trust Fund Balance Report and Expenditure Report for the period July 1, 2003 through June 30, 2004 - RECEIVED AND FILED; AUTHORIZED CHAIRMAN TO SIGN CERTIFICATION REGARDING USE OF GRANT FUNDS

**Maben-Parra: All Ayes**

- \*30) Proposed retroactive Amendment No. 5 to Agreement 800-2001 and Memorandums of Understanding with State Department of Health Services for AIDS Master Grant to provide services relative to the prevention and management of AIDS in Kern County, from July 1, 2001 through June 30, 2004, in an amount not to exceed \$2,660,619 (prior notification June 29, 2004) (Fiscal Impact: \$81,148 revenue to County; State Grant; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 956-2004 AND RELATED DOCUMENTS

**Maben-Parra: All Ayes**

- \*31) Proposed Amendment No. 1 to Agreement 536-2004 with Clinica Sierra Vista for immunization services to increase total compensation by \$600 to an amount not to exceed \$189,600 (Fiscal Impact: \$600; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 957-2004

**Maben-Parra: All Ayes**

SHERIFF

- \*32) Proposed addition of eight (8) Senior Detention Officer positions and deletion of eight (8) Detention Officer positions, effective October 19, 2004 (Fiscal Impact: \$30,000 annually) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Parra: All Ayes**

- \*33) Appropriation of unanticipated revenue in the amount of \$321,000 from the Office of Emergency Services for the purchase of vehicles for the California Multi-jurisdictional Methamphetamine Enforcement Team (Cal-Mmet) (Fiscal Impact: \$321,000; State grant; Not Budgeted) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$321,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$321,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

**Maben-Parra: All Ayes**

TREASURER-TAX COLLECTOR

- \*34) Cash Receipts and Disbursements for September 2004 - RECEIVED AND FILED

**Maben-Parra: All Ayes**

ADJOURNED TO CLOSED SESSION

**Parra**

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 35) Request for Closed Session regarding public employee evaluation - Title: County Administrative Officer -

COUNTY COUNSEL

- 36) Request for closed session regarding a lawsuit entitled Joseph Sorensen, et al. vs. County of Kern, et al., Kern County Superior Court Case No. S1500-CV-251983 RJA (Government Code Section 54956.9(a)) -

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

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

**Parra-Maben**

/s/ Denise Pennell  
Clerk of the Board

/s/ Jon McQuiston  
Chairman, Board of Supervisors

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#### BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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SUPERVISOR WATSON EXTENDED HIS THANKS TO COUNTY ADMINISTRATIVE OFFICER SCOTT JONES AND HIS STAFF FOR THE INFORMATIVE REPORT ON FEDERAL AND STATE MANDATED PROGRAMS AND RELATED LOSS OF REVENUE.



HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*3) **Request from Richard Voth by French and Associates to reconfigure vehicular access rights to and from the west side of Poplar Avenue, south of Riverside Road, Shafter area (SD #1)**

Specific Request:

Nonsummary Vacation of a portion of dedicated rights of vehicular access (79-20 3 098; Streets and Highways) (General Rule, Section 15061(b)(3); Published Shafter Press) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2004-372 APPROVING VACATION EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES, WITH RESOLUTION TO BE RECORDED UPON WRITTEN CONFIRMATION FROM PLANNING DIRECTOR TO CLERK OF THE BOARD THAT SUPERCEDED EXISTING ACCESS RIGHTS SERVING PARCEL C OF LOT LINE ADJUSTMENT 47-04 HAVE BEEN DEDICATED TO NON-ACCESS STATUS

**Patrick-Parra: All Ayes**

- \*4) **Request from Kern County Waste Management Department to vacate a portion of the Cannon Road easement located along the northerly edge of the Tehachapi Landfill, approximately 1/2 mile north of Tehachapi Boulevard, Tehachapi (SD #2)**

Specific Request:

Nonsummary vacation of a portion of the Cannon Road easement, containing a strip of land 30 feet wide and approximately 2,500 feet long, located along the northerly edge of the Tehachapi Landfill (167-21 3 098; Streets and Highways) (General Rule, Section 15061(b)(3); Published Tehachapi News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2004-373 APPROVING VACATION AS REQUESTED

**Patrick-Parra: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Land Use

S.D. #1

- \*5) Notice of Nonrenewal Petition Nos. 04-22, 04-23 and 04-24 by William H. Hustedt, managing general partner of County Line Farms, for approximately 307 acres (153.58, 76.28 and 78 acres, respectively) within Agricultural Preserve No. 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

All S.D.'s

- \*6) Presentation of 2004-2005 Williamson Act Open Space Subvention Application (Fiscal Impact: Discretionary Revenue: \$4,823,882) - RECEIVED AND FILED

**Patrick-Parra: All Ayes**

Miscellaneous

- \*7) Proposed Resolution authorizing submission of a State Water Resources Control Board Grant Application to defray consultant and staff costs in preparing dairy animal facility Environmental Impact Reports and developing siting and performance standards (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2004-374; AUTHORIZED PLANNING DIRECTOR TO SUBMIT APPLICATION

**Patrick-Parra: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #4

- \*8) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement for Tract 6024, southeast corner of Heath Road and Palm Avenue, western Rosedale, Smithtech, USA for Heath Road Partners, LLC; and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE LETTER OF CREDIT NO. 7020070520-01, ORIGINALLY ISSUED BY TRI COUNTIES BANK IN THE AMOUNT OF \$1,661,505 TO \$166,150, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER LANDSCAPING AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING OCTOBER 19, 2004; ADOPTED RESOLUTION 2004-375 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6024 INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

**Patrick-Parra: All Ayes**

- \*9) Request for release of Faithful Performance Security for street, drainage, water, landscaping and sewer one-year guarantee period, Tract 6035, south side of Hageman Road, western Rosedale, The Lusich Company for G.S.J.B. Development, Inc. (Fiscal Impact: None) - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE LETTER OF CREDIT NO. 09-03-006, IN THE AMOUNT OF \$122,787, TO ISSUING INSTITUTION, BANK OF THE SIERRA

**Patrick-Parra: All Ayes**

S.D. #5

- \*10) Proposed Agreement with the City of Arvin to provide building inspection services (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 958-2004

**Patrick-Parra: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Environmental Health Services

All S.D.'s

- \*11) Report on referral of Johnson Farms request for all stationary sources to be considered under a Single Release Management Plan as part of the new California Accidental Release Prevention Program (Cal-ARP) (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Parra: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #3

- \*12) Contract No. 04023 Notice of Completion for construction on Famoso Road and Zerker Road (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Parra: All Ayes**

S.D. #5

- \*13) Proposed Right-of-Way Contract and Easement Deed from the Apostolic Assembly of the Faith in Christ Jesus Church to purchase approximately 7,625 square feet of property in the amount of \$6,100 for the improvement of Weedpatch Highway and McKee Road (Fiscal Impact: \$6,100; State Grant; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 959-2004; ACCEPTED EASEMENT DEED; DIRECTED CLERK OF THE BOARD TO RECORD; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

**Patrick-Parra: All Ayes**

- \*14) Contract No. 05002, identify apparent low bid from Griffith Company for construction on Weedpatch Highway from Collison Street to Mountain View School, in an amount not to exceed \$46,320 (Fiscal Impact: \$46,320; Roads Budget; Budgeted; Not Mandated) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Patrick-Parra: All Ayes**

- \*15) Contract No. 04021 Notice of Completion for construction on Tejon Highway and Comanche Drive (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Parra: All Ayes**

All S.D.'s

- \*16) Report regarding contract change orders approved during the third quarter of 2004 (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Parra: All Ayes**

WASTE MANAGEMENT

S.D. #2

- \*17) Proposed Agreement with William J. Vanherweg to provide biological assessment services for Kern County waste facilities, from October 19, 2004 through October 20, 2007, in an amount not to exceed \$100,000 (Fiscal Impact: \$100,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 960-2004

**Patrick-Parra: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*18) Proposed Memorandum of Understanding with Kern County Sheriff's Command Association to provide two year term to June 30, 2006, 4% salary increase effective retroactively to September 4, 2004, to increase base pay by 10% to include amount previously paid under Kern\$Flex, increase uniform allowance by \$100 annually to \$800, increase in employee contribution rate to Retiree Health Premium Supplement Program, changes in health and prescription drug plans (Fiscal Impact: \$135,000; General Fund; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 961-2004; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, DIRECTOR OF PERSONNEL AND COUNTY ADMINISTRATIVE OFFICER TO IMPLEMENT

**Patrick-Parra: All Ayes**

- \*19) Response to Board referral regarding Federal and State Mandates (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Parra: All Ayes**

- 20) Departmental responses to Return to Work, Disability Retirement and Disability Management Report (Fiscal Impact: None) - RECEIVED AND FILED; REFERRED TO COUNTY COUNSEL

**Patrick-Watson: All Ayes**

Legislative Matter

- \*21) Proposed support position for subzone application for Foreign Trade Zone at IKEA Distribution Center (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Patrick-Parra: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- \*22) Request for approval of intent to donate surplus radio equipment to the City of Ridgecrest Police Department (Fiscal Impact: None) - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

**Patrick-Parra: All Ayes**

- \*23) Request to set hearing for granting of pipeline franchise to Erskine Creek Water Company, renewal of Franchise Ordinance F-247 (Fiscal Impact: Revenue of \$3,400; Budgeted) - ADOPTED RESOLUTION 2004-376 SETTING HEARING FOR TUESDAY, NOVEMBER 30, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

**Patrick-Parra: All Ayes**

S.D. #2

- \*24) Proposed retroactive Agreement for Southern California Edison (SCE) to provide electrical power for the Soledad Mountain communications site, in an amount not to exceed \$405,261.64, effective August 10, 2004 (Fiscal Impact: \$405,261.64; Budgeted; Mandated) - APPROVED; AUTHORIZED ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES TO SIGN SCE APPROVAL FORMS

**Patrick-Parra: All Ayes**

S.D. #3

- \*25) Change Order No. 7 for the new airport terminal at Meadows Field, an increase of \$98,410.37 for a new total of \$19,949,907.93 (8215.8415) (Fiscal Impact: \$98,410.37; Airport Enterprise Fund; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Parra: All Ayes**

S.D. #4

- \*26) Plans and Specifications for Lake Webb West and Lake Evans East paving project (1960.8163) (Fiscal Impact: \$343,123; General Fund; Budgeted) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, NOVEMBER 18, 2004, AT 11:00 A.M.

**Patrick-Parra: All Ayes**

S.D. #5

- \*27) Proposed Amendment No. 1 to Agreement 420-2000 with San Joaquin Valley Air Pollution Control District for lease of 2700 "M" Street, Suite 275, Bakersfield, to add additional area, adjust rent and extend lease term one year to May 31, 2006 (Fiscal Impact: \$205,470 annual revenue to County) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 962-2004

**Patrick-Parra: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*28) Budget Transfers - APPROVED NO. 31 AND NO. 32

**Patrick-Parra: All Ayes**

- \*29) Minutes for week of September 20, 2004 - APPROVED WITH CORRECTION TO ITEM NO. 10 P.M. TO CHANGE NOVEMBER 2, TO "NOVEMBER 9"

**Patrick-Parra: All Ayes**

- \*30) Miscellaneous Letters and Documents - APPROVED

**Patrick-Parra: All Ayes**

- \*31) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Patrick-Parra: All Ayes**

- \*32) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Patrick-Parra: All Ayes**

ADJOURNED TO MONDAY, OCTOBER 25, 2004, AT 10:00 A.M.

**Maben**

/s/ Denise Pennell  
Clerk of the Board

/s/ Jon McQuiston  
Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT  
(Government Code Section 54953.2)**

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

- 30) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED  
Auditor-Controller-County Clerk
- A) Kern Medical Center Fiscal Procedures Examination  
Clerk of the Board
- B) Received, certified and transmitted to Recorder for recordation as follows:  
1) Parcel Map 10998 S.D. #1  
Grand Jury
- C) 2004-2005 Final Report re Kern Medical Center  
Roads
- D) Received, prepared Consent to Recordation and forwarded to Recorder for recordation an Irrevocable Offer of Dedication from Harvey and Terri Boschma for additional right-of-way on Sherwood Avenue and McCoy Road  
Miscellaneous
- E) Letter from Jim Costa re wages and health care for In-Home Supportive Services (IHSS) home care workers (Copies to each Supervisor, CAO and Aging & Adult Services)
- F) Letter from John and Dorothy C. Troolines in opposition to rezoning in Mountain Mesa (Copies to each Supervisor, CAO, Planning and County Counsel)
- G) Letter from Robert J. Wright, Jacqueline C. Wright and Matthew C. Clark in opposition to rezoning in Mountain Mesa (Copies to each Supervisor, CAO, Planning and County Counsel)
- H) Letter from Elaine L. Thompson, Verizon Wireless, re cell site at 19700 and 19720 Dovetail Court, Tehachapi (Copies to each Supervisor, CAO and Planning)
- I) Letter from Cynthia Hanna, United Domestic Workers of America, re mediator's recommendation for IHSS contract and explanation of health care options (Copies to each Supervisor, CAO, Aging & Adult Services and County Counsel)
- J) Letter from Wes and Melanie Funk in opposition to dairies near Taft (Copies to each Supervisor, CAO, Planning and County Counsel)
- K) Letter from J. R. Odom, California Highway Patrol, re Hazardous Materials Incident Report on Tuesday, September 21, 2004, on I-5, 1.2 miles north of Grapevine (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- L) Letter from R. F. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Sunday, September 26, 2004, southbound Wheeler Ridge Road, south of David Road (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)

- M) Letter from Renee Donato Nelson re letter from the Sierra Club and Los Angeles Times article concerning dairies and improper use of State loan funds (Copies to each Supervisor, CAO, Planning and County Counsel)
- N) Notice from U.S. Forest Service re Schedule of Proposed Action (SOPA) from October 1 through December 31, 2004 (Copies to each Supervisor, CAO and Resource Management Agency)
- O) Notice of Preparation from City of Shafter re General Plan Update (Copies to each Supervisor, CAO, Planning and County Counsel)
- P) Memorandum from San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Record for meeting on Tuesday, October 5, 2004 (Copies to each Supervisor, CAO and Selection Committee)
- Q) Bulletin from Kern County Child Care Council for Fall 2004
- R) Minutes from In-Home Supportive Services Advisory Committee on Thursday, September 9, 2004
- S) Agenda from In-Home Supportive Services Advisory Committee on Thursday, October 14, 2004
- 31) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Letter from Denise Peach, State Department of Aging, re certification renewal survey of the Elderlife Adult Day Health Care Center by California Department of Aging (CDA) - REFERRED TO KERN MEDICAL CENTER (Copies to each Supervisor and CAO)
- 32) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Eusevio Garza, Yolanda Garza Flores, Gloria Garza, Maria Garza, Delfina Garza, Eusevio Garza, Jr., Antonio Garza, Tomas Garza and Moses Garza vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Joe Granillo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Sheila Barton vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Mary Hill vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Samantha Cisternas Riding-Red-Horse vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)



- F) Claim in the matter of Jose Martin Reyes vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Gerald Crossley vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Summons and complaint in the matter of Robert Oglesby and Lorene Oglesby vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)