

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 21, 2003

9:00 A.M.

NOTE: DUE TO A REGIONAL POWER OUTAGE, THE 9:00 A.M. SESSION WAS HELD IN THE BOARD CHAMBERS AND WAS NOT OFFICIALLY RECORDED ON AUDIO TAPE. THE WRITTEN SUMMARY OF PROCEEDINGS IS THE OFFICIAL RECORD OF THIS SESSION.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent - Watson

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

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

AIRPORTS

- *3) Request to initiate grant acceptance process with U.S. Department of Transportation for the Small Community Air Service Development Pilot Program, in the amount of \$982,513; matching funds required in the amount of \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN ASSURANCES AND CERTIFICATIONS; AUTHORIZED DIRECTOR OF AIRPORTS TO NEGOTIATE GRANT OFFER AND PRESENT TO THE BOARD FOR APPROVAL

Maben-Patrick: 4 Ayes; 1 Absent - Watson

BOARD OF TRADE

- *4) Proposed Resolution approving closure of Kern County Board of Trade facility at 2101 Oak Street in Bakersfield on Tuesday, October 28, 2003 - APPROVED; ADOPTED RESOLUTION 2003-471

Maben-Patrick: 4 Ayes; 1 Absent - Watson

CHILD SUPPORT SERVICES

- *5) Request approval to increase on-going General Fund loan authorization from \$4,000,000 to \$6,000,000 to cover temporary cash flow needs for Department of Child Support Services operations - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO INCREASE LOAN BALANCE

Maben-Patrick: 4 Ayes; 1 Absent - Watson

COUNTY COUNSEL

- *6) Proposed addition of one (1) Office Services Assistant position, Budget Unit 1210, effective November 1, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: 4 Ayes; 1 Absent - Watson

EMPLOYERS' TRAINING RESOURCE

- *7) Proposed retroactive Agreement with Delano Joint Union High School District for comprehensive educational and employment activities for customers eligible under the Workforce Investment Act, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$44,722 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 914-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *8) Proposed retroactive Agreement with Kern County Superintendent of Schools - Community Connection for Child Care for referral services and payment for child care providers for customers eligible under the Workforce Investment Act, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$254,154 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 915-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

HUMAN SERVICES

- *9) Request approval of Notice of Intent for Kern County that designates Kern County Department of Human Services as the public agency responsible for administering Child Abuse Prevention, Intervention and Treatment (CAPIT) and Community-Based Family Resource Support (CBFRS) funds and states the County's intent to contract with public or private non-profit agencies to provide CAPIT and CBFRS services (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *10) Proposed Amendment No. 1 to Agreement 601-2003 with Kern County Superintendent of Schools Office as administrative agent for Kern County Child and Family Services Agency for oversight and monitoring of Child Abuse Prevention, Intervention and Treatment (CAPIT) program funding, in an amount not to exceed \$416,420 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 916-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

KERN MEDICAL CENTER

- *11) Proposed confirming purchase order with Steven's Construction for repair services performed in February 2003, in an amount not to exceed \$14,131 - APPROVED; AUTHORIZED COUNTY PURCHASING TO ISSUE CONFIRMING PURCHASE ORDER

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *12) Notification of retroactive Agreement with Healthcare Financial Services for revenue management and collections of aged accounts receivable - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *13) Proposed addition of three (3) full-time Fiscal Support Assistant, five (5) full-time Fiscal Support Technician, one (1) full-time Office Services Assistant, and one (1) full-time Office Services Technician positions, effective October 21, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *14) Proposed Agreement with Fernando Prunés, M.D., for plastic surgery services, from November 1, 2003 through October 31, 2008, in an amount not to exceed \$846,800 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 917-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *15) Proposed Agreement with Richard F. Busch, M.D., for ENT surgery services, from November 1, 2003 through October 31, 2008, in an amount not to exceed \$763,660 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 918-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *16) Proposed retroactive Agreement with Bahram Raofi, M.D., for radiology services, from October 13, 2003 through October 12, 2005, in an amount not to exceed \$537,600 (prior notification October 7, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 919-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *17) Proposed sole source Agreement with Cejka Search for recruitment of an invasive radiologist and an orthopedic surgeon, from October 21, 2003 through October 20, 2004, in an amount not to exceed \$83,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 920-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *18) Proposed Amendment No. 1 to Agreement 067-2003 with Superior Consultant Company, Inc., for services in patient accounting and admitting departments, adjusting performance fee only for those months in which total cash collections from Medi-Cal are less than \$3,153,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 921-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

LIBRARY

- *19) Request to hire retired County employee Jane S. Hasten, Librarian I, Step E, Range 53.9, Kern River Valley branch, 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

Maben-Patrick: 4 Ayes; 1 Absent - Watson

MENTAL HEALTH SERVICES

- *20) Proposed Amendment No. 1 to Agreement 335-2003 with Jack L. Hendrix, dba Griffin's Gate Community Men's Center, for sober living environment services for consumers residing in Kern County, to clarify contractor's name and legal status, for FY 2003-2004 (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 922-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *21) Proposed Amendment No. 1 to Agreement 481-2003 with North Chester Drugs, Inc., dba North Chester Pharmacy, for prescription services for consumers residing in Kern County, to clarify contractor's legal name, change contractor's legal status and enhance contract process language, for FY 2003-2004 (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 923-2003

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *22) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention of mentally disordered individuals per Welfare and Institutions Code, Section 5150 - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - Watson

PARKS AND RECREATION DEPARTMENT

- *23) Request approval for Lake Isabella Park USS Arizona Artifact Display Project - APPROVED IN CONCEPT; REFERRED BACK TO PARKS DEPARTMENT

Maben-Patrick: 4 Ayes; 1 Absent - Watson

PARKS AND RECREATION

Wildlife Resources Commission

- *24) Proposed funding request from North Bakersfield Recreation & Park District to purchase fish for the Reel Fun Fish Out, in the amount of \$1,500 - APPROVED PROJECT IN AN AMOUNT NOT TO EXCEED \$1,500 FROM FUNDS AVAILABLE IN 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED PARKS DEPARTMENT TO PROCESS NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED PURCHASING AGENT TO ESTABLISH PURCHASE ORDER AND AUTHORIZED AUDITOR-CONTROLLER TO ISSUE WARRANT UPON PROPER DOCUMENTATION

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *25) Proposed funding request from California Living Museum to purchase materials to renovate the Mule Deer Exhibit at the Museum, in the amount of \$5,500 - APPROVED PROJECT IN AN AMOUNT NOT TO EXCEED \$5,500 FROM FUNDS AVAILABLE IN 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED PARKS DEPARTMENT TO PROCESS NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED PURCHASING AGENT TO ESTABLISH PURCHASE ORDER AND AUTHORIZED AUDITOR-CONTROLLER TO ISSUE WARRANT UPON PROPER DOCUMENTATION

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *26) Proposed funding request from Fish and Game Habitat Club to purchase pheasant for the 2004 Junior Pheasant Hunt, in the amount of \$3,000 - APPROVED PROJECT IN AN AMOUNT NOT TO EXCEED \$3,000 FROM FUNDS AVAILABLE IN 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED PARKS DEPARTMENT TO PROCESS NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED PURCHASING AGENT TO ESTABLISH PURCHASE ORDER AND AUTHORIZED AUDITOR-CONTROLLER TO ISSUE WARRANT UPON PROPER DOCUMENTATION

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *27) Proposed funding request from Kern River Valley Chamber of Commerce to purchase trout for the Lake Isabella Trophy Trout Program, in the amount of \$3,500 - APPROVED PROJECT IN AN AMOUNT NOT TO EXCEED \$3,500 FROM FUNDS AVAILABLE IN 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED PARKS DEPARTMENT TO PROCESS NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED PURCHASING AGENT TO ESTABLISH PURCHASE ORDER AND AUTHORIZED AUDITOR-CONTROLLER TO ISSUE WARRANT UPON PROPER DOCUMENTATION

Maben-Patrick: 4 Ayes; 1 Absent - Watson

PROBATION

- 28) Proposed plan for opening and staffing of new Juvenile Treatment Facility and proposed addition of: four (4) Deputy Probation Officer III; four (4) Group Counselor III; forty-eight (48) Group Counselor I/II; one (1) Group Counselor-Maintenance Worker; one (1) Group Counselor-Sr. Cook; one (1) Group Counselor-Cook; one (1) Group Counselor-Custodian; three (3) Group Counselor-Support Services; one (1) Office Services Specialist; and one (1) Fiscal Support Technician positions in Budget Unit 2340, effective October 21, 2003; approval in concept of one (1) Group Counselor-Food Services Supervisor subject to development of job specifications; and request cancellation of \$2,259,943 in General Fund Juvenile Facility Impact Designations and appropriation of canceled designations to General Fund Appropriations for Contingencies - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE AND DEVELOP JOB SPECIFICATIONS FOR NEW CLASSIFICATION; APPROVED CANCELLATION IN THE AMOUNT OF \$2,259,943 IN GENERAL FUND JUVENILE FACILITY IMPACT DESIGNATIONS; APPROVED APPROPRIATION OF CANCELED DESIGNATIONS IN THE AMOUNT OF \$2,259,943 TO GENERAL FUND APPROPRIATIONS FOR CONTINGENCIES (BUDGET UNIT 1970); APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$2,259,943 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2340

Patrick-Maben: 4 Ayes; 1 Absent - Watson

- *29) Request to employ retired County employee James Webdell, Probation Supervisor, Range 53.5, Step A, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - Watson

PUBLIC HEALTH SERVICES

- *30) Request to increase sole source purchase order 041337 with Meridian Diagnostics for Valley Fever test kits by \$60,000 to an amount not to exceed \$110,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO INCREASE PURCHASE ORDER

Maben-Patrick: 4 Ayes; 1 Absent - Watson

- *31) Proposed addition of one (1) Administrative Coordinator position in Budget Unit 4110A, effective October 21, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: 4 Ayes; 1 Absent - Watson

RETIREMENT ASSOCIATION

- *32) Kern County Employees' Retirement Association (KCERA) Agreement for At-Will Contract Employee to provide services related to Settlement Agreement implementation in the case of Kern Law Enforcement Association et al. v. Board of Retirement, Kern County Employees' Retirement Association and proposed addition of ten at-will contract employee positions - RECEIVED AND FILED AGREEMENT FOR AT-WILL CONTRACT EMPLOYEE; APPROVED THE ADDITION OF TEN AT-WILL CONTRACT EMPLOYEE POSITIONS; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: 4 Ayes; 1 Absent - Watson

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSIONS

COUNTY COUNSEL

- 33) Request for Closed Session regarding a lawsuit entitled James Jeffrey Owen vs. County of Kern, et al., USDC(E) CIV F-02-5545 OWW TAG (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.

McQuiston-Maben

/s/ Denise Pennell
Clerk of the Board

/s/ Pete H. Parra
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 21, 2003

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent - Watson

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

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN
SANITATION AUTHORITY

Maben-McQuiston: 4 Ayes; 1 Absent - Watson

KERN SANITATION AUTHORITY

- #1) Request for approval of a proposed addition to Kern Sanitation Authority's sewer system for development of Tract No. 6123, Units "A" and "B", in east Bakersfield - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - Watson

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD
OF SUPERVISORS

Maben-McQuiston: 4 Ayes; 1 Absent - Watson

PUBLIC PRESENTATIONS

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CRAIG POPE, ROADS DIRECTOR, DISCUSSED STATUS OF SAFE STREETS PROJECT

REFERRED STOP SIGN ISSUE TO ROADS DEPARTMENT

Maben-Patrick: 4 Ayes; 1 Absent - Watson

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *4) **Request from U.S. Borax, Inc., to amend the Kern County General Plan with respect to permitted land uses and future road alignments; rescind the Jay Hubbard Specific Plan; change the permitted uses from agriculture to industrial; and allow the expansion of an existing surface mining operation and development of a reclamation plan within an area of 11,580 acres located approximately two miles northwest of Boron, eastern Kern County (SD 2)**

Specific Request:

- (a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 1.1, 4.1, and 8.4 to Map Code(s) 8.3, 8.4, 8.5, and 7.3 or more restrictive map code designations; amend the Circulation Element of the Kern County General Plan to eliminate future road reservations on section and midsection lines within the property as major highway and secondary highway alignments; and rescind the Jay Hubbard Specific Plan (GPA 1, Map 191; GPA 1, Map 191-18; GPA 4, Map 191-30; GPA 4, Map 192; GPA 2, Map 192-26)
- (b) A change in zone classification from A-1 (Limited Agriculture) to M-3 (Heavy Industrial) or a more restrictive district (ZCC 5, Map 192; CUP 5, Map 191)

(Continued on Page 10)

(Continued from Page 9)

(c) Conditional Use Permits to allow the expansion of an existing surface mining operation and development of a reclamation plan in accordance with the Surface Mining and Reclamation Act (SMARA) of 1975 (Sections 19.14.030.G; 19.16.030.H; 19.40.030.G; and 19.18.030.E) in A-1, E (20), M-3, A-1 MH, and R-1 Districts (CUP 4, Map 191-18; CUP 4, Map 191-19; CUP 3, Map 191-29; CUP 3, Map 191-30; CUP 14, Map 192; CUP 1, Map 192-26) (Environmental Impact Report; Published Mojave Desert News) (from 9/9/2003) - CONTINUED TO TUESDAY, DECEMBER 2, 2003, AT 2:00 P.M.

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

- *5) **Request from U.S. Borax, Inc., to vacate a portion of Boron Avenue located approximately two miles northwest of Boron, eastern Kern County (SD 2)**

Specific Request:

Nonsummary vacation of a portion of Boron Avenue (191-30 098; Streets and Highways)

(Environmental Impact Report; Published Mojave Desert News) (from 9/9/2003) - CONTINUED TO TUESDAY, DECEMBER 2, 2003, AT 2:00 P.M.

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Streets and Highways

S.D. #3

- *6) Request from Kern County Roads Department for a Summary Vacation of a portion of the east end of Lisle Street, adjacent to Southern Pacific Railroad tracks, Oildale, Map 102-11 - ADOPTED RESOLUTION 2003-472 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

RESOURCE MANAGEMENT AGENCY
All S.D.'s

- *7) Proposed appointments of members to San Joaquin Valley Water Coalition Council for a term to expire at the pleasure of the Board - MADE APPOINTMENTS

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

- *8) Proposed Resolution supporting a Memorandum of Understanding between the Federal Government and railroads regarding air pollution control measures - APPROVED; ADOPTED RESOLUTION 2003-473

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

S.D.'s #2, #4 & #5

- *9) Proposed Resolution to expand the Southeast Metropolitan Bakersfield Enterprise Zone - APPROVED; ADOPTED RESOLUTION 2003-474; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION REQUIRED TO OBTAIN STATE APPROVAL

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #2

- *10) Purchasing Agent Contract 9294-03-009068, Notice of Completion for Westpark Pool Closure - RECEIVED AND FILED

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

S.D. #5

- *11) Contract No. 02039, Notice of Completion for Berkshire Water System Improvements - RECEIVED AND FILED

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D.'s #3 & #5

- *12) Contract No. 02016, Plans, Specifications, and Notice to Contractors for construction on East Brundage Lane - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, NOVEMBER 12, 2003, AT 11:00 A.M.

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

All S.D.'s

- *13) Proposed Federal Apportionment Exchange Program and State Match Program Agreement with Caltrans, in an amount not to exceed \$405,044 (Caltrans Contract X03-5950 [211])- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 924-2003

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

WASTE MANAGEMENT

All S.D.'s

- *14) Proposed Amendment No. 1 to Agreement 128-2001 with Scrap Tire Co-Op/Golden By-Products for providing waste tire recycling services at County Solid Waste Facilities to amend the compensation due to increased operating costs (approximate annual increase of \$3,600) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 925-2003

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

COUNTY ADMINISTRATIVE OFFICE

- *15) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 449, Local Agency Formation Commission (LAFCO) Proceeding No. 1369 - ADOPTED RESOLUTION 2003-475 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2004-2005 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING
McQuiston-Maben: 4 Ayes; 1 Absent - Watson
- *16) Transfer of property tax entitlement related to City of Delano Annexation No. 35, Local Agency Formation Commission (LAFCO) Proceeding No. 1368 - ADOPTED RESOLUTION 2003-476 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF DELANO COMMENCING FISCAL YEAR 2004-2005 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING
McQuiston-Maben: 4 Ayes; 1 Absent - Watson
- *17) Proposed Amendment No. 1 to Agreement 602-2001 with Jim Wise for legislative consultant services to expand scope of work and increase amount by \$60,000 to \$91,824 in Fiscal Year 2003-2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 926-2003
McQuiston-Maben: 4 Ayes; 1 Absent - Watson
- *18) Proposed Agreement with the Arts Council of Kern for arts informational and promotional services, in the amount of \$175,000 for Fiscal Year 2003-2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 927-2003
McQuiston-Maben: 4 Ayes; 1 Absent - Watson
- *19) Proposed Agreement with Court Appointed Special Advocates of Kern for volunteer children advocacy services in the amount of \$60,000 for Fiscal Year 2003-2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 928-2003
McQuiston-Maben: 4 Ayes; 1 Absent - Watson
- *20) Proposed Agreement with Lifesigns, Inc., for coordination of sign language interpretive services from October 21, 2003 through October 21, 2005, in an amount not to exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 929-2003
McQuiston-Maben: 4 Ayes; 1 Absent - Watson
- *21) Application for California Healthcare for Indigents (CHIP) funds for Fiscal Year 2003-2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 930-2003
McQuiston-Maben: 4 Ayes; 1 Absent - Watson

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #3

- 22) Proposal to name the new airport terminal at Meadows Field the William M. Thomas Terminal, in honor of Congressman William M. Thomas, effective October 31, 2003 - CONTINUED TO TUESDAY, OCTOBER 28, 2003, AT 2:00 P.M.

Patrick-Maben: 4 Ayes; 1 Absent - Watson

S.D. #4

- *23) Request to select Miller Brooks Environmental, based on responses to Request for Proposal, as consultant for site characterization at the former Lost Hills Fire Station, in an amount not to exceed \$47,054 (1650.7252F) - APPROVED; AUTHORIZED GENERAL SERVICES TO PREPARE AGREEMENT

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

CONSIDERATION OF ORDINANCES INTRODUCED OCTOBER 14, 2003

- *24) Proposed Ordinance adding Subsection (155) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, concerning a no stopping zone on the north and south sides of East Belle Terrace Avenue - ENACTED ORDINANCE G-7049

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

- *25) Proposed Ordinance adding Subsection (226) to Section 10.16.070 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, concerning a no parking zone on Bedford Way - ENACTED ORDINANCE G-7050

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

MATTERS FOR EXECUTIVE APPROVAL

- *26) Budget Transfers - APPROVED NO. 36 THROUGH NO. 46

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

- *27) Minutes for week of September 22, 2003 - APPROVED

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

- *28) Miscellaneous Letters and Documents - FILED

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

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

McQuiston-Maben: 4 Ayes; 1 Absent - Watson

ADJOURNED TO TUESDAY, OCTOBER 28, 2003, AT 9:00 A.M.

Patrick-

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Pete H. Parra
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.

28) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Report on Refunds (Government Code Section 26906) of Erroneous Deposits pursuant to Board Resolution 71-4
- B) 2003-2004 Property Tax Revenue Estimates
Clerk of the Board
- C) E-mail from Ross Elliott, Interim Director, Emergency Medical Services, re vacancy on the Emergency Medical Care Advisory Board
- D) Received, certified and forwarded to Recorder for recordation as follows:
 - 1) Tract Map 5990, Phase 4 S.D. #3
 - 2) Tract Map 6142 S.D. #1
 - 3) Parcel Map 10872 S.D. #2

Employers' Training Resource

- E) WIA OJT Agreements
 - 1) Bakersfield Plastics, Inc., WIA Title 201, dated October 6, 2003
 - 2) HPS Mechanical, Inc., WIA Title 501/543, dated October 6, 2003
 - 3) Sears Logistics Services, Inc., WIA Title 201, dated October 6, 2003
 - 4) Sears Logistics Services, Inc., WIA Title 501/543, dated October 6, 2003
 - 5) Sears Logistics Services, Inc., WIA Title 501/543, dated October 6, 2003

General Services

- F) Franchise Bond No. RLB0005636 in the amount of \$1,000, dated April 9, 2003, from RLI Insurance Company for Franchise Ordinance F-458 (Amendment to Franchise Ordinance F-434), Nuevo Energy Company

Miscellaneous

- G) Notices from Alcoholic Beverage Control re Applications for Alcoholic Beverage Licenses: Shell, 5300 Olive Drive, Bakersfield; Shell, 6439 Rosedale Highway, Bakersfield; Tacos Los Amigos, 2105 Edison Highway, Suites P5 & P6, Bakersfield (Copies to each Supervisor, CAO and Planning)
- H) Agenda from Central Valley Regional Water Quality Control Board on Thursday and Friday, October 16 and 17, 2003 (Copies to each Supervisor and CAO)

- 29) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Dolores Bell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Roberto Vasquez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Manuel Alcala Farias and Rosa Alcala vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Cecilia Villarruel vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Amended claim in the matter of Jennifer Dodd vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Amended claim in the matter of Joanna Osenbaugh, a Minor by and through her Parent, Josephine Osenbaugh vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Summons and complaint in the matter of Kellie Lynn Ponzo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)