

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, October 29, 2002

9:00 A.M.

#### BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Vacant, Parra  
ROLL CALL: 3 Present; 1 Absent - Perez

SALUTE TO FLAG - Led by Supervisor Parra

NOTE: Vice-Chairman Patrick announced Chairman Perez will be absent from today's meeting.

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 November 3 - 9, 2002 as National Diabetes Education Week in Kern County - PROCLAIMED; MADE PRESENTATION TO GRETA CARVER, PRESIDENT, KERN COUNTY ASSOCIATION OF DIABETES EDUCATORS; GRETA CARVER HEARD

**McQuiston-Parra: 3 Ayes; 1 Absent - Perez**

- 2) Proclamation proclaiming October 29, 2002 as Mervyn's Community Closet Day in Kern County - PROCLAIMED; MADE PRESENTATION TO YOLANDA LEGRO, MERVYN'S/TARGET CORP.; YOLANDA LEGRO; JOHN NILON, EMPLOYERS' TRAINING RESOURCE; DIANE KODITEK, MENTAL HEALTH SERVICES; AND PAT CHEADLE, DEPARTMENT OF HUMAN SERVICES, HEARD

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*3) Resolution honoring and commending Liane Strong upon her retirement with 34 years of dedicated service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

APPOINTMENTS

- \*4) Reappointments of Steve Ruetters and Deborah Elrich as at-large members to the North Bakersfield Recreation and Park District, terms to expire December 20, 2006 - MADE REAPPOINTMENTS

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*5) Appointment of Jamie Gelber as First District member to the Kern Asset Leasing Corporation (replacing Lisa Sharpe who declined the appointment approved by the Board on October 1, 2002), term to expire August 21, 2006 - MADE APPOINTMENT

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

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]) - NO ONE HEARD

DEPARTMENTAL REQUESTS

CLERK OF THE BOARD

- \*8) Amended Conflict of Interest Codes for Assessor-Recorder, East Kern Airport District, Environmental Health Services Department, Human Services, Indian Wells Valley Water District, Parks and Recreation Department, and Kern County Employees Retirement Association - APPROVED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*9) Proposed Resolution revising regular meeting dates of the Board of Supervisors for 2002 to cancel the meeting of Tuesday, November 5, 2002, and authorization to continue scheduled public hearings from November 5, 2002 to Tuesday, November 12, 2002, at 2:00 P.M. - APPROVED; ADOPTED RESOLUTION 2002-438; DIRECTED CLERK TO PUBLISH NOTICE

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

COUNTY COUNSEL

- \*10) Proposed Amendments to Chapter 3.24 of the Ordinance Code relating to overtime work in order to conform Ordinance provisions including flex time scheduling to existing practice and law - WAIVED READING; INTRODUCED ORDINANCE

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*11) Report on temporary automobile sales locations (referral of Item 6 from October 1, 2002 Agenda) - CONTINUED TO TUESDAY, NOVEMBER 12, 2002 AT 9:00 A.M.

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- 12) Request to appoint Ralph Korn to serve as Director and Clarke Schlabach as Alternate Director on the Board of Directors of the CSAC Excess Insurance Authority (EIA) - RALPH KORN INTRODUCED AS KERN COUNTY'S NEW RISK MANAGER; APPROVED

**McQuiston-Parra: 3 Ayes; 1 Absent - Perez**

EMPLOYERS' TRAINING RESOURCE

- \*13) Request for authorization to apply for REMOVE Program funding from the San Joaquin Valley Air Pollution Control District to reduce motor vehicle emissions within the District - APPROVED; ADOPTED RESOLUTION 2002-439; AUTHORIZED DIRECTOR TO SUBMIT APPLICATION AND SIGN ALL DOCUMENTS SPECIFIC TO THE APPLICATION PROCESS

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*14) Proposed retroactive Agreement with Westside Regional Occupational Program to provide employment and training activities to Workforce Investment Act eligible adults, dislocated workers and migrant and seasonal farmworkers, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$13,950 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 999-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*15) Proposed retroactive Agreement with Westside Regional Occupational Program to provide employment and training activities to Workforce Investment Act eligible youth from, July 1, 2002 through June 30, 2003, in an amount not to exceed \$73,888 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1000-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

KERN MEDICAL CENTER

- \*16) Proposed retroactive Amendment No. 1 to Agreement 179-99 with Bakersfield Family Medical Center extending the term through December 31, 2002 (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1001-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*17) Proposed retroactive Agreement with Pacific Medicaid Services, Inc., for out-of-state Medicaid billing, from July 1, 2002 through December 31, 2003, in an amount not to exceed 15% of payments - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1002-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*18) Notification of anticipated retroactive Agreement with Panoramic Business Solutions for physical therapy services for patients of Sagebrush Home and Family Services and ElderLife Adult Day Health Care Center - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*19) Proposed retroactive Agreement with Joseph T. Fan, M.D., Inc., for vitreoretinal consultation surgery, from July 13, 2000 through September 13, 2002, in an amount not to exceed \$52,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1003-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*20) Proposed approval of Form of Agreement for access to KMC's Network for remote access to KMC Local Agency Network (LAN) by non-KMC/non-County entities - APPROVED AGREEMENT AS STANDARD AGREEMENT; AUTHORIZED KMC'S CEO TO SIGN THE "AGREEMENT FOR ACCESS TO KERN MEDICAL CENTER NETWORK" WITH NON-KMC/NON-COUNTY ENTITIES WHICH REQUIRE ACCESS TO THE KMC LAN

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*21) Proposed Amendment No. 1 to Agreement 329-99 with Cardinal Distribution to extend the term three years through May 31, 2005, and increase volume-based discounts - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1004-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- 22) Request to increase authorization amount for General Fund cash advance to KMC Enterprise Fund from \$24,000,000 to \$31,000,000 - ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION, HEARD; APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

MENTAL HEALTH SERVICES

- \*23) Proposed Amendment No. 1 to Agreement 396-2002 with Turning Point of Central California, Inc., for mental health services for clients in the Bakersfield area, to update the contractor's address and delete superseded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1005-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*24) Proposed Amendment No. 1 to Agreement 433-2002 with Citizens for the Betterment of Community and Country, Inc., for residential and outpatient drug free treatment services for clients residing in the Bakersfield area, to stipulate Substance Abuse and Crime Prevention Act of 2000 (SACPA) funding and reporting requirements and delete superseded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1006-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*25) Proposed Amendment No. 1 to Agreement 482-2002 with Turning Point of Central California, Inc., dba Kennemer Center, for sober living environment services for clients residing in the Bakersfield area, to delete superseded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1007-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*26) Proposed Amendment No. 2 to Agreement 612-2002 with Community Services Organization, Behavioral Health Programs, for outpatient drug free services for clients residing in the Bakersfield area, to stipulate Substance Abuse and Crime Prevention Act of 2000 (SACPA) funding and reporting requirements (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1008-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*27) Proposed Amendment No. 2 to Agreement 613-2002 with Community Services Organization, Behavioral Health Programs, for outpatient behavioral health services for clients residing in the Arvin/Lamont area, to stipulate Substance Abuse and Crime Prevention Act of 2000 (SACPA) funding and reporting requirements (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1009-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*28) Proposed Agreement with Nankil Enterprises, Inc., dba Union Villa, for Augmented Board and Care (ABC) services in the Bakersfield area for clients needing such services, from November 1, 2002 to October 31, 2003, in an amount not to exceed \$77,990 (Grant, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1010-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*29) Proposed Agreement with Nankil Enterprises, Inc., dba Lakeside Board and Care, for Augmented Board and Care (ABC) services in the Bakersfield area for clients needing such services, from November 1, 2002 to October 31, 2003, in an amount not to exceed \$29,997 (Grant, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1011-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*30) Proposed Agreement with James Eric Cox, dba Center Street Board and Care II, for Augmented Board and Care (ABC) services in the Bakersfield area for clients needing such services, from November 1, 2002 to October 31, 2003, in an amount not to exceed \$28,188 (Grant, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1012-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*31) Proposed Agreement with Medina's Board and Care for Augmented Board and Care (ABC) services for clients needing such services, from November 1, 2002 to October 31, 2003, in an amount not to exceed \$10,193 (Grant, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1013-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*32) Proposed authorization to pay for fingerprinting and background investigations for Mental Health staff who work with children, beginning October 29, 2002 through October 31, 2003, in an amount not to exceed \$4,000 (Realignment; Budgeted) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY FOR ACTIVITIES BY WHITE CLAIM

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*33) Proposed approval of the Consumer Problem Resolution Process, to provide a clear process for consumer access to services and beneficiary protections, beginning October 29, 2002 through June 30, 2003, in an amount not to exceed \$20,000 (Mandated; Realignment; Budgeted) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY RELATED CLAIMS WHEN APPROVED BY THE MENTAL HEALTH DIRECTOR OR DESIGNEE

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

PUBLIC HEALTH SERVICES

- \*34) Proposed Agreement with Kern County Superintendent of Schools for providing space for the Child Care Health Consultancy Project, as long as the project is in operation - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1014-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*35) Notification of two (2) retroactive Agreements with Kern County Children and Families Commission for funding for dental treatment and nursing services - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*36) Request to accept the Local Assistance Award and Food and Shelter Allotment for Fiscal Year 2002-2003, in the amount of \$201,310 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

TREASURER-TAX COLLECTOR

- \*37) Treasurer's Pooled Cash Quarterly Portfolio Report for Quarter ended September 30, 2002 - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

ADJOURNED TO CLOSED SESSION

**Parra**

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 38) Request for Closed Session regarding Meet and Confer, CCAPE, KCFFU, KLEA, and KFA -
- 39) Request for Closed Session regarding public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center -
- 40) Request for Closed Session regarding public employee performance evaluation - Title: Public Health Officer -
- 40A) Results of Closed Session regarding public employee performance evaluation - Title: Public Health Officer - CONTINUED TO TUESDAY, OCTOBER 29, 2002 AT 2:00 P.M. (See Item No. 31)

COUNTY COUNSEL

- 41) Request for Closed Session regarding a determination of whether the County will initiate litigation (one case) or join as amicus curiae in a lawsuit (one case) (Government Code Section 54956.9(c)) -

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

**Parra-McQuiston**

/s/ Denise Pennell  
Clerk of the Board

/s/ Barbara Patrick  
Vice-Chairman, Board of Supervisors

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CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*3) Request from Tejon Industrial Corporation by Barnhill Consulting, Inc., to change the permitted uses from Light Industrial and Mineral and Petroleum to General Industrial and Commercial to be regulated by a Specific Plan for 1,109 acres, 25 miles south of Bakersfield, east side of Interstate 5 at Laval Road; the request includes a Development Agreement with the County, excluding 959 acres from an Agricultural Preserve area, canceling 130 acres of land under agricultural contract and adopting a fee for the County to review all future development plans upon application of building permits (SD 4)

Specific Request:

(a) and (b) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 7.1 (Light Industrial) and 8.4 (Mineral and Petroleum) to Map Code(s) 4.1 (Accepted County Plan Area) or a more restrictive map code designation; amend the Circulation Element to delete section line (arterial) alignments and midsection line (collector) alignments within the Specific Plan area (GPA #4, Map #202; GPA #6, Map #219)

(c) Adoption of the Tejon Industrial Complex-East Specific Plan by ordinance which will establish the zoning for the property within the Specific Plan area (Adopt Tejon Industrial Complex-East Specific Plan)

(d) Adoption of a Specific Plan Line for a collector alignment (Specific Plan Line)

(e) and (f) A change in Kern County zone classification from M-1 PD (Light Industrial - Precise Development Combining), C-2 PD (General Commercial - Precise Development Combining), and A (Exclusive Agriculture) to Tejon Industrial Complex-East Specific Plan designation GI (General Industrial) or a more restrictive designation (ZCC #14, Map #202; ZCC #11, Map #219)

(g) A Development Agreement for Tejon Industrial Complex-East (Development Agreement for Tejon Industrial Complex-East)

(h) Amend the Development Agreement for Tejon Industrial Complex-West (Amend Development Agreement for Tejon Industrial Complex-West)

(i) Adopt a resolution for a Development Review Fee for the zoning review of projects within the Tejon Industrial Complex-East Specific Plan (Development Review Fee)

(j) Exclusion of approximately 959 acres from the boundaries of an Agricultural Preserve (Ag. Pres. #19 - Excl)

(k) Cancellation of 130 acres of a Land Use Contract (Cancellation #01-2, Map #219)

(Environmental Impact Report; Published Bakersfield Californian and Mountain Enterprise) (from 9/10/2002) - REFERRED BACK TO STAFF

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*4) **Request from Michael H. Hernandez and Robert M. Edwards by Louis Mariner to change the permitted uses from Medium Industrial to Light Industrial to allow the expansion of a recreational vehicle park on 9.4 acres located at 8633 East Brundage Lane, east Bakersfield (SD 5) Specific Request:**
- (a) A change in zone classification from M-2 PD to M-1 PD (ZCC #33, Map #125-6)
- (b) A Conditional Use Permit to allow the expansion of a recreational vehicle park (Section 19.36.030.B) in an M-1 PD District (CUP #13, Map #125-6)
- (Categorically Exempt, Section 15301; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2002-440 AND 2002-441 AND ENACTED ORDINANCE G-6922 APPROVING ZONE CHANGE AS REQUESTED AND APPROVING CONDITIONAL USE PERMIT SUBJECT TO CONDITIONS
- Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearing

S.D. #5

- 5) Proposed Resolution determining to adopt and accept an Ordinance enacting assessments for the area annexed to County Service Area No. 27, Acoma Street and Bannock Street, south Bakersfield - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT BALLOTS WERE SUBMITTED IN FAVOR OF THE ASSESSMENT; ENACTED ORDINANCE G-6923 ESTABLISHING THE ASSESSMENT AND ADOPTED RESOLUTION 2002-442 CONFIRMING THE ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT, APPROVING AN ASSESSMENT NOT TO EXCEED \$55 PER PARCEL PER YEAR FOR STREET LIGHT MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING AN ASSESSMENT FOR THE AREA INCLUDED WITHIN THE BOUNDARIES DESCRIBED
- Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

S.D. #1

- \*6) Proposed Agreement and Memorandum of Understanding with Magnum Enterprises, Inc., for construction of the Delano Child Development Center, in an amount not to exceed \$654,900 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 1015-2002 AND 1016-2002
- Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

RESOURCE MANAGEMENT AGENCY  
Environmental Health Services

All S.D.'s

- \*7) Proposed retroactive Amendment No. 1 to Personal/ Professional Services Agreement with Kern High School District to provide transportation and substitute teachers for safe food handling practices project, extending the term to December 31, 2002 - APPROVED; AUTHORIZED PURCHASING TO SIGN

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #2

- \*8) Contract No. 02035, Notice of Completion for construction on Highline Road - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

S.D. #5

- \*9) Proposed Easement Deed and Right of Way Contract from Straight-Street, LLC, related to the purchase of approximately 50 square feet of their property, in the amount of \$500, necessary for the improvement of Niles Street - ACCEPTED DEED; ORDERED DEED RECORDED; AUTHORIZED CHAIRMAN TO SIGN RIGHT OF WAY CONTRACT (AGREEMENT 1017-2002); AUTHORIZED AUDITOR-CONTROLLER TO MAKE PAYMENT

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

S.D.'s #1 & #2

- \*10) Contract No. 03002, Notice of Completion for manufacture and delivery of asphalt concrete (stockpile) at various locations in East Kern County - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

All S.D.'s

- \*11) Contract No. 03001, Notice of Completion for manufacture and delivery of asphalt concrete (stockpile) at various locations in Kern County - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

WASTE MANAGEMENT

S.D. #4

- \*12) Proposed amendment to the hours of operation at the Shafter-Wasco Sanitary Landfill to allow the cities and franchise haulers additional access from 7:00 a.m. to 8:00 a.m., Monday through Friday, effective November 1, 2002 - APPROVED; AUTHORIZED WASTE MANAGEMENT TO IMPLEMENT NEW HOURS OF OPERATION

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*13) Proposed Amendment No. 1 to Agreement No. 290-2001 with Mitchell Brown Engineering, Inc., to amend the scope of work to include additional hours of operation and increase compensation from \$32,000 per month to \$33,200 per month (a monthly increase of \$1,200), effective November 1, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1018-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

COUNTY ADMINISTRATIVE OFFICE

- \*14) Proposed Agreements for Meadows Field Airport Terminal financing with Kelling, Northross & Nobriga for municipal finance consultant services, in an amount not to exceed \$105,000; Orrick, Herrington & Sutcliffe for bond counsel services, in an amount not to exceed \$47,000; and Sidley, Austin, Brown & Wood for disclosure counsel services, in an amount not to exceed \$40,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 1019-2002, 1020-2002 AND 1021-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*15) Request for authorization to apply for grant funding for State Domestic Preparedness Equipment Program - APPROVED; ADOPTED RESOLUTION 2002-443

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*16) Report on possible actions to recover State Medicaid Disproportionate Share Hospital (DSH) payments and eliminate DSH administrative fees - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*17) Report on possible allocation of Glassy Winged Sharpshooter funding to Farm and Home Advisor - RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*18) Identify apparent low bid from Ladco Construction for Shafter Veterans Hall kitchen remodel, in an amount not to exceed \$77,707 (1960.8144) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*19) Proposed transfer of the Shafter Experimental Farm to the Regents of the University of California - AUTHORIZED AGRICULTURE DEPARTMENT AND GENERAL SERVICES DIVISION TO NEGOTIATE AN AGREEMENT AND REPORT BACK TO THE BOARD

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

S.D. #2

- \*20) Proposed Agreement with England Geosystem, Inc., for site characterization at the Bear Valley Fire Station, in an amount not to exceed \$92,940.52 (1650.7252) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1022-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

S.D. #3

- \*21) Change Order No. 3 for Metro Recreation Center improvements, an increase of \$2,967, for a new total of \$406,816.50 (1960.8179) - CONTINUED TO TUESDAY, NOVEMBER 12, 2002, AT 2:00 P.M.

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*22) Request for approval of confirming purchase order to A.D.& D. Flooring for replacement of carpet at 1348 Norris Road, in an amount not to exceed \$4,740 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

S.D. #4

- \*23) Proposed Agreement with California Department of Fish and Game allowing proposed lakeshore alterations related to the Lake Evans and Lake Webb Boat Launch projects (1960.8195) (1960.8163) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1023-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

S.D. #5

- \*24) Proposed Request for Proposal for site characterization at Frazier Park Fire Station (1650.7252D) - APPROVED; AUTHORIZED GENERAL SERVICES TO ISSUE

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*25) Proposed Agreement with Pacific Bell Wireless, LLC, a Nevada Limited Liability Company, dba Cingular Wireless, for lease of a portion of the roof and penthouse at 1415 Truxtun Avenue to install communications facilities, from October 29, 2002, through October 28, 2007 (rent of \$1,000 per month) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1024-2002

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

All S.D.'s

- \*26) Request for authorization to submit application to San Joaquin Valley Air Pollution Control District REMOVE Grant Program to obtain funding for a videoconferencing system - APPROVED; ADOPTED RESOLUTION 2002-444; AUTHORIZED ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES TO SUBMIT APPLICATION AND TO SIGN ALL DOCUMENTS SPECIFIC TO THE APPLICATION PROCESS

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

MATTERS FOR EXECUTIVE APPROVAL

- \*27) Minutes for Week of September 23, 2002 - APPROVED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*28) Miscellaneous Letters and Documents - FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*29) Miscellaneous Departmental Referrals by Clerk of the Board  
- APPROVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

- \*30) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Parra-McQuiston: 3 Ayes; 1 Absent - Perez**

ADJOURNED TO CLOSED SESSION

**Parra**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- \*31) Request for Closed Session regarding public employee performance evaluation - Title: Public Health Officer (continued from 10/29/02, 9:00 A.M., Item No. 40) -

RECONVENED FROM CLOSED SESSION; ADJOURNED TO TUESDAY, NOVEMBER 12, 2002, AT 9:00 A.M.

**Parra-McQuiston**

/s/ Denise Pennell  
Clerk of the Board

/s/ Barbara Patrick  
Vice Chairman, Board of Supervisors

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) Report and Recommendation, Proceeding No. 1341, in the matter of County Service Area No. 60, Annexation No. 6 (Copies to each Supervisor and CAO)
- C) Report and Recommendation, Proceeding No. 1342, in the matter of City of Bakersfield, Annexation No. 434 (Copies to each Supervisor and CAO)
- D) Report and Recommendation, Proceeding No. 1344, in the matter of NOR Municipal Water District, Annexation No. 6 (Copies to each Supervisor and CAO)
- E) Report and Recommendation, Proceeding No. 1345, in the matter of NOR Sanitary District No. 1, Annexation No. 55 (Copies to each Supervisor and CAO)
- F) Minutes of meeting on Tuesday, September 24, 2002 (Copies to each Supervisor and CAO)
- G) Agenda of meeting on Tuesday, October 22, 2002 (Copies to each Supervisor and CAO)

Resource Management Agency

- H) Quarterly status report on key issues (Copies to each Supervisor and CAO)

Miscellaneous

- I) Letter from Chuck Cake, State Department of Industrial Relations, re Dismissal of Public Works Determination Request, Case No. 2002-023, Land Lease at Meadows Field Airport (Copies to each Supervisor, CAO, Airports, General Services and County Counsel)
- J) Letter from Jack Stewart, Redevelopment Agency of the City of California City, re proposed Second Amendment to the Redevelopment Plan for the California City Redevelopment Project Area (Copies to each Supervisor, CAO, Auditor-Controller and County Counsel)
- K) Letter from Robert and Jennifer Waguespack in opposition to the Kern Recreation Camp (Copies to each Supervisor, CAO, Planning and County Counsel)
- L) Letter from Senator Charles S. Poochigian re overview of 2002-2003 state budget signed by Governor Davis (Copies to each Supervisor and CAO)
- M) Letter from Jerry Wallace, Kern County Behavioral Health Board, in support of SB 1227, an urgency statute enacting the Housing and Emergency Shelter Trust Fund Act of 2002 (Copies to each Supervisor and CAO)

- N) Letter from E. R. Molina, California Highway Patrol, re Hazardous Materials Incident at Old River Road at Shafter Road on Saturday, October 5, 2002 (Copies to each Supervisor, CAO, Environmental Health Services and Fire-Haz Mat)
- O) Letter from Doyle Green, California Highway Patrol, re Hazardous Material Incident on east bound State Route 46, east of Kecks Road, Lost Hills, on Friday, October 12, 2002 (Copies to each Supervisor, CAO, Environmental Health Services and Fire-Haz Mat)
- P) Letter from Lisa Sharpe re inability to serve on the Kern Asset Leasing Corporation board (Copies to each Supervisor and CAO)
- Q) E-mail from Evie Wilson re "Basic Course in Public Land Management, California Wild Heritage Wilderness and The Wildlands Project" (Copies to each Supervisor, CAO, Planning and County Counsel)
- R) E-mail from Florence Dunagan re proposed dog-keeping ordinance (Copies to each Supervisor, CAO and Environmental Health Services)
- S) E-mail from Florence Dunagan re Animal Control complaint form located on the Environmental Health Services website and opposition to proposed increase in dog licensing fees (Copies to each Supervisor, CAO, Environmental Health Services, Resource Management Agency and County Counsel)
- T) Notice from Bureau of Justice Assistance re new funding program for county and state governments entitled, Southwest Border Prosecution Initiative (Copies to each Supervisor, CAO, District Attorney and Sheriff)
- U) Bulletin from Minority Construction, October 15, 2002, Volume 10, Issue 8 (Copies to each Supervisor and CAO)
- V) Agenda of meeting from State of California, Fish and Game Commission on Wednesday, Thursday and Friday, October 23, 24 and 25, 2002 (Copies to each Supervisor and CAO)
- 29) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Notice of Intent to prepare a joint Environmental Impact Report/Environmental Assessment (EIR/EA) for the proposed El Paso Line No. 1903 Pipeline Conversion Project and request for comments on environmental issues and notice of public scoping meetings - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
- 30) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Linda G. Newton vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)



- B) Claim in the matter of Colleen McFarland vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Victor Carballo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Henry Cartwright vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Dana Paul Foster vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Joshua Sterling Cole and Sterling Jack Cole vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Stephen Walter Mitsch vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)