

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 30, 2001

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

NOTE: Mc, Pz, Pa, Pe, Pr are abbreviations for Supervisors McQuiston, Perez, Patrick, Peterson, and Parra, respectively. For example, Pa-Pe denotes Supervisor Patrick made the motion and Supervisor Peterson seconded it. The abbreviation (Ab) means absent, and (Abd) abstained.

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) Certificate of Recognition to Nemesis Station Star Trek Fan Club for their annual Bowl-A-Thon which benefits the children at Jamison Center - MADE PRESENTATION TO LINDA THURINGER; LINDA THURINGER, DARRELL AND JENNIFER CURTIS, ANA PAGAN, HUMAN SERVICES, INTRODUCED; LINDA THURINGER AND ANA PAGAN HEARD
- Mc-Pe
All Ayes 2) Proclamation proclaiming November 3, 2001 as United States Navy Day in Kern County - PROCLAIMED; MADE PRESENTATION TO CATHY HANSEN, PRESIDENT, LOCAL CHAPTER OF THE BAKERSFIELD NAVY LEAGUE; CATHY HANSEN HEARD AND INTRODUCED WAYNE GANT AND KIRK ISBELL, O'CALLAHAN SEA CADETS; BRYAN CORGIAT AND CHRISTOPHER SORRANO, BAKERSFIELD NAVY LEAGUE CADETS; PAUL ISBELL, EXECUTIVE OFFICER, O'CALLAHAN SEA CADETS; CAL EMERSON, VICE PRESIDENT, BAKERSFIELD NAVY LEAGUE; AND DON PRUETT, SPECIAL EVENTS CHAIRMAN, BAKERSFIELD NAVY LEAGUE
- Pz-Pe
All Ayes 3) Proclamation proclaiming November 2001 as National Adoption Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO ANA PAGAN; ANA PAGAN HEARD
- Pe-Pr
All Ayes *4) Resolution honoring Victoria R. Pendleton upon her retirement from the County of Kern after 33 years of service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

- Pe-Pr
All Ayes
- *5) Resolution honoring Kathleen E. Hertz upon her retirement from the County of Kern after 31 years of service - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION
- Pe-Pr
All Ayes
- *6) Resolution honoring James W. Iseminger upon his retirement from the County of Kern after 27 years of service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION
- Pe-Pr
All Ayes
- *7) Resolution recognizing and commending the people of the City of New York for their courage and heroism on September 11, 2001 - ADOPTED RESOLUTION; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

PUBLIC REQUESTS

- 8) Request of Kern County Child Care Council to address the Board regarding report of quarterly activities - GENEVA WOERTZ, 2001-2002 KERN COUNTY CHILD CARE COUNCIL CHAIR, HEARD

APPOINTMENTS

- Pe-Pr
All Ayes
- *9) Reappointment of Ollie Vehlewald as an at-large member to the Kern River Valley Public Cemetery District, term to expire November 27, 2005 - MADE REAPPOINTMENT

PUBLIC PRESENTATIONS

- 10) 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

- 11) 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

AGING AND ADULT SERVICES

- Pe-Pr
All Ayes
- *12) Proposed Area Plan Year End Report for Fiscal Year 2000 through 2001 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

AIRPORTS

- Pe-Pr *13) Proposed Aircraft Hangar Ground Lease Agreement with M.B. All Ayes Duncan, Inc., for twenty years, beginning November 1, 2001 through October 31, 2021, with two five-year options, at an annual rate of \$1,000, subject to Consumer Price Index review - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA REQUIREMENTS PURSUANT TO SECTION 15303; DIRECTED CLERK OF THE BOARD TO COMPLETE AND FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1031-2001
- Pe-Pr *14) Proposed request for bids for cloverleaf hangars at Meadows All Ayes Field Airport with a minimum acceptable bid of \$600 per month, to be reviewed annually; set a bid opening date of November 28, 2001 at 10:30 a.m. at the Department of Airports - AUTHORIZED GENERAL SERVICES DIVISION AND DEPARTMENT OF AIRPORTS TO RECEIVE BIDS; APPROVED MINIMUM BID OF \$600 PER MONTH; SET BID OPENING DATE OF NOVEMBER 28, 2001 AT 10:30 AM
- Pe-Pr *15) Request for approval of confirming purchase of consulting All Ayes service from the Boyd Group/ASRC to complete three air service proposals to Delta/Skywest Airlines, Frontier Airlines and Aloha Airlines, in the amount of \$12,589.53 - APPROVED; AUTHORIZED PURCHASING AGENT TO SIGN CONFIRMING PERSONAL/PROFESSIONAL SERVICES AGREEMENT

ASSESSOR-RECORDER

- Pe-Pr *16) Proposed Agreement between California Assessors' Association and All Ayes Harold W. Bertholf, Inc., to provide participating Counties with Petroleum and Geothermal Property Sales Study; Kern County's share not to exceed \$48,400 (all costs to be paid by the State of California through AB 719 funding) - APPROVED; AUTHORIZED ASSESSOR TO SIGN; AUTHORIZED AUDITOR-CONTROLLER TO PAY

COUNTY COUNSEL

- Pe-Pr *17) Request of Personnel Department for destruction of records no All Ayes longer necessary or required for County purposes and eligible for destruction - APPROVED

FIRE DEPARTMENT

- Pe-Pr *18) Proposed donation of surplus fire equipment to the State of All Ayes Michoacan, Mexico - APPROVED
- Pe-Pr *19) Proposed donation of surplus fire equipment to California City All Ayes Fire Department - APPROVED

HUMAN SERVICES

- Pe-Pr *20) Proposed Resolution authorizing move of Adoptions Agency to All Ayes Kinship Center, 3049 Wilson Road, Bakersfield - APPROVED; ADOPTED RESOLUTION 2001-395
- Pe-Pr *21) Proposed Agreement with General Growth Management to provide All Ayes volunteers to staff the Valley Plaza Holiday Cottage, from November 19, 2001 to December 21, 2001 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1032-2001

KERN MEDICAL CENTER

Pe-Pr *22) Proposed retroactive Agreement with Jagdeep Garewal, M.D. for
All Ayes professional psychiatric services, from October 20, 2001 to
October 19, 2002, in an amount not to exceed \$61,750 - APPROVED;
AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1033-2001

Pe-Pr *23) Proposed retroactive Amendment No. 2 to Agreement 776-99 with
All Ayes Joseph Mansour, M.D., for professional obstetrical/gynecological
services, extending term of the agreement for an additional six
months, from September 15, 2001 to March 14, 2002, in an amount
not to exceed \$716,154, an increase of \$136,154 - APPROVED;
AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1034-2001

MENTAL HEALTH SERVICES

Pe-Pr *24) Proposed Agreement with Victor Treatment Centers, Inc., for
All Ayes residential Mental Health services for County children and
adolescents, from November 1, 2001 to June 30, 2002, in an
amount not to exceed \$137,950 (Medi-Cal, State;
Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 1035-2001

Pe-Pr *25) Proposed Agreement with 4th Street Market, for food voucher
All Ayes services to County mentally ill homeless clients residing in the
Bakersfield area, from October 30, 2001 to June 30, 2002, in an
amount not to exceed \$11,200 (Grants, State; Budgeted) -
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1036-2001

PARKS AND RECREATION

Pe-Pr *26) Proposed retroactive Agreement with Buena Vista Water Storage
All Ayes District for water wheeling to replace water losses at Buena
Vista Aquatic Recreation Area, from April 1, 2001 to December
31, 2002, in an amount not to exceed \$15,000 - APPROVED;
AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1037-2001

Pe-Pr *27) Proposed retroactive Agreement with Abate-A-Weed, Inc., for
All Ayes pesticide spraying, from July 1, 2001 to June 30, 2002, in an
amount not to exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO
SIGN AGREEMENT 1038-2001

PROBATION

Pe-Pr *28) Amendment of the Conflict of Interest Code of the Kern County
All Ayes Probation Department - APPROVED

SHERIFF

Pe-Pr *29) Proposed deletion of one (1) Deputy Sheriff II position and
All Ayes addition of one (1) Sheriff's Senior Deputy position in Budget
Unit 2210, effective October 30, 2001; No fiscal impact on
General Fund - APPROVED; REFERRED TO PERSONNEL TO AMEND
DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Pe-Pr *30) Expenditure by the Sheriff of Inmate Welfare Funds pursuant to
All Ayes Penal Code Section 4025 for remodeling of Inmate Reception and
Arrest Record areas of Central Receiving Facility; Funding: No
fiscal impact on General Fund - APPROVED APPROPRIATION OF
UNANTICIPATED REVENUE IN THE AMOUNT OF \$25,000 TO APPROPRIATIONS
FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS
FOR CONTINGENCIES TO SHERIFF'S BUDGET UNIT 2210 IN THE AMOUNT OF
\$25,000

Pe-Pr *31) Proposed temporary no stopping zone on Borax Road, Suckow Road
All Ayes and Gephart Road, from November 4 through December 31, 2001
pursuant to California Vehicle Code Section 22507 (S.D. #2) -
APPROVED; ADOPTED RESOLUTION 2001-396

TREASURER-TAX COLLECTOR

Pe-Pr *32) Treasurer's Pooled Cash Quarterly Portfolio Reporting for
All Ayes Quarter Ended September 30, 2001 - RECEIVED AND FILED

Pe-Pr *33) Request to authorize Phase II of Treasurer-Tax Collector's
All Ayes Agreement with Matrix Imaging Products, LLC for the Purchase of
a Workflow Module, in an amount not to exceed \$199,183.10 -
APPROVED

Pe-Pr *34) Request to approve rescission of Tax Deed to Purchaser (Document
All Ayes Number 20101558) - APPROVED RESCISSION OF TAX DEED TO PURCHASER
OF TAX DEFAULTED PROPERTY RECORDED AS DOCUMENT NUMBER 20101558;
AUTHORIZED AUDITOR/CONTROLLER/COUNTY CLERK TO ISSUE A WARRANT IN
THE AMOUNT OF \$4,705.50 TO STARA L. LUTZ; ADOPTED RESOLUTION
2001-397

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

Pe- 35) Request for Closed Session regarding Meet and Confer, CCAPE -
All Ayes

COUNTY COUNSEL

Pe- 36) Request for Closed Session regarding a lawsuit entitled Quail
All Ayes Valley Water District v. County of Kern, Case No. 243467-JES
(Government Code Section 54956.9(a)) -

Pe- 37) Request for Closed Session regarding a lawsuit entitled Leslie
All Ayes Macias, etc., et al. vs. County of Kern, et al., Case No.
239804-RA (Government Code Section 54956.9(a)) -

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

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Barbara Patrick
Chairman, Board of Supervisors

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HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

Pe-Mc
All Ayes

- *3) **Request from Michael and Sharon Hair to change the permitted uses from Limited Agriculture to Industrial and approval of a precise development plan to allow a contractor's storage yard on 0.46 acres located at 5302 Norris Road, northwest Bakersfield (SD 1)**
Specific Request:
(a) A change in zone classification from A-1 to M-1 PD (ZCC #31, Map #102-10)
(b) A PD Plan for a contractor's storage yard, in an M-1 PD District (PD Plan #16, Map #102-10)
(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2001-398 AND 2001-399 AND ENACTED ORDINANCE G-6837 APPROVING ZONE CHANGE, WITH THE ADDITION OF THE H (AIRPORT APPROACH HEIGHT COMBINING) DISTRICT, AND PRECISE DEVELOPMENT PLAN SUBJECT TO THE RECOMMENDED CONDITIONS; ADOPTED SUGGESTED FINDINGS AS SET FORTH IN RESOLUTIONS

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Streets and Highways

S.D. #1

Pe-Mc
All Ayes

- *4) Request from Tollefson Family Trust by Delmarter and Deifel for Summary Vacation of 33-foot wide easement, southwest of the intersection of Burlando Road and Rio Vista Drive, Kernville, Map No. 17-16 - ADOPTED RESOLUTION 2001-400 APPROVING VACATION RESERVING AND EXCEPTING APPROPRIATE PUBLIC UTILITY EASEMENTS

Land Use

S.D. #1

Pe-Mc
All Ayes

- *5) Proposed Williamson Act Land Use Contract for 2002 Calendar Year - Contract No. 01-14, Ernst and Joellyn Schroeder, as trustees of the Amended and Restated Ernst Schroeder Family Trust, southwest of Glennville, Agricultural Preserve No. 14, 585 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Pe-Mc
All Ayes

- *6) Proposed Williamson Act Land Use Contract for 2002 Calendar Year - Contract No. 01-1, Fred and Betty Albitre, northeast of Bakersfield, Agricultural Preserve No. 14, 320 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

RESOURCE MANAGEMENT AGENCY
Community Development Program

All S.D.'s

Pe-Pz
All Ayes

- 7) Proposed revision to 1994 Community Development Block Grant (CDBG) Housing Rehabilitation Program procedure relating to Home Investment Partnership Program Loan Monitoring and Compliance Procedure - APPROVED WITH ADDITIONAL PROVISION THAT THE DEPARTMENT NOTIFY THE BOARD OF SUPERVISORS WHEN NON-COMPLIANCE EXCEEDS 60 DAYS

S.D. #3

Pe-Pz
All Ayes

- 8) Proposed recovery and disposal of Living Connections, Inc., property at 2905 Elmwood Avenue, Bakersfield, in lieu of foreclosure - DARLENE PRETTYMAN, LIVING CONNECTIONS, HEARD; APPROVED; RECEIVED AND FILED DOCUMENTS

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #3

Pe-Pr
All Ayes

- 9) Proposed Resolution Ordering the Extension of Zones of Benefit Nos. 3, 5 and 7 in County Service Area No. 71, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundaries extended herein, Parcel Map 10037, north of Rosedale Highway between Verdugo Lane and Calloway Drive - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT BALLOTS WERE SUBMITTED IN FAVOR OF THE ASSESSMENTS; ENACTED ORDINANCE G-6838 ESTABLISHING THE ASSESSMENTS AND ADOPTED RESOLUTION 2001-401 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT, APPROVING AN ANNUAL ASSESSMENT NOT TO EXCEED \$67 PER PARCEL FOR STREET LIGHTS, \$6 PER PARCEL FOR SEPTIC MONITORING, \$130 PER PARCEL FOR SEWER SERVICE, \$12 PER PARCEL FOR STREET SWEEPING-COMMERCIAL/INDUSTRIAL (ONCE PER MONTH) AND \$25 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE (ROAD ONLY); DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARIES EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONES OF BENEFIT NOS. 3, 5 AND 7 WITHIN COUNTY SERVICE AREA NO. 71

Pe-Mc
All Ayes

- *10) Hearing for the abatement of public nuisance involving the demolition of an abandoned and dangerous structure at 123, 125 and 125-1/2 Woodrow Avenue, Bakersfield, APN 113-203-15, Lots 3 & 4, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2001-402 THE ABANDONED STRUCTURES AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF THE NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL, AND TO PERFORM NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT

S.D.'s #2 & #5

Pe-Mc
All Ayes

- *11) Proposed confirmation of costs incurred for the abatement of public nuisance work located at:
26945 Nichols St. APN 244-342-15 S.D.#2 \$1,225
Boron
721 Jeffrey St. APN 125-201-07 S.D.#5 \$1,420
Bakersfield
- OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2001-403 THE COSTS INCURRED BY THE COUNTY FOR THE WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FOR EACH PROPERTY; ORDERED THAT ANY COSTS IF NOT PAID WITHIN TEN (10) DAYS BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON THE TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH THE NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF THE BOARD ACTION TO PROPERTY OWNERS

S.D.'s #3, #4 & #5

Pe-Mc
All Ayes

- *12) Proposed confirmation of costs incurred for the abatement of public nuisance work located at:
511 Covey Ave. APN 114-183-06 S.D. #3 \$5,262.50
Bakersfield
383 Oakmont Trail APN 260-147-10 S.D. #4 \$6,850.00
Frazier Park
2301 Lebec Road APN 255-271-03 S.D. #4 \$6,552.50 Lebec
421 Moose Street APN 159-222-04 S.D. #4 \$6,276.85
Tupman
8216 Buena Vista APN 188-290-55 S.D. #5 \$6,215.00
Lamont
- OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2001-405 THE COSTS INCURRED BY THE COUNTY FOR THE WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FOR EACH PROPERTY; ORDERED THAT ANY COSTS IF NOT PAID WITHIN TEN (10) DAYS BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON THE TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH THE NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF THE BOARD ACTION TO PROPERTY OWNERS

S.D. #4

- Pe-Mc
All Ayes
- *13) Proposed Amendment No. 1 to Agreement 359-2001 with W. Edward Blockley AIA, Architect, for architectural services associated with design of Wasco swimming pool renovation improvements, adding \$5,625 to the contract, for a new total of \$29,475 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1039-2001

S.D. #5

- Pe-Mc
All Ayes
- *14) Contract 02009, rebid Plans and Specifications, and Notice to Contractors for Proposal and Contract for Construction of Lamont curb and gutter improvements - RELEASED BIDS AND BONDS SUBMITTED ON THE PROJECT FOR THE BID OPENING OF WEDNESDAY, OCTOBER 17, 2001; REBID OPENING TO BE WEDNESDAY, NOVEMBER 21, 2001, AT 11:00 A.M.

- Pe-Mc
All Ayes
- *15) Final Plans, Specifications, and Notice to Contractors for replacement of irrigation pipe at Weedpatch Park, Lamont - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED COMMUNITY DEVELOPMENT TO PREPARE NECESSARY REQUISITION AND GENERAL SERVICES TO SOLICIT BIDS

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #2

- Pe-Mc
All Ayes
- *16) Contract No. 01035, Notice of Completion for construction on Ashe Road from State Route 223 to State Route 119 - RECEIVED AND FILED

S.D.'s #1 & #2

- Mc-Pe
All Ayes
- 17) Proposed establishment of fares for Kern Regional Transit Services - CONTINUED TO TUESDAY, NOVEMBER 6, 2001, AT 2:00 P.M.

All S.D.'s

- Pe-Mc
All Ayes
- *18) Proposed addition of one (1) Engineering Technician I/II/III position and the concurrent deletion of one (1) vacant Drafting Technician I/II/III position, effective November 3, 2001 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

COUNTY ADMINISTRATIVE OFFICE

- Pe-Mc
All Ayes
- *19) Proposed Agreement with William Avery & Associates for executive recruitment services for the Director of Human Services, in an amount not to exceed \$21,250 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1040-2001

- Pe-Mc
All Ayes
- *20) Proposed Amendment No. 1 to Agreement with Fox Lawson & Associates, LLC, for classification and compensation study consulting services, in an amount not to exceed \$230,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1041-2001
- WITH-DRAWN
- *21) Proposed Agreement with the City of Lancaster to prepare action plan to preserve, protect, and enhance the missions of Edwards Air Force Base and Air Force Flight Test Center, in an amount not to exceed \$48,000 -
- Pe-Mc
All Ayes
- *22) Proposed Agreement with California Grape and Tree Fruit League for disease control services related to the Glassy-winged Sharpshooter and Pierce's disease, in the amount of \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1042-2001
- Pe-Mc
All Ayes
- *23) Proposed Resolution authorizing application for California Defense Retention Grant and request for support of City of Ridgecrest's application - ADOPTED RESOLUTION 2001-404; AUTHORIZED CHAIRMAN TO SIGN LETTER OF SUPPORT
- Pe-Mc
All Ayes
- *24) Proposed transfer of property tax entitlement between special districts - Stallion Springs Community Services District Detachment Proceeding No. 1309 - ADOPTED RESOLUTION 2001-407 AUTHORIZING THE AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER THE BEAR MOUNTAIN RECREATION AND PARK DISTRICT'S AND THE TEHACHAPI VALLEY RECREATION AND PARK DISTRICT'S PROPERTY TAX ENTITLEMENT IN THE STALLION SPRINGS COMMUNITY SERVICES DISTRICT'S TERRITORY TO THE STALLION SPRINGS COMMUNITY SERVICES DISTRICT IN CONSIDERATION FOR THE TRANSFER OF SERVICE RESPONSIBILITY
- Pe-Mc
All Ayes
- *25) Proposal to extend health insurance coverage and waive contributions for County employees called to active military duty - APPROVED MODIFICATION OF POLICY TO CONTINUE MEDICAL, DENTAL, AND VISION BENEFITS FOR EMPLOYEES ON MILITARY LEAVE OF ABSENCE WITHOUT PAY AND THEIR QUALIFIED DEPENDENTS FOR TOTAL OF 26 BIWEEKLY PAYROLL PERIODS UNTIL OCTOBER 31, 2002; APPROVED WAIVER OF 20% CONTRIBUTION FOR THOSE EMPLOYEES HIRED AFTER APRIL 1997 WHO ARE CALLED TO ACTIVE MILITARY DUTY AND GO ON MILITARY LEAVE OF ABSENCE WITHOUT PAY; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO REVIEW IMPACT OF POLICY FOR FURTHER CONSIDERATION
- Pe-Pz
All Ayes
- 26) Status report on San Joaquin Valley Air Pollution Control District's proposed amendments to Regulation VIII to control fugitive dust (particulate matter) - MIKE TURNIPSEED, KERN COUNTY FARM BUREAU, AND LES CLARK, HEARD; ADOPTED RESOLUTION 2001-406 DELINEATING BOARD'S CONCERNS; REFERRED TO COUNTY COUNSEL TO REPORT BACK TO THE BOARD REGARDING ADMINISTRATIVE OR LEGAL REMEDIES THAT EXIST FOR COMPELLING FEDERAL AGENCIES TO COMPLY WITH FEDERAL AIR QUALITY STANDARDS

Legislative Matters

- Pe-Mc *27) Policy announcement by U.S. Department of Health and Human
All Ayes Services to reduce counties' use of Social Security Title IV-E
foster care funds for juvenile probation services - ADOPTED
POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN
CORRESPONDENCE

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #1

- Pe-Mc *28) Proposed purchase of 30,000 square feet of land located on the
All Ayes southeast corner of Lake Isabella Boulevard and Commercial
Avenue in Bodfish from the Joan Hayes Trust, to be used in
future expansion of the Fire Department's Bodfish facilities, in
the amount of \$30,000 and one-half of escrow costs - OPENED
HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT
IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL
SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; ADOPTED
RESOLUTION 2001-408; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW
INSTRUCTIONS AND TO ACCEPT GRANT DEED; DIRECTED AUDITOR-
CONTROLLER TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY
IN THE AMOUNT OF \$30,200

- Pe-Mc *29) Proposed non-exclusive Easement to the City of Bakersfield for
All Ayes water facilities and access at Kern River County Park, which
modifies the descriptions in the original easement, and proposed
First Amendment to the Lease Agreement with the California
Living Museum to recognize the new locations - MADE FINDING THAT
PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED
GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED;
AUTHORIZED CHAIRMAN TO SIGN EASEMENT AND AMENDMENT 1043-
2001; ACCEPTED QUITCLAIM DEED FROM CITY OF BAKERSFIELD FOR
ORIGINAL EASEMENT

S.D. #5

- Pe-Mc *30) Change Order No. 3 for the Kern Medical Center and Mental Health
All Ayes parking lot reconfiguration, providing for additional time and
an increase of \$23,973, for a new total of \$593,669.79
(8997.7001DV; 1650.7053) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

- Pe-Mc *31) Identify apparent low bid submitted by Ladco Construction, Inc.,
All Ayes for remodel of the Sheriff's Coroner facility, in the amount of
\$260,000 (1960.8178)- IDENTIFIED APPARENT LOW BID; AUTHORIZED
GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO
PREPARE CONTRACT DOCUMENTS

- Pe-Mc *32) Change Order No. 6 for the new Public Health facility, providing
All Ayes for additional time and an increase of \$24,809, for a new total
of \$10,286,419.66 (1969.8198) - APPROVED; AUTHORIZED CHAIRMAN TO
SIGN

All S.D.'s

- Pe-Mc *33) Request to add one (1) Account Clerk IV position and delete one
All Ayes (1) Account Clerk III position in Budget Unit 1610 in the
General Services Division, effective October 30, 2001 -
APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS
AND SALARY SCHEDULE

CONSIDERATION OF ORDINANCES INTRODUCED ON OCTOBER 23, 2001

- Pe-Mc *34) Proposed Ordinance adding subsections (120) and (121) to Section
All Ayes 10.16.041 of Chapter 10.16, Title 10, of the Kern County
Ordinance Code concerning no parking zones on Core Mark Court,
Bakersfield - ENACTED ORDINANCE G-6839

- Pe-Mc *35) Proposed Ordinance adding subsections (5) and (6) to Section
All Ayes 10.16.050 of Chapter 10.16, Title 10, of the Kern County
Ordinance Code concerning no stopping zones on the east and west
sides of Bear Valley Road, Tehachapi area - ENACTED ORDINANCE G-
6840

- Pe-Mc *36) Proposed Ordinance adding subsection (4) to Section 10.20.080 of
All Ayes Chapter 10.20, Title 10, of the Kern County Ordinance Code
concerning a passenger loading and unloading zone on the south
side of Niles Street, Bakersfield - ENACTED ORDINANCE G-6841

MATTERS FOR EXECUTIVE APPROVAL

- Pe-Mc *37) Budget Transfers - APPROVED #39 THROUGH #48
All Ayes

- Pe-Mc *38) Minutes for week of October 1, 2001 - APPROVED
All Ayes

- Pe-Mc *39) Miscellaneous Letters and Documents - FILED
All Ayes

- Pe-Mc *40) Miscellaneous Departmental Referrals by Clerk of the Board -
All Ayes APPROVED AND FILED

- Pe-Mc *41) Claims and Lawsuits filed with and referred by Clerk of the
All Ayes Board - APPROVED AND FILED

Pz- ADJOURNED TO TUESDAY, NOVEMBER 6, 2001, AT 9:00 A.M.

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Barbara Patrick
Chairman, Board of Supervisors

39) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Report of Current Internal Controls and Financial Records of the Aging and Adult Services Department
- B) Report of Current Internal Controls and Financial Records of the Employers' Training Resource Department
- C) Report of Current Internal Controls and Financial Records of the Farm and Home Advisor
- D) Report of Current Internal Controls and Financial Records of the Kern County Fire Department

Engineering and Survey Services

- E) Letter to Shawn Nazarri re variance request for requirements of flood hazard evaluation (Copies to each Supervisor and CAO)

General Services

- F) Certificate of Acceptance to record Grant of Right-of-Way Easements with Reversions, Jesus Perez Cantu and Felista Perez, portions of APN 178-331-13, and Lewis E. Goodman, portions of APN 178-331-16

Local Agency Formation Commission

- G) Notice of Protest Hearing, Proceeding No. 1305, in the matter of City of Bakersfield, Annexation No. 419 (Brimhall No. 7) (Copies to each Supervisor and CAO)
- H) Report and Recommendation, Proceeding No. 1306, in the matter of County Service Area No. 14, Annexation No. 2 (Copies to each Supervisor and CAO)
- I) Report and Recommendation, Proceeding No. 1307, in the matter of City of Delano, Annexation No. 29 (Copies to each Supervisor and CAO)
- J) Agenda of meeting on Tuesday, October 23, 2001
- K) Minutes of meeting on Tuesday, September 25, 2001

Public Defender

- L) Memorandum re resolution of minor audit findings (KCAPM 1401.7) (Copies to each Supervisor and CAO)

Resource Management Agency

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

Miscellaneous

- N) Fifteen (15) letters in support of the Palvinder Singh project (GPA #14, Map #142, ZCC #57, Map #142, Ag. Pres. #10) (Copies to each Supervisor, CAO, Planning and County Counsel)
- O) Letter from David R. and Janis L. Bowman in opposition to drug/alcohol residence facility at 2905 Elmwood Avenue (Copies to each Supervisor, CAO, Planning, Community Development and County Counsel)

- P) E-mail from Chantal J. and David B. Keene urging disapproval of Conditional Use Permit for 2905 Elmwood Avenue (Copies to each Supervisor, CAO, Planning, Community Development and County Counsel)
- Q) E-mail from Joe Giuffre in opposition to drug/alcohol residence facility at 2905 Elmwood Avenue (Copies to each Supervisor, CAO, Planning, Community Development and County Counsel)
- R) Two (2) letters from individuals requesting certain future siting and permitting requirements of dairies (Copies to each Supervisor, CAO, Planning and County Counsel)
- S) Letter from Ruby Dodds, Kern County Heritage Commission, re replacement of Pat Gorden as Commissioner from District 2 (Copies to each Supervisor and CAO)
- T) Letters from Deborah Pellegrini, State Board of Equalization, re Notice of Continuation of Public Hearing, Rule 905 Assessment Electric Generation Facilities; and Notice of Rescheduled Public Hearing, Property Tax Rule 305.3, Application for Equalization Under Revenue and Taxation Code Section 469 (Copies to each Supervisor, CAO, Assessor and Treasurer-Tax Collector)
- U) Letter from Nancy Hayward, State Department of Health Services, re Fiscal Year 2000-2001 Trust Fund Guidelines, California Healthcare for Indigents Program (CHIP)/Rural Health Services (RHS) Programs (Copies to each Supervisor, CAO, Auditor and Public Health)
- V) Letter from Nancy Hayward, State Department of Health Services, re Fiscal Year 2001-2002 Description of Proposed Expenditure, California Healthcare for Indigents Program (CHIP)/Rural Health Services (RHS) Programs (Copies to each Supervisor, CAO, Auditor and Public Health)
- W) Letter from Nancy Hayward, State Department of Health Services, re Estimated Maintenance of Effort (MOE) Requirement for California Healthcare for Indigents Program (CHIP)/Rural Health Services (RHS) Programs (Copies to each Supervisor, CAO, Auditor and Public Health)
- X) Thank you letter from Senator Barbara Boxer re Filipino Veterans of World War II and the Filipino Veterans Improvement Act (Copies to each Supervisor and CAO)
- Y) Letter from Mehdi Morshed, California High-Speed Rail Authority, re review of staff recommendations for first screening of alternatives for the Bay Area-Merced, Los Angeles-Bakersfield, Los Angeles-Inland Empire-San Diego and Los Angeles-Orange County-San Diego regions; and meeting to receive public comment scheduled for Friday, October 26, 2001 (Copies to each Supervisor, CAO and Resource Management Agency)

- Z) Letter from Greg Sides, Benz Sanitation, Inc., re proposed implementation of cost savings measures to reduce days and hours of operation at County disposal facilities, i.e. Ridgecrest Sanitary Landfill (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- AA) Letter from Lee Morhar, State Department of Child Support Services, re regulations implementing the legislative mandate that local child support agencies establish a local complaint resolution process, and that complainants have the right to appeal appropriate complaints to a state hearing (Copies to each Supervisor, CAO, District Attorney-Family Support and County Counsel)
- BB) Letter from Sandra Poole, State Department of Child Support Services, re clarification of proper contact information on Monthly Statement of Collection and Distribution (Copies to each Supervisor, CAO and District Attorney)
- CC) Letter from Charlie Willard, State Department of Parks and Recreation, re applications for the Urban Recreational and Cultural Centers, Museums, and Facilities for Wildlife Education or Environmental Education Program (Copies to each Supervisor, CAO and Parks)
- DD) Letter from Supervisor Ken Peterson re resignation from the Tejon Ranch Public Facilities Financing Authority (Copies to each Supervisor, CAO and County Counsel)
- EE) Letter from Toni Hafey, State Board of Corrections, re Information Bulletin #5, County Juvenile Facility and Adult Jail Construction Grants Update on available funding and expected Requests for Proposals (Copies to each Supervisor and CAO)
- FF) Letter from Daniel B. Haueter, County of San Bernardino, re Resolution on School District Organization Adjusting the Boundaries of the Trustee Areas of the San Bernardino County Board of Education (Copies to each Supervisor, CAO, Auditor-Controller and County Counsel)
- GG) Letter from L. Mark Mulkay, Kern Delta Water District, re amendments to Regulation VIII-Fugitive Dust (Copies to each Supervisor, CAO, Resource Management Agency, County Counsel and Environmental Health)
- HH) Letter from Sedrick Mitchell, State Department of Parks and Recreation, re status of 2000 Bond Act Program (Copies to each Supervisor, CAO and Parks)
- II) Notice re Availability of, and Public Hearings on, the Draft Environmental Impact Report for the Proposed Tajiguas Landfill Expansion Project, Santa Barbara County (Copies to each Supervisor, CAO and Waste Management)
- JJ) Notice re Pacific Gas and Electric's filing of Application proposing a market structure and rules for the Northern California natural gas industry for period beginning January 1, 2003, as required by Commission Decision 01-09-016 (Copies to each Supervisor, CAO and General Services)

- KK) Notice from State Water Resources Control Board re Application to Appropriate Water by Permit, Application 31124, Bear Valley Community Services District (Copies to each Supervisor, CAO, Engineering & Survey Services and Resource Management Agency)
- LL) Notice from Alcoholic Beverage Control re Applications for Alcoholic Beverage Licenses: Rusty's Pizza, 3303 Niles Street, Bakersfield; Travelers Inn Restaurant, 9535 South Union Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- MM) Bulletin from California Biodiversity Council, California Biodiversity News, Fall/Winter 2001, Vol. 8, No. 2 (Copies to each Supervisor and CAO)
- NN) Bulletin from U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics Technical Report, May, 2001 (Copies to each Supervisor and CAO)
- OO) Bulletin from U.S. Department of Justice, Office of Justice Programs, Fact Sheet re Juvenile Delinquency Probation Caseload, 1989-1998 (Copies to each Supervisor, CAO and Probation)
- PP) Bulletin from U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime Fact Sheet, September, 2001 (Copies to each Supervisor and CAO)
- QQ) Bulletin from State Department of Water Resources, Water Conservation News, October, 2001 (Copies to each Supervisor and CAO)
- RR) Bulletin from the California Rifle and Pistol Association, Inc., The Firing Line, October, 2001, Issue No. 862 (Copies to each Supervisor, CAO and County Counsel)
- SS) Bulletin from Alzheimer's Disease Association of Kern County, The Caregiver, October-December, 2001, Vol. 15, Issue 4 (Copies to each Supervisor and CAO)
- TT) Bulletin from American Land Rights Association, National Inholders Association (Copies to each Supervisor, CAO, Planning and County Counsel)
- UU) Agenda of meeting from CALFED Bay-Delta Program, CALFED Water Use Efficiency (WUE) Program, on Monday, October 29, 2001, and Tuesday, October 30, 2001 (Copies to each Supervisor, CAO and Resource Management Agency)
- VV) Agenda of meeting from CALFED Bay-Delta Program, CALFED Bay-Delta Science Program, Environmental Water Account Review Workshop, on Monday, October 22 through Wednesday, October 24, 2001 (Copies to each Supervisor, CAO and Resource Management Agency)
- WW) Agenda of meeting from CALFED Bay-Delta Program, CALFED Watershed Program Workshop, on Friday, October 19, 2001 (Copies to each Supervisor, CAO and Resource Management Agency)

- XX) Agenda of meeting from State Fish and Game Commission on Thursday, November 1, 2001 (Copies to each Supervisor, CAO, Engineering & Survey Services, Planning and Resource Management Agency)
- YY) Minutes of meeting from Kern Council of Governments, Transportation Planning Policy Committee, on Thursday, September 20, 2001
- 40) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Brett Musselman, State Department of Alcoholic Beverage Control, re modifications to conditions of alcoholic beverage license of Sandra Confesora Mejia De Chavez, Valle Encantado, 823 East Brundage Lane, Bakersfield - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
- 41) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Carmen Wrinkle vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Barbara C. Hutchison and David M. Hutchison vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Bea Whitener vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Kathryn May McMillan vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Whitney Reams vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Late claim in the matter of Sagebrush Home & Family/CareerStaff Unlimited Services Contract vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Late claim in the matter of Career Staff Unlimited, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Subrogation claim in the matter of Leesa Rodriguez, Individually and as Guardian ad Litem for Michael Scott Wagner, Elizabeth Ella Gatica and Kaina Leann Gatica, Minors vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)