

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Monday, October 7, 2002

10:00 A.M.

BOARD RECONVENED

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

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.

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**

ADJOURNED TO CLOSED SESSION

Patrick-Parra

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 2) Request for Closed Session regarding review of public employees performance evaluations - Titles: Director of Aging and Adult Services; Agricultural Commissioner/Sealer; Director of Airports; Executive Director of Board of Trade; Interim Director of Child Support Services; Clerk of the Board of Supervisors; County Administrative Officer; County Counsel; Director of Emergency Medical Services; Director of Employers' Training Resource; Fire Chief; Human Services Director; Chief Executive Officer of Kern Medical Center; Library Director; Director of Mental Health Services; Parks and Recreation Director; Public Defender; Director of Public Health Services; Director of Resource Management Agency; Veterans' Service Officer; Waste Management Director -

RECONVENED FROM CLOSED SESSION; RECESSED TO TUESDAY,
OCTOBER 8, 2002 AT 9:00 A.M.

Parra-Patrick

/s/ Tracey E. Cody
Administrative Coordinator

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 8, 2002

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Parra

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

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming October 2002 as Shakespeare Festival Month in Kern County - PROCLAIMED; MADE PRESENTATION TO GUINEVERE PARK-HALL; GUINEVERE PARK-HALL, NAN GOMEZ-HEITZBERG, DEAN OF INSTRUCTION, AND BOB KEMPF HEARD

Patrick-Parra: All Ayes

- 2) Proclamation proclaiming October 17 - 20, 2002 as 2002 Kern County Veterans Stand Down - PROCLAIMED; MADE PRESENTATION TO CHARLES BIKAKIS, VETERANS SERVICES OFFICER; CHARLES BIKAKIS HEARD

McQuiston-Parra: All Ayes

- 3) Proclamation proclaiming December 2 - 7, 2002 as the 51st Annual Potato Bowl Week in Kern County - PROCLAIMED; MADE PRESENTATION TO NED DRIGGERS WITH THE KERN COUNTY SHRINE CLUB; NED DRIGGERS, PAUL OWENS, AND KATIE WALKER, 2002 POTATO BOWL QUEEN, HEARD

Parra-Patrick: All Ayes

- 4) Proclamation proclaiming October 20 - 26, 2002 as Childhood Lead Poisoning Prevention Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DR. PORTIA CHOI; DR. CHOI AND JANIE YADON, CHILDHOOD LEAD POISONING PREVENTION COORDINATOR HEARD; BLAKE SMITH, MICHELLE PEARL-KRIZO, JANIE YADON, MARY RAMOS, RON MCOWEN, GUY SHAW, AND ANGIE YBARRA INTRODUCED

Patrick-McQuiston: All Ayes

- 5) Proclamation proclaiming October 6 - 12, 2002 as Residents' Rights Week in Kern County and Certificates of Recognition honoring volunteers for their years of service and dedication in carrying out their duties as ombudsmen for long term care facilities - PROCLAIMED; MADE PRESENTATION TO NONA TOLENTINO, OMBUDSMAN COORDINATOR; NONA TOLENTINO HEARD AND INTRODUCED VOLUNTEERS ANTHONY NOCE, MATTHEW CRUISE, JEAN MCJANNET, BARBARA PETKER, LAVERNE ANDRESS, AND KATEY DOOLEY

Parra-McQuiston: All Ayes

- 6) Resolution honoring and commending Edward D. Gonzales upon his retirement after 29 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO ED GONZALES; DEE JOHNSTON, ED GONZALES, AND MARY ELLEN GONZALES HEARD

Parra-Patrick: All Ayes

APPOINTMENTS

- *7) Appointments of Bill Redman, replacing Dennis Karnowski, as Business Member, to the Employers' Training Resource Council Workforce Investment Board (WIB); and Beverly Beasley Knight, replacing Kathleen Irvine, as Public Agency Member on the WIB, and as a One-Stop Partner on the WIB Youth Council, terms to expire December 31, 2002 - MADE APPOINTMENTS

McQuiston-Patrick: All Ayes

- *8) Appointment of Barbara Long as Third District Member to the Commission on Aging, term to expire September 22, 2003 - MADE APPOINTMENT

McQuiston-Patrick: All Ayes

- *9) Reappointment of Bart Hill as Fifth District Member to the Kern Asset Leasing Corporation, term to expire May 7, 2006 - MADE REAPPOINTMENT

McQuiston-Patrick: All Ayes

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

AIRPORTS

- *12) Proposed authorization for Department of Airports and General Services Division to negotiate a new twenty-year lease agreement with National Hot Rod Association (NHRA) for operation of Famoso Drag Racing Facility at Poso Airport - APPROVED

McQuiston-Patrick: All Ayes

- *13) Proposed month-to-month Lease Agreement with Douglass Truck Bodies to rent Cloverleaf Hangar #13 at Meadows Field Airport, Bakersfield, California, at a monthly rate of \$130, to be reviewed annually - MADE FINDING THAT THIS PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO COMPLETE AND FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 921-2002

McQuiston-Patrick: All Ayes

- *14) Proposed month-to-month Lease Agreement with Jeff Leonard to rent Cloverleaf Hangar #16 at Meadows Field, Bakersfield, California, at a monthly rate of \$130, to be reviewed annually - MADE FINDING THAT THIS PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO COMPLETE AND FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 922-2002

McQuiston-Patrick: All Ayes

BOARD OF SUPERVISORS

- *15) Selection of Supervisor Patrick to serve as next President of the San Joaquin Valley Supervisors Association - APPROVED

McQuiston-Patrick: All Ayes

CHILD SUPPORT SERVICES

- *16) Proposed Agreement with Laboratory Corporation of America Holdings to provide disputed parentage testing outside the metropolitan Bakersfield area, from January 1, 2003 through December 31, 2004, in an amount not to exceed \$50,000 per year - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 923-2002

McQuiston-Patrick: All Ayes

CLERK OF THE BOARD

- *17) Amended Conflict of Interest Code for the North Edwards Water District - APPROVED

McQuiston-Patrick: All Ayes

COUNTY COUNSEL

- 18) Proposed Ordinance repealing Chapter 5.36 and adding a new Chapter 5.36 regarding garbage franchises, updating provisions to conform with AB 939 and existing franchise agreements (from 9/3/2002, 9/10/2002 and 10/01/2002) - WAIVED READING; INTRODUCED ORDINANCE; AUTHORIZED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH SUMMARY OF THE ORDINANCE

Patrick-McQuiston: All Ayes

FIRE DEPARTMENT

- *19) Request to appropriate unanticipated revenue from Federal Forest Reserve payments - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$31,500 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$31,500 FROM APPROPRIATIONS FOR CONTINGENCIES TO FIRE DEPARTMENT BUDGET UNIT 2415

McQuiston-Patrick: All Ayes

KERN MEDICAL CENTER

- *20) Proposed retroactive Amendment No. 1 to Agreement 1012-2000 with David F. Jadwin, D.O., for pathology services, to extend term of interim agreement to October 5, 2002, provide a one-time payment of \$25,000 for additional services and increase the maximum payable under the interim agreement from \$277,788.74 to \$444,336 (from 9/24/2002) - CONTINUED TO TUESDAY, OCTOBER 22, 2002, AT 9:00 A.M.

McQuiston-Patrick: All Ayes

- *21) Proposed retroactive Agreement with David F. Jadwin, D.O., for pathology services, from October 5, 2002 through October 4, 2007, in an amount not to exceed \$1,437,645 - CONTINUED TO TUESDAY, OCTOBER 22, 2002, AT 9:00 A.M.

McQuiston-Patrick: All Ayes

- *22) Proposed retroactive Amendment No. 3 to Agreement 796-99 with Cejka & Company for assistance in recruitment of a Chairman for the Department of Medicine, extending the term to January 31, 2004, and increasing the contractual amount by \$15,000, for a new not to exceed amount of \$58,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 924-2002

McQuiston-Patrick: All Ayes

- *23) Proposed Agreement with Quadramed Corporation to provide assistance in coding medical records and to perform a process improvement evaluation, from October 8, 2002 through October 7, 2003, in an amount not to exceed \$104,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 925-2002

McQuiston-Patrick: All Ayes

- *24) Proposed Agreement with C&A Industries, Inc., dba Aureus Medical, for temporary Nuclear Medicine and Radiologic Technologist staffing, from October 8, 2002 through October 7, 2004, in an amount not to exceed \$1,000,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 926-2002

McQuiston-Patrick: All Ayes

- *25) Proposed retroactive Amendment No. 1 to Agreement 328-2001 with Tai P. Yoo, M.D., for psychiatric services, increasing annual compensation from \$235,000 to \$244,400 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 927-2002

McQuiston-Patrick: All Ayes

- *26) Proposed addition of one (1) full-time Psychologist Intern, effective October 8, 2002 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

McQuiston-Patrick: All Ayes

- *27) Proposed retroactive Managed Services Agreement with Aramark Healthcare Support Services for managerial supervision of support services areas, from August 1, 2002 through July 31, 2005, in an amount not to exceed \$12,175,676 (prior notification on August 20, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 928-2002

McQuiston-Patrick: All Ayes

LIBRARY

- *28) Termination of Agreement for Library Partnership with the McFarland Unified School District - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *29) Proposed Amendment No. 1 to Agreement 358-2002 with Desert Counseling Clinic, Inc., for sober living environment services to adult clients residing in the Bakersfield area, to update the provider's change of address and delete superceded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 929-2002

McQuiston-Patrick: All Ayes

- *30) Proposed Amendment No. 1 to Agreement 389-2002 with Saint-Amand and Associates, for the provision of professional grant writing services, to correct the funding source from which Contractor is reimbursed (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 930-2002

McQuiston-Patrick: All Ayes

- *31) Proposed Amendment No. 1 to Agreement 398-2002 with Sycamore Health Care, Inc., for residential services for mental health clients in the Bakersfield area, to delete superceded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 931-2002

McQuiston-Patrick: All Ayes

- *32) Proposed Amendment No. 1 to Agreement 434-2002 with Desert Counseling Clinic, Inc., for mental health services to adolescent clients in the Wasco area, to reflect contractor's change of address and delete superceded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 932-2002

McQuiston-Patrick: All Ayes

- *33) Proposed Amendment No. 1 to Agreement 436-2002 with Desert Counseling Clinic, Inc., for mental health services to adolescent clients in the Taft area, to reflect contractor's change of address and delete superceded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 933-2002

McQuiston-Patrick: All Ayes

- *34) Proposed Amendment No. 2 to Agreement 601-2002 with Transforming Local Communities, for outcomes measurement and primary substance abuse prevention evaluation services for mental health clients in the Bakersfield area, to delete superceded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 934-2002

McQuiston-Patrick: All Ayes

- *35) Proposed Amendment No. 1 to Agreement 657-2002 with Kern Psychological Services, Inc., for specialized clinical consultation services for adolescent clients in the Bakersfield area, to delete superceded contract provisions regarding the basis for payment (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 935-2002

McQuiston-Patrick: All Ayes

PERSONNEL

- *36) Proposed Resolution establishing a number of authorized positions by classification and salary range for Fiscal Year 2002-2003, as of September 30, 2002 - APPROVED; ADOPTED RESOLUTION 2002-404

McQuiston-Patrick: All Ayes

- *37) Proposed Resolution establishing a number of authorized positions by classification and salary range for Superior Court Fiscal Year 2002-2003, as of September 30, 2002 - APPROVED; ADOPTED RESOLUTION 2002-405

McQuiston-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *38) Proposed Amendment No. 2 to Agreement and Memorandums of Understanding with State Department of Health Services for AIDS Master Grant for program budget revisions to increase total maximum amount payable during the term of the agreement to \$2,682,730 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 936-2002

McQuiston-Patrick: All Ayes

- *39) Proposed retroactive Agreement with Clinica Sierra Vista - Kern Lifeline Project for case management services for HIV/AIDS clients for Ryan White Care Act Title II funds, from April 1, 2002, through March 31, 2003, in an amount not to exceed \$80,661 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 937-2002

McQuiston-Patrick: All Ayes

- *40) Proposed retroactive Agreement with Clinica Sierra Vista - 34th Street Community Health Center for outpatient medical services for HIV/AIDS patients for Ryan White Care Act Title II funds, from April 1, 2002, through March 31, 2003, in an amount not to exceed \$50,098 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 938-2002

McQuiston-Patrick: All Ayes

- *41) Proposed Amendment No. 1 to Agreement 622-2002 with Independent Living Center of Kern County/AIDS Housing Advocacy of Kern County to correct the scope of work for professional services for Housing Opportunities for Persons with AIDS (HOPWA) - APPROVED, AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 939-2002

McQuiston-Patrick: All Ayes

- *42) Proposed retroactive Agreement with Clinica Sierra Vista for Black Infant Health Program services, from October 1, 2002, through June 30, 2003, in an amount not to exceed \$78,750 (prior notification October 1, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 940-2002

McQuiston-Patrick: All Ayes

- *43) Proposed retroactive Agreement with Ebony Counseling Center for Black Infant Health Program services, from October 1, 2002, through June 30, 2003, in an amount not to exceed \$78,750 (prior notification October 1, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 941-2002

McQuiston-Patrick: All Ayes

RETIREMENT ASSOCIATION

- *44) Addition of one (1) Marketing and Promotions Associate position, effective October 8, 2002 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

McQuiston-Patrick: All Ayes

SHERIFF

- 45) Proposed deletion of one (1) vacant Administrative Coordinator position; and addition of one (1) Technology Services Manager and one (1) Senior Systems Analyst positions, effective October 8, 2002 to Budget Unit 2210 (net fiscal impact: increase of \$80,196 for balance of this fiscal year and absorbed within the current Sheriff's budget) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Parra-McQuiston: All Ayes

- *46) Appropriation of unanticipated revenue in the amount of \$60,000 from Sheriff's Trust Account 22143 to fund Sheriff's Volunteer Citizen Service Unit activities - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$60,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$60,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

McQuiston-Patrick: All Ayes

- *47) Proposed retroactive Agreement with City of Maricopa to provide law enforcement services from September 1, 2002 to August 31, 2005, in an amount not to exceed \$235,573 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 942-2002

McQuiston-Patrick: All Ayes

- 48) Appropriation of unanticipated revenue in the amount of \$440,000 and proposed addition of one (1) Deputy Sheriff position, effective October 8, 2002, to perform court security for Superior Court of Kern County and the correction of the Sheriff Long-term Aircraft Designation account - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$440,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$440,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210; APPROVED ADDITION OF ONE (1) DEPUTY SHERIFF POSITION, EFFECTIVE OCTOBER 8, 2002; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITION AND SALARY SCHEDULE; AUTHORIZED TRANSFER OF \$200,000 FROM BUDGET UNIT 2210, ACCOUNT 7761, TO THE SHERIFF'S DESIGNATED LONG TERM MAINTENANCE ACCOUNT 2180

Parra-McQuiston: All Ayes

- *49) Appropriation of unanticipated revenue in the amount of \$247,000 for the operation of California Multi-jurisdictional Methamphetamine Enforcement Team (Cal-Mmet) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$247,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$247,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

McQuiston-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

Parra

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 50) Request for Closed Session regarding Meet and Confer, CCAPE, KCFU, KLEA -

COUNTY COUNSEL

- 51) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9 (b) (1) (3)(A) -

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

Parra-McQuiston

/s/ Tracey E. Cody
Administrative Coordinator

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

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BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

Parra-McQuiston: All Ayes

KERN SANITATION AUTHORITY

- #1) Proposed Sewer Plans Design for Fairfax School District, Virginia Avenue School - Off Site, Phase 1 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

- #2) Request to accept high bid of \$380,000 from Brundage Lane Development, LLP, or assigned designee, in the sale of surplus property located on Brundage Lane - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15312; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-406 APPROVING SALE, ACCEPTING BID, AUTHORIZING GENERAL SERVICES TO OPEN ESCROW WITH COMMONWEALTH LAND TITLE COMPANY, AND AUTHORIZING CHAIRMAN TO SIGN QUITCLAIM DEED, ESCROW INSTRUCTIONS AND OTHER NECESSARY DOCUMENTS, UPON APPROVAL AS TO FORM BY COUNTY COUNSEL

Patrick-Parra: All Ayes

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

McQuiston-Parra: All Ayes

PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 4) 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**

CONTINUED HEARING

RESOURCE MANAGEMENT AGENCY

Planning Department

- 5) Proposed Ordinance requiring a Conditional Use Permit for all dairies, and report on referral to Planning Department to revise by-right dairy siting criteria in the Zoning Ordinance and to prepare an Environmental Impact Report (from 7/23/2002 and 9/24/2002) - **OPENED HEARING; ARTHUR UNGER, KERN-KAWEAH CHAPTER OF THE SIERRA CLUB; DAVID ALBERS, ALBERS AND BARNES, REPRESENTING MILK PRODUCERS COUNCIL OF AMERICA; AND J. P. CATIVIELA, CARES DAIRY INDUSTRY COALITION, HEARD; CLOSED HEARING; RECEIVED AND FILED REPORTS AND DOCUMENTS; ENACTED ORDINANCE G-6915**

McQuiston-Patrick: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- 6) **An appeal by Tejon Ranchcorp by Dennis Mullins of the August 1, 2002, decision of the Hearing Officer approving the installation of an off-site advertising sign, in a General Commercial - Precise Development Combining - Geologic Hazard Combining - Floodplain Secondary Combining District on 23.64 acres located on the south side of Lebec Road at the intersection of Landfill Road, Lebec (SD 4)**

Specific Request:

An appeal to the decision of the Hearing Officer to approve Precise Development Plan 10, Map 237-34, which allowed the installation of an off-site advertising sign, in a C-PD GH FPS District (Appeal #3, Map #237-34) (Categorically Exempt, Section 15303; Published Mountain Enterprise) - **MOTION TO CONTINUE TO TUESDAY, OCTOBER 22, 2002, AT 2:00 P.M.**

McQuiston-Parra

MOTION AND SECOND WITHDRAWN

REFERRED BACK TO STAFF

McQuiston-Parra: All Ayes

- 7) **An appeal for Calvin Cheek for Resource Renewal Technology, Inc., by his attorney, William H. Slocumb, of the August 8, 2002, decision of the Planning Commission to revoke Conditional Use Permit 15, Map 206, which allowed the reclamation of soils contaminated with nonhazardous materials including petroleum, the collection, storage, and recycling of construction and demolition wastes, and tire storage in a Medium Industrial District located on the north side of State Highway 166 (Maricopa Highway), approximately 2-1/2 miles east of Maricopa (SD 4)**

Specific Request: An appeal of the decision of the Planning Commission to revoke Conditional Use Permit 15, Map 206 (Resolution 127-02; revoked August 8, 2002), which allowed the reclamation of soils contaminated with nonhazardous materials including petroleum, the collection, storage, and recycling of construction and demolition wastes, and tire storage in an M-2 District (Appeal #2, Map #206)

(General Rule, Section 15061(b)(3); Published Daily Midway Driller) - OPENED HEARING; BILL SLOCUM, ATTORNEY REPRESENTING RESOURCE RENEWAL TECHNOLOGY (RRT) AND CALVIN CHEEK, PRESIDENT OF RRT, HEARD; CLOSED HEARING; RECEIVED AND FILED DOCUMENTS; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2002-407 DENYING APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION

Parra-Patrick: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Miscellaneous

All S.D.'s

- *8) Request to appoint Westley Rhodehamel as Public At-Large Advisory Member for the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) Implementation Trust Group, term to expire September 27, 2004 - MADE APPOINTMENT

Parra-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
All S.D.'s

- 9) Code Compliance Program Update - 1) CONTINUED ESTABLISHED PILOT PROJECT AREAS; 2) APPROVED EXPANSION OF STAFF-INITIATED COMPLAINTS ON COUNTYWIDE BASIS; 3) AUTHORIZED STAFF TO EXPAND USE OF LOT BOOK GUARANTEES AS NEEDED; 4) DIRECTED STAFF TO PREPARE FOR FUTURE CONSIDERATION ORDINANCE CODE AMENDMENTS AND RELATED OPERATIONAL CHANGES TO IMPLEMENT PREFERRED ALTERNATIVE RELATED TO ILLEGAL DUMPING; 5) DIRECTED STAFF TO DEVELOP IMPLEMENTING ORDINANCE AMENDMENTS AND RELATED OPERATIONAL CHANGES RELATED TO LAND USE VIOLATIONS FOR SUBSEQUENT REVIEW AND ACTION; AND 6) AUTHORIZED ESTABLISHMENT OF PROCESS IMPROVEMENT TEAM TO IDENTIFY ENHANCEMENTS AND EFFICIENCIES TO CODE COMPLIANCE PROGRAM

McQuiston-Patrick: All Ayes

- *10) Set hearing date for Animal Control Task Force report and related Ordinance Code Amendments - WAIVED READING AND INTRODUCED ORDINANCE; SET TUESDAY, NOVEMBER 12, 2002, AT 2:00 P.M., AS HEARING DATE; DESIGNATED COUNTY COUNSEL AS OFFICIAL TO PREPARE FAIR AND ADEQUATE SUMMARY; DIRECTED CLERK OF THE BOARD TO POST AND PUBLISH REQUIRED NOTICE AND SUMMARY IN ACCORDANCE WITH SECTIONS 25124(b)(1) AND 65091 OF CALIFORNIA GOVERNMENT CODE

Parra-Patrick: All Ayes

- *11) Proposed name change for Community Development Program Department to Community and Economic Development Department - APPROVED; REFERRED TO COUNTY COUNSEL AND RESOURCE MANAGEMENT AGENCY FOR IMPLEMENTATION

Parra-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Community Development Program Department

S.D. #1

- *12) Proposed Agreement with Ridge Investors III to utilize \$625,000 in HOME Program Funds for the rehabilitation of a 75-unit rental housing project, Activity #33.00.3, in the City of Ridgecrest - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 943-2002; AUTHORIZED DIRECTOR TO ADMINISTER PROJECT AGREEMENTS AND EXECUTE REQUIRED DOCUMENTS TO IMPLEMENT THE PROJECT, INCLUDING A DEED RESTRICTION AGREEMENT, A SECURITY AGREEMENT, UCC-1 FORMS, ESCROW INSTRUCTIONS, SUBORDINATION AGREEMENTS WITH SERVICE FIRST BANK OF STOCKTON AND THE RIDGECREST REDEVELOPMENT AGENCY, AND OTHERS, ALL IN A FORM APPROVED BY COUNTY COUNSEL

Parra-Patrick: All Ayes

All S.D.'s

- *13) Proposed Resolution regarding reorganization of the Comprehensive Economic Development Strategy Committee - APPROVED; ADOPTED RESOLUTION 2002-408

Parra-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #2

- *14) Hearing for the abatement of a public nuisance involving the demolition of an abandoned and dangerous structure at 9786 E. Valley Road, Cantil, APN 181-040-05, Lot 5, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2002-409 THE ABANDONED STRUCTURE 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 NUISANCE IS NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL OF ACCESSORY STRUCTURES, BOARD UP OF ABANDONED RESIDENCE, AND CLEAN UP OF PROPERTY AND TO PERFORM THE NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT

Parra-Patrick: All Ayes

- *15) Proposed confirmation of costs incurred for the abatement of public nuisance work located at: 27001 Twenty Mule Team Road, Boron, APN 231-331-24, \$19,717.22 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2002-410 THE COSTS INCURRED BY THE COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM THE 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 BOARD ACTION TO PROPERTY OWNER

Parra-Patrick: All Ayes

- *16) Proposed confirmation of costs incurred for the abatement of public nuisance work located at: 7000 Gaskell Road, Rosamond, APN 375-090-27, \$32,914.34 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2002-411 THE COSTS INCURRED BY THE COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM THE 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 BOARD ACTION TO PROPERTY OWNER

Parra-Patrick: All Ayes

- *17) Proposed confirmation of costs incurred for the abatement of public nuisance work located at: Approximately 1/2-mile west of Highway 14, N/S Avenue A, Rosamond, APN 473-140-25, \$32,400.32 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2002-412 THE COSTS INCURRED BY THE COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM THE 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 BOARD ACTION TO PROPERTY OWNER

Parra-Patrick: All Ayes

S.D. #4

- 18) 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 10714, located north of Rosedale Highway and east of Allen Road - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT BALLOTS WERE SUBMITTED IN FAVOR OF THE ASSESSMENTS; ENACTED ORDINANCE G-6916 ESTABLISHING THE ASSESSMENTS; ADOPTED RESOLUTION 2002-413 CONFIRMING THE ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT, APPROVING AN ANNUAL ASSESSMENT NOT TO EXCEED \$175 PER PARCEL FOR STREET LIGHTS, \$565 PER ACRE OR \$625 PER EQUIVALENT DWELLING UNIT (EDU), ONCE DEVELOPED, FOR SEWER LIFT STATION OPERATION AND MAINTENANCE, \$36 PER PARCEL FOR STREET SWEEPING - LARGE LOT/INDUSTRIAL (ONCE PER MONTH), AND \$200 PER ACRE FOR DRAINAGE FACILITIES MAINTENANCE - LARGE LOT/INDUSTRIAL; 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 IN COUNTY SERVICE AREA NO. 71

Patrick-Parra: All Ayes

S.D. #5

- *19) Proposed confirmation of costs incurred for the abatement of public nuisance work located at: 1610 West Drive, Bakersfield, APN 138-040-15, \$36,759.71 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2002-414 THE COSTS INCURRED BY THE COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM THE 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 BOARD ACTION TO PROPERTY OWNER

Parra-Patrick: All Ayes

S.D.'s #1, #2 & #5

- *20) Proposed confirmation of costs incurred for the abatement of public nuisances work located at:

| | | |
|-------------------------------|----------------|---------|
| 2517 Webb Ave., Lake Isabella | APN 263-212-10 | S.D. #1 |
| \$963.75 | | |
| 132 Franklin St., Bodfish | APN 349-064-02 | S.D. #1 |
| \$1,208.75 | | |
| 26944 Nudgent St., Boron | APN 231-132-07 | S.D. #2 |
| \$875.00 | | |
| 900 Sterling Rd., Bakersfield | APN 135-162-12 | S.D. #5 |
| \$1,239.00 | | |

(Continued on Page 17)

(Continued from Page 16)

1348 Lincoln St., Bakersfield APN 127-130-08 S.D. #5
\$536.50 - OPENED HEARING; NO ONE HEARD; CLOSED
HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION
2002-415 THE COSTS INCURRED BY THE COUNTY FOR WORK
PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM 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 NUISANCES WERE ABATED; DIRECTED ENGINEERING
& SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO
PROPERTY OWNERS

Parra-Patrick: All Ayes

S.D. #1

- *21) Proposed Agreement with Magnum Enterprises, Inc., for construction of Delano Child Development Center, in an amount not to exceed \$654,900 (\$531,493 from Community Development Block Grant [CDBG] funds with the remainder to be paid by the City of Delano, under a previously approved agreement with Kern County) -

WITHDRAWN

S.D. #4

- *22) Tract No. 5919, Unit B, 460 feet south of Meacham Road and 1400 feet west of Renfro Road, west Bakersfield, Type "A" Subdivision, James K. Delmarter for Eloy Renfrow - ADOPTED RESOLUTION 2002-416 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE), AND ACKNOWLEDGMENT OF REVERSION OF TEMPORARY TURNAROUND EASEMENT; APPROVED FINAL MAP; AUTHORIZED CLERK OF BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED SEWAGE MONITORING EASEMENT; AUTHORIZED CLERK OF BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Parra-Patrick: All Ayes

S.D. #5

- *23) Contract No. 02008, Change Order No. 1 for construction of East Bakersfield Curb & Gutters, an increase of \$83,300, for a new total of \$916,300 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- *24) Proposed retroactive Agreement (02-004-550-0) with California Water Resources Control Board to operate Local Oversight Program (LOP) for leaking underground storage tanks, in an amount not to exceed \$107,000, for the period of July 1, 2002, through June 30, 2003 (prior notification 6/25/2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 944-2002

Parra-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

Hearing

S.D. #4

- *25) Public Hearing on proposed application of the provisions of the California Vehicle Code to Falcon Way, a privately owned roadway, between the Los Angeles County Line and Frazier Mountain High School - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2002-417 MAKING A FINDING THAT PROJECT IS EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) AND FINDING AND DECLARING THAT THE INTERESTS OF THE MOTORING PUBLIC ARE BEST SERVED BY APPLICATION OF THE PROVISIONS OF THE CALIFORNIA VEHICLE CODE TO FALCON WAY

Parra-Patrick: All Ayes

S.D. #2

- *26) Proposed Relinquishment Agreement with California Department of Transportation (Caltrans) for portions of State Route 58, near the community of Mojave - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 945-2002

Parra-Patrick: All Ayes

All S.D.'s

- *27) Proposed Resolution to adopt Disadvantaged Business Enterprise (DBE) Program and Annual DBE Goal - APPROVED; ADOPTED RESOLUTION 2002-418

Parra-Patrick: All Ayes

- *28) Proposed Agreements with the Regents of the University of California, Institute of Transportation Studies, for two (2) two-day training courses on safety in construction areas, in a total amount not to exceed \$7,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 946-2002 AND 947-2002

Parra-Patrick: All Ayes

WASTE MANAGEMENT

S.D.'s #1 & #2

- *28A) Identify low bid of Becka Construction for construction of Access Road Water Pipeline Slip Lining at Bakersfield Metropolitan (Bena) Sanitary Landfill, in an amount not to exceed \$91,409 - IDENTIFIED LOW BID; AUTHORIZED WASTE MANAGEMENT TO PREPARE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Parra-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- 29) Proposed Agreement with Arts Council of Kern for Fiscal Year 2002-2003, in the amount of \$155,000 - ROY WEYGAND, PRESIDENT OF KERN COUNTY TAXPAYERS' ASSOCIATION, HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 948-2002

Parra-Patrick: All Ayes

- *30) Proposed Agreement with Court Appointed Special Advocates of Kern for Fiscal Year 2002-2003, in the amount of \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 949-2002

Parra-Patrick: All Ayes

- *31) Proposed Amendment No. 3 to Agreement with Bakersfield Family Medical Center for the Employee Wellness Program extending the term three years to October 31, 2005, and increasing the fee from \$1.90 to \$1.95 per employee per month - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 950-2002

Parra-Patrick: All Ayes

- *32) Proposed Agreement with Kern Economic Development Corporation for economic development services for a term of one year, ending June 30, 2003, in the amount of \$42,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 951-2002

Parra-Patrick: All Ayes

Legislative Matter

- *33) Federal funding for Comprehensive Wildfire Strategy and Implementation Plan - ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Parra-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- *34) Change Order No. 1 for the new Juvenile Treatment Facility, an increase of \$160,000, for a new total of \$16,500,000 (1960.8166) -

WITHDRAWN

- *35) Proposed Easements (two) relating to the installation of monitoring well sites at Kern Valley by Waste Management Department on property owned by Linda Wofford-Sheetz and John and Mary Ann Gattoni - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061 (b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; ACCEPTED EASEMENTS; AUTHORIZED AUDITOR-CONTROLLER TO ISSUE TWO WARRANTS IN THE AMOUNT OF \$5,000 TO JOHN STEVEN AND MARY ANN GATTONI AND \$5,000 TO LINDA WOFFORD-SHEETZ

Parra-Patrick: All Ayes

S.D. #3

- *36) Request to cancel Agreement 422-2002 with Elite Landscaping, Inc., for landscape improvements at Panorama Park (1960.8245) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER RESCINDING CONTRACT

Parra-Patrick: All Ayes

- *37) Change Order No. 8 for the Meadows Field terminal parking apron, a decrease of \$35,073.77, for a new total of \$5,622,845.72 (8994.8406) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick: All Ayes

S.D. #4

- *38) Identification of apparent low bid from, and proposed Agreement with, JTS Construction for the Frazier Mountain Park playground accessibility project, in an amount not to exceed \$105,100 (7100.7500) - IDENTIFIED APPARENT LOW BID; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 952-2002

Parra-Patrick: All Ayes

- *39) Proposed Sublease Agreement with State of California Employment Development Department (EDD) for EDD's use of office space at 5121 Stockdale Highway, Suite 100, Bakersfield, from July 1, 2002 to October 31, 2005 (\$5,205.00 per month rent) - MADE FINDING THAT THE PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 953-2002

Parra-Patrick: All Ayes

S.D. #5

- *40) Request for subcontractor substitution for the Sheriff's Property Room improvements (1650.7262) - FOUND THAT BRAATEN ELECTRIC FAILED TO EXECUTE A WRITTEN CONTRACT WITH MAGNUM ENTERPRISES, INC.; APPROVED SUBSTITUTION OF SPRING MOUNTAIN INDUSTRIES TO COMPLETE ELECTRICAL PORTION OF PROJECT

Parra-Patrick: All Ayes

- *41) Change Order No. 2 for the Sheriff's East Bakersfield Substation, an increase of \$2,023, for a new total of \$332,943 (1960.8250) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick: All Ayes

- *42) Proposed Resolution to dispense with bidding requirements for Change Orders in excess of ten percent (10%) of contract amount for the Kern Medical Center Seismic Upgrade project and approval of Change Order No. 11, an increase of \$65,915, in excess of the ten percent (10%) limit, for a total project cost not to exceed \$3,018,271 (8212.8358) - RECEIVED AND FILED REPORT; APPROVED; ADOPTED RESOLUTION 2002-419; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *43) Budget Transfers - APPROVED #32 THROUGH #42

Parra-Patrick: All Ayes

- *44) Minutes for Week of September 9, 2002 - APPROVED

Parra-Patrick: All Ayes

- *45) Miscellaneous Letters and Documents - FILED

Parra-Patrick: All Ayes

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

Parra-Patrick: All Ayes

ADJOURNED TO TUESDAY, OCTOBER 22, 2002, AT 9:00 A.M.

Patrick-

/s/ Tracey E. Cody
Administrative Coordinator

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

45) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Received, certified and forwarded to Recorder for recordation as follows:

- 1) Tract Map 6081, Phase 3 S.D. #1
2) Parcel Map 10676 S.D. #3

Community Development

- B) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Betty S. James

Sheriff

- C) Four (4) thank you letters to individuals for donations to various service units

Miscellaneous

- D) Letter from Doyle Green, California Highway Patrol, re Hazardous Materials Incident Report on Tuesday, September 10, 2002, west bound State Route 46, east of Kecks Road (Copies to each Supervisor, CAO, Fire-Haz Mat and Environmental Health)
- E) Letter from Robert J. Lee, Lois L. Lee and Christopher Robert Lee re integration of organized crime in American economy and government and claim of counterfeit Kern County tax bills (Copies to each Supervisor, CAO and Treasurer-Tax Collector)
- F) Letter from Mel Williams re land issues (Copies to each Supervisor and CAO)
- G) Letter from Senator Jackie Speier re support for legislation to protect consumers' financial privacy (Copies to each Supervisor and CAO)
- H) Letter from Arthur L. Gaffrey, U.S. Department of Agriculture, Forest Service, re proposal to remove hazardous trees along roads within the area of the McNally Fire (Copies to each Supervisor and CAO)
- I) Letter from Nancy Hayward, State Department of Health Services, re Fiscal Year 2002-2003 County allocations (Copies to each Supervisor and CAO)
- J) Letter from David and Angelica Torres re impact of Board's decision to overrule Planning Commission decision of Thursday, July 11, 2002, concerning mobile home on Mausbach Road (Copies to each Supervisor, CAO, Planning and County Counsel)
- K) Letter from N. E. Driggers, Bakersfield Scottish Rite, re commitment to purchase a Thermal Imaging Unit for the Kern County Fire Department (Copies to each Supervisor and CAO)
- L) Letter from W. Edward Chynoweth re Library's promotion of John Steinbeck's "Grapes of Wrath" (Copies to each Supervisor, CAO and Library)

- M) Letter from Michael C. Glaze, Oroville-Wyandotte Irrigation District, re applications and supporting documentation for Temporary Transfer of Water/Water Rights from reservoirs located in Butte, Plumas and Yuba Counties (Copies to each Supervisor, CAO and Resource Management Agency)
- N) Letter from Kenneth R. Montler, Global Electric Motorcars, LLC, re GEM car fleet purchasing (Copies to each Supervisor, CAO and General Services)
- O) E-mail from Judy Keeler re Wildlands Project in Hidalgo County, New Mexico (Copies to each Supervisor, CAO, Planning and County Counsel)
- P) E-mail from Daniel L. Bright in opposition to Senator Boxer's Wilderness Act (S 2535) (Copies to each Supervisor, CAO, Planning and County Counsel)
- Q) E-mail from Lisa Hockersmith in opposition to restricting animal ownership (Copies to each Supervisor, CAO and Environmental Health)
- R) Bulletin from California Forestry Association, Forests, July/September 2002, Volume 6, No 3 (Copies to each Supervisor and CAO)
- S) Bulletin from Western Water Foundation, Western Water, September/October 2002 (Copies to each Supervisor, CAO and Resource Management Agency)
- T) News release from Pacific Gas and Electric Company, Current Issues in the Utility Industry, September, 2002 (Copies to each Supervisor and CAO)
- U) News release from U.S. Department of Agriculture, Forest Service, re closure of Mutau Road (also known as Grade Valley Road), Los Padres National Forest, on Monday, September 30 and Tuesday, October 1, 2002, for major repairs (Copies to each Supervisor and CAO)
- V) News release from State Department of Parks and Recreation re Off-Highway Vehicle (OHV) legislation signed by Governor Davis that will secure appropriate places for off-highway vehicle users to ride (Copies to each Supervisor and CAO)
- W) News release from Senator Charles S. Poochigian, re Governor Davis' veto of Senate Bill 1714, which would have required the State Controller to annually report how state land acquisition affects county property taxes (Copies to each Supervisor, CAO, Assessor and Treasurer-Tax Collector)
- X) Agenda of meeting from Kern County Child Care Council on Wednesday, October 2, 2002
- Y) Minutes of meeting from Kern County Child Care Council on Wednesday, September 4, 2002

- Z) Agenda of meeting from CALFED Bay-Delta Program, CALFED Working Landscapes Subcommittee, Bay-Delta Public Advisory Committee, on Thursday, October 3, 2002 (Copies to each Supervisor and CAO)
- 46) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Amanda Izales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Marc D. Bernstein vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Norma Maria Diaz and Giselle Alvarez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Steven Hoff vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Jose R. Lucero vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Demetrio Manzsdoriorio vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Late claim in the matter of Marcus Tucker, a minor, by and through his Guardian ad Litem, Patsy Allen vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Subrogation claim in the matter of Gwendolyn Coe by Personal Express Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Summons and complaint in the matter of William Scobie vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Summons and complaint in the matter of William Garrett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Summons and complaint in the matter of Maria Diaz Monarrez, Roberto Carlos Castrellon, a minor, by and through his Guardian a Litem, Marina Diaz Monarrez, Jissel Garcia, a minor, by and through her Guardian ad Litem, Marina Diaz Monarrez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Summons and complaint in the matter of Patriot Village Homeowners Association, a California nonprofit mutual benefit corporation vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Summons and complaint in the matter of Pedro Madero vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

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