

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 9, 2001

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Peterson, Parra
ROLL CALL: 4 Present; 1 Absent: Supervisor McQuiston

NOTE: SUPERVISOR MCQUISTON WAS ABSENT AS HE WAS MEETING WITH THE GOVERNOR OF NEVADA REGARDING BASE RETENTION AND CLOSURE AS A MEMBER OF THE SOUTHWEST DEFENSE ALLIANCE

SALUTE TO FLAG - Led by Supervisor Parra

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

- | | | |
|----------------------------|-----|---|
| Pr-Pe
4 Ayes
1 Ab/Mc | 1) | Proclamation proclaiming October 21-27, 2001 as Childhood Lead Poisoning Prevention Week in Kern County - PROCLAIMED; MADE PRESENTATION TO JANIE YADON, PROGRAM COORDINATOR, AND CHERI SPERL; DR. B. A. JINADU, PUBLIC HEALTH OFFICER, DR. PORTIA CHOI, DEPUTY HEALTH OFFICER, AND JANIE YADON HEARD; DEPARTMENT STAFF AND COALITION MEMBERS INTRODUCED |
| Pz-Pe
4 Ayes
1 Ab/Mc | 2) | Proclamation proclaiming November 25, 2001 - December 1, 2001 as 50th Annual Potato Bowl Week in Kern County - PROCLAIMED; MADE PRESENTATION TO PAUL METTLE, PRESIDENT; NED DRIGGERS, GENERAL CHAIRMAN, POTATO BOWL GAME, AND PAUL METTLE HEARD; MONICA HERNANDEZ, POTATO BOWL QUEEN INTRODUCED |
| Pe-Pz
4 Ayes
1 Ab/Mc | 3) | Proclamation proclaiming October 27, 2001 as VOLKSLAUF Day in Kern County - PROCLAIMED; MADE PRESENTATION TO CAPTAIN ERIC BERGIEL, U.S. MARINE CORPS; CAPTAIN BERGIEL HEARD; GLEN PRUETT AND TIM LINSKOTT INTRODUCED |
| Pz-Pe
4 Ayes
1 Ab/Mc | *4) | Proclamation proclaiming October 17, 2001 as Betty Younger Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION |

PUBLIC PRESENTATIONS

- 5) 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! - BOB CULLINAN, CULLINAN ENGINEERING, ADDRESSED THE BOARD REGARDING AWARD OF THE OPERATIONAL AGREEMENT AT THE BORON SANITARY LANDFILL

Pz-Pe
4 Ayes
1 Ab/Mc

REFERRED TO COUNTY COUNSEL, COUNTY ADMINISTRATIVE OFFICE, AND WASTE MANAGEMENT DEPARTMENT FOR REVIEW REGARDING POTENTIAL VIOLATIONS IN THE INSTRUCTIONS TO BIDDERS AND REPORT BACK TO THE BOARD; RECEIVED AND FILED

GREGORY GAVINO EXPRESSED CONCERNS REGARDING INSUFFICIENT LIGHTING AND SIGNAGE AT A RAILROAD CROSSING, POSSIBLY IN THE MOJAVE AREA

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 6) 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

COUNTY COUNSEL

Pz-Pe
4 Ayes
1 Ab/Mc

- *7) Proposed Resolution Calling for a County-Wide Election for the Purpose of Submitting to the Voters an Ordinance Proposing to Retain the Transient Occupancy Tax at the Current Rate of Ten Percent (10%) - ADOPTED RESOLUTION 2001-377

Pz-Pe
4 Ayes
1 Ab/Mc

- *8) Adoption of a new Chapter 4.09 to the Kern County Ordinance Code regarding Filing Claims Against the County - WAIVED READING; INTRODUCED ORDINANCE

Pz-Pe
4 Ayes
1 Ab/Mc

- *9) Proposed addition of one (1) Legal Assistant I/II position for small claims advising as required by CCP Section 116.260, Budget Unit 1210, effective October 20, 2001 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

EMPLOYERS' TRAINING RESOURCE

Pz-Pe
4 Ayes
1 Ab/Mc

- *10) Proposed Agreement with William Mandelaris & Associates for Professional Services for High Achievement Leadership and Goal Setting training, from October 9, 2001 through June 30, 2002, in an amount not to exceed \$22,350 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 963-2001

- Pz-Pe *11) Proposed retroactive Agreement with Employment Development Department for employment and training services to Workforce Investment Act eligible individuals in Bakersfield, Delano/Shafter and Ridgecrest, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$388,391 (prior notification on June 19, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 964-2001
4 Ayes
1 Ab/Mc
- Pz-Pe *12) Proposed retroactive Agreement with Employment Development Department for employment and training services to Welfare-to-Work eligible individuals in the Ridgecrest area from July 1, 2001 through June 30, 2002, in an amount not to exceed \$35,845 (prior notification on June 19, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 965-2001
4 Ayes
1 Ab/Mc
- KERN MEDICAL CENTER
- Pz-Pe *13) Proposed Agreement with Michael Komin, M.D., for professional physician medical coverage at KMC's Urgent Care Southwest Facility, from October 9, 2001 to October 8, 2002, in an amount not to exceed \$98,800 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 966-2001
4 Ayes
1 Ab/Mc
- Pz-Pe *14) Proposed Agreement with Honudke Mohankumar, M.D., for professional physician medical coverage in KMC's Department of Psychiatry, from October 9, 2001 to October 8, 2002, in an amount not to exceed \$61,750 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 967-2001
4 Ayes
1 Ab/Mc
- Pz-Pe *15) Proposed Agreement with Robert Sincoff, M.D., for professional physician medical coverage in KMC's Department of Psychiatry, from October 9, 2001 to October 8, 2002, in an amount not to exceed \$61,750 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 968-2001
4 Ayes
1 Ab/Mc
- Pz-Pe *16) Proposed Agreement with Stephen Williams, M.D., for professional physician medical coverage in KMC's Department of Psychiatry, from October 15, 2001 to November 30, 2006, in an amount not to exceed \$465,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 969-2001
4 Ayes
1 Ab/Mc
- Pz-Pe *17) Proposed Agreement with Sandra Gordon, M.D., for professional physician medical coverage in KMC's Department of Medicine, from November 1, 2001 to November 30, 2006, in an amount not to exceed \$320,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 970-2001
4 Ayes
1 Ab/Mc
- Pz-Pe *18) Proposed Amendment No. 26 to Medi-Cal Contract for Hospital Inpatient Services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 971-2001
4 Ayes
1 Ab/Mc
- Pz-Pe *19) Notification of retroactive Agreement with Sierra Pacific Anesthesia Group for anesthesia services from September 1, 2001 - RECEIVED AND FILED
4 Ayes
1 Ab/Mc
- Pz-Pe *20) Relief of Accountability of Patients Accounts - DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF 2829 ACCOUNTS TOTALING \$1,230,769.43; AUTHORIZED ASSIGNMENT OF 2,814 ACCOUNTS TOTALING \$1,175,875.32 TO COLLECTION AGENCIES
4 Ayes
1 Ab/Mc

MENTAL HEALTH SERVICES

- Pz-Pe *21) Proposed Agreement with Super CA Market, for food vouchers for County
4 Ayes mentally ill homeless clients residing in the Bakersfield area, from October
1 Ab/Mc 9, 2001 through June 30, 2002, in an amount not to exceed \$18,000 (Grants,
State; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 972-2001
- Pz-Pe *22) Proposed Agreement with Marsha Morris, M.F.T. to provide mental health
4 Ayes treatment services to County children residing in the greater Bakersfield
1 Ab/Mc area, from October 9, 2001 through June 30, 2002, in an amount not to exceed
\$9,000 (Medi-Cal; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 973-2001

PARKS AND RECREATION

- Pz-Pe *23) Request for authorization to apply for funding from the Watershed, Wildlife
4 Ayes and Parks Improvement Bond Act of 2000 for the purchase and installation of
1 Ab/Mc trees for Panorama Park - MADE FINDING THAT THE PROJECT IS EXEMPT FROM THE
REQUIREMENTS OF CEQA PER SECTION 15304 OF THE STATE CEQA GUIDELINES;
DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; APPROVED; ADOPTED
RESOLUTION 2001-378

PERSONNEL

- Pz-Pe *24) Classifications of positions recommended by the Civil Service Commission,
4 Ayes all established classifications to be effective October 9, 2001, all
1 Ab/Mc reclassifications to be effective October 20, 2001 - APPROVED; REFERRED TO
PERSONNEL TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

PUBLIC HEALTH SERVICES

- Pz-Pe *25) Notification of anticipated retroactive Agreement with the State Department
4 Ayes of Health Services for the California Nutrition Network for Healthy Active
1 Ab/Mc Families Local Incentive Award Program, from October 1, 2001 through
September 30, 2003, in an amount not to exceed \$34,000 - RECEIVED AND FILED
- Pz-Pe *26) Unusual travel request for Director of Public Health Services to attend the
4 Ayes Annual American Public Health Association Meeting in Atlanta, GA and related
1 Ab/Mc meetings, from October 18 to October 28, 2001, in an amount not to exceed
\$4,200 - APPROVED; AUTHORIZED AUDITOR TO PAY
- Pz-Pe *27) Unusual travel request for the Assistant Director of Disease Control to
4 Ayes attend the Annual American Public Health Association Meeting in Atlanta, GA
1 Ab/Mc and related meetings, from October 20 to October 25, 2001, in an amount not
to exceed \$2,000 - APPROVED; AUTHORIZED AUDITOR TO PAY
- Pz-Pe *28) Proposed retroactive Agreement with the State Department of Health Services
4 Ayes for Medi-Cal Administrative Activities, from July 1, 2001 through June 30,
1 Ab/Mc 2002, in an amount not to exceed \$650,000 (prior notification June 26, 2001)
- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 974-2001

Pz-Pe *29) Proposed retroactive Agreement with Applied Research Center, California State University, Bakersfield Foundation, for Tobacco Education Program Evaluation Consultant Services, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$18,500 (prior notification June 26, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 975-2001

SHERIFF

Pz-Pe *30) Request for authorization to apply for grant funding from the Office of Criminal Justice Planning for the California Multi-Jurisdictional Methamphetamine Enforcement Team Program (CAL-MMET) - AUTHORIZED THE SHERIFF TO SIGN THE REQUEST FOR APPLICATION TO RECEIVE GRANT FUNDING FROM THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR THE CAL-MMET PROGRAM; ESTABLISHED AN INTEREST BEARING TRUST ACCOUNT TITLED SHERIFF'S CAL-MMET TRUST; AUTHORIZED CHAIRMAN TO SIGN CERTIFICATION FORM

Pz-Pe *31) Proposed amendment to classification of position previously approved - AMENDED THE DATA ENTRY OPERATOR POSITION PREVIOUSLY APPROVED ON SEPTEMBER 11, 2001 TO A DATA ENTRY OPERATOR I/II POSITION IN BUDGET UNIT 2210; REFERRED TO PERSONNEL DEPARTMENT TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Pz-Pe *32) Proposed reorganization of Sheriff's Communications Center - APPROVED DELETION OF TWO (2) VACANT SENIOR SHERIFF'S COMMUNICATIONS SPECIALIST POSITIONS, FOUR (4) VACANT SHERIFF'S COMMUNICATIONS SPECIALIST I/II POSITIONS AND ONE (1) VACANT CLERK TYPIST I/II POSITION, AND ADDITION OF SEVEN (7) SHERIFF'S DISPATCH ASSISTANT POSITIONS, AND ONE (1) SHERIFF'S DISPATCH SUPERVISOR; REFERRED TO PERSONNEL DEPARTMENT TO DETERMINE APPROPRIATE POSITION CLASSIFICATIONS, CREATION AND ADOPTION OF JOB SPECIFICATIONS, AND AMENDMENT OF DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

Pr-Pz 33) Request for Closed Session regarding Meet and Confer, CCAPE, KCFU, KCPA, KLEA -

Pr-Pz 34) Results of Closed Session regarding Department Head recruitment - Title: Director of Child Support Services - APPOINTED WILLIAM MALLOY TO THE POSITION OF INTERIM DIRECTOR OF THE DEPARTMENT OF CHILD SUPPORT SERVICES, EFFECTIVE OCTOBER 10, 2001

COUNTY COUNSEL

Pr-Pz 35) Request for closed session regarding a lawsuit entitled Sean Ruchti, et al.
4 Ayes v. County of Kern, KCSC Case No. 243756 (Government Code Section 54956.9(a))
1 Ab/Mc -

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

/s/ Denise Pennell
 Clerk of the Board

/s/ Barbara Patrick
 Chairman, Board of Supervisors

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BOARD TO RECONVENE

Supervisors: McQuiston, Perez, Patrick, Peterson, Parra
ROLL CALL: 4 Present; 1 Absent: Supervisor McQuiston

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- 1A) Results of Closed Session from October 9, 2001, at 9:00 a.m., Item No. 34, regarding department head recruitment, Director of Department of Child Support Services - CHAIRMAN PATRICK ANNOUNCED THE APPOINTMENT OF WILLIAM MALLOY AS INTERIM DIRECTOR OF THE DEPARTMENT OF CHILD SUPPORT SERVICES, EFFECTIVE OCTOBER 10, 2001; BILL MALLOY, HEARD

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2(a)) - NO ONE HEARD

HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

Pe-Pz
4 Ayes
1 Ab/Mc

- *3) **Request from Water Resorts, Inc., by Cornerstone Engineering, Inc., to change the suspension date condition imposed by the Board of Supervisors' September 18, 2001, decision on 49.37 acres located on the north and south sides of Douglas Avenue, approximately 500 feet west of Koch Street, Mojave (SD 2)**
Specific Request:
Modification of the suspension date condition imposed by the Board of Supervisors in their decision to amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 4.1 to Map Code(s) 5.3/2.5 and to rescind the Douglas Limited Specific Plan (GPA #12, Map #196-7)
(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2001-379 MODIFYING THE SUSPENSION DATE CONDITION CONTAINED IN BOARD OF SUPERVISORS' RESOLUTION NO. 2001-355 TO TUESDAY, DECEMBER 4, 2001

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #4

Pe-Pz
4 Ayes
1 Ab/Mc

- *4) Proposed Williamson Act Land Use Contract for 2002 Calendar Year, Contract 01-15, Paramount Orchards Partners IV, one mile south of Highway 46 and two miles west of Interstate 5, south of Lost Hills, Agricultural Preserve No. 5, 202 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

All S.D.'s

Pe-Pz
4 Ayes
1 Ab/Mc

- *5) 2001 Williamson Act Open Space Subvention Application Report - RECEIVED AND FILED

Miscellaneous

Pz-Pr
4 Ayes
1 Ab/Mc

- 6) Proposed Amendment of Consulting Agreement with Garcia and Associates for completion of the Kern County Valley Floor Habitat Conservation Plan including work and adding \$28,000 in additional compensation, for a new not to exceed amount of \$48,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 976-2001

- 7) Proposed recommendations of the Dairy Technical Advisory Committee and the Planning Commission related to the Dairy Land Use Permit Process - RAY GRANT, STEWART COMPANY REAL ESTATE; DOUG CARTER, PRESIDENT, KERN COUNTY FARM BUREAU; BOB FEENSTRA, EXECUTIVE DIRECTOR, MILK PRODUCERS COUNCIL; MARK HALL, REPRESENTING KERN COUNTY FARM BUREAU ON DTAC; MARY BERGLUND, PRESIDENT, KERN COUNTY NEIGHBORS FOR QUALITY AIR, WATER & GROWTH; RENEE DONATO NELSON, VICE PRESIDENT, KERN COUNTY NEIGHBORS FOR QUALITY AIR, WATER & GROWTH; BRENT NEWELL, CENTER ON RACE, POVERTY AND THE ENVIRONMENT, ON BEHALF OF ASSOCIATION OF IRRITATED RESIDENTS (AIR); SANDRA MUNOZ, TULARE COUNTY; ELMER WIELENGA, BROKERS OF BAKERSFIELD; AND DAVID ALBERS, MILK PRODUCERS COUNCIL, HEARD

Pe- MOTION ON RECOMMENDATION AND REFER BACK TO STAFF TO CLEARLY DEFINE SIGNIFICANT EXPANSION OF EXISTING DAIRIES

MOTION WITHDRAWN

Pz-Pe CONTINUED TO TUESDAY, OCTOBER 23, 2001, AT 2:00 P.M.; RECEIVED AND FILED
4 Ayes DOCUMENTS
1 Ab/Mc

RESOURCE MANAGEMENT AGENCY
Community Development Program

S.D. #4

- Pe-Pz *8) Final Plans and Construction Manual for Buttonwillow School Gym
4 Ayes Improvements, Bleachers - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED
1 Ab/Mc COMMUNITY DEVELOPMENT TO PUBLISH NOTICE TO CONTRACTORS AND NOTICE TO
SUBCONTRACTORS AND MATERIAL SUPPLIERS IN BAKERSFIELD CALIFORNIAN ONCE A WEEK
FOR FOUR WEEKS, AND NOTICE TO SUBCONTRACTORS AND MATERIAL SUPPLIERS IN
APPROPRIATE MINORITY-ORIENTED PUBLICATIONS DURING BIDDING PERIOD

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearing

S.D. #4

- Pe-Pz *9) Proposed Resolution ordering the extension of Zones of Benefit Nos. 3, 5,
4 Ayes 7, 8 and 10 in County Service Area No. 71, determining to adopt and accept
1 Ab/Mc an Ordinance enacting assessments for the area included within the
boundaries extended herein, Tract 5831, located south of Olive Drive and
east of Allen Road - CONTINUED TO TUESDAY, OCTOBER 16, 2001, AT 2:00 P.M.

S.D. #1

Pe-Pz *10) Parcel Map 10571, in the Southeast Quarter of Section 32, Township 27 South, Range 26 East, MDM, northwest corner of Zachary and Merced Avenues, release of Faithful Performance Security in Subdivision Improvement Agreement and release of Laborer's and Materialmen Security, Foodmaker, Inc. - RELEASED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$26,367 AND LABORERS AND MATERIALMEN SECURITY IN THE AMOUNT OF \$13,183, BOTH PER BOND #190597712, UNDERWRITTEN BY CONTINENTAL CASUALTY COMPANY; APPROVED COMPLETED STREET IMPROVEMENTS AND ADOPTED RESOLUTION 2001-380 FOR ACCEPTANCE OF ROADS WITHIN PARCEL MAP 10571 INTO THE COUNTY ROAD SYSTEM

S.D. #3

Pe-Pz *11) Proposed Resolution of Intention to extend Zones of Benefit Nos. 3, 5, 7 and 8 in County Service Area No. 71, Tract 5930, northwest Bakersfield, north of Norris Road and east of Fruitvale Avenue - ADOPTED RESOLUTION 2001-381 OF INTENTION TO EXTEND ZONES OF BENEFIT NOS. 3, 5, 7 AND 8 IN COUNTY SERVICE AREA NO. 71; SET PUBLIC HEARING FOR TUESDAY, DECEMBER 4, 2001, AT 2:00 P.M., TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE SOLE PROPERTY OWNER AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, PURSUANT TO SECTION 15061(b)(3) OF STATE CEQA GUIDELINES

Pe-Pz *12) Proposed Resolution of Intention to extend Zones of Benefit Nos. 3, 5, 7 and 8 (Tract 5625) and Nos. 3, 5, 7 and 10 (Tract 5662) in County Service Area No. 71, northwest Bakersfield, Tract 5625, south of Olive Drive and west of Jewetta Avenue and Tract 5662, north of Hageman Road and east of Renfro Road - ADOPTED RESOLUTION 2001-382 OF INTENTION TO EXTEND ZONES OF BENEFIT NOS. 3, 5, 7 AND 8 (TRACT 5625) AND NOS. 3, 5, 7 AND 10 (TRACT 5662) IN COUNTY SERVICE AREA NO. 71; SET PUBLIC HEARING FOR TUESDAY, DECEMBER 4, 2001, AT 2:00 P.M., TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE SOLE PROPERTY OWNER AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, PURSUANT TO SECTION 15061(b)(3) OF STATE CEQA GUIDELINES

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

Pe-Pz *13) Proposed Resolution to declare a portion of Alfred Harrell Highway Frontage Road as a public highway and incorporate into County Road System since there has been satisfactory completion of construction of Class 2 bike lane road improvements to County standards - APPROVED; ADOPTED RESOLUTION 2001-383
4 Ayes
1 Ab/Mc

S.D. #2

Pe-Pz *14) Proposed no stopping zone on Bear Valley Road - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE
4 Ayes
1 Ab/Mc

S.D. #3

Pe-Pz *15) Contract No. 02006, rejection of all bids for construction on Oildale Streets - REJECTED ALL BIDS; AUTHORIZED ROADS TO RELEASE BID GUARANTEES
4 Ayes
1 Ab/Mc

Pe-Pz *16) Proposed no stopping zone on Niles Street - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE
4 Ayes
1 Ab/Mc

WASTE MANAGEMENT

S.D. #2

Pe-Pz *17) Identify apparent low bid of Cullinan Engineering to provide operational services at the Tehachapi Sanitary Landfill, in an amount not to exceed \$30,000 per month, plus \$3.32 per ton - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE THE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES
4 Ayes
1 Ab/Mc

All S.D.'s

Pe-Pz *18) Proposed operational changes at the Randsburg and Loraine-Twin Oaks Bin Sites and proposed addition of one (1) full-time Solid Waste Management Aide I/II/III and (1) part-time Solid Waste Management Aide I/II/III in Budget Unit 8999, effective November 1, 2001 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE
4 Ayes
1 Ab/Mc

Pe-Pz *19) Proposed Resolution to restructure the Solid Waste Management Advisory Committee and setting the rules of conduct - APPROVED; ADOPTED RESOLUTION 2001-384; DIRECTED CLERK OF THE BOARD TO POST VACANCIES; DIRECTED WASTE MANAGEMENT TO PRESENT APPOINTMENTS FOR POSTED VACANCIES
4 Ayes
1 Ab/Mc

Pe-Pz *20) Report regarding proposed Strategy for Universal Collection - RECEIVED AND FILED
4 Ayes
1 Ab/Mc

COUNTY ADMINISTRATIVE OFFICE

- Pe-Pz *21) Proposed Agreement with IWV 2000 (Indian Wells Valley) for military base retention efforts in Fiscal Year 2001-2002, in an amount not to exceed \$60,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 977-2001
4 Ayes
1 Ab/Mc
- Pe-Pz *22) Proposed Amendment No. 2 to Agreement with Kelling, Northcross & Nobriga for remarketing services in connection with the 1986 Certificates of Participation to extend term three years to December 31, 2004, in an amount not to exceed \$43,200 annually - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 978-2001
4 Ayes
1 Ab/Mc
- Pe-Pz *23) Proposed Amendment No. 1 to Agreement with Kelling, Northcross & Nobriga related to tobacco securitization financing to extend term one year to October 31, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 979-2001
4 Ayes
1 Ab/Mc
- Pe-Pz *24) Application for California Healthcare for Indigents (CHIP) funds for Fiscal Year 2001-2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
4 Ayes
1 Ab/Mc
- Pe-Pz *25) Proposed Health Benefits and Kern\$Flex open enrollment process for 2002 - APPROVED; AUTHORIZED COUNTY ADMINISTRATIVE OFFICE TO PROVIDE ON-DUTY ENROLLMENT TRAINING FOR ALL ELIGIBLE EMPLOYEES
4 Ayes
1 Ab/Mc
- Pe-Pz *26) Request authorization to apply for NACo/ESRI Geographical Information Systems (GIS) software and training grant - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE
4 Ayes
1 Ab/Mc
- Pe-Pz *27) Grants Research Unit Status Report - RECEIVED AND FILED
4 Ayes
1 Ab/Mc

Legislative Matters

- Pe-Pz *28) Report on imposition of Transportation Control Measures (TCM's) as part of San Joaquin Valley Air Pollution District's Severe Ozone Attainment Demonstration Plan - RECEIVED AND FILED
4 Ayes
1 Ab/Mc
- Pe-Pz *29) Proposed Resolution supporting proposed Constitutional Amendment to protect local revenues from State mandated programs - ADOPTED RESOLUTION 2001-385
4 Ayes
1 Ab/Mc

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

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

Pe-Pz 30) Cable TV franchise biennial meeting and progress report for F-333, Cox Cable Bakersfield, Inc.; F-342, DDD Cablevision Ltd.; F-406, F-405 and F-404, Time Warner Cable Bakersfield, Taft and Tehachapi systems - OPENED HEARING; LINDA WALKER; JEFF THIELSCHNER, NASCAR TEAM OWNER; RENEE DONATO NELSON; D.K. MASON; AND GILBERT JOHNSON, HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; REFERRED TO GENERAL SERVICES TO MEET AND DISCUSS WITH APPLICABLE FRANCHISERS THE CHANGING OF SECTION 25 OF APPLICABLE CATV FRANCHISE ORDINANCES TO READ THE SAME AS FRANCHISE ORDINANCE F-435; RECEIVED AND FILED DOCUMENTS

S.D. #1

Pe-Pz *31) Plans and Specifications for accessibility upgrade of restrooms at the Shafter Veterans Hall (8920.37002B) - CONTINUED TO TUESDAY, OCTOBER 16, 2001, AT 2:00 P.M.

Pe-Pz *32) Proposed sale of approximately 26,366 square feet of surplus road property along Golden State Highway, south of Seventh Standard Road, to Dale Tourney, adjacent property owner, as provided under Section 8355a of the Streets and Highway Code, in the amount of \$10,646 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN QUITCLAIM DEED; AUTHORIZED CLERK OF THE BOARD TO RETURN QUITCLAIM DEED TO GENERAL SERVICES

S.D. #4

Pe-Pz *33) Request to set hearing for granting of pipeline franchise to South Valley Gins, Inc. - ADOPTED RESOLUTION 2001-386 SETTING HEARING FOR TUESDAY, NOVEMBER 6, 2001, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

S.D. #5

Pe-Pz *34) Plans and Specifications for structural repair of the Central School at Probation Department's Juvenile Hall (1650.7105) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Pe-Pz *35) Change Order No. 2 for the new restroom facility at Belle Terrace Park, providing for additional time and an increase of \$885.50, for a new total of \$143,858.08 (1960.8170)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Pe-Pz *36) Change Order No. 2 for the kennel addition at the Bakersfield Animal Shelter, providing for additional time and an increase of \$16,217.09, for a new total of \$473,889.17 (1960.8172) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Pe-Pz *37) Plans and Specifications for remodel of the physical therapy area at Kern Medical Center's First Floor B Wing (8997.7001EP) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

All S.D.'s

Pe-Pz *38) Request for approval to issue Request for Proposal to provide a short-term rental car program for the County - APPROVED; AUTHORIZED GENERAL SERVICES TO ISSUE

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

Pe-Pz *39) Proposed Agreement with the California Department of Justice for access to the Kern County Criminal Justice Information System (CJIS) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 980-2001

Pe-Pz *40) Proposed Agreement with Network Solutions, Inc., dba VeriSign Global Registry Services, for provision of ".US" Internet registry services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 981-2001; GRANTED DIRECTOR OF INFORMATION TECHNOLOGY SERVICES AUTHORITY TO ADMINISTER AGREEMENT

CONSIDERATION OF ORDINANCES INTRODUCED ON OCTOBER 2, 2001

Pe-Pz *41) Proposed Ordinance adding subsections (2) and (3) to Section 10.16.057 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no stopping zones on Mono Street and "K" Street - ENACTED ORDINANCE G-6833

Pe-Pz *42) Proposed Ordinance adding Chapter 2.98, consisting of Sections 2.98.010 through 2.98.030 to Title 2 of the Kern County Ordinance Code concerning creation of the Department of Child Support Services - ENACTED ORDINANCE G-6834

MATTERS FOR EXECUTIVE APPROVAL

Pe-Pz *43) Budget Transfers - APPROVED #22 THROUGH #28

Pe-Pz *44) Minutes for week of September 10, 2001 - APPROVED

Pe-Pz
4 Ayes
1 Ab/Mc

*45) Miscellaneous Letters and Documents - FILED

Pe-Pz
4 Ayes
1 Ab/Mc

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

Pr-Pz

ADJOURNED TO TUESDAY, OCTOBER 16, 2001, AT 9:00 A.M.

/s/ Denise Pennell
Clerk of the Board

/s/ Barbara Patrick
Chairman, Board of Supervisors

45) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Report of Current Internal Controls and Financial Records of the Kern County Probation Department-Executive Summary

Clerk of the Board

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

1. Tract Map 5656-A (S.D. 1)
2. Tract Map 5831, Unit 2 (S.D. 3)
3. Tract Map 5882, Phase 1B (S.D. 3)
4. Tract Map 5882, Phase 2C (S.D. 3)
5. Tract Map 5882, Phase 5C (S.D. 3)
6. Tract Map 5882, Phase 4C (S.D. 3)
7. Tract Map 5956, Unit 2 (S.D. 4)
8. Tract Map 5958, Phase 2 (S.D. 2)
9. Tract Map 6044 (S.D. 5)
10. Parcel Map 10295 (S.D. 1)
11. Parcel Map 10678 (S.D. 1)
12. Parcel Map 10715 (S.D. 5)
13. Parcel Map 10806 (S.D. 1)

Community Development

- C) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Wanda J. Rodriguez

General Services

- D) Recorded Right-of-Way Easements from Lorenzo Marquez, III, a portion of APN 140-140-04 and APN 140-140-05

Personnel

- E) Response to referral re letter from Wesley Crawford Muhammad concerning hate crimes in Kern County (Copies to each Supervisor and CAO)

Planning

- F) Recorded Irrevocable Offer of Dedication from Dallas A. and Louise M. Green, County Road No. 3887

- G) Response to referral re plans for sewer systems in certain areas of northwest Bakersfield (Copies to each Supervisor and CAO)

Miscellaneous

- H) Thirteen (13) 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)
- I) Letter and petition signed by thirty-one (31) individuals in opposition to proposed group home on Elmwood Avenue (Copies to each Supervisor and CAO)
- J) Letter from L. Joanne Campbell re mandatory trash services in Ford City (Copies to each Supervisor, CAO, Waste Management and County Counsel)

- K) Letter from Carol Summitt re abatement of public nuisance at 2407 South "M" Street, Bakersfield (APN 166-151-06) (Copies to each Supervisor, CAO, Resource Management Agency and Engineering and Survey Services)
- L) Letter from Susan D. Copeland, Nextel Communications, re new cell site at 11662 Wasco Pond Road (APN 648-320-01) (Copies to each Supervisor, CAO and Planning)
- M) Letters from Charlene Aboytes, Board of Corrections, re Crowding Assessment Reports (CAR's) for July and August, 2001, James G. Bowles Juvenile Hall and Female Treatment Program (Copies to each Supervisor and CAO)
- N) Letter from Mayor Harvey L. Hall in opposition to dairies within the Bakersfield 2010 General Plan (Copies to each Supervisor, CAO, Planning and County Counsel)
- O) Thank you letter from Assemblyman Roy Ashburn re SB 71, which would increase temporary and permanent workers' compensation insurance (Copies to each Supervisor and CAO)
- P) Thank you letter from Assemblyman Roy Ashburn re SB 975, which would require prevailing wages be paid for projects financed through Industrial Development Bonds (Copies to each Supervisor and CAO)
- Q) Letter from Sandra Poole, State Department of Child Support Services, re adoption of emergency regulations concerning case intake (Copies to each Supervisor, CAO and District Attorney)
- R) Letter from C. H. Williams, Kern River Watermaster, re comments to the Draft Recovery Plan, Southwestern Willow Flycatcher (Copies to each Supervisor, CAO, Planning and County Counsel)
- S) Five (5) letters from individuals in opposition to proposed federal fees at the recreation areas around Lake Isabella in the Kern River Valley of Central California (Copies to each Supervisor and CAO)
- T) Three (3) letters from Deborah Richardson re code compliance concerning homes in APN's 254-401-25, 254-401-26, 254-402-02 and 254-402-25 (Copies to each Supervisor, CAO and Engineering and Survey Services)
- U) E-mail from Matthew Hilliard re dairy matters in the southwest region of Kern County (Copies to each Supervisor, CAO, Planning and County Counsel)
- V) Notice of Motion to Dismiss re Complaint of Rancho Palos Verdes Broadcasters, Inc., vs. Altrio Communications, Inc. (Copies to each Supervisor, CAO and General Services)
- W) Notice from California Regional Water Quality Control Board re availability of draft staff report on recommended changes to California's Clean Water Act Section 303(D) list and request for comments (Copies to each Supervisor, CAO and Resource Management Agency)

- X) Notice from Alcoholic Beverage Control re Application for Alcoholic Beverage License: Lamont Fastrup, 10301 Main Street, Lamont (Copies to each Supervisor, CAO and Planning)
- Y) Kern County Law Library Annual Report, Fiscal Year 2000-2001 (Copies to each Supervisor and CAO)
- Z) Press Release from Senator John Burton, Chairman Senate Rules Committee, re Senate and Joint Committee Interim Hearings (Copies to each Supervisor and CAO)
- AA) Newsletter from Pacific Gas and Electric Company re Current Issues in the Utility Industry, September 2001 (Copies to each Supervisor, CAO and General Services)
- BB) Bulletin from U.S. Department of Justice, Office of Justice Programs, BJA Fact Sheet (Copies to each Supervisor and CAO)
- CC) Bulletin from the California Office of Traffic Safety, Tracks, Summer 2001 (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 Roxanne Ayala, dba Action Pumping Services vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Estate of Ronald L. Jeter vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Sena L. Walker vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Doreen Barron vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of CareerStaff Unlimited, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Subrogation claim in the matter of R&M Farms by Royal & Sunalliance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)