

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, December 10, 2002

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring and commending Richard Clason upon his retirement with 33 years of service to the Kern County Fire Department - ADOPTED RESOLUTION; MADE PRESENTATION TO RICHARD CLASON; RICHARD CLASON AND FIRE CHIEF STEVE GAGE HEARD

Patrick-Parra: All Ayes

- 2) Resolution honoring and commending James Maples upon his retirement with 32 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO JAMES MAPLES; JAMES MAPLES HEARD

Patrick-Watson: All Ayes

PUBLIC PRESENTATIONS

- 3) 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

- 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

DEPARTMENTAL REQUESTS

AIRPORTS

- *5) Proposed month-to-month Lease Agreements with Mike Austin, Cloverleaf Hangar 17 and Toby Curtis, Cloverleaf Hangar 19 at Meadows Field, Bakersfield, California, at a monthly rate of \$130 per hangar 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 AGREEMENTS 1118-2002 AND 1119-2002

Parra-Patrick: All Ayes

- *6) Proposed twenty-year Lease Agreement with the National Hot Rod Association (NHRA) for operations of a drag racing facility at County's Poso Airport, at an annual rent of \$45,000 to be paid to the County in monthly installments of \$3,750, and beginning in the year 2006, the rent will automatically escalate at the rate of 2½% per year throughout the balance of the lease term - 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 1120-2002

Parra-Patrick: All Ayes

ASSESSOR-RECORDER

- *7) Proposed Agreement for State/County Property Tax Administration Program (R & T Code Section 95.31) for calendar year 2003, effective January 1, 2003, in an amount not to exceed \$1,211,318 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1121-2002

Parra-Patrick: All Ayes

BOARD OF TRADE

- *8) Authorization for Board of Trade to act as County's representative for presentation of public exhibits at 2003 California State Fair - APPROVED; AUTHORIZED CHAIRMAN TO SIGN COUNTIES EXHIBITS AUTHORIZATION AND APPOINTMENT FORM

Parra-Patrick: All Ayes

CHILD SUPPORT SERVICES

- *9) Proposed addition of one (1) Storekeeper II position effective November 26, 2002; and deletion of one (1) vacant Stock Clerk position effective December 20, 2002, in Budget Unit 2183 (from 11/26/2002) - WITHDRAWN

Parra-Patrick: All Ayes

COUNTY COUNSEL

- *10) Amendment to Section 2.100.030 of the Kern County Ordinance Code regarding appointment of members to the Kern County Children and Families Commission to allow designation of an alternate by the Public Health Officer, the Director of the Department of Human Services and the Director of the Mental Health Department - WAIVED READING; INTRODUCED ORDINANCE

Parra-Patrick: All Ayes

- *11) Request of Auditor-Controller-County Clerk for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Parra-Patrick: All Ayes

- *12) Proposed letter to members of State Legislature requesting opposition to closed litigation session by State Board of Equalization to discuss Maples v. Kern AAB (Occidental of Elk Hills) -

WITHDRAWN

EMPLOYERS' TRAINING RESOURCE

- *13) Proposed retroactive Agreement with Kern Community College District (KCCD) for services under the Workforce Investment Act (WIA) and Welfare-to-Work (WtW) Grant Program, from July 1, 2002 through June 30, 2003, in the amount of \$1,398,975 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1122-2002

Parra-Patrick: All Ayes

- *14) Notification of anticipated retroactive Agreement with La Cooperativa Campesina de California for employment and training services for the Migrant and Seasonal Farmworker Youth Program, from October 1, 2002 through June 10, 2003, in the amount of \$127,677 - RECEIVED AND FILED

Parra-Patrick: All Ayes

FIRE DEPARTMENT

- *15) Proposed Amendment No. 1 to Agreement 776-97 with City of Delano for assumption of fire protection services, extending the term to December 31, 2004, in the amount of \$1,238,060 per year (revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1123-2002

Parra-Patrick: All Ayes

- *16) Request to appropriate unanticipated revenue from Hazard Reduction Trust Fund for hazardous fuels mitigations - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$25,000 FROM HAZARD REDUCTION TRUST FUND (FUND 24044) TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$25,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO FIRE DEPARTMENT BUDGET UNIT 2415

Parra-Patrick: All Ayes

- *17) Proposed addition of one (1) Building Services Worker I/II/III position, effective November 12, 2002 (from 11/26/2002) - WITHDRAWN

Parra-Patrick: All Ayes

KERN MEDICAL CENTER

- *18) Proposed Amendment No. 3 to Agreement 197-2000 with Tao John Ounesavath for professional and administrative services, changing status from full time to part time and changing compensation from being a salaried position to being paid \$38 per hour - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1124-2002

Parra-Patrick: All Ayes

- *19) Proposed retroactive Amendment No. 2 to Agreement 799-2001 with J&C Nationwide for temporary physician coverage, adding Exhibit "C" (setting compensation and travel reimbursement for name-specific radiologists who will provide temporary staffing during November 2002, December 2002 and January 2003) as part of the Agreement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1125-2002

Parra-Patrick: All Ayes

- *20) Proposed Agreement with Farah Khan, M.D., for psychiatry services, from July 1, 2003 through June 30, 2008, in an amount not to exceed \$983,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1126-2002

Parra-Patrick: All Ayes

- *21) Proposed Amendment No. 2 to Agreement 217-2002 with Hansa Patel, M.D., for obstetrical and gynecological services, changing methodology used to calculate biweekly salary - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1127-2002

Parra-Patrick: All Ayes

- *22) Proposed Agreement with University Children's Medical Group, Inc., for pediatric endocrinology services at Sagebrush Plaza, from December 10, 2002 through December 9, 2004, in an amount not to exceed \$18,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1128-2002

Parra-Patrick: All Ayes

- *23) Proposed retroactive Amendment No. 1 to Agreement 012-2002 with The Sage Associates for compliance audit training services, to include the provision of on-site compliance consultation and meeting attendance and increase compensation by \$2,975 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1129-2002

Parra-Patrick: All Ayes

- *24) Proposed Agreement with Tillinghast-Towers Perrin to provide actuarial services, in an amount not to exceed \$10,800 (from 11/26/02 and 12/03/02) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1130-2002

Parra-Patrick: All Ayes

MENTAL HEALTH SERVICES

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

Parra-Patrick: All Ayes

PROBATION

- *26) Proposed Agreement with "420 Club," local California Highway Patrol Association for use of the pistol range, from January 1, 2003 through December 31, 2007 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1131-2002

Parra-Patrick: All Ayes

- *27) Amendment of the Conflict of Interest Code of the Kern County Probation Department - APPROVED

Parra-Patrick: All Ayes

- *28) Annual review of Kern County Probation Department's Home Detention Program (Electronic Monitoring) - RECEIVED AND FILED

Parra-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *29) Proposed retroactive Agreement with Kern County Superintendent of Schools and Delano Joint Union High School District for the School-Based Immunization Program, from September 3, 2002 through October 31, 2004 (prior notification September 3, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1132-2002

Parra-Patrick: All Ayes

- *30) Proposed retroactive Agreement with Kern County Superintendent of Schools and Wasco Joint Union High School District for the School-Based Immunization Program, from September 3, 2002 through October 31, 2004 (prior notification September 3, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1133-2002

Parra-Patrick: All Ayes

- *31) Proposed retroactive Agreement with Kern County Superintendent of Schools and Standard Joint Union High School District for the School-Based Immunization Program, from September 3, 2002 through October 31, 2004 (prior notification September 3, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1134-2002

Parra-Patrick: All Ayes

- *32) Proposed retroactive Agreement with Kern County Superintendent of Schools and KCSOS-Division of Student Services for the School-Based Immunization Program, from September 3, 2002 through October 31, 2004 (prior notification September 3, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1135-2002

Parra-Patrick: All Ayes

- *33) Proposed retroactive Agreement with Kern County Superintendent of Schools and Fruitvale School District for the School-Based Immunization Program, from September 3, 2002 through October 31, 2004 (prior notification September 3, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1136-2002

Parra-Patrick: All Ayes

- *34) Proposed retroactive Agreement with Community Medical Centers for pediatric case management services for Ryan White CARE Act Title II, from April 1, 2002 through March 31, 2003, in an amount not to exceed \$11,699 (prior notification March 19, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1137-2002

Parra-Patrick: All Ayes

- *35) Proposed Amendment No. 1 to Agreement 940-2002 with Clinica Sierra Vista, for Black Infant Health Program services, to correctly state the term of the Agreement to be from October 1, 2002, through June 30, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1138-2002

Parra-Patrick: All Ayes

- *36) Proposed Amendment No. 3 to Agreement 800-2001 and Memorandums of Understanding with State Department of Health Services to provide services relative to the prevention and management of AIDS in Kern County, from July 1, 2002, through June 30, 2004, in an amount not to exceed \$2,707,730 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1139-2002

Parra-Patrick: All Ayes

- *37) Proposed ratification of revised Agreement 706-2002 with State Department of Health Services for Immunization Project Subvention Funds for fiscal year 2002-2003 - APPROVED

Parra-Patrick: All Ayes

SHERIFF

- *38) Request for approval to accept supplemental grant funding from the Office of Criminal Justice Planning in the amount of \$167,700 for the purpose of purchasing narcotic surveillance equipment - ACCEPTED GRANT; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$167,700 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$167,700 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Parra-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

Parra-Watson

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 39) Request for Closed Session regarding Meet and Confer, CCAPE, KCFFU, KLEA, and KCPA -

COUNTY COUNSEL

- 40) Request for Closed Session regarding a determination of whether the County will initiate lawsuit (Government Code Section 54956.9(c)) -

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

Parra-Patrick

/s/ Denise Pennell
Clerk of the Board

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

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REFERRED TO COUNTY COUNSEL TO REVIEW CONCERNS EXPRESSED

Patrick-Watson: All Ayes

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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CONTINUED HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Appeal by Tejon Ranchcorp by Dennis Mullins objecting to the decision of the Hearing Officer approving the application of Lamar Outdoor Advertising for the installation of an off-site advertising sign, in a General 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-2 PD GH FPS District (Appeal #3, Map #237-34)

(Categorically Exempt, Section 15303; Published Mountain Enterprise) (from 11/26/2002) - OPENED HEARING; ANDREW DAYMUDE, DIRECTOR OF PLANNING, TEJON RANCH; KEN KEARBY, MOUNTAIN COMMUNITIES TOWN COUNCIL; HAROLD JOHNSON AND ROSALIE JOHNSON, PROPERTY OWNERS; AND GREG KOHLER HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2002-488 DENYING APPEAL AND UPHOLDING THE DECISION OF THE HEARING OFFICER; REFERRED TO PLANNING TO CONSIDER APPLYING THE SCENIC CORRIDOR COMBINING DISTRICT TO THE AREA AND REPORT BACK TO THE BOARD

Watson-Parra: All Ayes

HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

- *4) **Request from Tracy Ranch, Inc., by Berry and Associates to cancel a 2.51-acre portion of an approximate 117-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.49 acres, located approximately 1/2 mile south of Seventh Standard Road and 1/2 mile east of Tracy Road, Buttonwillow area (SD 4)**

Specific Request:

Cancellation of a 2.51-acre portion of an approximate 117-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.49 acres (Cancellation #02-04, Map #99)

(General Rule, Section 15061(b)(3); Published Shafter Press) - CONTINUED TO TUESDAY, JANUARY 14, 2003, AT 2:00 P.M.

McQuiston-Parra: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #5

- *5) Proposed Williamson Act Land Use Contract 03-05 and Contract Amending Land Use Contract for 2003 Calendar Year, Tracy Renee Handy, Russell Lee Handy, and Jacob John Handy, south side of Buena Vista Road, 1/4 mile west of Vineland Road, Lamont area, Agricultural Preserve No. 13, 16.65 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Parra: All Ayes

Miscellaneous

S.D. #5

- *6) Request by Raed Fahel for Determination of Public Convenience for the Issuance of an Off-Sale Beer and Wine License at 9701 Main Street, Lamont pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2002-489

McQuiston-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

Hearing

All S.D.'s

- *7) Public Hearing for proposed amendments to the County of Kern's Fiscal Year 2001-2002 and Fiscal Year 2002-2003 Annual Action Plans to cancel Emergency Shelter Grant (ESG) projects 46.01.5 and 46.02.5 with the Kern County Mental Health Association, and to reprogram the funds to projects 46.02.2, The Bakersfield Rescue Mission; 46.02.3, Bethany Services; and 46.01.4, Community Action Partnership of Kern - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENT TO COUNTY'S FISCAL YEAR 2001-2002 ANNUAL ACTION PLAN TO CANCEL ESG PROJECT 46.01.5, KERN COUNTY MENTAL HEALTH ASSOCIATION, WITH A BUDGET BALANCE AMOUNT OF \$6,242.55; APPROVED AMENDMENT OF COUNTY'S FISCAL YEAR 2002-2003 ANNUAL ACTION PLAN TO CANCEL ESG PROJECT 46.02.5, KERN COUNTY MENTAL HEALTH ASSOCIATION, WITH A BUDGET BALANCE OF \$20,000; APPROVED REPROGRAMMING OF \$26,242.55 OF ESG FUNDS TO THE FOLLOWING PROJECTS AND AGENCIES IN THE AMOUNTS INDICATED: A) 46.02.2, BAKERSFIELD RESCUE MISSION \$10,000, B) 46.02.3, BETHANY SERVICES \$10,000, C) 46.01.4, COMMUNITY ACTION PARTNERSHIP OF KERN \$6,242.55; AUTHORIZED NECESSARY COUNTY AND HUD BUDGET ADJUSTMENTS AND TRANSFERS; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION RELATED TO AMENDMENTS TO HUD

McQuiston-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Debt Advisory Committee

S.D. #2

- *8) Request from Golden Hills Community Services District to form Golden Knolls Assessment District, issue bonds in the amount of \$642,000, and acceptance of improved roads into the County's Maintained Road System - APPROVED; ADOPTED RESOLUTION 2002-490 GRANTING CONSENT TO UNDERTAKE PROCEEDINGS FOR THE ACQUISITION AND CONSTRUCTION OF PUBLIC IMPROVEMENTS AND TO PROVIDE THAT THE COST SHALL BE ASSESSED UPON THE DISTRICT BENEFITED UNDER APPROPRIATE SPECIAL ASSESSMENT AND ASSESSMENT BOND ACTS

McQuiston-Parra: All Ayes

S.D. #1

- *9) Final report on Lake Isabella Groundwater Study - RECEIVED AND FILED

McQuiston-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *10) Contract No. 02026, Change Order No. 1 for construction on Santa Fe Way from Seventh Standard Road to Riverside Avenue, an increase of \$1,303.84, for a new total of \$613,588.84 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Parra: All Ayes

- *11) Proposed Contract No. 02040 with Asphalt Construction Company, Inc., for construction on Ward Avenue, Brady Street, Drummond Avenue, Las Flores Avenue and Dolphin Avenue, in an amount not to exceed \$1,116,257 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1140-2002

McQuiston-Parra: All Ayes

S.D. #3

- *12) Contract No. 02034, Notice of Completion for construction on Victor Street from Norris Road to 600 feet south of Pembroke Avenue - RECEIVED AND FILED

McQuiston-Parra: All Ayes

S.D. #5

- *13) Contract No. 02033, Change Order No. 1 for construction on Edison Road and DiGiorgio Road, an increase of \$2,145.71, for a new total of \$798,576.71 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Parra: All Ayes

- *14) Contract No. 02005, Notice of Completion for construction on East California Avenue between 400 feet west of Washington Street and 300 feet east of Webster Street - RECEIVED AND FILED

McQuiston-Parra: All Ayes

All S.D.'s

- *15) Certification of Compliance with Federal Transit Administration Anti-Drug and Alcohol Misuse Program Regulations - APPROVED; AUTHORIZED DIRECTOR TO COMPLETE AND FILE REQUIRED CERTIFICATION

McQuiston-Parra: All Ayes

WASTE MANAGEMENT

All S.D.'s

- 16) Report concerning summary of process followed by the Solid Waste Management Advisory Committee and the Metropolitan Bakersfield Ad Hoc Committee to review City of Bakersfield's concerns related to adjustments in the Solid Waste Management Program Land Use Fees and Gate Fees for Fiscal Year 2003-2004 - KEVIN BARNES, SOLID WASTE DIRECTOR, CITY OF BAKERSFIELD, HEARD; RECEIVED AND FILED

Parra-Patrick: All Ayes

NOTE: PUBLIC COMMENT WAS RECEIVED CONCURRENTLY FOR ITEMS 17 AND 18

Hearings

All S.D.'s

- 17) Public Hearing on proposed Ordinance establishing the schedule of Solid Waste Management Program Services Charges for residential property (Land Use Fees) for Fiscal Year 2003-2004 - OPENED HEARING; HEARD IN OPPOSITION: HAROLD HANSON, CITY COUNCIL MEMBER, CITY OF BAKERSFIELD; JOHN EARLY; ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION; PAUL NEUFELD, CITY COUNCIL MEMBER, CITY OF WASCO, AND PRESIDENT OF KERN COUNTY ASSOCIATION OF CITIES; MARILYNNE MEYSTRICK; BILL HOUSTON; MILDRED GIBSON; ANNIE ROBY-DORT; MICHAEL ROUW; ROBERT DORT; MARIA SIERRA; JOHN GREEN; WALTER CRISWELL JONES; VIRGINIA WITTHANS; ARLO REIMERT; ALLAN PLATNICK; ANNA RUBALVACA; HEARD IN SUPPORT: BOB HAMPTON, PAST PRESIDENT, CALIFORNIA REFUSE COUNCIL; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 21080(8) OF PUBLIC RESOURCES CODE; AUTHORIZED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ENACTED ORDINANCE G-6944; RECEIVED AND FILED DOCUMENTS

Patrick-Parra: All Ayes

- 18) Public Hearing on proposed Ordinance establishing the schedule of Solid Waste Management Program Services Charges for Non-Residential property (Gate Fees) for Fiscal Year 2003-2004 - OPENED HEARING; HEARD IN OPPOSITION: HAROLD HANSON, CITY COUNCIL MEMBER, CITY OF BAKERSFIELD; JOHN EARLY; ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION; PAUL NEUFELD, CITY COUNCIL MEMBER, CITY OF WASCO, AND PRESIDENT OF KERN COUNTY ASSOCIATION OF CITIES; MARILYNNE MEYSTRIK; BILL HOUSTON; MILDRED GIBSON; ANNIE ROBY-DORT; MICHAEL ROUW; ROBERT DORT; MARIA SIERRA; JOHN GREEN; WALTER CRISWELL JONES; VIRGINIA WITTHANS; ARLO REIMERT; ALLAN PLATNICK; ANNA RUBALVACA; HEARD IN SUPPORT: BOB HAMPTON, PAST PRESIDENT, CALIFORNIA REFUSE COUNCIL; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 21080(8) OF PUBLIC RESOURCES CODE; AUTHORIZED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ENACTED ORDINANCE G-6945; RECEIVED AND FILED DOCUMENTS

Patrick-Parra: All Ayes

S.D. #1

- *19) Contract No. 03007, identify apparent low bid of Wood Brothers, Inc., for construction of Surface Water Management System Improvements at Kern Valley Sanitary Landfill, in an amount not to exceed \$1,911,021.49 - IDENTIFIED LOW BID; AUTHORIZED WASTE MANAGEMENT TO PREPARE THE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

McQuiston-Parra: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *20) Proposed revision to County Economic Incentive Program excluding certain types of businesses related to hazardous materials or biosolids from eligibility to receive incentives - APPROVED

McQuiston-Parra: All Ayes

- *21) Proposed Amendment No. 2 to Administrative Services Agreement with Chimienti and Associates to extend term one year to December 31, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1141-2002

McQuiston-Parra: All Ayes

- *22) Proposed Amendment No. 4 to Agreement with The Frick Company for unemployment insurance administration to extend term three years to December 31, 2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1142-2002

McQuiston-Parra: All Ayes

- *23) Proposed transfer of funds to participate in California Medi-Cal Disproportionate Share Hospital Program for Fiscal Year 2001-2002 (prior fiscal year) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE TO APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$13,050,000; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$13,050,000 TO CONTRIBUTIONS FOR MEDICAL CARE BUDGET UNIT 4204; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE INTERGOVERNMENTAL TRANSFER TO STATE

McQuiston-Parra: All Ayes

- 24) Proposed fiscal strategy for potential State funding reductions to include restrictions on mid-year position changes, restricted hiring program and fixed assets procurement review - APPROVED

Parra-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D.'s #2 & #5

- *25) Identify apparent low bid from Nicholas Construction for the tot lot improvements at the Greenfield, Digiorgio, and Lamont parks, in an amount not to exceed \$121,758 (1960.8247) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

McQuiston-Parra: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *26) Budget Transfers - APPROVED #70 THROUGH #73

McQuiston-Parra: All Ayes

- *27) Minutes for Week of November 25, 2002 - APPROVED

McQuiston-Parra: All Ayes

- *28) Miscellaneous Letters and Documents - FILED

McQuiston-Parra: All Ayes

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

McQuiston-Parra: All Ayes

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

McQuiston-Parra: All Ayes

ADJOURNED TO TUESDAY, DECEMBER 17, 2002, AT 9:00 A.M.

Patrick

/s/ Denise Pennell
Clerk of the Board

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

28) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Engineering and Survey Services

- A) Response to referral to Micah Martin re request for records regarding 30-day notice to abate, APN 270-403-03 (Copies to each Supervisor and CAO)
- B) Response to referral to Ellen A. Zurn re health and safety concerns at the Ridgecrest Mobile Estates mobile home park, Ridgecrest (Copies to each Supervisor and CAO)

Environmental Health Services

- C) Four (4) thank you letters to individuals for donations to the Bakersfield and Mojave animal shelters

Miscellaneous

- D) Ten (10) letters in opposition to the increase in Solid Waste Management Service Charges for 2003-2004 (Copies to each Supervisor, CAO, County Counsel and Waste Management)
- E) Letters from Charles C. Holmes, Jerell and Marsha Sumrall, Marcy Unruh and Jeanette Williams in support of Kern Recreation Camp (Copies to each Supervisor, CAO, Planning and County Counsel)
- F) Letter from Gifford Miller, The Council of the City of New York, re proposal for federal revenue sharing (Copies to each Supervisor and CAO)
- G) Letter from Deborah Richardson re well permit concerning Case No. 1, Map No. 234-32, APN 254-401-26 (Copies to each Supervisor, CAO, Planning and County Counsel)
- H) Letter from Mark L. Stretars, State Water Resources Control Board, re order approving petition for temporary transfer of water from Oroville-Wyandotte Irrigation District to the Environmental Water Account, Applications No. 1651 and 2778 (Copies to each Supervisor, CAO, Resource Management Agency and Engineering and Survey Services)
- I) Letter from Lyle W. Mack, Richland School District, in opposition to proposed dairy near City of Shafter (Copies to each Supervisor, CAO, Planning and County Counsel)
- J) Letter from Teresa Becher, State Office of Traffic Safety, re participation in the Office of Traffic Safety (OTS) grant program (Copies to each Supervisor and CAO)
- K) Letter from Mark Salvaggio, City of Bakersfield, re Kern River Bikepath (Copies to each Supervisor, CAO, Parks and Recreation and County Counsel)
- L) Letter from Jean Whittiker, State Department of Health Services, re Child Health and Disability Prevention (CHDP) Program Plan and budget approval for Fiscal Year 2002-2003 (Copies to each Supervisor, CAO, Public Health and Auditor)

- M) Letter from Steven Hoff re request for review of Kern County Jail allocation of Law Library funds (Copies to each Supervisor, CAO, Sheriff and County Counsel)
- N) Letter from Dallas Jones, Governor's Office of Emergency Services, re disaster designation for counties of Colusa and Tulare, and the contiguous counties of Butte, Fresno, Glenn, Inyo, Kern, Kings, Lake, Sutter and Yolo, due to agriculture losses caused by drought (Copies to each Supervisor and CAO)
- O) Letter from Dallas Jones, Governor's Office of Emergency Services, re disaster designation to primary counties of Butte, Fresno, Glenn, Kern, Kings, Los Angeles, Merced, Monterey, Napa, Orange, Plumas, Riverside, San Benito, San Bernardino, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Shasta, Sierra, Solano, Sonoma, Stanislaus, Tehama, Tuolumne, Ventura and Yolo and to contiguous counties, Alameda, Alpine, Amador, Calaveras, Contra Costa, Imperial, Inyo, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Modoc, Mono, Nevada, Sacramento, San Diego, San Mateo, Santa Cruz, Siskiyou, Sutter, Trinity and Yuba, due to agriculture losses caused by drought (Copies to each Supervisor and CAO)
- P) Letter from Kathleen Connell, Controller of the State of California, re Assembly Bill 879, Cal-ID Automated Fingerprint System (Copies to each Supervisor and CAO)
- Q) Letter from Claudia Zermeno, City of Delano, re Resolution 2002-101 relating to acceptance of State Prison Construction Mitigation Funds from State of California Department of Corrections (Copies to each Supervisor, CAO and Auditor-Controller)
- R) E-mail from Lisa Hockersmith in opposition to animal ownership ordinance (Copies to each Supervisor, CAO, Environmental Health Services and County Counsel)
- S) Minority Construction News Bulletin, November 19, 2002, Volume 10, Issue 13 (Copies to each Supervisor and CAO)
- T) Bulletin from Water Education Foundation, Western Water, November/December, 2002 (Copies to each Supervisor, CAO and Resource Management Agency)
- U) Notice from City of Bakersfield re hearing on Wednesday, December 11, 2002, concerning Metropolitan Bakersfield General Plan Update GPA P01-0973 (Copies to each Supervisor, CAO, Planning and County Counsel)
- V) Notice from City of Bakersfield re hearing on Tuesday, December 17, 2002, concerning Westside Parkway (Copies to each Supervisor, CAO and Planning)
- W) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: Glenda's Grill and Deli Mart, 7101 Rosedale Highway, A, Bakersfield; Skylark Cocktail Lounge, 1312 Airport Drive, Bakersfield; and Mini Mart, 717 Sterling Road, Bakersfield (Copies to each Supervisor, CAO and Planning)

- X) Agenda of meeting from Central Valley Regional Water Quality Control Board on Thursday, December 5 and Friday, December 6, 2002 (Copies to each Supervisor, CAO and Resource Management Agency)
- Y) Agenda of meeting from State Fish and Game Commission on Thursday, December 5, 2002 (Copies to each Supervisor and CAO)
- Z) Agenda of meeting from CALFED Bay-Delta Program, California Bay-Delta Public Advisory Committee and CALFED Bay-Delta Program Policy Group, on Wednesday, December 4, 2002 (Copies to each Supervisor and CAO)
- AA) Agenda of meeting from CALFED Bay-Delta Program, California Bay-Delta Public Advisory Committee, Working Landscapes Subcommittee, on Thursday, December 5, 2002 (Copies to each Supervisor and CAO)
- 29) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from William R. Williams re parking citation received in Kern County Fair parking lot - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor, CAO and Sheriff)
- 30) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Augustine K. Payton vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Charles Youngblood vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Kristi L. Dobbins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Thomas Romanini vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Cory Barnett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of Andres Lopez Sandoval, Andrew Tafoya Sandoval, Rosalie Tafoya Garcia, Alexander Tafoya Sandoval and Victoria Ann Nunlee vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Subrogation claim in the matter of Nichater Gill by Farmers Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - H) Subrogation claim in the matter of Benjamin D. Gutierrez by State Farm Insurance Companies vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - I) Discrimination complaint in the matter of Artesia Latrease Hayes vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)

- J) Notice of discrimination complaint case closure in the matter of Dennis Gene Iverson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)