

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, December 16, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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.

STAFF RECOMMENDATIONS SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Certificate of Recognition honoring the Tehachapi High School Warrior Football Team for winning the 2003 California Interscholastic Federation (CIF) Central Section Championship - MADE PRESENTATION TO COACH STEVE DENMAN; COACH DENMAN HEARD; ED GRIMES, BOARD MEMBER; JIM DAVIS, PRINCIPAL; AND TEAM MEMBERS CHRIS HAYCOCK, TANNER HUTCHISON, AND JOSH LANGE INTRODUCED

NOTE: AGENDA ITEM 2 CONSIDERED AFTER AGENDA ITEM 5

PUBLIC REQUESTS

- 2) Request from Miriam Krehbiel, President and Chief Professional Officer, United Way of Kern County, to address the Board regarding upcoming annual fundraising campaign and to recognize County Department representatives for outstanding achievement during the most recent County of Kern employee campaign - JENNIFER ENDES, UNITED WAY OF KERN COUNTY, AND ALLAN KRAUTER, COUNTY ADMINISTRATIVE OFFICE, HEARD; NANCY EWERT, KERN COUNTY WASTE MANAGEMENT DEPARTMENT AND UNITED WAY CAMPAIGN COORDINATOR, RECOGNIZED; MADE PRESENTATIONS TO JUDY HYATT, FIRST SUPERVISORIAL DISTRICT, STEPHANIE LYNCH, THIRD SUPERVISORIAL DISTRICT, MARTI OVERFIELD, SECOND SUPERVISORIAL DISTRICT, JUDY DENNY, (ON BEHALF OF NATHALIA CARRILLO) CLERK OF THE BOARD, KIMBERLEE CLAFFY, FARM AND HOME ADVISORS OFFICE, CHUCK ANDERSON, INFORMATION TECHNOLOGY SERVICES DEPARTMENT, CHRISTY ARIEY, WASTE MANAGEMENT DEPARTMENT, RALPH KORN, COUNTY COUNSEL, RUTH JACOBS, AGRICULTURAL COMMISSIONER'S OFFICE, BOB KLINOFF, FIRE DEPARTMENT, JERRI CURTIS, DISTRICT ATTORNEY'S OFFICE, SHERRY BULLOCK, PROBATION DEPARTMENT, YOLANDA BENSON, DEPARTMENT OF HUMAN SERVICES

APPOINTMENTS

- *3) Appointment of JoAnne Teague as Tenant Commissioner (replacing Lassie E. Samuel) to the Housing Authority of the County of Kern, term to expire February 10, 2005 - MADE APPOINTMENT

Maben-Patrick: All Ayes

- *4) Reappointment of Kay Pitts as Third District Member to the Planning Commission, term to expire January 1, 2006 - MADE REAPPOINTMENT

Maben-Patrick: All Ayes

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! - JIM CRAIG AND EMILY JIMINEZ, EAST BAKERSFIELD KIDS CLUB, PRESENTED AN AWARD TO SUPERVISOR PETE PARRA FOR HIS SUPPORT AND COMMITMENT TO THE EAST BAKERSFIELD KIDS CLUB

Note: AGENDA ITEM 2 WAS HEARD OUT OF ORDER AFTER AGENDA ITEM 5

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]) - SUPERVISOR WATSON REQUESTED AN UPDATE FROM THE COUNTY ADMINISTRATIVE OFFICER RELATIVE TO THE IMPACT FROM LOSS OF VEHICLE LICENSE FEE (VLF) REVENUE. SCOTT JONES, COUNTY ADMINISTRATIVE OFFICER, BRIEFED THE BOARD AND THE PUBLIC ON THE LOSS OF VLF REVENUES AND THE INACTION OF THE GOVERNOR AND LEGISLATORS TO FULFILL THEIR COMMITMENT TO BACKFILL VLF FUNDING. HE FURTHER DISCUSSED THE IMPACT ON LOCAL SERVICES AND POTENTIAL LOSS OF JOBS IN COUNTY GOVERNMENT IN JANUARY IF THE STATE DOES NOT MEET IT'S FISCAL OBLIGATION

ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD

SUPERVISOR PARRA ANNOUNCED HE WILL BE PRESENTING A CERTIFICATE OF RECOGNITION TO THE BAKERSFIELD MOTORCYCLE COMMITTEE IN APPRECIATION FOR COORDINATING THE ANNUAL TOY RUN AND FOOD DRIVE THAT BENEFITS KERN COUNTY FAMILIES EACH YEAR IN COLLABORATION WITH THE SALVATION ARMY

DEPARTMENTAL REQUESTS

AIRPORTS

- *7) Proposed Month-to-Month Lease Agreement with United States Department of Agriculture for Hangar #15 at Taft Airport, Taft, at a monthly rate of \$65 - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1050-2003

Maben-Patrick: All Ayes

- *8) Proposed Amendment No. 1 to Aircraft Hangar Ground Lease Agreement 1031-2001 with M.B. Duncan, Inc., and Mark James Ashley and Susan Marie Ashley Revocable Living Trust at Meadows Field, Bakersfield, extending the lease term to April 2024 for a fee of \$2,500 - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1051-2003

Maben-Patrick: All Ayes

- *9) Proposed request for approval to issue Request for Qualifications for completion of a Master Plan Update for Meadows Field Airport, in an amount not to exceed \$500,000 - APPROVED

Maben-Patrick: All Ayes

CHILD SUPPORT SERVICES

- *10) Proposed Agreement with The Pacific Institute to provide proprietary Imaging 21 Fast Track to change institutional development program to expedite KIDZ/CASES conversion, from January 1, 2004 to June 30, 2004, in an amount not to exceed \$109,278 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1052-2003

Maben-Patrick: All Ayes

COUNTY COUNSEL

Hearing

- *11) Approving establishment of Kern County Water Agency Zones of Benefit for Fiscal Year 2004-05 (Zone Nos. 7-05, 17-05, 18-05 and 19-05) and providing for assessments therein - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-559

Maben-Patrick: All Ayes

- *12) Proposed Ordinance adding Subsection (157) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Ross Street - WAIVED READING; INTRODUCED ORDINANCE

Maben-Patrick: All Ayes

- *13) Proposed Ordinance adding Subsections (158) and (159) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones on Meacham Road and Renfro Road - WAIVED READING; INTRODUCED ORDINANCE

Maben-Patrick: All Ayes

- *14) Proposed Ordinance adding Subsection (156) to Section 10.16.041, Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Fairfax Frontage Road East - WAIVED READING; INTRODUCED ORDINANCE

Maben-Patrick: All Ayes

- *15) Proposed order for change in boundaries of the El Tejon Unified School District as a result of the transfer of territory from the Filmore Unified School District (Ventura County) to the El Tejon Unified School District (Kern County) - ADOPTED RESOLUTION 2003-560 ORDERING CHANGE IN BOUNDARIES

Maben-Patrick: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *16) Proposed retroactive Agreement with the Kern High School District to provide comprehensive educational and employment readiness activities for in-school and out-of-school youths aged 14-21, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$1,796,004 (prior notification on June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1053-2003

Maben-Patrick: All Ayes

- *17) Proposed retroactive Agreement with the ARBOR, E & T to provide comprehensive career center program, from July 1, 2003 through June 20, 2004, in an amount not to exceed \$97,455 (prior notification on June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1054-2003

Maben-Patrick: All Ayes

- *18) Proposed retroactive Agreement with Ebony Counseling Center to provide short-term, intensive pre-vocational education to Workforce Investment Act-eligible customers, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$47,500 (prior notification on June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1055-2003

Maben-Patrick: All Ayes

- *19) Proposed retroactive Agreement with Henkels & McCoy Training Services to provide computer-based educational and employment readiness activities for out-of-school youths aged 14-21, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$85,850 (prior notification on June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1056-2003

Maben-Patrick: All Ayes

- *20) Proposed retroactive Agreement with the Kern County Superintendent of Schools to provide computerized basic skills training in Mojave, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$30,000 (prior notification on June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1057-2003

Maben-Patrick: All Ayes

HUMAN SERVICES

- 21) Request to accept donation of \$20,067.98 for Jamison Children's Center from Mary Theresa Franey - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION; MADE PRESENTATION TO PHIL FRANNEY; KRIS GRASTY, ASSISTANT DIRECTOR, DEPARTMENT OF HUMAN SERVICES, AND PHIL FRANNEY HEARD; THE FRANNEY FAMILY WAS INTRODUCED

Patrick-Maben: All Ayes

- 22) Proposed addition of four (4) Human Services Supervisor and fifteen (15) Human Services Technician positions to Budget Unit 5120 for Medi-Cal eligibility determination and Medi-Cal program enrollment services, effective December 16, 2003 (no County cost) -

WITHDRAWN

- *23) Proposed Agreement with Thomas V. Reese, Sr. M.D., for medical consultation services, from January 1, 2004 to December 31, 2004, in an amount not to exceed \$75,000 (no County cost - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1058-2003

Maben-Patrick: All Ayes

- *24) Proposed Memorandum of Understanding with United Way of Los Angeles for County of Kern participation as a disbursement agency in the provision of the utility assistance program, from January 1, 2004 to December 31, 2004 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1059-2003

Maben-Patrick: All Ayes

KERN MEDICAL CENTER

- 25) Proposed Software Support Agreement with Mediware Information Systems, Inc., for direct billing of software support for the Lifeline Blood Bank system, from January 1, 2004 through December 31, 2004, in an amount not to exceed \$10,173 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1060-2003

Patrick-Maben: 4 Ayes; 1 No - McQuiston

- 26) Relief of accountability of patients' accounts - DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF 2,184 ACCOUNTS TOTALING \$1,913,308.48; AUTHORIZED ASSIGNING 2,183 ACCOUNTS TOTALING \$1,849,247.17 TO COLLECTION AGENCIES; REFERRED TO KERN MEDICAL CENTER TO DEVELOP A MONTHLY OR QUARTERLY TREND ANALYSIS OF BILLING AND COLLECTIONS FOR BOARD REVIEW

Watson-McQuiston: All Ayes

- *27) Proposed changes in clinical privilege status for 22 members of Kern Medical Center's Medical Staff - APPROVED

Maben-Patrick: All Ayes

- *28) Request to hire retired County employee Carolyn Pomerene, Social Service Worker III, Range 53.3, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Maben-Patrick: All Ayes

- *29) Request to restore correct job classification and authorize retroactive pay - APPROVED ADDITION OF (1) FULL-TIME MEDICAL SUPPORT SUPERVISOR POSITION, AND DELETION OF (1) FULL-TIME OFFICE SERVICES ASSISTANT POSITION EFFECTIVE JUNE 14, 2003; APPROVED PLACEMENT OF LINDA PEREZ INTO MEDICAL SUPPORT SUPERVISOR POSITION; AUTHORIZED AUDITOR TO PAY \$1,285.28 IN RETROACTIVE SALARY TO LINDA PEREZ; AND REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: All Ayes

- *30) Proposed Agreement with Irene M. Spinello, M.D., for physician services, from December 27, 2003 through December 26, 2008, in an amount not to exceed \$805,985 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1061-2003

Maben-Patrick: All Ayes

- *31) Notification of anticipated retroactive Amendment No. 2 to Agreement with Van Slyck & Associates, Inc., for the patient acuity system - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *32) Notification of anticipated retroactive Amendment No. 1 to Agreement with Access Nurses, Inc., for temporary nurse staffing - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *33) Notification of anticipated retroactive Agreement with CTG HealthCare Solutions, for information systems services and consulting - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *34) Notification of anticipated retroactive Agreement with Pacific Medicaid Services, Inc., for out-of-state Medicaid billing - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *35) Notification of anticipated retroactive Amendment No. 4 to Agreement for Provider Services with Kern Health Systems Healthy Families Program - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *36) Notification of anticipated retroactive Amendment No. 5 to Agreement for Physician Services with Kern Health Systems Healthy Families Program -RECEIVED AND FILED

Maben-Patrick: All Ayes

- *37) Notification of anticipated retroactive Amendment No. 5 to Agreement for Hospital and Other Facility Services with Kern Health Systems Healthy Families Program - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *38) Proposed retroactive Amendment No. 2 to Agreement 040-2003 with Precyse Solutions, LLC, for medical records coding services, extending the term for one additional year to October 7, 2004, and increasing the not to exceed amount by \$135,000 from \$104,000 to \$239,200 over the two-year term of the agreement (prior notification October 7, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1062-2003

Maben-Patrick: All Ayes

- *39) Proposed retroactive Amendment No. 2 to Agreement 1090-2002 with Bunyi-Teopengco Corporation for pathology services, increasing the compensation rates and annual amount payable by \$40,000 from \$60,000 to \$100,000, effective December 1, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1063-2003

Maben-Patrick: All Ayes

- *40) Proposed retroactive Amendment No. 4 to Agreement 1087-2002 with CompHealth, Inc., for temporary physician staffing, reflecting the orthopedic surgery rate schedule through March 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1064-2003

Maben-Patrick: All Ayes

- *41) Proposed retroactive Affiliation Agreement with National Health Services, Inc., to provide clinical education and continuity of care clinics for Family Practice residents, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$12,516 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1065-2003

Maben-Patrick: All Ayes

- *42) Proposed Agreement with Pulse HealthCare Services, for temporary nurse staffing, from December 16, 2003 through December 15, 2004, in an amount not to exceed \$6,500,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1066-2003

Maben-Patrick: All Ayes

LIBRARY

- *43) Proposed Agreement with Career Beginnings Worksite Training Agreement to allow placement of student interns at the library - APPROVED; AUTHORIZED DIRECTOR OF LIBRARIES TO SIGN LETTER OF AGREEMENT WITH CAREER BEGINNINGS

Maben-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *44) Proposed approval of sole-source procurement and Agreement with East Kern Youth Projects, Inc., for truancy reduction services in the Ridgecrest and Lake Isabella areas, from December 16, 2003 to June 30, 2004, in an amount not to exceed \$15,000 (State [Prevention/Set Aside] Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1067-2003

Maben-Patrick: All Ayes

PERSONNEL

- *45) Classification of positions recommended by Civil Service Commission effective retroactive to May 19, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND THE DEPARTMENTAL POSITION AND SALARY SCHEDULE

Maben-Patrick: All Ayes

PROBATION

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

Maben-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *47) Proposed grant application for local Public Health Response Preparedness and Response to Bioterrorism Program funding for Fiscal Year 2003-04 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN APPLICATION AND CERTIFICATION AGAINST SUPPLANTING

Maben-Patrick: All Ayes

- *48) Proposed retroactive funding allocation, in the amount of \$1,346,267, from the State Department of Health Services for Maternal, Child and Adolescent Health Programs for FY 2003-04 (prior notification June 24, 2003) - AUTHORIZED CHAIRMAN TO SIGN POLICY COMPLIANCE CERTIFICATE AND RELATED DOCUMENTS

Maben-Patrick: All Ayes

- *49) Request to hire retired County employee Coyt Davis as extra-help Microbiologist, Step "E", for a period not to exceed 120 working days or 960 hours, whichever is greater, in the twelve (12) month period following date of employment - APPROVED

Maben-Patrick: All Ayes

SHERIFF

- *50) Request to accept third year grant funding from the State of California Office of Criminal Justice Planning (OCJP) for the California Multi-jurisdictional Methamphetamine Enforcement Team, in the amount of \$1,297,074 - APPROVED

Maben-Patrick: All Ayes

- *51) Proposed Agreement with Sheriff Deputy Jim Coster (dog handler) for transfer of ownership of Sheriff's K-9 "Ringo" - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1068-2003

Maben-Patrick: All Ayes

- *52) Application to hold a Parade - General Shafter School District, Shafter, on December 18, 2003 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: All Ayes

- *53) Proposed modification to Agreements with Work Release Program Contractors to update standardized forms - APPROVED; AUTHORIZED SHERIFF TO SIGN AGREEMENTS SUBSTANTIALLY IN FORM APPROVED

Maben-Patrick: All Ayes

TREASURER-TAX COLLECTOR

- *54) Cash Receipts and Disbursements for November 2003 - RECEIVED AND FILED

Maben-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 55) Request for Closed Session regarding Meet and Confer, All Unions -
- 55A) Results of Closed Session regarding Meet and Confer, All Unions - CONTINUED TO TUESDAY, DECEMBER 16, 2003 AT 1:30 P.M. (See Item 1A)
- 56) Request for Closed Session regarding public employee interviews - Title: Fire Chief -
- 57) Request for Closed Session regarding public employee evaluations - Title: CAO -
- 57A) Results of Closed Session regarding public employee evaluations - Title: CAO - CONTINUED TO TUESDAY, DECEMBER 16, 2003 AT 1:30 P.M. (See Item 1B)

COUNTY COUNSEL

- 58) Request for Closed Session regarding a lawsuit entitled Roberta Schaufelberger, et al. vs. County of Kern, Kern County Superior Court Case No. 248261 SPC -

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

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

Maben-Watson

/s/ Denise Pennell
Clerk of the Board

/s/ Pete H. Parra
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, December 16, 2003

1:30 P.M.

BOARD RECONVENED

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

ADJOURNED TO CLOSED SESSION

McQuiston-Maben

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 1A) Request for Closed Session regarding Meet and Confer, All Unions (Continued from 12/16/2003, 9:00 A.M., Item No. 55A) - CONTINUED THIS MATTER IMMEDIATELY FOLLOWING 2:00 P.M. SESSION (SEE ITEM NO. 52 P.M.)

- 1B) Request for Closed Session regarding public employee evaluations - Title: CAO (Continued from 12/16/2003, 9:00 A.M., Item No. 57A) - CONTINUED THIS MATTER IMMEDIATELY FOLLOWING 2:00 P.M. SESSION (SEE ITEM NO. 53 P.M.)

ADJOURNED FROM CLOSED SESSION

Maben-Watson

2:00 P.M.

BOARD RECONVENED

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

NOTE: CHAIRMAN PARRA ANNOUNCED THE APPOINTMENT OF DENNIS THOMPSON AS CHIEF OF THE KERN COUNTY FIRE DEPARTMENT, EFFECTIVE DECEMBER 27, 2003.

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

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

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

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *3) **Request from Kern County Planning Department for the creation of Farmland Security Zones to describe areas within which Farmland Security Zone contracts may be considered on 4,707.68 acres located Countywide (SD's 1 & 4)**
Specific Request:
Creation of Farmland Security Zones within Agricultural Preserve Nos. 6, 7, 8, 10, 12, and 14 for the purpose of defining boundaries of those areas within which Farmland Security Zone contracts are being considered (Farmland Security Zones)
(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING;
PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTIONS 2003-561 THROUGH 2003-566 APPROVING FARMLAND SECURITY ZONES
Watson-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department
Hearing

Miscellaneous

All S.D.'s

- *4) Proposed update of Capital Improvement Plan and review of public information for the Metropolitan Bakersfield Habitat Conservation Fee Program - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-567 UPDATING AND CONFIRMING CURRENT CAPITAL IMPROVEMENT PLAN
Watson-Maben: All Ayes

Land Use

S.D. #1

- *5) Proposed Farmland Security Zone (FSZ) Contract 03-5 for Calendar Year 2004 with Kelsey Revocable Living Trust, east of McFarland, Agricultural Preserve No. 15, 302.25 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *6) Proposed Farmland Security Zone (FSZ) Contract 03-11 for Calendar Year 2004 with Citrus Ranches II, LLC, east of Delano, Agricultural Preserve No. 7, 102.32 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

S.D. #4

- *7) Proposed Farmland Security Zone (FSZ) Contract 03-2 for Calendar Year 2004 with John Bos and Andi Bos, east of Buena Vista Lake, Agricultural Preserve No. 10, 1,269.55 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *8) Proposed Farmland Security Zone (FSZ) Contract 03-8 for Calendar Year 2004 with Loma Acquisition Company, LLC, west of Mettler, Agricultural Preserve No. 12, 1,600.42 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *9) Proposed Farmland Security Zone (FSZ) Contract 03-12 for Calendar Year 2004 with Hershel and Clarissa Moore Living Trust dated April 20, 1990, north of the intersection of I-5 and Old River Road, Agricultural Preserves Nos. 10 and 12, 571.51 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR THE PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *10) Proposed Farmland Security Zone (FSZ) Contract 03-13 for Calendar Year 2004 with Henry and Agnes Vander Poel Family Trust established May 14, 1991, northwest corner of Merced Avenue and Rowlee Road, west of Shafter, Agricultural Preserve No. 6, 314.54 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *11) Proposed Farmland Security Zone (FSZ) Contract 03-14 for Calendar Year 2004 with Juan and Delores Echeverria Family Partnership, north of Buttonwillow, Agricultural Preserve No. 8, 354.11 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *12) Proposed Farmland Security Zone (FSZ) Contract 03-15 for Calendar Year 2004 with T & W Farms, north of the intersection of I-5 and Old River Road, Agricultural Preserve No. 10, 192.98 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FSZ CONTRACT AND SIMULTANEOUSLY APPROVED FSZ CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

Streets and Highways
S.D. #1

- *13) Request from Robert Rusby for a Summary Vacation of a 33-foot-wide access easement, east and south boundaries of a 2-1/2-acre parcel located in the Frontier Homes area, Kernville (APN 17-163-098) - APPROVED; ADOPTED RESOLUTION 2003-568 APPROVING VACATION, RESERVING AND EXCEPTING AN EASEMENT FOR EXISTING UTILITIES

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department
Hearing
S.D. #1

- *14) Public Hearing for proposed amendments to the County of Kern's Fiscal Year 1997-1998 and Fiscal Year 2003-2004 Annual Action Plans to change the scope of Community Development Block Grant Activity Nos. 49.97.1 and 49.03.1, Anne Sippi Clinic/Riverside Ranch Water System Improvements - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENTS; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION TO HUD

Watson-Maben: All Ayes

S.D. #3

- *15) Proposed Environmental Clearance Certification, Certification of Negative Declaration, Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) for CD Activity No. 1.03.2, Willow Tree Day Care Expansion - CERTIFIED NEGATIVE DECLARATION; APPROVED FONSI; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT TO HUD

Watson-Maben: All Ayes

S.D. #5

- *16) Proposed Environmental Clearance Certification, Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) for HOME Project No. 33.03.4, National Farm Workers Service Center Housing, Comunidad 16 de Septiembre, 1965 - APPROVED FONSI; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT TO HUD

Watson-Maben: All Ayes

All S.D.'s

- *17) Proposed Consultant's Agreement with Project Sentinel for preparation of an Analysis of Impediments to Fair Housing Choice, in an amount not to exceed \$12,800 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1069-2003; AUTHORIZED DIRECTOR TO IMPLEMENT AGREEMENT

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services
S.D. #1

- *18) Request to reduce bonds for Tract 5772, Phase 7, north side of Universe Avenue, west of North Chester Avenue, Oildale area, approval of completed street, drainage, water, landscaping and sewer improvements; reduction of Faithful Performance Security in Subdivision Improvement Agreement; and proposed Resolution for acceptance of street and drainage improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE BOND NO. S505658, ISSUED BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$369,783, TO \$36,978, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, LANDSCAPING, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING DECEMBER 16, 2003; ADOPTED RESOLUTION 2003-569 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5772, PHASE 7, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Watson-Maben: All Ayes

- *19) Request to reduce bonds for Tract 5772, Phase 8, west of North Chester Avenue, south of West Day Avenue, Oildale area, approval of completed street, drainage, water, landscaping and sewer improvements; reduction of Faithful Performance Security in Subdivision Improvement Agreement; and proposed Resolution for acceptance of street and drainage improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE BOND NO. S506101, ISSUED BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$235,615, TO \$23,562, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, LANDSCAPING, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING DECEMBER 16, 2003; ADOPTED RESOLUTION 2003-570 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5772, PHASE 8, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Watson-Maben: All Ayes

- *20) Request to reduce bonds for Tract 5772, Phase 9, south of West Day Avenue, west of North Chester Avenue, Oildale area, approval of completed street, drainage, water, landscaping and sewer improvements; reduction of Faithful Performance Security in Subdivision Improvement Agreement; and proposed Resolution for acceptance of street and drainage improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE BOND NO. S506135, ISSUED BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$376,368, TO \$37,637, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, LANDSCAPING, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING DECEMBER 16, 2003; ADOPTED RESOLUTION 2003-571 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5772, PHASE 9, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Watson-Maben: All Ayes

- *21) Request to approve final map for Tract 6162, northeast corner of Norris Road and Quail Creek Road, DeWalt Corporation for Norris Road Partners, LLC - ADOPTED RESOLUTION 2003-572 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 OWNERS 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 RESTORATION OF INGRESS AND EGRESS ACROSS LOT "A" IN TRACT NO. 4887, UNIT "A"; APPROVED FINAL MAP; AUTHORIZED CLERK OF BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFERS OF DEDICATION FOR STREET, TEMPORARY DRAINAGE SUMP AND TEMPORARY 1-FOOT NON-ACCESS EASEMENTS; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Watson-Maben: All Ayes

S.D. #2

- *22) Proposed Resolution initiating proceedings to establish fees following Annexation No. 1 to County Service Area No. 67, establishment of Zone of Benefit Nos. 1, 2 and 3, Parcel Map No. 10717, and four adjacent northerly parcels, Compagnoni Street, Pumpkin Center, Local Agency Formation Commission (LAFCO) Proceeding No. 1338 - ADOPTED RESOLUTION 2003-573 INITIATING PROCEEDINGS FOR FEES FOLLOWING ANNEXATION NO. 1 TO COUNTY SERVICE AREA NO. 67 AND ESTABLISHMENT OF ZONE OF BENEFIT NOS. 1, 2 AND 3; APPROVED; AUTHORIZED CHAIRMAN TO SIGN INDEMNIFICATION AGREEMENT 1070-2003 WITH LAFCO; SET PUBLIC HEARING FOR TUESDAY, FEBRUARY 3, 2004, AT 2:00 P.M., TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS TO ALL PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC MEETING IN COMPLIANCE WITH ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING

Watson-Maben: All Ayes

S.D. #3

- *23) Contract No. 04007, Plans and Specifications, and Notice to Contractors for proposal and contract for construction of North Beardsley Street Improvements, Phase VI - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20150 OF PUBLIC CONTRACT CODE; BID OPENING DATE TO BE WEDNESDAY, JANUARY 21, 2004, AT 11:00 A.M.

Watson-Maben: All Ayes

- *24) Request to reduce bonds for Tract 5990, Phase 1, northeast corner of Royal Way and Eucalyptus Drive, Orangewood area, approval of completed street, drainage, water, landscaping and sewer improvements; reduction of Faithful Performance Security in Subdivision Improvement Agreement; and proposed Resolution for acceptance of street and drainage improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE BOND NO. S506157, ISSUED BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$256,582, TO \$25,658, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING DECEMBER 16, 2003; ADOPTED RESOLUTION 2003-574 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5990, PHASE 1, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Watson-Maben: All Ayes

S.D. #4

- *25) Request for release of Monument Security (Cash Deposit) Tract 5557, Phase B, north side of Palm Avenue, east of Heath Road, Rosedale area, McIntosh & Associates for Delfino Bakersfield, LLC - RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$4,690 TO SUBDIVIDER, DELFINO BAKERSFIELD, LLC

Watson-Maben: All Ayes

- *26) Request for release of Monument Security (Cash Deposit) Tract 5557, Phase C, north side of Palm Avenue, east of Heath Road, Rosedale area, McIntosh & Associates for Delfino Bakersfield, LLC - RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$5,665 TO SUBDIVIDER, DELFINO BAKERSFIELD, LLC

Watson-Maben: All Ayes

S.D. #5

- *27) Contract No. 03031, Plans and Specifications, and Notice to Contractors for proposal and contract for construction of Alloway Lane Drainage Improvements - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20150 OF PUBLIC CONTRACT CODE; BID OPENING DATE TO BE WEDNESDAY, JANUARY 21, 2004, AT 11:00 A.M.

Watson-Maben: All Ayes

All S.D.'s

- *28) Proposed Agreement with Minner, Stinnett, Koo and Agbayani for plan review services for the Building Inspection Division, from January 1, 2004, through January 1, 2006, in an amount not to exceed \$200,000 annually - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1071-2003

Watson-Maben: All Ayes

- *29) Proposed Agreement with T.J. Cross Engineers, Inc., for plan review services for the Building Inspection Division, from January 1, 2004, through January 1, 2006, in an amount not to exceed \$200,000 annually - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1072-2003

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services
All S.D.'s

- *30) Proposed Amendment No. 2 to Agreement 799-2003 for animal care services with the City of Bakersfield, extending term to March 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1073-2003

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *31) Contract No. 04008, Plans, Specifications, and Notice to Contractors for construction of bike path from the California Living Museum to the Kern River Golf Course picnic area - MADE FINDING THAT PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT; ADOPTED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; AUTHORIZED ROADS TO FILE NOTICE OF DETERMINATION AND CERTIFICATE OF FEE EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING DATE TO BE WEDNESDAY, JANUARY 14, 2004, AT 11:00 A.M.

Watson-Maben: All Ayes

- *32) Proposed Resolution to accept offers and a portion of an offer of dedication, declaration as public highway and incorporation into the County road system to become a portion of East Brundage Lane (County Road 3709) - APPROVED; ADOPTED RESOLUTION 2003-575; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

All S.D.'s

- *33) Proposed establishment of an interest-bearing trust fund in the Roads Department for deposit of Core Area Metropolitan Bakersfield Transportation Impact Fees - APPROVED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ESTABLISH FUND

Watson-Maben: All Ayes

- *34) Three (3) proposed Memorandums of Understanding (MOU's) with the City of Bakersfield, Kern Council of Governments and California Department of Transportation (Caltrans) regarding: Model Coordination; Traffic Count Programs; and Model Distribution of the Regional Transportation Model for the Metropolitan Bakersfield General Plan - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 1074-2003, 1075-2003 AND 1076-2003

Watson-Maben: All Ayes

WASTE MANAGEMENT

All S.D.'s

- 35) Proposed Request for Proposal (RFP) to provide Burn Dump Remediation Design services - APPROVED AS AMENDED TO EXTEND THE PRE-PROPOSAL DEADLINE TO JANUARY 16, 2004, THE DEADLINE TO RECEIVE FINAL PROPOSALS TO FEBRUARY 16, 2004, AND TO INCLUDE A REPRESENTATIVE FROM THE COUNTY ADMINISTRATIVE OFFICE ON THE EVALUATION COMMITTEE; AUTHORIZED DISTRIBUTION

McQuiston-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *36) Description of proposed expenditure of California Healthcare for Indigents Program Funds for Fiscal Year 2003-2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: All Ayes

- *37) Proposed Standard Agreement for Emergency Medical Services appropriation funding for Fiscal Year 2003-2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1077-2003

Watson-Maben: All Ayes

- *38) Action to adopt arbitrator's recommended decision regarding Fire Department employee grievances filed by County employees William Dierck, Jr., and Pat H. Klassen - ADOPTED ARBITRATOR'S RECOMMENDATION AND SUSTAIN GRIEVANCES; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE SICK LEAVE BONUS PAYMENTS

Watson-Maben: All Ayes

Legislative Matter

- *39) Proposed Resolution supporting legislation to achieve equity among counties in State realignment funding allocation formulas - APPROVED; ADOPTED RESOLUTION 2003-576; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- *40) Identify apparent low bid from Graham Prewett, Inc., for the North Kern Court Building reroof, in an amount not to exceed \$120,100 (1960.8267) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

Watson-Maben: All Ayes

- *41) Proposed Amendment No. 2 to Agreement 748-98 with Chevron USA, Inc., to add EOG Resources, Inc., as a signatory to the amendment; and consent to the assignment of Chevron USA, Inc.'s, 50% interest in the oil/gas lease to Oxy Resources California, LLC (no cost) -

WITHDRAWN

S.D. #3

- *42) Proposed Lease Agreement with James W. Boylan, Inc., for Waste Management Department's use of office/warehouse space at 4229 Foster Avenue, Bakersfield, from December 16, 2003, to December 16, 2005, approximate total cost of \$19,500 for Fiscal Year 2003-2004 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1078-2003

Watson-Maben: All Ayes

S.D. #4

- *43) Request for approval of a confirming order in the amount of \$2,770 to Martin and Sons Upholstery for services performed at the Taft regional court facility - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE PAYMENT

Watson-Maben: All Ayes

- *44) Proposed Permission to Enter Agreement with Mountain Arts and Recreation Coalition, Inc., for completion of a concrete slab at Frazier Mountain Park to be used for skate board park improvements (no cost) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15303; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1079-2003

Watson-Maben: All Ayes

All S.D.'s

- 45) Request for approval to accept a donation of \$5,000 in paint and supplies from Wilshire Paint and Coatings - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION; MADE PRESENTATION TO JEREMY ASHLEY, WILSHIRE PAINT AND COATINGS; LARRY PADDOCK, DEPARTMENT OF GENERAL SERVICES, AND BERT MCCARTHY RECOGNIZED AND HEARD

Watson-Patrick: All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED ON DECEMBER 2, 2003

- *46) Proposed Ordinance amending and adding various sections within Chapter 8.28 of the Kern County Ordinance Code regarding solid waste disposal and illegal dumping enforcement and Chapter 8.54 regarding administrative penalties - ENACTED ORDINANCE - G-7066

Watson-Maben: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *47) Budget Transfers - APPROVED NO. 70

Watson-Maben: All Ayes

- *48) Minutes for weeks of November 3, 2003 and November 10, 2003
- APPROVED

Watson-Maben: All Ayes

- *49) Miscellaneous Letters and Documents - FILED

Watson-Maben: All Ayes

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

Watson-Maben: All Ayes

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

Watson-Maben: All Ayes

ADJOURNED TO CLOSED SESSION

Maben-

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 56) Request for Closed Session regarding Meet and Confer, All
Unions (Continued from 12/16/2003, 1:30 P.M., Item No. 1A) -

- 58) Request for Closed Session regarding public employee
evaluations - Title: CAO (Continued from 12/16/2003, 1:30
P.M., Item No. 1B) -

(If public reporting is required by Government Code Section
54957.1 relating to the above matters, the public reporting
of any action taken in closed session will be made at the
beginning of the next session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; ADJOURNED TO MONDAY, JANUARY
5, 2004, AT 12:00 NOON

McQuiston-

/s/ Denise Pennell
Clerk of the Board

/s/ Pete H. Parra
Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54953.2)**

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

49) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Certificate of Results of the Retirement Board Election held Tuesday, November 18, 2003

Clerk of the Board

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

1) Tract Map 6042, Phase 2 S.D. 3

Environmental Health

- C) Eleven (11) thank you letters to individuals for donations to the Bakersfield Animal Care Center and the Mojave Animal Shelter

Local Agency Formation Commission

- D) Notice of Hearing, Proceeding No. 1363, in the matter of City of Bakersfield Annexation No. 443 (Jewett No. 3, Jefferson Park) (Copies to each Supervisor and CAO)

- E) Notice of Hearing, Proceeding No. 1364, in the matter of City of Bakersfield Annexation No. 445 (McCutchen No. 1) (Copies to each Supervisor and CAO)

- F) Resolution No. 03-22, Proceeding No. 1335, in the matter of County Service Area No. 97, Formation

- G) Resolution No. 03-24, Proceeding No. 1359, in the matter of Lost Hills Utility District, Annexation No. 8

Probation

- H) Minutes of meeting on Wednesday, November 26, 2003, Kern County Juvenile Justice Coordinating Council

Miscellaneous

- I) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Tuesday, November 25, 2003, on north bound State Route 99 at State Route 223 off ramp (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)

- J) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Monday, November 24, 2003, on east bound State Route 58, one-half mile east of State Route 184 (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)

- K) E-mail from Susan Mitchell in support of Connie Wimmer's efforts to stop the slaughter of her dairy goats in Mojave (Copies to each Supervisor, CAO and Planning)

- L) E-mail from Florence Dunagan re the need for trash clean up in the Oildale area (Copies to each Supervisor, CAO, Engineering & Survey Services and Roads)

- M) E-mail from Florence Dunagan re illegal dumping in the Oildale area (Copies to each Supervisor, CAO, Waste Management, Resource Management Agency, Engineering & Survey Services and Environmental Health)
- N) Notice from Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses: Columbus Market, 2701 Alta Vista Drive, Bakersfield; Long Branch Saloon, 907 North Chester Avenue, Bakersfield; Kaur Tupinder, 5302 Olive Drive, Bakersfield; Ralph's 169, 1121 Olive Drive, Bakersfield; Don Perico Restaurant, 5500 Lake Isabella Boulevard, Unit K, Lake Isabella; and Art's Corner (Amended), 400 Harrison Street, Taft (Copies to each Supervisor, CAO and Planning)
- O) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, December 11, 2003
- P) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, November 13, 2003
- 50) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Bruce Freeman, Castle & Cook, in opposition to proposed General Plan Amendment to allow a Derrel's mini storage located on Stockdale Highway, west of Renfro Road - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
 - B) Letter from Kenneth R. Bergevin, Arvin Union School District, re Resolution No. 9:2003/2004 ordering an election to authorize the issuance of school bonds - REFERRED TO ELECTIONS
 - C) Letter from Larry E. Reider, Kern County Superintendent of Schools, re territory transfer from the Fillmore Unified School District (Ventura County) to the El Tejon Unified School District (Kern County) - REFERRED TO COUNTY COUNSEL
 - D) Letter from Waldo B. and Evelyn G. Madamba re bill received for Sundale Mutual Water District assessment, ATN 374-131-16-00-8 - REFERRED TO TREASURER-TAX COLLECTOR (Copies to each Supervisor and CAO)
 - E) E-mail from Howard Kemp re problems with trash pick up from Varner Brothers - REFERRED TO WASTE MANAGEMENT (Copies to each Supervisor and CAO)
 - F) E-mail from Thomas M. Jaquez re permitting sanctioned places for paintball play - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
 - G) E-mail from Internet Outdoors Unlimited re use of public funds for maintenance of dirt roads and trails in the Frazier Mountain Park Subdivision - REFERRED TO RESOURCE MANAGEMENT AGENCY (Copies to each Supervisor, CAO, Roads, Planning and County Counsel)

- H) Resolution 0304-07 from McFarland Unified School District ordering an election to authorize the issuance of school bonds, establishing specifications of the election order and requesting consolidation with other elections occurring on Tuesday, March 2, 2004 - REFERRED TO ELECTIONS (Copies to each Supervisor and CAO)
- 51) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Billy E. Wofford vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Danny Johnson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Leroy Bitting vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Jackie Rivera Palenzuela vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Lorre St. Germain vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Michael Lee Schultz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Jesse Ramirez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Norma Richardson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Amended claim in the matter of Joseph W. Ronczyk, Sr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Summons and complaint in the matter of Juan Medrano Gutierrez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Summons and complaint in the matter of Theresa Martin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)