

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, December 17, 2002

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Parra

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

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

NOTE: Supervisor Patrick recognized Frank Ramirez, recent appointee to the Human Relations Commission.

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring Second District Supervisor Steve A. Perez - ADOPTED RESOLUTION; MADE PRESENTATION TO SUPERVISOR STEVE A. PEREZ; SUPERVISOR PEREZ HEARD  
**Parra-Patrick: All Ayes**
- 2) Certificate of Recognition honoring Janette Pell for outstanding service to Kern County - MADE PRESENTATION TO JANETTE PELL, DIRECTOR, INFORMATION TECHNOLOGY SERVICES; JANETTE PELL; SCOTT JONES, CAO; AND DAVID PRICE, RESOURCE MANAGEMENT AGENCY DIRECTOR AND PRESIDENT OF THE TECHNOLOGY ADVISORY COMMITTEE, HEARD
- 3) Certificates of Recognition presented to the Liberty High School Volleyball Team for winning the State championship - MADE PRESENTATIONS TO LEAN SLAYTON, HEAD COACH; HEATHER MANN; JANIA MOTTON; KATIE SCOTT; BROOKE HENRY; CANDICE LANCASTER; JENAE ALEXANDER; MELISSA FORD; BETHANY ROWLEE; HALEY PHILLIPS; KYLA RUSSELL; JODI HARDIN; LILY BANKS; LIZE HICKS; AND ASHLEY OSCARS

APPOINTMENTS

- \*4) Reappointment of Carl Park as Third District Member to the Parks and Recreation Commission, term to expire January 2007 - MADE REAPPOINTMENT

**Patrick-McQuiston: All Ayes**

- \*5) Reappointment of David McArthur as Third District Member to the Wildlife Resources Commission, term to expire December 31, 2006 - MADE REAPPOINTMENT

**Patrick-McQuiston: All Ayes**

- \*6) Reappointment of Kathleen Ashland to the Golden Empire Transit District, term to expire January 7, 2007 - MADE REAPPOINTMENT

**Patrick-McQuiston: All Ayes**

- \*7) Reappointments of Larry McWhorter, Donna Thomas, and Greg Forystek to the Eastern Kern Resource Conservation District, terms to expire November 2006 - MADE REAPPOINTMENTS

**Patrick-McQuiston: All Ayes**

- \*8) Reappointments to the Water Resources Committee of Wilmar Boschman, Edward J. Herrera, and Dana S. Munn, terms to expire December 31, 2004; and Florn Core, term to expire December 31, 2003 - MADE REAPPOINTMENTS

**Patrick-McQuiston: All Ayes**

- \*9) Reappointments of Robert J. Mayborn and J. B. Selvidge to the Kern Mosquito and Vector Control District, terms to expire December 31, 2004 - MADE REAPPOINTMENTS

**Patrick-McQuiston: All Ayes**

- \*10) Appointment of Frank Ramirez as an At-Large Member to the Human Relations Commission, term to expire March 19, 2003 - MADE APPOINTMENT

**Patrick-McQuiston: All Ayes**

- \*11) Reappointments of Anthony "Tony" Martinez and Van Vangel to the Delano Mosquito Abatement District, terms to expire January 2, 2005 - MADE REAPPOINTMENTS

**Patrick-McQuiston: All Ayes**

- \*12) Reappointments of Joel Andreesen and Joseph Hughes to the Law Library Trustees Board, terms to expire December 31, 2003 - MADE REAPPOINTMENTS

**Patrick-McQuiston: All Ayes**

PUBLIC PRESENTATIONS

- 13) 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! - RON TUCULET, GENERAL MANAGER, KLEA, REQUESTED THE COUNTY PURSUE FILING AN APPEAL WITH THE FIFTH DISTRICT COURT OF APPEALS RELATIVE TO THE BAKERSFIELD CALIFORNIAN VS. THE COUNTY OF KERN

DR. REBECCA RIVERA HEARD REGARDING NURSING SHORTAGES AT KERN MEDICAL CENTER

ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION, EXPRESSED APPRECIATION TO SUPERVISOR PEREZ FOR HIS MANY YEARS OF SERVICE TO KERN COUNTY

BOB BORJON, PRESIDENT, HUMAN RELATIONS COMMISSION, PRESENTED A CIVIL RIGHTS LEADERSHIP AWARD TO SUPERVISOR PETE PARRA FROM THE CALIFORNIA ASSOCIATION OF HUMAN RELATIONS COMMISSIONS

JOSEPH JONES, EXECUTIVE DIRECTOR, ALTERNATIVE SOLUTIONS, HEARD REGARDING CONTRACT ADMINISTRATION BY THE COUNTY

NOEL STONE HEARD REGARDING THE CHRISTMAS TREE IN THE ROTUNDA OF THE COUNTY ADMINISTRATION BUILDING

LOUIS GILL, EXECUTIVE DIRECTOR, BAKERSFIELD HOMELESS CENTER, HEARD REGARDING A LOSS OF FUNDING FOR THE EMERGENCY HOUSING ASSISTANCE PROGRAM (EHAP)

REFERRED TO COUNTY STAFF TO PREPARE A LETTER OF SUPPORT TO RETAIN STATE FUNDING LEVELS FOR EMERGENCY SHELTERS; RECEIVED AND FILED DOCUMENT

**Patrick-Parra: All Ayes**

WALLY GROGAN, PRESIDENT-ELECT, KERN COUNTY FIRE FIGHTERS LOCAL 1301; DENNIS CARROLL; AND KEN BLANTON, OUTGOING PRESIDENT, KERN COUNTY FIRE FIGHTERS LOCAL 1301, ENCOURAGED THE COUNTY TO FILE AN APPEAL REGARDING LITIGATION BETWEEN THE BAKERSFIELD CALIFORNIAN VS. THE COUNTY OF KERN RELATING TO DISCLOSURE OF NAMES AND ADDRESSES OF PUBLIC EMPLOYEES

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*15) Recommendation of the High Desert Senior Nutrition Program Review Panel for Aging and Adult Services Department to assume operation of the High Desert Senior Nutrition Program and direct Aging and Adult Services to engage necessary actions/approvals to assume program operation - APPROVED

**Patrick-McQuiston: All Ayes**

AGRICULTURE AND MEASUREMENT STANDARDS

- \*16) Proposed retroactive Agreement with California Department of Food and Agriculture to provide reimbursement of inspection services for the Egg Quality Control Program, for Fiscal Year 2002/2003, in an amount not to exceed \$200 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1143-2002

**Patrick-McQuiston: All Ayes**

- \*17) Proposed retroactive Agreement with California Department of Food and Agriculture to provide reimbursement for performing high risk inspection and enforcement activities within Kern County, for Fiscal Year 2002/2003, in an amount not to exceed \$162,633 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1144-2002

**Patrick-McQuiston: All Ayes**

- \*18) Proposed retroactive Agreement with California Department of Food and Agriculture to provide reimbursement on Cotton Plowdown Enforcement, from November 1, 2002 through March 31, 2003, in an amount not to exceed \$11,802.15 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1145-2002

**Patrick-McQuiston: All Ayes**

- \*19) Proposed retroactive Agreement with California Department of Food and Agriculture for Pierce's Disease Control Program (Glassy-Winged Sharpshooter Program) in accordance with County Workplan, for Fiscal Year 2002/2003, in an amount not to exceed \$1,342,391.58 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1146-2002

**Patrick-McQuiston: All Ayes**

- \*20) Proposed retroactive Agreement with California Crop Improvement Association to reimburse County for Certified Seed work, for Fiscal year 2002/2003, in an amount not to exceed \$2,000 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1147-2002

**Patrick-McQuiston: All Ayes**

- \*21) Proposed Amendment No. 1 to Agreement 295-2002 with U.S.D.A., APHIS, Wildlife Services for change in workplan for wildlife damage management on properties within Kern County for Fiscal Year 2002/2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1148-2002

**Patrick-McQuiston: All Ayes**

- \*22) Proposed retroactive Agreement with California Department of Food and Agriculture for Kern County to perform enforcement activities in accordance with the Nematode Control Program, for Fiscal Year 2002/2003 (State Agreement 02-0113), in an amount not to exceed \$6,000 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1149-2002

**Patrick-McQuiston: All Ayes**

- \*23) Proposed retroactive Agreement with California Department of Pesticide Regulations for implementing and enforcing pesticide permit regulations adopted under AB3765 within Kern County, for Fiscal Year 2002/2003 (State Agreement 02-0015C), in an amount not to exceed \$115,803 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1150-2002

**Patrick-McQuiston: All Ayes**

- \*24) Proposed retroactive Agreement with California Department of Food and Agriculture to provide reimbursement for trapping exotic insect pests within Kern County, for Fiscal Year 2002/2003, in an amount not to exceed \$275,601 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1151-2002

**Patrick-McQuiston: All Ayes**

AIRPORTS

- \*25) Proposed month-to-month Lease Agreement with Mark Manning to rent Cloverleaf Hangar 20 at Meadows Field, Bakersfield, California, at a monthly rate of \$130, to be reviewed annually - MADE FINDING THAT THIS PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO COMPLETE AND FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1152-2002

**Patrick-McQuiston: All Ayes**

- \*26) Proposed submission of grant applications to the Environmental Protection Agency (EPA) Brownsfield Assessment and Cleanup for the abandoned Skyway Motel and Restaurant at Meadows Field, Bakersfield, California, for \$337,500 that require a 20% match from Airport funds - APPROVED; AUTHORIZED DEPARTMENT HEAD TO SIGN APPLICATIONS SUBJECT TO APPROVAL BY COUNTY COUNSEL

**Patrick-McQuiston: All Ayes**

- \*27) Proposed Resolution adopting Disadvantaged Business Enterprise (DBE) program and annual DBE goal for federally-funded airport improvement projects - ADOPTED RESOLUTION 2002-491

**Patrick-McQuiston: All Ayes**

ASSESSOR-RECORDER

- \*28) Proposed Amendment No. 3 to Agreement 1061-2000 with James E. Melland, Petroleum Appraiser Engineer, extending term of employment through December 31, 2003, and increasing salary to \$3,431.99 bi-weekly - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1153-2002; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Patrick-McQuiston: All Ayes**

- \*29) Proposed Agreement with Eric Brown of Dolphin Safe Software to provide contract analyst support and programming services pursuant to AB 589, from January 1, 2003, through December 31, 2003, in an amount not to exceed \$62,400 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1154-2002

**Patrick-McQuiston: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*30) Request from the North Edwards Water District to provide certain election services for their Special Tax Election and to consolidate with any other Election within this District to be held March 4, 2003 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Patrick-McQuiston: All Ayes**

CLERK OF THE BOARD

- \*31) Amended Conflict of Interest Codes for the Kern County Community and Economic Development Department and the Kern County Water Agency - APPROVED

**Patrick-McQuiston: All Ayes**

COUNTY COUNSEL

- 32) Report on Desert Counseling Center employees' request for back pay and update on County and State Department of Mental Health audits - ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION; SELINA WILSON; GUADALUPE ALMARAZ, SENIOR DEPUTY, STATE LABOR COMMISSION; AND CLAUDIA STINE, SOCIAL WORKER, HEARD; AUTHORIZED COUNTY COUNSEL TO CONFER WITH THE AUDITOR-CONTROLLER, MENTAL HEALTH SERVICES, DEPARTMENT OF HUMAN SERVICES, STATE LABOR COMMISSIONER AND STATE AGENCIES TO DETERMINE IF PAYMENTS ARE LEGALLY PERMISSIBLE, AND IF DETERMINED THAT AUTHORITY EXISTS TO PAY DESERT COUNSELING EMPLOYEES FOR BASE PAY, AUTHORIZED PAYMENT TO DESERT COUNSELING EMPLOYEES; DIRECTED COUNTY COUNSEL TO PROVIDE DAILY REPORTS TO THE CHAIRMAN AND REGULAR PROGRESS REPORTS TO THE BOARD; AND REPORT BACK TO THE BOARD ON TUESDAY, JANUARY 7, 2003 AT 9:00 A.M.; RECEIVED AND FILED

**Parra-McQuiston: 3 Ayes; 2 Noes - Patrick, Watson**

Hearings

- \*33) Request of Berrenda Mesa Water District: Equalization of Assessments and Assessment of Land Escaping Assessment for Calendar Year 2003 and setting rate of ad valorem assessment - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2002-492 FIXING RATE OF ASSESSMENT AND ASSESSING LAND WHICH HAS ESCAPED ASSESSMENT

**Patrick-McQuiston: All Ayes**

- \*34) Establishment of Kern County Water Agency Zones of Benefit for Fiscal Year 2003-04 (Zone Nos. 7-04, 17-04, 18-04 and 19-04) and providing for assessments therein - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2002-493 FIXING ASSESSMENTS

**Patrick-McQuiston: All Ayes**

- \*35) Proposed Ordinance adding sub-paragraphs (138) and (139) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones on the west and east sides of Stobaugh Street - WAIVED READING; INTRODUCED ORDINANCE

**Patrick-McQuiston: All Ayes**

DISTRICT ATTORNEY

- \*36) Proposed authorization for County Purchasing Agent to sign retroactive Speaker/Training Services Agreement with Network Catalyst for network switch management training, in an amount not to exceed \$3,425 - APPROVED; AUTHORIZED COUNTY PURCHASING AGENT TO SIGN

**Patrick-McQuiston: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*37) Proposed retroactive Agreement with the Employment Development Department (EDD) for services under the Workforce Investment Act (WIA), from July 1, 2002 through June 30, 2003, in an amount not to exceed \$264,312 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1155-2002

**Patrick-McQuiston: All Ayes**

- \*38) Proposed retroactive Agreement with the Employment Development Department (EDD) for services under the Welfare-to-Work (WtW) Grant Program, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$33,704 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1156-2002

**Patrick-McQuiston: All Ayes**

- \*39) Proposed retroactive Agreement with the Employment Development Department (EDD) for services under the California Work Opportunity and Responsibility to Kids (CalWORKs) Program, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$85,718 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1157-2002

**Patrick-McQuiston: All Ayes**

- \*40) Proposed retroactive Agreement with La Cooperativa Campesina de California to provide employment, training and youth services to Workforce Investment Act eligible migrant and seasonal farmworker youth with Kern County, from October 1, 2002 through June 10, 2003, in an amount not to exceed \$127,677 (prior notification on December 10, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1158-2002

**Patrick-McQuiston: All Ayes**

- \*41) Request to authorize Employers' Training Resource as fiscal agent for receipt of funding from the Employment Development Department to administer the Veterans Workforce Investment Program in the amount of \$200,000 - APPROVED; AUTHORIZED ETR AS FISCAL AGENT FOR RECEIPT OF FUNDS; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

**Patrick-McQuiston: All Ayes**

FIRE DEPARTMENT

- \*42) Request to hire retired Fire Captain Will Hanna, Range 61.9, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment - APPROVED

**Patrick-McQuiston: All Ayes**

HUMAN SERVICES

- \*43) Proposed Amendment No. 2 to Agreement 1082-2000 with Dr. Thomas V. Reese, Sr., for professional medical reviews of clients' medical records to determine incapacities essential in qualifying applicants and recipients for various public aid programs, extending term to December 31, 2003, and increasing compensation by \$75,000 for a total amount not to exceed \$275,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1159-2002

**Patrick-McQuiston: All Ayes**

KERN MEDICAL CENTER

- \*44) Proposed changes in clinical privilege status for 10 members of Kern Medical Center's medical staff - APPROVED

**Patrick-McQuiston: All Ayes**

- \*45) Relief of accountability of patients' accounts - DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF 3,341 ACCOUNTS TOTALING \$2,152,912.03; AUTHORIZED ASSIGNING 3,341 ACCOUNTS TOTALING \$2,152,912.03 TO COLLECTION AGENCIES

**Patrick-McQuiston: All Ayes**

- \*46) Proposed Amendment No. 3 to Agreement 276-99 with McKesson for an add-on service to the EC2000 Statement Administrator, in an additional annual amount of \$210 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1160-2002

**Patrick-McQuiston: All Ayes**

- \*47) Proposed Agreement with Samuel Fam, M.D., for psychiatric services, from December 17, 2002 through December 16, 2004, in an amount not to exceed \$123,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1161-2002

**Patrick-McQuiston: All Ayes**

- \*48) Proposed retroactive Agreement with Sher Institute for Reproductive Medicine, LLC, for obstetrical/gynecological and reproductive endocrinology and infertility specialist services, from July 2, 2002 through July 1, 2003, in an amount not to exceed \$70,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1162-2002

**Patrick-McQuiston: All Ayes**

- \*49) Proposed Agreement with Access Nurses to provide personnel to work interim assignments on the nursing units, from December 17, 2002 through December 16, 2004, in an amount not to exceed \$400,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1163-2002

**Patrick-McQuiston: All Ayes**



- \*50) Proposed Agreement with Onward Healthcare to provide personnel to work interim assignments on the nursing units, from December 17, 2002 through December 16, 2004, in an amount not to exceed \$400,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1164-2002

**Patrick-McQuiston: All Ayes**

- \*51) Proposed Amendment No. 5 to Information Systems Agreement 611-99 with CTG Healthcare Solutions, Inc., amending the original scope of work, extending the termination date one year through December 31, 2003, and increasing funding for additional support services by \$300,000 for a maximum contractual amount of \$1,148,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1165-2002

**Patrick-McQuiston: All Ayes**

- \*52) Proposed Agreement with Per-Se Technologies, for on-site training for automated human resources management system, in an amount not to exceed \$7,700 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1166-2002

**Patrick-McQuiston: All Ayes**

- \*53) Proposed retroactive Agreement with Deloitte & Touche for review and support of Medicare and MediCal annual cost reports, from November 20, 2002 through November 23, 2003, in an amount not to exceed \$10,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1167-2002

**Patrick-McQuiston: All Ayes**

- \*54) Proposed Amendment No. 1 to Agreement 922-2001 with Michael V. Wells, M.D., for radiology services, to add \$7,500 to annual compensation for continuing medical education expense reimbursement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1168-2002

**Patrick-McQuiston: All Ayes**

- \*55) Proposed Amendment No. 1 to Agreement 921-2001 with Chester K. Lau, M.D., for radiology services, to add \$7,500 to annual compensation for continuing medical education expense reimbursement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1169-2002

**Patrick-McQuiston: All Ayes**

- \*56) Proposed retroactive Agreement with Women's Cancer Center for gynecological oncology services, from August 15, 2002 through August 14, 2005, in an amount not to exceed \$750,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1170-2002

**Patrick-McQuiston: All Ayes**

- \*57) Notification of anticipated retroactive Amendment No. 3 to Agreement 010-2001 with Kern Health Systems for physician services - RECEIVED AND FILED

**Patrick-McQuiston: All Ayes**

- \*58) Notification of anticipated retroactive Amendment No. 3 to Agreement 011-2001 with Kern Health Systems for hospital and other facility services - RECEIVED AND FILED

**Patrick-McQuiston: All Ayes**

- \*59) Notification of anticipated retroactive Amendment No. 3 to Agreement 012-2001 with Kern Health Systems for provider services - RECEIVED AND FILED

**Patrick-McQuiston: All Ayes**

MENTAL HEALTH SERVICES

- \*60) Proposed Amendment No. 1 to Agreement 353-2002 with Nankil Enterprises, Inc., dba Union Villa, for augmented board and care services for County clients residing in the Bakersfield area, to amend the contractor's Federal Tax I.D. number (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1171-2002

**Patrick-McQuiston: All Ayes**

- \*61) Proposed designation of acute psychiatric mental health facilities for 72-hour treatment and evaluation for minors per Welfare and Institutions Code Section 5585.50 - APPROVED AND DESIGNATED DEL AMO HOSPITAL, TORRANCE, CA; BHC ALHAMBRA, ROSEMEAD CA; PINE GROVE HOSPITAL, CANOGA PARK; AND AURORA CHARTER OAK HOSPITAL, COVINA, CA, AS 72-HOUR PSYCHIATRIC MENTAL HEALTH FACILITIES FOR MINORS

**Patrick-McQuiston: All Ayes**

PERSONNEL

- \*62) Classification of positions recommended by Civil Service Commission effective December 28, 2002 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITION AND SALARY SCHEDULE

**Patrick-McQuiston: All Ayes**

PUBLIC HEALTH SERVICES

- \*63) Notification of anticipated retroactive Agreements with Vineland, Fairfax, and Edison School Districts for Medi-Cal Administrative Activities, from January 1, 2003 through June 30, 2003 - RECEIVED AND FILED

**Patrick-McQuiston: All Ayes**

- \*64) Proposed retroactive Agreement with Kern County Children and Families Commission for the Healthy Children Ready to Learn Program, from October 1, 2002 through September 30, 2003, in an amount not to exceed \$150,000 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1172-2002

**Patrick-McQuiston: All Ayes**

- \*65) Proposed retroactive Agreement with Kern County Children and Families Commission for nursing services for the Nurse-Family Partnership Program, from November 1, 2002, through October 31, 2003, in an amount not to exceed \$270,000 (prior notification October 29, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1173-2002

**Patrick-McQuiston: All Ayes**

- \*66) Proposed retroactive Agreement with Kern County Children and Families Commission for Child Health and Disability Prevention Treatment Program Dental Component from November 1, 2002 through October 31, 2003, in an amount not to exceed \$1,240,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1174-2002

**Patrick-McQuiston: All Ayes**

- \*67) Proposed Amendment No. 1 to Agreement 021-2002 with State Department of Health Services for the California Nutrition Network for Healthy Active Families Local Incentive Award Program, from October 1, 2001 through September 30, 2003, in an amount not to exceed \$142,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1175-2002

**Patrick-McQuiston: All Ayes**

SHERIFF

Hearing

- \*68) Hearing to consider suspension of Massage License No. 004423 - WITHDRAWN AT THE REQUEST OF KNUTE BERRY BY HIS ATTORNEY, GREGORY MITTS, TO BE RESCHEDULED

**Patrick-McQuiston: All Ayes**

- \*69) Request to appropriate unanticipated revenue in the amount of \$48,073 and add one (1) Deputy Sheriff position in the City of Tehachapi, effective December 17, 2002 (100% reimbursed by City) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULES; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$48,073 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$48,073 FROM APPROPRIATIONS FOR CONTINGENCIES TO SHERIFF'S BUDGET UNIT 2210

**Patrick-McQuiston: All Ayes**

- \*70) Appropriation of unanticipated revenue in the amount of \$119,514.92 for the pre-payment of debt incurred for Lerdo Energy Savings Project - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$119,514.92 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$119,514.92 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

**Patrick-McQuiston: All Ayes**

- 71) Request to appropriate unanticipated revenue in the amount of \$102,288 and add two (2) Deputy Sheriff positions in the City of Wasco, effective December 17, 2002 (100% reimbursed by City); and approval for Sheriff to sign U.S. Department of Justice COPS Universal Hiring Award document - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULES; AUTHORIZED SHERIFF TO SIGN FINAL AWARD DOCUMENT; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$102,288 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$102,288 FROM APPROPRIATIONS FOR CONTINGENCIES TO SHERIFF'S BUDGET UNIT 2210

**Patrick-McQuiston: All Ayes**

- \*72) Request to appropriate unanticipated revenue in the amount of \$50,004 and add one (1) Deputy Sheriff position in the City of Wasco, effective December 17, 2002 (100% reimbursed by City); and approval for Sheriff to sign U.S. Department of Justice COPS in Schools grant award document - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULES; AUTHORIZED SHERIFF TO SIGN FINAL AWARD DOCUMENT; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$50,004 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$50,004 FROM APPROPRIATIONS FOR CONTINGENCIES TO SHERIFF'S BUDGET UNIT 2210

**Patrick-McQuiston: All Ayes**

TREASURER-TAX COLLECTOR

- \*73) Cash Receipts and Disbursements for November 2002 - RECEIVED AND FILED

**Patrick-McQuiston: All Ayes**

ADJOURNED TO CLOSED SESSION

**Patrick**

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

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

COUNTY COUNSEL

- 75) Results of Closed Session regarding a lawsuit entitled Bakersfield Californian v. County of Kern, et al., KCSC 247268 NFT (Government Code Section 54956.9(a)) - AUTHORIZED COUNTY COUNSEL TO FILE A PETITION FOR EXTRAORDINARY WRIT IN THE FIFTH DISTRICT COURT OF APPEALS

**Parra-Patrick: All Ayes**

- 76) Request for Closed Session regarding a claim entitled Matthew Ramos vs. County of Kern (Government Code Section 54956.9(a)) -

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

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

**Parra-McQuiston**

/s/ Denise Pennell  
Clerk of the Board

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

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, December 17, 2002

2:00 P.M.

BOARD RECONVENED

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

Note: Item #60 was heard prior to consideration of the consent agenda

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

CHAIRMAN PEREZ ANNOUNCED THAT DURING THE DECEMBER 17, 2002, 9:00 A.M. CLOSED SESSIONS ITEM NO. 75, THE BOARD UNANIMOUSLY VOTED TO AUTHORIZE COUNTY COUNSEL TO FILE A PETITION FOR EXTRAORDINARY WRIT IN THE FIFTH DISTRICT COURT OF APPEALS REGARDING THE LAWSUIT ENTITLED BAKERSFIELD CALIFORNIAN V. COUNTY OF KERN, ET AL.

#### 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

Note: Items No. 4 and No. 5 were heard prior to Item No. 3

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 3) **Request from Larry Moxley appealing the decision of the Planning Commission to allow Barry Townsend (by Renee Nelson) to establish a children's camp on approximately 15 acres located on the south side of the Kern River, north side of Alfred Harrell Highway, westerly from Hart Memorial Park, northwest of Bakersfield (SD 1)**

Specific Request:

An appeal of the decision of the Planning Commission to allow the establishment of a children's camp to provide educational and recreational opportunities for children ages 7 through 17 (Conditional Use Permit 2, Map 82-35; approved September 12, 2002); project improvements include enhancement of wetlands and construction of a bunk house, administration building/administrator's residence, kitchen facilities, and maintenance facilities (Section 19.42.030.C) in an RF FPS District; a recreational lake is also proposed (Sections 19.42.030.C and 19.50.030) in the RF FPS and FPP - Districts; water supply will be by on-site well, and sewage disposal will be by septic tank; also proposed is the restoration and enhancement of on-site riparian habitat and development of an on-site fishery; thirty-five (35) children and seven (7) employees (administrator, cook, and five (5) counselors) will be on site per session during late spring and summer; use of the facilities will be offered the remainder of the year to other youth groups and public recreation districts; also proposed is the summary vacation of a portion of old Alfred Harrell Highway (Appeal #1, Map #82-35)

(Environmental Impact Report; Published Bakersfield Californian) (from 11/12/2002) - OPENED HEARING; HEARD IN OPPOSITION TO PROJECT: MARGARET ANN ELLIOTT; JILL WILLIAMS; BRENT WILLIAMS; JERRY HELT; JIM PARKER; JOHN WILSON, CONSULTANT; STAN AHLF; CARLENE DAVIS; AND LARRY MOXLEY; HEARD IN SUPPORT OF PROJECT: TERRI BJORN, CLIFFORD AND BROWN, COUNSEL FOR BARRY TOWNSEND; GEORGE NICKEL; RENE DONATO NELSON, AGENT FOR MR. TOWNSEND; KIM MCFARLIN, DOWNEY BRAND SEYMOUR AND ROHWER, SACRAMENTO; BARRY TOWNSEND, PROJECT APPLICANT; AND PAULINE LARWOOD; RECEIVED AND FILED DOCUMENTS; CLOSED HEARING; ADOPTED RESOLUTION 2002-494 APPROVING APPEAL AND DENYING THE CONDITIONAL USE PERMIT FOR THE KERN RECREATION CAMP; REQUEST FOR VACATION OF A PORTION OF COUNTY ROAD 769 WAS WITHDRAWN

**McQuiston-Watson: All Ayes**

Note: Items No. 4 and No. 5 were heard concurrently and before Item No. 3

- 4) **Request from Corrie Vanderham by Rick Vanderham to delete the future 90-foot road reservation for the midsection lines within a proposed dairy facility property, located at the southeast corner of Riverside Street and Palm Avenue, southwest of Shafter (SD 4)**

Specific Request:

Amend the Circulation Element of the Kern County General Plan to eliminate the midsection lines of Section 24, T28S, R24E, MDB&M, as future collector alignments (GPA #3, Map #78)

(Environmental Impact Report; Published Shafter Press) (from 12/3/2002) - OPENED HEARING; HEARD IN OPPOSITION TO PROJECT: SUSIE RICHARDS, MAPLE SCHOOL DISTRICT; JOHN GUINN, CITY MANAGER, CITY OF SHAFTER; TOM FRANZ; ARTHUR UNGER, KERN-KAWEAH CHAPTER OF THE SIERRA CLUB; PAT CRISWELL-HAMMETT; MARTIN WILCOX; DAN HAMMETT; AND GREG BERGLUND; HEARD IN SUPPORT OF PROJECT: DAVID ALBERS, ATTORNEY REPRESENTING THE APPLICANT; MARY JANE WILSON, PRESIDENT, WZI, INC.; RICK VANDERHAM, VANDERHAM FAMILY MEMBERS INTRODUCED; BOB FEENSTRA, MILK PRODUCERS COUNCIL; AND J.P. CATIVIELA, COMMUNITY ALLIANCE FOR RESPONSIBLE ENVIRONMENTAL STEWARDSHIP (C.A.R.E.S.); CLOSED HEARING

MOTION TO APPROVE STAFF RECOMMENDATION; REFER THREE-MILE BUFFER ZONE FROM INCORPORATED CITIES' SPHERES OF INFLUENCE FOR ALL DAIRIES TO PLANNING DEPARTMENT AND DIRECT PLANNING DEPARTMENT TO WORK WITH THE DAIRY INDUSTRY CONCERNING BY-RIGHT DAIRIES

**Watson**

SUPERVISOR WATSON AMENDED HIS MOTION.

PER PLANNING COMMISSION RECOMMENDATION, CERTIFIED ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 FINDINGS AND SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2002-495 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED, WHICH APPROVAL IS VOID UNLESS, ON OR BEFORE FRIDAY, JANUARY 3, 2003, THE PROPERTY OWNER(S) SIGN(S) AND FILES WITH THE KERN COUNTY PLANNING DEPARTMENT AN INDEMNITY AGREEMENT APPROVED BY COUNTY COUNSEL; RECEIVED AND FILED DOCUMENTS

**Watson-Parra: 4 Ayes; 1 No - McQuiston**

REFERRED TO PLANNING DEPARTMENT TO DEVELOP AN URGENCY ORDINANCE TO ESTABLISH A THREE-MILE BUFFER FROM INCORPORATED CITIES' SPHERES OF INFLUENCE AND A DISTANCE FROM SCHOOLS FOR ALL DAIRIES FOR REPORT BACK TO THE BOARD IN EARLY JANUARY

**McQuiston-Parra: All Ayes**

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 5) **Request from Center for Race, Poverty, and the Environment and City of Shafter to appeal the decision of the Planning Commission approving Corrie Vanderham by Rick Vanderham's request for a dairy in an agricultural zone on 435 acres located at the southeast corner of Riverside Street and Palm Avenue, southwest of Shafter (SD 4)**

**Specific Request:**

An appeal to the decision of the Planning Commission to approve the construction of a dairy (Conditional Use Permit Case 9, Map 78; Resolution 203-02; approved November 14, 2002) (Section 19.12.030.A.2) in an A District (Appeal #2, Map #78)

(Environmental Impact Report; Published Shafter Press and Bakersfield Californian) - OPENED HEARING; HEARD IN OPPOSITION TO PROJECT: SUSIE RICHARDS, MAPLE SCHOOL DISTRICT; JOHN GUINN, CITY MANAGER, CITY OF SHAFTER; TOM FRANZ; ARTHUR UNGER, KERN-KAWEAH CHAPTER OF THE SIERRA CLUB; PAT CRISWELL-HAMMETT; MARTIN WILCOX; DAN HAMMETT; AND GREG BERGLUND; HEARD IN SUPPORT OF PROJECT: DAVID ALBERS, ATTORNEY REPRESENTING THE APPLICANT; MARY JANE WILSON, PRESIDENT, WZI; RICK VANDERHAM, VANDERHAM FAMILY MEMBERS INTRODUCED; BOB FEENSTRA, MILK PRODUCERS COUNCIL; AND J.P. CATIVIELA, COMMUNITY ALLIANCE FOR RESPONSIBLE ENVIRONMENTAL STEWARDSHIP (C.A.R.E.S.); CLOSED HEARING

MOTION TO APPROVE STAFF RECOMMENDATION; REFER THREE-MILE BUFFER ZONE FROM INCORPORATED CITIES' SPHERES OF INFLUENCE FOR ALL DAIRIES TO PLANNING DEPARTMENT AND DIRECT PLANNING DEPARTMENT TO WORK WITH THE DAIRY INDUSTRY CONCERNING BY-RIGHT DAIRIES

**Watson**

SUPERVISOR WATSON AMENDED HIS MOTION.

PER PLANNING DEPARTMENT RECOMMENDATION, CERTIFIED ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 FINDINGS AND SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2002-496 DENYING APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION, WHICH APPROVAL IS VOID UNLESS, ON OR BEFORE FRIDAY, JANUARY 3, 2003, THE PROPERTY OWNER(S) SIGN(S) AND FILES WITH THE KERN COUNTY PLANNING DEPARTMENT AN INDEMNITY AGREEMENT APPROVED BY COUNTY COUNSEL; RECEIVED AND FILED DOCUMENTS

**Watson-Parra: 4 Ayes; 1 No - McQuiston**

REFERRED TO PLANNING DEPARTMENT TO DEVELOP AN URGENCY ORDINANCE TO ESTABLISH A THREE-MILE BUFFER FROM INCORPORATED CITIES' SPHERES OF INFLUENCE AND A DISTANCE FROM SCHOOLS FOR ALL DAIRIES FOR REPORT BACK TO THE BOARD IN EARLY JANUARY

**McQuiston-Parra: All Ayes**

Recessed for 10 minutes

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



- \*6) **Request from Kern County Planning Department for the creation of Farmland Security Zones within Agricultural Preserves for the purpose of defining boundaries of those areas within which Farmland Security Zone contracts are being considered on 10,232.34 acres located Countywide (All S.D.'s)**

Specific Request:

Creation of Farmland Security Zones within Agricultural Preserve Nos. 1, 5, 6, 7, 8, 10, 12, and 13 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 2002-497 THROUGH 2002-504 APPROVING FARMLAND SECURITY ZONES

**Patrick-Parra: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Land Use

S.D. #1

- \*7) Notice of Nonrenewal 02-08 by Farmland Reserve, Inc., for 748.9 acres within Agricultural Preserve No. 8 - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*8) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-02, Mark Friedel Jasper, east of Wasco, Agricultural Preserve No. 6, 159.18 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

S.D. #3

- \*9) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-05, Jeffrey S. Stoller and Kristen L. Stoller, Breckenridge Hills, Agricultural Preserve No. 13, 10 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

S.D. #4

- \*10) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-16, James R. DiMugno, west of Shafter, Agricultural Preserve No. 5, 80 Acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*11) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 01-22, Terry J. Chicca, Cheryl A. Chicca, Jerry V. Chicca, and Betty R. Chicca, west of McFarland area, Agricultural Preserve No. 6, 235.45 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*12) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-03, Mont-Kern Land Company, east of Lost Hills, Agricultural Preserve No. 5, 737.26 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*13) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-07, Belridge New Farming Company, Lost Hills area, Agricultural Preserve No. 5, 1,322.14 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*14) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-08, Paramount Orchards Partners IV, north and south of Lost Hills area, Agricultural Preserve No. 5, 147 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*15) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-09, Paramount Land Company, L.P., north of Lost Hills area, Agricultural Preserve No. 5, 124 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*16) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-10, W V Acquisition Corporation, northwest of Blackwell's Corner, Agricultural Preserve No. 1, 81 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*17) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-11, The Bidart Family Partnership, L.P., south of Old River area, Agricultural Preserve No. 12, 2,230.27 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*18) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-12, J & R Dairy and Ramon Echeverria, northwest of Buttowillow, Agricultural Preserve No. 8, 784.08 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*19) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-13, West-Star Dairy, west of Shafter, Agricultural Preserve No. 8, 327.78 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*20) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-14, Hans Nederend Senior Trust, west of McFarland, Agricultural Preserve Nos. 6 and 7, 1,265.32 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*21) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-15, Felix Echeverria, Isabelle Echeverria, Juan M. Echeverria, and Angela Echeverria, south of Old River, Agricultural Preserve Nos. 10 and 12, 1,230.25 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

- \*22) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-06, Allan and Lynda Bittleston Revocable Trust, west of Shafter, Agricultural Preserve No. 8, 158.18 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

S.D. #5

- \*23) Proposed Williamson Act Land Use Contract for 2003 Calendar Year; Contract 02-08, Joy Kirshenmann and Charles Kirschenmann, southwest of Lamont, Agricultural Preserve No. 13, 153.63 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

S.D.'s #1 & #4

- \*24) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-01, James R. DiMugno and Nancy F. DiMugno, McFarland and Shafter areas, Agricultural Preserve Nos. 6 and 8, 138.11 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

S.D.'s #2, #3 & #5

- \*25) Proposed Farmland Security Zone (FSZ) Contract for 2003 Calendar Year, FSZ Contract 02-04, Stoller Family Trust, Breckenridge Hills, Agricultural Preserve No. 13, 1,269.96 acres - RESCINDED EXISTING 10-YEAR CONTRACT FOR PARCELS INCLUDED WITHIN PROPOSED FARMLAND SECURITY ZONE CONTRACT AND SIMULTANEOUSLY APPROVED FARMLAND SECURITY ZONE CONTRACT; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Parra: All Ayes**

Miscellaneous

All S.D.'s

- \*26) Proposed update of Capital Improvement Plan and review of public information for the Metropolitan Bakersfield Habitat Conservation Plan Fee Program - CONTINUED TO TUESDAY, JANUARY 7, 2003 AT 2:00 P.M.

**Patrick-Parra: All Ayes**

- \*27) Proposed Amendment of Consulting Agreement with Garcia and Associates for completion of the Kern County Valley Floor Habitat Conservation Plan to expand duties and increase compensation by \$24,500, for a total not to exceed \$79,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1176-2002

**Patrick-Parra: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

S.D. #1

- \*28) Proposed Agreement with South Fork Union School District to provide \$51,650 toward purchase of kitchen equipment for South Fork Middle School Community Center - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1177-2002

**Patrick-Parra: All Ayes**

S.D. #4

- \*29) Proposed Agreement with El Mirage, L.P., to obligate \$544,000 of HOME Program funds for construction and permanent financing for Project 33.02.5, El Mirage Apartments - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1178-2002; AUTHORIZED DIRECTOR TO EXECUTE REQUIRED DOCUMENTS TO IMPLEMENT PROJECT, INCLUDING DEED RESTRICTION AGREEMENT, SECURITY AGREEMENT, ESCROW INSTRUCTIONS, AND OTHER DOCUMENTS AS REQUIRED, ALL IN A FORM APPROVED BY COUNTY COUNSEL

**Patrick-Parra: All Ayes**

All S.D.'s

- \*30) Closeout of completed Community Development Block Grant (CDBG) funded projects, and transfer of \$288,213.21 to CDBG Unprogrammed funds line item - APPROVED TRANSFER OF FUND BALANCES FOR COMPLETED PROJECTS TO RESPECTIVE CDBG PROGRAM YEARS (FISCAL YEAR 1995-1996 THROUGH FISCAL YEAR 1999-2000) UNPROGRAMMED FUNDS LINE ITEM; AUTHORIZED AUDITOR-CONTROLLER TO CANCEL UNEXPENDED BALANCE OF OUTSTANDING CONTRACT ENCUMBRANCES; AUTHORIZED NECESSARY HUD AND COUNTY BUDGET ADJUSTMENTS AND PROJECTS CLOSEOUTS

**Patrick-Parra: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearings

S.D. #2

- \*31) Protest hearing on the proposed confirmation of the costs incurred for nuisance abatement work at 12026 Kern Avenue, Boron, APN 231-131-01, SD 2, \$2,625 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2002-505 THE COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON THE TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH THE NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Patrick-Parra: All Ayes**

- \*32) Protest hearing on the proposed confirmation of the costs incurred for nuisance abatement work at 8 E. Silver Queen Road, Mojave, APN 429-060-17, SD 2, \$2,237.50 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2002-506 THE COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON THE TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH THE NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Patrick-Parra: All Ayes**

- \*33) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 3533 50th Street, Rosamond, APN 252-080-08, estimated cost in excess of \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2002-507 THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM THE NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT

**Patrick-Parra: All Ayes**

S.D. #3

- \*34) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 115 Decatur Street, Bakersfield, APN 113-280-19, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2002-508 THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM THE NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT

**Patrick-Parra: All Ayes**

S.D. #4

- \*35) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 126 Roosevelt Place, Taft, APN 039-321-41, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2002-509 THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM THE NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT

**Patrick-Parra: All Ayes**

S.D.'s #2, #3, #4, & #5

- \*36) Protest hearing on the proposed confirmation of the costs incurred for nuisance abatement work at:
- a) 15762 "M" St., Mojave, APN 236-241-03, SD 2, \$1,350.00
  - b) 254-401-25-00-7, Rosamond, APN 254-401-25, SD 2, \$1,338.75
  - c) 509 Washington Ave., Bakersfield, APN 113-092-08, SD 3, \$1,093.50 - WITHDRAWN; REFERRED TO STAFF
  - d) 802 Belle Ave., Bakersfield, APN 114-183-12, SD 3, \$820.00
  - e) 1112 Wells, Bakersfield, APN 113-192-01, SD 3, \$732.50
  - f) 4519 Frazier Ave., Bakersfield, APN 149-032-01 SD 4, \$1,840.50
  - g) Center St., Bakersfield, APN 138-290-24, SD 5, \$1,582.50
  - h) 3411 Mesa Dr., Bakersfield, APN 135-162-24, SD 5, \$1,466.50 -

OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; CONFIRMED BY RESOLUTION 2002-510 THE COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FOR EACH PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON THE TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH THE NUISANCES WERE ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Patrick-Parra: All Ayes**

S.D. #1

- \*37) Tract No. 6063, Phase 2, east side McCray Street, 580 feet north of West Day Avenue, north Bakersfield; North Country Meadows, Inc. - ADOPTED RESOLUTION 2002-511 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZE CLERK OF BOARD TO SIGN; APPROVE IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Patrick-Parra: All Ayes**

- \*38) Tract No. 6063, Phase 3, east side McCray Street, 930 feet north of West Day Avenue, north Bakersfield; North Country Meadows, Inc. - ADOPTED RESOLUTION 2002-512 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Patrick-Parra: All Ayes**

S.D. #3

- \*39) Contract No. 03005, identify apparent low bid of Granite Construction Company for construction of North Beardsley Street Improvements-Phase IV, in an amount not to exceed \$192,555 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

**Patrick-Parra: All Ayes**

- \*40) Tract No. 5910, Phase 1, west side Vineland Road, 1,074 feet south of Breckenridge Road, Orangewood area, Type "A" subdivision, DeWalt Corporation for Dennis W. DeWalt - ADOPTED RESOLUTION 2002-513 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); ABANDONMENT OF SLOPE EASEMENT, SITUATED IN LOTS 21 AND 22 OF SAID MAP, PER BOOK 7009, PAGE 672 O. R. , AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "B" IN TRACT NO. 5560, UNIT B; APPROVED FINAL MAP; AUTHORIZED CLERK OF BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Patrick-Parra: All Ayes**



- \*41) Tract No. 5990, Phase 2, north side Eucalyptus Drive, Orangewood area, Type "A" subdivision, DeWalt Corporation for Dennis W. DeWalt - ADOPTED RESOLUTION 2002-514 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 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); APPROVED FINAL MAP, AUTHORIZED CLERK OF BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Patrick-Parra: All Ayes**

S.D. #4

- \*42) Tract No. 5919, Unit C, Meacham Road between Renfro Road and Rudd Avenue, west Bakersfield, Type "A" Subdivision, James K. Delmarter for Eloy Renfrow - ADOPTED RESOLUTION 2002-515 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFER OF DEDICATION FOR DRAINAGE EASEMENT; AUTHORIZED CLERK OF BOARD TO SIGN; ACCEPTED SEWAGE MONITORING EASEMENT; AUTHORIZED CLERK OF BOARD TO SIGN; RECEIVED AND FILED PACIFIC GAS AND ELECTRIC "CONSENT TO COMMON USE" LETTER AND OTHER DOCUMENTS; ORDERED RECORDED AS APPROPRIATE

**Patrick-Parra: All Ayes**

S.D. #5

- \*43) Contract No. 03009, proposed rejection of sole bid from JTS Construction for construction of East Bakersfield Curb and Gutter Improvements-Retaining Walls - REJECTED SOLE BID AND RELEASED BID GUARANTEE; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS; BID OPENING TO BE WEDNESDAY, JANUARY 15, 2003, AT 11:00 A.M.

**Patrick-Parra: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

Hearings

S.D. #2

- \*44) Proposed update of Capital Improvement Plan and review of public information for Rosamond/Willow Springs Transportation Impact Fee Program - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2002-516 UPDATING AND CONFIRMING THE CAPITAL IMPROVEMENT PLAN; RECEIVED AND FILED REPORT

**Patrick-Parra: All Ayes**

All S.D.'s

- \*45) Proposed update of Capital Improvement Plan and review of public information for Metropolitan Bakersfield Transportation Impact Fee Program - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2002-517 UPDATING AND CONFIRMING THE CAPITAL IMPROVEMENT PLAN; RECEIVED AND FILED REPORT

**Patrick-Parra: All Ayes**

S. D. #1

- \*46) Contract No. 03010, identify apparent low bid of Asphalt Construction Company, Inc., for construction on Drummond Avenue between Campbell Street and Brady Street, in an amount not to exceed \$75,460 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL BID GUARANTEES

**Patrick-Parra: All Ayes**

S.D. #3

- \*47) Contract No. 02034, Change Order No. 1 for construction on Victor Street from Norris Road, 660 feet south of Pembroke Avenue, an increase of \$204, for a new total of \$129,744 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Parra: All Ayes**

S.D. #4

- \*48) Proposed Cooperative Agreement with the State of California for installation of traffic signals and safety lighting on State Route 58 at Jenkins Road, County's proportionate share not to exceed \$125,243 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1179-2002

**Patrick-Parra: All Ayes**

- \*49) Proposed no-parking zone on Old Farm Road - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Patrick-Parra: All Ayes**

S.D. #3

- \*50) Proposed no-parking zone on Coffee Road - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Patrick-Parra: All Ayes**

- \*51) Proposed no-parking zone on Frazier Mountain Park Road - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Patrick-Parra: All Ayes**

S.D. #5

- \*52) Contract No. 03011, Plans, Specifications, and Notice to Contractors for construction on Flower Street, between Haley Street and Mount Vernon Avenue - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JANUARY 15, 2003, AT 11:00 A.M.

**Patrick-Parra: All Ayes**

S.D.'s #3 & #5

- \*53) Proposed Contract No. 02043 with JTS Construction Company for construction on Niles Street median and signal interconnection (Virginia Street to Morning Drive) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1180-2002

**Patrick-Parra: All Ayes**

WASTE MANAGEMENT

All S.D.'s

- \*54) Proposed Agreements with Environmental Treatment and Technology, Inc., (dba Advanced Technology Laboratories) and Del Mar Analytical, Inc., to provide chemical analytical services for County waste management facilities, in an amount not to exceed \$300,000 each for a total amount not to exceed \$600,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 1181-2002 AND 1182-2002

**Patrick-Parra: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*55) Proposed Amendment No. 7 to Administrative Services Agreement with Blue Cross Life & Health Insurance Company for dental benefit plan administration, to extend term two years to December 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1183-2002

**Patrick-Parra: All Ayes**

- \*56) Proposed Standard Agreement with State Department of Health Services for Emergency Medical Services Appropriation funding for Fiscal Year 2002-2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1184-2002

**Patrick-Parra: All Ayes**

- \*57) Proposed response to 2002-2003 Grand Jury Final Report on Delano Court Holding Facility - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Parra: All Ayes**

- \*58) Proposed response to 2002-2003 Grand Jury Final Report on Taft Court Holding Facility - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Parra: All Ayes**

- \*59) Transfer of property tax entitlement related to City of California City, Reorganization No. 2, LAFCO Proceeding No. 1348 - ADOPTED RESOLUTION 2002-518 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF THE COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF CALIFORNIA CITY AND TO TRANSFER THE PORTION OF THE PROPERTY TAX ENTITLEMENT FROM THE AREA PROPOSED FOR DETACHMENT TO THE COUNTY COMMENCING FISCAL YEAR 2003-2004

**Patrick-Parra: All Ayes**

NOTE: ITEM NO. 60 WAS HEARD BEFORE CONSIDERATION OF THE CONSENT AGENDA

- 60) Proposed issuance of pension obligation bonds to finance County's existing unfunded retirement liability and proposed professional Agreements with Kelling, Northcross and Nobriga for municipal finance consulting services, in an amount not to exceed \$142,000; Stradling, Yocca, Carlson and Rauth for bond counsel services, in an amount not to exceed \$86,000; and Hawkins, Delafield and Wood for disclosure counsel services, in an amount not to exceed \$43,000 - AUTHORIZED COUNTY ADMINISTRATIVE OFFICE TO INITIATE BOND ISSUANCE PROCESS; APPROVED AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 1185-2002, 1186-2002 AND 1187-2002

**Parra-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

Hearing

S.D. #1

- \*61) Proposed Resolution and Ordinance granting pipeline franchise to Mountain Mesa Water Company - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-519 AND ENACTED ORDINANCE F-455

**Patrick-Parra: All Ayes**

S.D. #2

- \*62) Proposed Amendment to Agreement No. 412-98 with Miles H. Thomas Family Trust for lease of farmland, south of Arvin landfill, to provide for installation of monitoring wells - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1188-2002

**Patrick-Parra: All Ayes**

S.D. #3

- \*63) Change Order No. 4 for Metro Recreation Center Improvements, a decrease of \$6,726.45, for a new total of \$400,090.05 (1960.8179) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Parra: All Ayes**

S.D. #4

- \*64) Proposed Reimbursement Agreement with California Water Service Company, for construction of new potable and irrigation water pipelines to service Hart Park, at an estimated cost of \$681,200 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301 (b); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1189-2002

**Patrick-Parra: All Ayes**

S.D. #5

- \*65) Request for approval of confirming purchase orders for emergency repairs at Beale Memorial Library, for the following vendors and amounts: A-C Electric Company, \$1,656; PTS Rentals, \$12,847.72; Otis Elevator, \$13,076.86; Stewart Electric, \$25,611.30 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE

**Patrick-Parra: All Ayes**

S.D.'s #2 & #5

- \*66) Proposed Agreement with Nicholas Construction for tot lot improvements at the Greenfield, DiGiorgio and Lamont Parks, in an amount not to exceed \$121,758 (1960.8247A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1190-2002

**Patrick-Parra: All Ayes**

S.D.'s #3 & #5

- \*67) Plans and Specifications for tot lot improvements at the Heritage, Casa Loma, Pioneer and Rexland Acres Parks (1640.71000203) - 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 GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JANUARY 16, 2003, AT 11:00 A.M.

**Patrick-Parra: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON DECEMBER 10, 2002

- \*68) 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 - ENACTED ORDINANCE G-6946

**Patrick-Parra: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*69) Budget Transfers - APPROVED #74 THROUGH #81

**Patrick-Parra: All Ayes**

- \*70) Miscellaneous Letters and Documents - FILED

**Patrick-Parra: All Ayes**

- \*71) Miscellaneous Departmental Referrals by Clerk of the Board  
- APPROVED AND FILED

**Patrick-Parra: All Ayes**

- \*72) Claims and Lawsuits filed with and referred by Clerk of the  
Board - APPROVED AND FILED

**Patrick-Parra: All Ayes**

ADJOURNED TO MONDAY, JANUARY 6, 2003, AT 12:00 NOON

**Patrick**

/s/ Denise Pennell  
Clerk of the Board

/s/ Tracey E. Cody  
Administrative Coordinator

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

70) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Board of Supervisors

- A) Letter from Barbara Patrick re 2003 committee assignments to Executive Committee of San Joaquin Valley Regional Association of California Counties (SJVRACC) (Copies to each Supervisor and CAO)

Clerk of the Board

- B) Letter to Bob Brown, Tehachapi Resource Conservation District, re vacancies for terms ending November 30, 2002 (Copies to each Supervisor and CAO)

Employers' Training Resource

- C) Modification 13 to Agreement R069109 with the Employment Development Department to extend the term of the WIA 15% Call Letter project Agreement through December 31, 2002.
- D) Modification 6 to Agreement R276841 with the Employment Development Department to add funding in the amount of \$34,680 for the Dislocated Worker program and change the begin date of Rapid Response funds to January 1, 2002
- E) Modification 2 to Agreement R380507 with the Employment Development Department to initiate a Veteran's WIA 15% special project in the amount of \$200,000
- F) Modification 3 to Agreement R380507 with the Employment Development Department to add WIA 25% Rapid Response funding in the amount of \$2,825,727

Environmental Health

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

Local Agency Formation Commission

- H) Notice of Protest Hearing, Proceeding No. 1338, in the matter of County Service Area No. 67, Annexation No. 1 (Copies to each Supervisor and CAO)
- I) Resolution No. 02-46, Proceeding No. 1343, in the matter of City of Bakersfield, Annexation No. 435 (Oswell No. 8/Wible No. 12) (Copies to each Supervisor and CAO)

Planning

- J) Request from Carroll D. Wetzel to name an unnamed street Wetzel Lane, Mojave area
- K) Consent to Recordation, Irrevocable Offer of Dedication from Rosedale Union School District, County Road No. 3911, Santa Fe Way

Probation

- L) Minutes of the Kern County Juvenile Justice Coordinating Council meeting on Wednesday, November 27, 2002

Roads

- M) Consent to Recordation, Irrevocable Offer of Dedication from Indian Wells Valley Water Control District, Drummond Avenue in Ridgecrest

Sheriff

- N) Thank you letter to Neil Walker, Kern Oil and Refining Company, for donation to the D.A.R.E. program

Miscellaneous

- O) Letter from Tommie Middleton in support of the Kern Recreation Camp (Copies to each Supervisor, CAO, Planning and County Counsel)
- P) Letter from Don R. Morrison withdrawing his opposition to the Kern River Recreation Camp (Copies to each Supervisor, CAO, Planning and County Counsel)
- Q) 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)
- R) Letter from Fred A. Drew, Community Action Partnership of Kern, re Agency Audit for period ending February 28, 2002 (Copies to each Supervisor and CAO)
- S) Letter from Harold and Rosalie Johnson re notes concerning Tejon Ranch request to appeal Planning Commission decision to allow advertising sign (Copies to each Supervisor, CAO, Planning and County Counsel)
- T) Letter from Arthur L. Gaffrey, U.S. Department of Agriculture, Forest Service, re Draft Environmental Impact Statement (DEIS) for the Giant Sequoia National Monument Management Plan (Copies to each Supervisor, CAO, Planning and County Counsel)
- U) Letter from Amy L. Dobberteen, State Business, Transportation and Housing Agency, re self-insured health plans (Copies to each Supervisor and CAO)
- V) Letter from Jon Coffin, Responsible Biosolids Management, Inc., re list of top scientists knowledgeable about biosolids land application and its safe practice (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- W) Letter from Joan M. Comanor, Natural Resources Conservation Service, re application for designation of the San Joaquin Valley Resource Conservation and Development (RC&D) Area of California (Copies to each Supervisor and CAO)
- X) Letter from Helen Dennis, City of California City, re Ordinance No. 02-602, approving Second Amendment to the California City Redevelopment Plan (Copy to County Counsel)



- Y) Letter from Doyle Green, California Highway Patrol, re Hazardous Materials Incident Report, Friday, November 15, 2002, State Route 46, west of Main Drain Road (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- Z) E-mail from Tom Weil re mid-year budget reduction to California Department of Transportation, Division of Aeronautics (Copies to each Supervisor, CAO and Airports)
- AA) E-mail from Joseph C. Jones, Alternative Solutions Educational Clinicians, re contracting process with Kern County Mental Health (Copies to each Supervisor, CAO and Mental Health)
- BB) Memorandum from San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Record for meeting on Tuesday, December 3, 2002 (Copies to each Supervisor and CAO)
- CC) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, December 12, 2002
- DD) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, November 14, 2002
- EE) Minutes of meeting from State Department of Fish and Game, Wildlife Conservation Board, on Thursday, August 22, 2002 (Copies to each Supervisor and CAO)
- 71) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Letter from Ara Marderosian re modifications by Robert Sellers, Quarter Circle 5 Ranch, Weldon - REFERRED TO RESOURCE MANAGEMENT AGENCY (Copies to each Supervisor, CAO, Planning, Roads, Engineering and Survey Services and County Counsel)
  - B) E-mail from Joseph C. Jones, Alternative Solutions Educational Clinicians, re contract negotiations with Kern County Mental Health Department - REFERRED TO MENTAL HEALTH (Copies to each Supervisor and CAO)
- 72) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Bruce Huggins, a minor by and through his Parent Kathryn Huggins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Eileen Hubbard vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Gerald F. Klingenberg vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Matthew R. Ramos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- E) Summons and complaint in the matter of Rosa Maria Garibay, individually and as guardian ad Litem on behalf of Salvador Garibay, Jr., Uriel Garibay and Christian Garibay, minors vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Summons and complaint in the matter of Olga Lezama-Flores and Araceli Pacheco vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Summons and complaint in the matter of Laura Louise Grant vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Discrimination complaint in the matter of Maria Conover vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)