

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, December 9, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Patrick

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring Fire Chief Stephen Gage upon his retirement after thirty years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO STEVE GAGE; ZACK SCRIVNER, FIELD REPRESENTATIVE TO ASSEMBLY MEMBER KEVIN MCCARTHY, PRESENTED A CERTIFICATE OF APPRECIATION TO CHIEF GAGE; DEPUTY CHIEF DENNIS THOMPSON AND CHIEF GAGE HEARD

Patrick-Maben: All Ayes

PUBLIC REQUESTS

- 2) Request from Kern County Museum to make presentation regarding Clock Tower Holidays and December 13th Holiday Lamplight Tours - CAROLA RUPERT ENRIQUEZ AND WILLIAM R. BOWERS, FORMER SHERIFF OF KERN COUNTY IN THE 1800'S, HEARD

APPOINTMENTS

- *3) Reappointment of Barbara Jo Roberson as an At-large Member to the North Bakersfield Recreation and Park District, term to expire at the pleasure of the Board or December 20, 2007
- MADE REAPPOINTMENT

Maben-Patrick: All Ayes

PUBLIC PRESENTATIONS

- 4) 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

- 5) 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 PATRICK REPORTED ON THE CALIFORNIA ASSOCIATION OF PUBLIC HOSPITALS' CONFERENCE SHE ATTENDED AND ANNOUNCED PETER BRYAN HAS BEEN NAMED CHAIRMAN OF THE ASSOCIATION. KERN MEDICAL CENTER ALSO RECEIVED AN AWARD FOR THE PHYSICIAN'S PAY FOR PERFORMANCE PROGRAM

SUPERVISOR MCQUISTON DISCUSSED RECENT ACTION BY THE CSAC BOARD OF DIRECTORS TO PURSUE REPEAL OF RECENTLY ENACTED LEGISLATION THAT CREATES A PER PARCEL FEE ON PROPERTIES IN STATE RESPONSIBILITY AREAS (SRA'S) TO ASSIST IN COVERING FIRE PROTECTION COSTS. HE ADDED IF EFFORTS TO REPEAL THIS LEGISLATION ARE NOT SUCCESSFUL, KERN COUNTY SHOULD SEEK LEGISLATION TO ENSURE THE FEES COLLECTED IN KERN COUNTY REMAIN WITH LOCAL FIRE PROTECTION RESOURCES RATHER THAN BEING PASSED THROUGH TO THE STATE

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

- *6) Proposed retroactive Agreement with California Department of Food and Agriculture (No. 03-0567) to reimburse Kern County for Cotton Plowdown Enforcement activities conducted within Kern County for Fiscal Year 2003/2004, in an amount not to exceed \$11,889.90 (prior notification July 22, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1038-2003

Maben-Patrick: All Ayes

ASSESSOR-RECORDER

- *7) Proposed Agreement with Eric Brown, Dolphin Safe Software, to provide contract analyst support and programming services for the Assessor, pursuant to AB 589, from January 1, 2004 through December 31, 2004, in an amount not to exceed \$62,400 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1039-2003

Maben-Patrick: All Ayes

- *8) Proposed retroactive Agreement between the California Assessors' Association and Harold W. Bertholf, Inc., to provide participating counties with Petroleum and Geothermal Property Sales Study, from November 1, 2003 through October 31, 2004, Kern County's share not to exceed \$56,200 (all costs to be paid by the State-County Tax Administration Program) - APPROVED; AUTHORIZED ASSESSOR-RECORDER TO SIGN; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY CALIFORNIA ASSESSORS' ASSOCIATION

Maben-Patrick: All Ayes

- *9) Proposed Agreement with State Department of Finance for State-County Property Tax Administration Program grant (R&T Code Section 95.31) for calendar year 2004, effective January 1, 2004, in the amount of \$1,211,318 for local property tax administration- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1040-2003

Maben-Patrick: All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *10) Request from the West Kern Community College District to provide certain election services for their Special Bond Election and to consolidate with any other Election within this District to be held March 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Maben-Patrick: All Ayes

CHILD SUPPORT SERVICES

- 11) Request for approval of confirming order with KGET - TV 17 for commercial broadcast airtime provided in August 2003, in the amount of \$5,475 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY CLAIM FOR PAYMENT

McQuiston-Patrick: 4 Ayes; 1 Abstained - Watson

- *12) Request to hire retired County employee Elaine Ezell, Family Support Officer IV, Range 51.7, 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

COUNTY COUNSEL

- *13) Request of the Personnel Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Patrick: All Ayes

- *14) Request of the Risk Management Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Patrick: All Ayes

DISTRICT ATTORNEY

- *15) Proposed five-year Agreement with Dade Behring Corporation to provide hardware, software, and reagents for drugs of abuse testing, in an amount not to exceed \$100,000 annually - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1041-2003

Maben-Patrick: All Ayes

- *16) Proposed retroactive Agreement with Kern High School District for Truancy Reduction Services, from August 15, 2003 through August 14, 2004, in an amount not to exceed \$122,923 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1042-2003

Maben-Patrick: All Ayes

- *17) Proposed Resolution authorizing grant application for the Vertical Prosecution Program, in the amount of \$211,511 - APPROVED; ADOPTED RESOLUTION 2003-552; AUTHORIZED DISTRICT ATTORNEY TO SUBMIT GRANT APPLICATION AND SIGN PROPOSED GRANT AWARD AGREEMENT

Maben-Patrick: All Ayes

EMERGENCY MEDICAL SERVICES

- *18) Notification of retroactive Agreements with ambulance service providers for indigent pre-hospital emergency services - RECEIVED AND FILED

Maben-Patrick: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *19) Proposed retroactive Agreement with Wasco Union 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 \$77,987 (prior notification on June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1043-2003

Maben-Patrick: All Ayes

- *20) Proposed retroactive Agreement with West Side Regional Occupational Program to provide comprehensive career and vocational education activities for Workforce Investment Act-eligible customers, from July 1, 2003 through June 20, 2004, in an amount not to exceed \$6,975 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1044-2003

Maben-Patrick: All Ayes

FIRE DEPARTMENT

- 21) Results of Request for Proposals (RFP) Process for recommended vendor for Fire Department physicals and fitness assessments - APPROVED RECOMMENDATION OF CENTRAL VALLEY OCCUPATIONAL MEDICAL GROUP, INC., AS PREFERRED PROVIDER FOR FIRE DEPARTMENT PHYSICALS AND FITNESS ASSESSMENTS; REFERRED TO FIRE DEPARTMENT TO DEVELOP AGREEMENT FOR BOARD'S CONSIDERATION AT A FUTURE DATE

Patrick-Maben: All Ayes

- *22) Request to appropriate unanticipated revenue and approval of a proposed confirming purchase order for repair of fire engine, in an amount not to exceed \$47,727.56 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$47,727.56 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO THE FIRE DEPARTMENT BUDGET UNIT 2415 IN THE AMOUNT OF \$47,727.56

Maben-Patrick: All Ayes

KERN MEDICAL CENTER

- *23) Proposed Agreement with Shreedevi Keni, M.D., for psychiatric services, from December 12, 2003 through December 11, 2005, in an amount not to exceed \$123,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1045-2003

Maben-Patrick: All Ayes

- *24) Proposed Agreement with Kevin R. Schmidt, D.O., Inc., for emergency medicine services, from December 21, 2003 through December 20, 2005, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1046-2003

Maben-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *25) Proposed retroactive Agreement with the State of California, Department of Mental Health, for funding for the Department's Forensic Conditional Release program (CONREP), from July 1, 2003 to June 30, 2004, in an amount not to exceed \$335,059 (State Funds to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1047-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Maben-Patrick: All Ayes

PARKS AND RECREATION DEPARTMENT

- *26) Proposed Resolution requesting authorization to apply for Grant Funds through the Murray Hayden Program for rehabilitation of baseball fields at Metro Park, in the amount of \$750,000 - APPROVED; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTIONS 15302 AND 15303 OF THE STATE CEQA GUIDELINES; ADOPTED RESOLUTION 2003-553; AUTHORIZED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION

Maben-Patrick: All Ayes

SHERIFF

- *27) Request to hire retired County employee Charles Mollineaux, as extra-help Sheriff's Detention Officer, Range 52.6, 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

- *28) Request to accept a donation of \$5,265.19 from the Kern County Law Enforcement Foundation - ACCEPTED DONATION; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Maben-Patrick: All Ayes

- *29) Proposed Amendment No. 1 to Agreement No. 312-2002 with R.J. Lee Solutions, LLC, for software modification to integrate the Property Management System and I/LEADS Records Management System - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1048-2003

Maben-Patrick: All Ayes

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IHSS PUBLIC AUTHORITY

Maben-McQuiston

ADJOURNED TO CLOSED SESSION

Watson-

CLOSED SESSIONS

IHSS PUBLIC AUTHORITY

- 30) Request for Closed Session regarding Meet and Confer, UDWA - RECONVENED FROM CLOSED SESSION; ADJOURNED AS IHSS PUBLIC AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

Watson-Maben

ADJOURNED TO CLOSED SESSION

Watson-

COUNTY ADMINISTRATIVE OFFICE

- 31) Request for Closed Session regarding Meet and Confer, All Unions -

COUNTY COUNSEL

- 32) Request for Closed Session regarding significant exposure to litigation against the County (two cases) (Government Code Section 54956.9(b)(1) -

(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

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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!
- ROY WEYGAND, PRESIDENT OF KERN COUNTY TAXPAYERS ASSOCIATION, HEARD REGARDING CORRESPONDENCE HE FILED RELATIVE TO THE ELECTIONS DIVISION BEING REMOVED FROM THE AUDITOR-CONTROLLER-COUNTY CLERK'S OFFICE

REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO RESPOND TO MR. WEYGAND'S LETTER

McQuiston-Patrick: All Ayes

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 Michael Lamb to change the permitted uses from open space to industrial for development of a storage warehouse on 2-1/2 acres located on the west side of 70th Street West, north of Rosamond Boulevard, Willow Springs area (SD 2)**

Specific Request:

- (a) A change in zone classification from OS to M-1 PD or a more restrictive district (ZCC #6, Map #231-16)
(b) A Precise Development Plan for a storage warehouse, in an M-1 PD District (PD Plan #4, Map #231-16)
(Categorically Exempt, Section 15303; Published Rosamond Weekly News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-554 AND 2003-555 AND ENACTED ORDINANCE G-7063 APPROVING ZONE CHANGE AS REQUESTED; APPROVED PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS

Patrick-Maben: All Ayes

- 4) **Request from Lori Potter to appeal the decision of the Planning Commission approving Isaac Martin's request for approval of a church with an accessory cemetery on 32.8 acres located at Lebec Oaks Road and Lance Drive, Lebec (SD 4)**

Specific Request:

An appeal to the decision of the Planning Commission for the approval of Conditional Use Permit 38, Map 237 (Resolution 190-03; approved October 9, 2003) to allow a church with an accessory cemetery (Section 19.14.030.I) in an A-1 (Limited Agriculture) District (Appeal #3, Map #237)
(Negative Declaration; Published Mountain Enterprise) - OPENED HEARING; HEARD IN OPPOSITION TO STAFF'S RECOMMENDATION: LORI POTTER; ART BENCE; JAMES PARSONS; BRIAN PART; LINDA MC KAY; AND MELODY SANDRA PART; HEARD IN SUPPORT OF RECOMMENDATION: FRED SMALLEY; PASTOR ISAAC MARTIN; AND KAREN JARVIS; CLOSED HEARING; CONTINUED TO TUESDAY, JANUARY 6, 2004, AT 2:00 P.M.

Watson-Patrick: All Ayes

- *5) **Request from Angel Newman to appeal the decision of the Planning Commission approving request of Carriage Homes by Moreland Consulting, Inc., for a Vesting Tentative Tract 6096 proposing to divide a 9.4-acre site into 15 residential lots and to appeal the approval to allow an 18,513-square-foot minimum lot size, where 21,780 square feet are required, on property located on the east side of Cindy Drive, approximately 200 feet south of Bonanza Drive, southeast Bakersfield area (SD 5)**

Specific Request:

- (a) An appeal to the decision of the Planning Commission for the approval of Vesting Tentative Tract 6069 (Resolution 191-03; approved October 9, 2003) proposing to divide a 9.4-acre site into 15 residential lots ranging in size from 19,900 square feet to 28,600 square feet for single-family residential development; two limited design variations (TR #6069)

(Continued on Page 10)

(Continued from Page 9)

(b) An appeal to the decision of the Planning Commission for the approval of Zone Modification 4, Map 124-12 (Resolution 192-03; approved October 9, 2003) to allow an 18,513-square-foot minimum lot size, where 21,780 square feet are required (Section 19.16.050 and Section 19.54.050.A.3), in an E (1/2) RS District (Appeal #2, Map #124-12)

(Negative Declaration; Published Bakersfield Californian) -
CONTINUED TO TUESDAY, JANUARY 27, 2004, AT 2:00 P.M.

Patrick-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Hearing

S.D.'s #1, #3 & #4

- 6) Report on request of North Bakersfield Recreation & Park District for a Resolution amending the Capital Improvement Plans for Fiscal Year 2003-2004, and to enact an Ordinance increasing the fee in Kern County Ordinance Code Section 17.70.050 by \$622 to \$1,275 per dwelling, and to approve fee remittal up to \$670,772 for Fiscal Year 2003-2004 - OPENED HEARING; COLON BYWATER, PLANNING AND CONSTRUCTION DIRECTOR FOR NORTH BAKERSFIELD RECREATION & PARK DISTRICT, HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; APPROVED REQUEST OF NORTH BAKERSFIELD RECREATION & PARK DISTRICT; ADOPTED RESOLUTION 2003-556 AND ENACTED ORDINANCE G-7064; REFERRED TO PARKS DEPARTMENT AND COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK REGARDING ESTABLISHING PARK DEVELOPMENT FEES IN THE UNINCORPORATED AREAS IN METROPOLITAN BAKERSFIELD

Patrick-Maben: All Ayes

Land Use

S.D. #4

- *7) Proposed Williamson Act Land Use Contract 03-11 for 2004 Calendar Year with Michael D. Hopkins, Linda M. Hopkins, Ferdinand Palla and Esther Palla, northwest corner of Merced Avenue and Leonard Avenue, west of Wasco, Agricultural Preserve No. 6, 77.27 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #1

- *8) Proposed Environmental Clearance Certification, Finding of No Significant Impact (FONSI), Negative Declaration, and Request for Release of Funds (RROF) for CD Activity No. 27.02.1, Rand Water Tank Replacement - APPROVED FONSI AND MITIGATED NEGATIVE DECLARATION; AUTHORIZED CLERK OF THE BOARD TO FILE NOTICE OF DETERMINATION; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED DIRECTOR TO SUBMIT TO HUD

Patrick-Maben: All Ayes

- *9) Proposed Finding of No Significant Impact (FONSI), Mitigated Negative Declaration, and Request for Release of Funds (RROF) for Community Development Block Grant Activity No. 18.03.1 and future phase Nos. 18.04.1 and 18.05.1, City of Shafter, West Side Park (Multi-Phase) - APPROVED FONSI AND MITIGATED NEGATIVE DECLARATION; AUTHORIZED CLERK OF THE BOARD TO FILE NOTICE OF DETERMINATION AND CERTIFICATE OF FEE EXEMPTION; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT RROF AND CERTIFICATION TO HUD

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #2

- *10) Contract No. 03032, Plans and Specifications, and Notice to Contractors for proposal and contract for construction of Mojave Drainage Improvements, Phase VII - 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 TO BE WEDNESDAY, JANUARY 14, 2004, AT 11:00 A.M.

Patrick-Maben: All Ayes

- *11) Contract No. 03026, identify apparent low bid of McLaughlin Construction, Inc., for construction of curb cut improvements, Mojave/Rosamond, in an amount not to exceed \$116,729.20 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D.'s #1 & #2

- *12) Contract No. 04002, Notice of Completion for construction of asphalt concrete (stockpile) at various locations in East Kern County - RECEIVED AND FILED

Patrick-Maben: All Ayes

S.D. #3

- *13) Proposed no-stopping zone on Catalpa Way - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF THE NECESSARY ORDINANCE

Patrick-Maben: All Ayes

- *14) Proposed Resolution to declare a portion of Niles Street and Valencia Drive as a public highway and incorporate it into County road system - APPROVED; ADOPTED RESOLUTION 2003-557; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *15) Proposed Agreement with Kern County Children and Families Commission to provide administrative support, legal counsel, and accounting and banking services, from January 1, 2004 through December 31, 2006, and reimbursing the County for these services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1049-2003

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #2

- *16) Proposed purchase of approximately 4 acres of vacant land in Keene from Edward A. Wilson for use as a transfer station by the Waste Management Department, for a purchase price of \$20,000 and \$842 for escrow and closing costs - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-558; ACCEPTED GRANT DEED; AUTHORIZED CHAIRMAN TO SIGN ESCROW INSTRUCTIONS; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE IN THE AMOUNT OF \$20,842

Patrick-Maben: All Ayes

S.D. #5

- *17) Proposed Quitclaim Deeds transferring County's interest in 6 surplus road right-of-way parcels to adjacent property owners: Ramon and Marianne Campos; Carlos and Carmen De La Torre; Irma and Joe Gonzales, Jr.; William Bruce Bell; Thomas and Dianna Estep; and Arthur and Judith Seibert; 4 parcels located at intersection of Bernard Street and River Boulevard, 2 parcels located on Steele Avenue near intersection of California Avenue and Mt. Vernon Avenue (total revenue of \$2,600 to Road Fund) - DECLARED PROPERTIES TO BE SURPLUS; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED TRANSFER; AUTHORIZED CHAIRMAN TO SIGN DEEDS; AUTHORIZED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

All S.D.'s

- *18) Request for approval of selection of Trans-West Security Services, Inc., to provide countywide security guard services, as determined through a Request for Proposals process, and proposed Agreement with Trans-West Security from January 1, 2004, through December 31, 2005, in an amount not to exceed \$1,500,000 per year - APPROVED SELECTION; APPROVED AGREEMENT IN SUBSTANTIALLY THE FORM SUBMITTED; AUTHORIZED PURCHASING AGENT TO SIGN AGREEMENT UPON COMPLETION AND APPROVAL AS TO FORM BY COUNTY COUNSEL

Patrick-Maben: All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED ON DECEMBER 2, 2003

- *19) Proposed Ordinance amending the Kern County Campaign Finance Reform Ordinance defining terms relating to transfers and carryovers in Section 2.130.040 and clarifying that Section 2.130.090 only applies to Inter-Candidate Transfers - ENACTED ORDINANCE G-7065

Patrick-Maben: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *20) Budget Transfers - APPROVED NO. 66 THROUGH NO. 69

Patrick-Maben: All Ayes

- *21) Minutes for week of October 27, 2003 - APPROVED

Patrick-Maben: All Ayes

- *22) Miscellaneous Letters and Documents - FILED

Patrick-Maben: All Ayes

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

Patrick-Maben: All Ayes

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

Patrick-Maben: All Ayes

ADJOURNED TO TUESDAY, DECEMBER 16, 2003, AT 9:00 A.M.

Watson-

/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.

22) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Letter to Roy Weygand, Kern County Taxpayers Association, re implementation of touch screen voting system and staff training (Copies to each Supervisor and CAO)

Clerk of the Board

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

- | | |
|----------------------------|---------|
| 1) Tract Map 5944, Phase 3 | S.D. #2 |
| 2) Tract Map 5968, Unit 4 | S.D. #4 |
| 3) Tract Map 6007, Unit 3 | S.D. #4 |
| 4) Tract Map 6018 | S.D. #3 |
| 5) Tract Map 6107, Phase 3 | S.D. #3 |
| 6) Tract Map 6164, Phase 2 | S.D. #1 |
| 7) Parcel Map 10800 | S.D. #1 |
| 8) Parcel Map 10830 | S.D. #2 |

Miscellaneous

- C) Letter from Peter and Debra Coyle in opposition to the Chinmaya Mission project on Slikker Avenue and Shellabarger Road, CUP No. 41, Map No. 102-30 (Copies to each Supervisor, CAO, Planning and County Counsel)
- D) Letter from Renee Donato Nelson, Clean Water and Air Matter (CWAM) in opposition to Pacific Gas & Electric's application for authorization to sell the Kern Power Plant (Copies to each Supervisor, CAO, Environmental Health and Resource Management Agency)
- E) Letter from Ed Riojas, State Department of Health Services, re California Healthcare for Indigents (CHIP) and Rural Health Services (RHS) standard agreement for Fiscal Year 2003-2004 (Copies to each Supervisor, CAO, Public Health and Auditor-Controller-County Clerk)
- F) Letter from Dallas Jones, Governor's Office of Emergency Services, re declaration of primary counties of Los Angeles, Riverside, San Bernardino, San Diego and Ventura, and contiguous counties of Imperial, Inyo, Kern, Orange and Santa Barbara, disaster areas resulting from the Southern California fires which began Tuesday, October 21, 2003 (Copies to each Supervisor, CAO and Emergency Services)
- G) Letter from Dallas Jones, Governor's Office of Emergency Services, re Secretarial disaster designation for county of Kern and contiguous counties of Los Angeles, San Bernardino, San Luis Obispo, Santa Barbara and Ventura, due to agriculture losses caused by excessive rain and Wheat Stripe Rust which occurred Tuesday, April 1, 2003, through Saturday, May 31, 2003 (Copies to each Supervisor, CAO and Emergency Services)

- H) Letter from Dallas Jones, Governor's Office of Emergency Services, re Secretarial disaster designation for the counties of Los Angeles, San Bernardino, San Diego, Ventura and Riverside, and the contiguous counties of Imperial, Inyo, Kern, Orange and Santa Barbara, due to agricultural losses caused by wildfires occurring Tuesday, October 21, 2003 (Copies to each Supervisor, CAO and Emergency Services)
- I) Letter from Kevin Starr, California State Library, re grant application for Frazier Park Branch Library, from California Public Library Construction & Renovation Bond Act funds, Cycle 2 (Copies to each Supervisor, CAO, Library and Auditor-Controller-County Clerk)
- J) Letter from J. R. Odom, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, November 20, 2003, on Interstate 5, Grapevine East truck escape (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- K) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, November 13, 2003, on State Route 99, north bound side of Lerdo Highway (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- L) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, November 13, 2003, on State Route 65, 0.5 mile south of Sherwood Avenue (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- M) Letter from Steve West, Kern County Sheriff's Department, re salary and benefit negotiations (Copies to each Supervisor and CAO)
- N) Notices from Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses: Tampico Restaurant, 11103 Main Street, Lamont; Anthony's Food Market, 3200 North Chester Avenue, Bakersfield; and Art's Corner (Amended), 400 Harrison Street, Taft (Copies to each Supervisor, CAO and Planning)
- O) Agenda of meeting from State Fish and Game Commission on Wednesday, December 3, 2003
- P) Agenda of meeting from Central Valley Region Water Quality Control Board on Thursday and Friday, December 4 and 5, 2003
- 23) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Pamela A. McCarthy, City of Bakersfield, re Resolution 184-03 requesting consolidation of City's Primary Municipal Election with the Statewide Primary Election on Tuesday, March 2, 2004 - REFERRED TO ELECTIONS

- B) Letter from Charles F. Homier, Jr., Homier Distribution Company, re permits or licenses required to conduct retail sales at Desert Empire Fairgrounds, Ridgecrest - REFERRED TO SHERIFF
- C) Complaint and Notice of Claim from Richard Howell re removal of lots from tax sale held on Monday, November 3, 2003 (APN 260-054-19, APN 260-034-20, APN 260-034-21 and APN 260-034-22) - REFERRED TO TREASURER-TAX COLLECTOR (Copies to each Supervisor, CAO and County Counsel)
- 24) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Joseph Ronczyk, Sr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Lisa Marie Maturino vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Notice of case closure in the matter of Artesia Letrease Hayes vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)