

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Monday, February 24, 2003

8:30 A.M.

BOARD RECONVENED

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

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

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

BOARD ACTION SHOWN IN CAPS

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**

ADJOURNED TO CLOSED SESSION

Maben

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 2) Request for Closed Session regarding public employee interviews - Title: Director of Child Support Services -
- 3) Results of Closed Session regarding public employee interviews - Title: Director of Child Support Services - CONTINUED TO TUESDAY, FEBRUARY 25, 2003 AT 9:00 A.M. (See Item No. 43)

(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 TUESDAY,
FEBRUARY 25, 2003 AT 9:00 A.M.

McQuiston-Maben

/s/ Denise Pennell
Clerk of the Board

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, February 25, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: Chairman Parra welcomed job-shadow students from Bakersfield Adult School. Board members introduced visiting students: Chairman Parra - Gabby Tamayo; Supervisor McQuiston - Abelardo Corona; Supervisor Patrick - Grace Gutierrez; Supervisor Maben - Jose Jimenez; Supervisor Watson - Lucila Gomez

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

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming March 2003 as "Support Your Charities" Month in Kern County - PROCLAIMED; MADE PRESENTATION TO DAVE CHRISTENSEN, SOUTHERN CALIFORNIA GAS COMPANY; DAVE CHRISTENSEN HEARD

Maben-Parra: All Ayes

- 2) Proclamation proclaiming March 13, 2003 as Navy Day in Kern County - PROCLAIMED; MADE PRESENTATION TO CATHY HANSEN, PRESIDENT, BAKERSFIELD NAVY LEAGUE, AND WALT HEISEY, FOUNDER, BAKERSFIELD NAVY LEAGUE; COMMANDING OFFICERS OF THE O'CALLAGHAN DISTRICT SEA CADETS, CAL EMERSON, WAYNE GANT, AND PAUL BRADY, WERE INTRODUCED; CATHY HANSEN AND WALT HEISEY HEARD

McQuiston-Maben: All Ayes

- 3) Certificate of Recognition recognizing Bakersfield Adult School El Civics Program for their program designed to aid immigrants in acquiring skills necessary to become active and informed parents and community members - MADE PRESENTATION TO SUSAN HANDY, PRINCIPAL, BAKERSFIELD ADULT SCHOOL; SUSAN HANDY; DON CARTER, ASSISTANT SUPERINTENDENT OF INSTRUCTION, KERN HIGH SCHOOL DISTRICT; AND MAILI THOMPSON, STUDENT AT BAKERSFIELD ADULT SCHOOL, HEARD

APPOINTMENTS

- *4) Appointments of John Thomas Gardner and Patty Gardner as Second District Members to the Commission on Aging, John Thomas Gardner's term to expire June 17, 2004 and Patty Gardner's term to expire September 29, 2003 - MADE APPOINTMENTS

Maben-Patrick: All Ayes

- *5) Appointment of Michele Behrens as Second District Member to the Heritage Commission, term to expire at the pleasure of the Board - MADE APPOINTMENT

Maben-Patrick: All Ayes

- *6) Appointment of Walter Williams as Fifth District Member to the Behavioral Health Board, term to expire December 31, 2003 - MADE APPOINTMENT

Maben-Patrick: All Ayes

- *7) Reappointments of Hubert Rabanol and Johnny Munoz as At-Large Members to the North Kern Cemetery District, terms to expire February 28, 2007 - MADE REAPPOINTMENTS

Maben-Patrick: All Ayes

PUBLIC PRESENTATIONS

- 8) 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! - LESLIE GOLICH, PATRICK COLLINS AND DANIELLE MCKINNEY, KERN ECONOMIC DEVELOPMENT CORPORATION (KEDC), PRESENTED AN AWARD TO SUPERVISOR JON MCQUISTON FOR HIS PAST SERVICE TO KEDC

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 9) 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 MCQUISTON COMMENDED SUPERVISOR MABEN ON HIS PRESENTATION AT THE ANTELOPE VALLEY ECONOMIC OUTLOOK CONFERENCE THAT THEY ATTENDED LAST WEEK

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *10) Proposed Amendments to the Kern County Commission on Aging Bylaws reducing number of members from 27 to 25 and adding conflict of interest provisions and an appeal process for certain Commission actions - APPROVED; ADOPTED RESOLUTION 2003-066

Maben-Patrick: All Ayes

- *11) Request to accept donation of four vehicles from Community and Economic Development Department (3 vehicles) and City of Ridgecrest (1 vehicle) for use by Ridgecrest Senior Nutrition Program -

WITHDRAWN

AIRPORTS

- *12) Proposed Resolution regarding minimum standards for commercial aeronautical activities on Kern County System airports - APPROVED; ADOPTED RESOLUTION 2003-067

Maben-Patrick: All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *13) Request to donate surplus voting equipment to Martin and Chapman Printing Company, City of McFarland, and County of Los Angeles - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Patrick: All Ayes

COUNTY COUNSEL

- *14) Request from North Kern Water Storage District for appointment of Directors for Divisions 2 and 5, pursuant to Water Code Section 41307 - ADOPTED RESOLUTION 2003-068 ORDERING APPOINTMENT OF EDWIN A. CAMP AS DIRECTOR FOR DIVISION 2 AND DARYL WILKENDORF AS DIRECTOR FOR DIVISION 5

Maben-Patrick: All Ayes

- *15) Request from Belridge Water Storage District for appointment of Directors for Divisions 2, 3 and 5, pursuant to Water Code Section 41307 - ADOPTED RESOLUTION 2003-069 ORDERING APPOINTMENT OF ROBERT E. BAKER AS DIRECTOR FOR DIVISION 2, LARRY STARRH AS DIRECTOR FOR DIVISION 3 AND DAVID L. BARGER AS DIRECTOR FOR DIVISION 5

Maben-Patrick: All Ayes

- *16) Request from Semitropic Water Storage District for appointment of Directors for Divisions 1, 3, 4 and 6, pursuant to Water Code Section 41307 - ADOPTED RESOLUTION 2003-070 ORDERING APPOINTMENT OF JEFF FABRI AS DIRECTOR FOR DIVISION 1, DAN WATERHOUSE AS DIRECTOR FOR DIVISION 3, TED PAGE AS DIRECTOR FOR DIVISION 4 AND LARRY FREY AS DIRECTOR FOR DIVISION 6

Maben-Patrick: All Ayes

- *17) Request of Sheriff, Lerdo Work Release, for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Patrick: All Ayes

- *18) Request of Board of Supervisors - District 2 for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Patrick: All Ayes

- *19) Request of Waste 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

- *20) Proposed Resolution authorizing application for the Central Valley Rural Crime Prevention Program grant funding from the Governor's Office of Criminal Justice Planning, for February 1, 2003 through January 31, 2004, in amount not to exceed \$575,625 - APPROVED; ADOPTED RESOLUTION 2003-071

Maben-Patrick: All Ayes

- *21) Proposed Resolution authorizing application for the Crime Lab Improvement Program grant funding from the National Institute of Justice, for October 1, 2002 through September 30, 2003, in an amount not to exceed \$387,649 - APPROVED; ADOPTED RESOLUTION 2003-072

Maben-Patrick: All Ayes

- *22) Unusual travel request for District Attorney Investigator Michael J. Mara to attend the FBI Training Academy in Quantico, Virginia, from April 5, 2003 through June 15, 2003, in an amount not to exceed \$1,000 - APPROVED

Maben-Patrick: All Ayes

- *23) Request for approval in concept of new position of Assistant District Attorney as a Civil Service classification - APPROVED; REFERRED TO PERSONNEL FOR DEVELOPMENT OF JOB SPECIFICATIONS

Maben-Patrick: All Ayes

- *24) Request for authorization for Purchasing Agent to increase amounts of sole source blanket purchase orders with Microgenics Corporation and Applied Biosystems for laboratory supplies, in amounts not to exceed \$34,000 and \$23,000, respectively - APPROVED; AUTHORIZED PURCHASING AGENT TO INCREASE SOLE SOURCE PURCHASE ORDERS

Maben-Patrick: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *25) Proposed Memorandum of Understanding with Kern Economic Development Corporation for a study to analyze the labor market of Kern County in an amount not to exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 104-2003

Maben-Patrick: All Ayes

- 26) Notification of anticipated retroactive Agreements with the Mexican American Opportunity Foundation, Proteus, Inc., and the Kern Community College District to provide work experience and supportive services to dislocated workers; Agreements with the Kern Community College District, the Mexican American Opportunity Foundation, Proteus, Inc., and ARBOR, Inc. to provide paid work experience; and an Agreement with Clinica Sierra Vista to provide tattoo removal services - MICHAEL ROUW HEARD; RECEIVED AND FILED

Maben-McQuiston: All Ayes

FIRE DEPARTMENT

- *27) Request to accept four grants from Department of the Interior, Bureau of Land Management, for public education and hazard reduction programs - ACCEPTED GRANTS; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$135,383 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$135,383 FROM APPROPRIATIONS FOR CONTINGENCIES TO FIRE DEPARTMENT'S BUDGET UNIT 2415

Maben-Patrick: All Ayes

- 28) Report on Kern County Emergency Communications Center Accreditation Process - RECEIVED AND FILED

Maben-Patrick: All Ayes

KERN MEDICAL CENTER

- *29) Request to donate surplus medical/hospital equipment to Mr. Luis Aguilar for distribution in Mexico - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT TO DONATE; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Patrick: All Ayes

- *30) Proposed changes in clinical privilege status for 15 members of Kern Medical Center's Medical Staff - APPROVED

Maben-Patrick: All Ayes

- 31) Proposed Agreement with Leslie R. Burson, D.O., for medical services in Department of Emergency Medicine, from February 25, 2003 through September 9, 2004, in an amount not to exceed \$100,000 - MICHAEL ROUW HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 105-2003

McQuiston-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *32) Proposed Amendment No. 3 to Agreement 612-2002 with Community Services Organization, Behavioral Health, for substance abuse treatment services to adult clients residing in the greater Bakersfield area, to modify number of clients and available treatment slots for individuals in Level 2 (Denial Management) and Level 3 (Outpatient) services (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 106-2003

Maben-Patrick: All Ayes

- *33) Proposed Amendment No. 3 to Agreement 387-2002 with STEP-II, Inc., for substance abuse services for clients residing in the Bakersfield area, to increase funding due to an increase in the number of people receiving substance abuse treatment services, from \$101,052 to an amount not to exceed \$166,390 (an increase of \$65,338) (Proposition 36, CalWORKS, SAPT State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 107-2003

Maben-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *34) Proposed Amendment No. 1 to Agreement 284-2002 with Central California Center for Health and Human Services, California State University, Fresno Foundation, to increase the compensation rate from \$200 to \$250 with a maximum of \$10,000, for the Public Health Training Academy, through June 30, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 108-2003

Maben-Patrick: All Ayes

SHERIFF

- *35) Request for retroactive sole source purchase order for machine work completed by D. Krause Machine Specialty - AUTHORIZED PURCHASING AGENT TO EXECUTE RETROACTIVE SOLE SOURCE PURCHASE ORDER FOR MACHINE FABRICATION WORK PROVIDED BY D. KRAUSE MACHINE SPECIALTY IN AN AMOUNT NOT TO EXCEED \$25,391.98

Maben-Patrick: All Ayes

TREASURER-TAX COLLECTOR

- *36) Proposed Amendment No 1 to Agreement 151-2002 with MDC Consulting, Inc., for a two-month extension of specialized programming services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 109-2003

Maben-Patrick: All Ayes

- *37) Pooled Cash Portfolio Analysis for Month Ended January 2003 - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *38) Proposed Resolution and Agreement for Sale of Tax Defaulted Properties to the City of Tehachapi - APPROVED; ADOPTED RESOLUTION 2003-073; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 110-2003

Maben-Patrick: All Ayes

- *39) Proposed Resolution and Agreement for Sale of Tax Defaulted Properties to the Bakersfield Redevelopment Agency - APPROVED; ADOPTED RESOLUTION 2003-074; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 111-2003

Maben-Patrick: All Ayes

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM NO. 42A, CLOSED SESSION: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER AGENDA WAS POSTED BECAUSE IN ORDER TO CONCLUDE NEGOTIATIONS WITH OCCIDENTAL OF ELK HILLS RELATING TO REPAYMENT OF TAXES FOR BASE YEAR WITH INTEREST IT IS NECESSARY FOR THE BOARD TO GIVE DIRECTIONS TO STAFF BEFORE THE NEXT MEETING OF MARCH 11, 2003

Patrick-McQuiston: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSIONS

COUNTY COUNSEL

- 40) Request for Closed Session regarding lawsuits entitled Hernandez v. County of Kern, KCSC Case No. 247241, and Cortez-Arroyo v. County of Kern, KCSC Case No. 24819 (Government Code Section 54956.9(a)) -
- 41) Request for Closed Session regarding a lawsuit entitled New Life Assembly, et al. vs. Kern County, et al., USDC(E) Case No. CIV-F-03-5200 (Government Code Section 54956.9(a)) -
- 42) Request for Closed Session regarding a lawsuit entitled Golden Empire Medical Transportation vs. County of Kern, et al., USDC(E) CIV-F-01-5194 REC (Government Code Section 54956.9(a)) -
- 42A) Request for Closed Session regarding a lawsuit entitled James W. Maples, etc. vs. Kern County Assessment Appeals Board, KCSC Case No. 243204 NFT (Government Code Section 54956.9(a)) -

COUNTY ADMINISTRATIVE OFFICE

- 43) Request for Closed Session regarding public employee interviews - Title: Director of Child Support Services (Continued from 2/24/03, 8:30 A.M., Item No. 2) -
- 44) Results of Closed Session regarding public employee interviews - Title: Director of Child Support Services - APPOINTED JOHN NILON AS THE NEW DIRECTOR OF CHILD SUPPORT SERVICES, EFFECTIVE MARCH 24, 2003

(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.

McQuiston-Maben

/s/ Denise Pennell
Clerk of the Board

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, February 25, 2003

2:00 P.M.

BOARD RECONVENED

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

NOTE: Result of Closed Session regarding interviews for Department Head position - Title: Director of Child Support Services - CHAIRMAN PARRA ANNOUNCED THE APPOINTMENT OF JOHN NILON TO THE POSITION OF DIRECTOR OF CHILD SUPPORT SERVICES, EFFECTIVE MARCH 24, 2003; JOHN NILON HEARD

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

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR WATSON DISCUSSED SENATE BILL 707, LEGISLATION PROPOSED BY SENATOR DEAN FLOREZ, RELATIVE TO ESTABLISHING A THREE-MILE BUFFER ZONE BETWEEN DAIRIES, CITIES AND SCHOOLS

REFERRED TO STAFF TO PREPARE LETTER OF OPPOSITION TO SB 707 FOR FURTHER CONSIDERATION BY THE BOARD

Watson-Maben: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *3) **Request from Malladi S. Reddy, M.D., Inc., Pension Plan by Frank A. Slinkard to change the permitted uses from single-family to multifamily residential on 9.6 acres, located at the northeast corner of Eucalyptus Drive and South Fairfax Road, east Bakersfield (SD 3)**

Specific Request:

A change in zone classification from R-1 PD (Low-density Residential - Precise Development Combining) to R-2 PD (Medium-density Residential - Precise Development Combining) or a more restrictive district (ZCC #39, Map #103-36)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2003-075 AND ENACTED ORDINANCE G-6971 APPROVING ZONE CHANGE AS REQUESTED

McQuiston-Watson: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- *4) Response to referral to create Biosolids Groundwater Quality Impacts Task Force - RECEIVED AND FILED

McQuiston-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #3

- *5) Resolution of Intention to extend Zone of Benefit No. 2 and set hearing to consider levying assessments within County Service Area No. 60, Zone of Benefit No. 1 and Zone of Benefit No. 2; Oildale; east of Highway 99, south of 7th Standard Road and west of Unicorn Road; Parcels 5 & 6 of Parcel Map 10684 -

WITHDRAWN

S.D. #4

- *6) Tract 5773, Phase 2, Golf Course Road, east of Buena Vista Golf Course, southwest Kern County, John R. Wilson, for Buena Vista Estates - ADOPTED RESOLUTION 2003-076 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 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; ACCEPTED SEWAGE MONITORING EASEMENT, AUTHORIZED CLERK OF THE BOARD TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFERS OF DEDICATION FOR OFF-SITE TEMPORARY TURNAROUND, DRAINAGE, AND PUBLIC ACCESS EASEMENTS, AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

McQuiston-Watson: All Ayes

- *7) Planned Sewer Area No. 1, update to Capital Facility Improvement Plan; request for public hearing - APPROVED; SET TUESDAY, MARCH 18, 2003, AT 2:00 P.M. AS THE HEARING DATE AND TIME FOR THE ANNUAL ADOPTION OF THE CAPITAL IMPROVEMENT PLAN FOR PLANNED SEWER AREA NO. 1 SEWER FACILITY IMPACT FEE PROGRAM; DIRECTED CLERK OF THE BOARD TO PUBLISH THE REQUIRED NOTICE IN ACCORDANCE WITH SECTION 66002 OF THE CALIFORNIA GOVERNMENT CODE

McQuiston-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *8) Proposed Agreement with City of Shafter to seek funding for Seventh Standard Road and BNSF Railroad separation of grade (overpass) at Santa Fe Way - MADE FINDING THAT PROJECT IS STATUTORILY EXEMPT FROM CEQA PER SECTION 21080.13; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 112-2003

McQuiston-Watson: All Ayes

S.D. #3

- *9) Proposed Joint Agencies Agreement between City of Bakersfield, Greater Bakersfield Separation of Grade District and County of Kern for the Mohawk Street BNSF Railroad separation of grade (overpass) - MADE FINDING THAT PROJECT IS STATUTORILY EXEMPT FROM CEQA PER SECTION 21080.13; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 113-2003

McQuiston-Watson: All Ayes

S.D. #5

- *10) Proposed handicap-parking zone on Center Street - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

McQuiston-Watson: All Ayes

S.D.'s #1 & #2

- *11) Contract No. 03017, Plans, Specifications, and Notice to Contractors for manufacturing asphalt concrete (stockpile) and delivering the material to various locations in east Kern County - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS DEPARTMENT TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MARCH 19, 2003, 11:00 A.M.

McQuiston-Watson: All Ayes

S.D.'s #3 & #5

- *12) Proposed no-stopping zone on Niles Street - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

McQuiston-Watson: All Ayes

All S.D.'s

- *13) Contract No. 03016, Plans, Specifications and Notice to Contractors for manufacturing asphalt concrete (stockpile) and delivering the material to various locations in Kern County - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS DEPARTMENT TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS DEPARTMENT TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MARCH 19, 2003, 11:00 A.M.

McQuiston-Watson: All Ayes

WASTE MANAGEMENT

All S.D.'s

- *14) Proposed Resolution authorizing submission of an application to the California Integrated Waste Management Board for a Reuse Assistance Grant to help fund a pilot recycling program for cathode ray tubes for Fiscal Years 2003-2004 - APPROVED; ADOPTED RESOLUTION 2003-077 AUTHORIZING SUBMITTAL OF THE GRANT APPLICATION AND AUTHORIZING THE DIRECTOR OF WASTE MANAGEMENT TO EXECUTE ALL RELATED DOCUMENTS

McQuiston-Watson: All Ayes

- *15) Proposed Consent to Assignment and Transfer of Agreement with Safety-Kleen, Inc., to provide household hazardous waste collection services to Clean Harbors Environmental Services, Inc. - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 114-2003

McQuiston-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- 16) Proposed moratorium on new and modifications to existing Williamson Act Agricultural Preserve and Farmland Security Zone contracts to enroll additional acreage - KEN TWISSELMAN; RICHARD SNEDDEN; PAULINE LARWOOD, SMART GROWTH COALITION; CARL TWISSELMAN; PETER BELLUOMONI, VICE PRESIDENT, KERN COUNTY FARM BUREAU; ELO FABBRI; AND DON HULSON HEARD; REFERRED TO STAFF FOR REPORT BACK TO THE BOARD REGARDING FISCAL IMPACT OF THE PROPOSAL; RECEIVED AND FILED DOCUMENTS

Watson-McQuiston: All Ayes

- 17) Proposed Professional Services Agreement with Price Waterhouse Coopers, LLP for consulting services related to Kern Medical Center in an amount not to exceed \$600,000 - ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION; MICHAEL ROUW, HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 115-2003

McQuiston-Patrick: All Ayes

Legislative Matters

- *18) Resolution supporting restoration of military base retention funds to Fiscal Year 2003-2004 State Budget - APPROVED; ADOPTED RESOLUTION 2003-078; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE

McQuiston-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearings

S.D. #1

- *19) Proposed Energy Services Agreement with Noresco for energy related improvements at Lerdo Detention Facility, in an amount not to exceed \$3,635,502 (from 1/21/03 and 2/4/03)- CONTINUED TO TUESDAY, MARCH 11, 2003 AT 2:00 P.M.

McQuiston-Watson: All Ayes

- *20) Proposed Quitclaim Deed and Real Property Transfer Agreement transferring the Shafter Experimental Farm to the Regents of the University of California (no cost) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 116-2003

McQuiston-Watson: All Ayes

- *21) Proposed License Agreement with the City of Ridgecrest for the Ridgecrest Senior Center for the Aging and Adult Services Department to use the space to operate the High Desert Senior Nutrition Program for an indeterminate period commencing upon execution (rent of \$600.00 per month to be waived by City for 73 months -

WITHDRAWN

S.D. #2

- *22) Proposed purchase of five (5) acres of land adjacent to the Mojave landfill from Rafi A. and Sevan Baghdjian, in the amount of \$7,000 and \$525 escrow/title fees, for a total of \$7,525 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-079; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$7,525

McQuiston-Watson: All Ayes

- *23) Proposed purchase of five (5) acres of land adjacent to the Mojave landfill from Armand A. Archerd, in the amount of \$7,000 and \$525 escrow/title fees, for a total of \$7,525 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-080; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$7,525

McQuiston-Watson: All Ayes

- *24) Request to accept Special Use Permit from the U.S. Department of Agriculture Forest Service to allow monitoring of rain gauges at four different sites (no fiscal impact) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Watson: All Ayes

S.D. #3

- *25) Identify apparent low bid from James E. Thompson, d.b.a. JTS Construction, for the Panorama Park landscape improvements, in an amount not to exceed \$1,436,000 (1960.8245A) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

McQuiston-Watson: All Ayes

- 26) Authorize issuance of an "Early Responsibility Determination Procedure" questionnaire as part of the advertisement for bids for the new Airport Terminal at Meadows Field (8995.7500B) - AUTHORIZED GENERAL SERVICES TO ADVERTISE

Patrick-Watson: All Ayes

S.D. #4

- *27) Proposed Lease Agreement with Pine Mountain Club for communications site on Sawmill Mountain, from February 25, 2003 until June 30, 2030 (no cost) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15303; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 117-2003

McQuiston-Watson: All Ayes

S.D.'s #1 & #2

- *28) Proposed Agreement with Brown & Fowler Construction for the tot lot improvements at Hart, Lake Ming & Stramler Parks, in an amount not to exceed \$126,015 (1960.8247D) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 118-2003

McQuiston-Watson: All Ayes

All S.D.'s

- *29) Status report on the radio communications system project - RECEIVED AND FILED

McQuiston-Watson: All Ayes

- *30) Proposed Agreement with the Kern Council of Governments (Kern COG) for video production services to be provided by KGOV from February 25, 2003 through June 30, 2004 (revenue to County of \$23,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 119-2003

McQuiston-Watson: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *31) Budget Transfers - APPROVED #108 THROUGH #111
McQuiston-Watson: All Ayes
- *32) Minutes for the Week of January 27, 2003 - APPROVED
McQuiston-Watson: All Ayes
- *33) Miscellaneous Letters and Documents - FILED
McQuiston-Watson: All Ayes
- *34) Miscellaneous Departmental Referrals by Clerk of the Board
- APPROVED AND FILED
McQuiston-Watson: All Ayes
- *35) Claims and Lawsuits filed with and referred by Clerk of the
Board - APPROVED AND FILED
McQuiston-Watson: All Ayes

ADJOURNED TO TUESDAY, MARCH 11, 2003, AT 9:00 A.M.

McQuiston

/s/ Denise Pennell
Clerk of the Board

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

33) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Annual report on the results of the Alternative Secured Property Tax Distribution Plan for fiscal year 2001-2002

County Administrative Office

- B) Administrative Policy and Procedures Manual amendments, Chapters 1, 5, and 7

- C) Administrative Policy and Procedures Manual Amendment, Chapter 14, Property Management Services and space allocation process

Clerk of the Board

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

- 1) Tract 6022 S.D. 4

Engineering and Survey Services

- E) Recorded Irrevocable Offer of Dedication for flowage easement from Harry P. Samarin Revocable Trust dated April 6, 2000 (Permit #K2002-6886)

- F) Recorded Irrevocable Offer of Dedication for flowage easement from Harry P. Samarin revocable trust dated April 6, 2000 (Permit #K2002-4361)

Environmental Health Services

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

Planning Department

- H) Recorded Irrevocable Offer to Dedicate Real Property for public purposes from Gilberto Arias

- I) Recorded Road Easements and Irrevocable Offers of Dedication from MDC Bakersfield Spectrum, LLC, A Delaware Limited Liability Company

Local Agency Formation Commission

- J) Proceeding No. 1349, Resolution No. 03-02, in the matter of Tejon Castac Water District, Annexation No. 3 (Copies to each Supervisor and CAO)

- K) Proceeding No. 1338, Resolution No. 03-03 in the matter of County Service Area No. 67, Annexation No. 1 (Copy to each Supervisor and CAO)

Miscellaneous

- L) Letter from Lynne Hall regarding domestic violence and child abuse (Copies to each Supervisor, CAO, and Human Services)

- M) Thank you letter from Eric Daniels, California Space Authority, regarding the Board's support of space enterprise in the State of California (Copies to each Supervisor and CAO)

- N) Letter from Calvin Dooley, Congress of the United States, House of Representatives, forwarding correspondence from former employees of Desert Counseling Clinic (Copies to each Supervisor, CAO, County Counsel, and Mental Health)
- O) Notice of Filing of Application for 2003 Energy Resource Recovery Account Revenue Requirement Estimate (ERRA) from Pacific Gas and Electric Company (Copies to each Supervisor, CAO, and General Services)
- P) News Release from USDA Forest Service regarding Los Padres National Forest Forest Plan Revision Open House (Copies to each Supervisor and CAO)
- Q) Application for Alcoholic Beverage License for Fastop Food and Gas, 602 California City Blvd., California City, California (Copies to each Supervisor, CAO, and Planning)
- 34) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Request from Belridge Water Storage District, for Board of Supervisors to appoint Robert E. Baker, Larry Starrh, and David L. Barger - REFERRED TO COUNTY COUNSEL (Copy to Clerk of the Board)
 - B) Request from Semitropic Water Storage District for Board of Supervisors to appoint Jeff Fabbri, Dan Waterhouse, Ted Page, and Larry Frey - REFERRED TO COUNTY COUNSEL (Copy to Clerk of the Board)
- 35) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Joe Nathan Wilkerson, Jr., vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Warren J. Hageman, Jr., and Janice Hageman vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Sergio Castaneda vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of John Freeman vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim from Geico Direct in the matter of Edwina M. Rauser vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- F) Summons and Complaint in the matter of North of the River Sanitary District No. 1 vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Pre-filing Notification of All Parties and Draft Verified Petition for Writ of Mandate in the matter of Center for Biological Diversity; Center on Race, Poverty, and the Environment; and the Sierra Club vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

###