

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 16, 2004

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent: Supervisor Maben

NOTE: Supervisor Maben was temporarily absent for jury duty but was present at 9:45 a.m.

SALUTE TO FLAG - Led by Supervisor Watson

NOTE: Supervisor McQuiston welcomed job shadow students from Bakersfield Adult School; Supervisor Parra introduced Miguel Perez and Eutimia Madrid; Supervisor Watson welcomed Priscila Percolla; Supervisor Patrick introduced Mohamed Babakr; Supervisor McQuiston welcomed Conrado Curiel; all students were heard.

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 22 - 26, 2004 as Grand Jury Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DAVID HASHIM, FOREMAN, KERN COUNTY GRAND JURY; JUDGE ROBERT TAFOYA, KERN COUNTY SUPERIOR COURT, AND DAVID HASHIM HEARD; RECEIVED AND FILED DOCUMENT

Patrick-Watson: 4 Ayes; 1 Absent - Maben

- 2) Proclamation proclaiming March 2004 as National Purchasing Month in Kern County and recognizing the Purchasing Division on being awarded by the National Purchasing Institute the "Achievement of Excellence in Procurement Award" - PROCLAIMED; MADE PRESENTATION TO BILL WILBANKS, ASSISTANT CAO FOR GENERAL SERVICES; BILL WILBANKS AND DEE JOHNSTON, PURCHASING MANAGER, HEARD; PURCHASING STAFF INTRODUCED

Parra-Watson: 4 Ayes; 1 Absent - Maben

- 3) Proclamation proclaiming March 16, 2004 as Adult Education Day in Kern County - PROCLAIMED; MADE PRESENTATION TO SUSAN HANDY, PRINCIPAL, BAKERSFIELD ADULT SCHOOL; SUSAN HANDY AND ALTERNATE STUDENTS ROXANA INIGUEZ, FATEHIA MOHAMMED, AND MIGUEL ALVARADO HEARD

Patrick-Parra: 4 Ayes; 1 Absent - Maben

NOTE: Supervisor Maben was present at 9:45 a.m. during agenda item 3.

- 4) Proclamation proclaiming March 8 - 12, 2004 as Male Responsibility and Girl Power Week in Kern County - PROCLAIMED; MADE PRESENTATION TO JAMES TYSON, PROJECT DIRECTOR; JAMES TYSON HEARD; DELPHON AMEY AND NATASHA HARRIS INTRODUCED

Parra-Maben: All Ayes

APPOINTMENTS

- *5) Appointment of Joel Moreno as Fourth District Member to the Human Relations Commission, term to expire March 12, 2006 - MADE APPOINTMENT

Watson-Parra: 4 Ayes; 1 Absent - Maben

PUBLIC PRESENTATIONS

- 6) 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

- 7) 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

- *8) Proposed Amendment No. 2 to Agreement 205-2002 with Alzheimer's Disease Association of Kern County to provide Title IIIIE National Caregiver Support Services, increasing the maximum amount payable by \$30,285 to an amount not to exceed \$170,671 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 158-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

AIRPORTS

- *9) Proposed month-to-month Hangar Lease Agreement with Peter B. Mortensen for Hangar #11 at Taft Airport at a monthly rate of \$65, to be reviewed annually - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 159-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *10) Proposed month-to-month Hangar Lease Agreement with Turner's Flight Service for a storage unit at Taft Airport at a monthly rate of \$15, to be reviewed annually - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 160-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *11) Proposed Request for Proposals for a non-exclusive "Fixed Base" Operation (FBO) at Taft Airport - APPROVED; AUTHORIZED DISTRIBUTION

Watson-Parra: 4 Ayes; 1 Absent - Maben

AUDITOR-CONTROLLER-COUNTY CLERK

- *12) Request from Edison School District to render certain election services for their Special Bond Election to be held May 25, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *13) Proposed Request for Proposals for Audit Services - APPROVED; AUTHORIZED DISTRIBUTION

Watson-Parra: 4 Ayes; 1 Absent - Maben

EMPLOYERS' TRAINING RESOURCE

- *14) Proposed retroactive Agreement with Kern High School District to provide paid work experience to eligible CalWORKs customers, from November 1, 2003 through June 30, 2004, in an amount not to exceed \$448,627 (prior notification January 6, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 161-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

FIRE DEPARTMENT

- *15) Request to increase sole source procurement with L.N. Curtis for acquisition of four (4) additional thermal imaging search cameras, in an amount not to exceed \$85,500 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Watson-Parra: 4 Ayes; 1 Absent - Maben

KERN MEDICAL CENTER

- 16) Acceptance of restricted donation in the amount of \$98,000 from Kern Medical Center's Auxiliary (from March 8, 2004) - DIANA KLEIWER, OUTGOING PRESIDENT, KMC AUXILIARY, HEARD AND MADE PRESENTATION; KMC AUXILIARY MEMBERS INTRODUCED; PETER BRYAN, CEO, KERN MEDICAL CENTER, HEARD; ACCEPTED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Patrick-Watson: All Ayes

- 17) Proposed retroactive unusual travel request for Scott Babb, who attended the Fundamental Principles of Hands-On Ultrasound program, in Orlando, Florida, from February 12, 2004 through February 24, 2004, in an amount not to exceed \$6,038 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO PAY

Watson-Maben: All Ayes

- *18) Proposed Agreement with Jack H. Bloch, M.D., for medical services in the Department of Surgery, from March 20, 2004 through March 19, 2009, in an amount not to exceed \$1,233,155 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 162-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *19) Proposed retroactive Agreement with Hill-Rom Company, Inc., for WatchChild Data Management System, for fetal monitoring and data retention in the Labor and Delivery Department, from December 1, 2003 through November 30, 2005, in an amount not to exceed \$77,594 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 163-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

MENTAL HEALTH SERVICES

- *20) Proposed Amendment No. 1 to Agreement 450-2003 with Psychiatrists Only, LLC, for professional psychiatric locum tenens services for clients residing in Kern County, to clarify the rate per hour to be paid to psychiatrists provided by contractor who provide services at the Lerdo Correctional Facility (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 164-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *21) Proposed Agreement with Chumash Council of Bakersfield, Inc., American Indian Health Project, for outpatient substance abuse treatment services for clients residing in the Bakersfield area, from March 16, 2004 through June 30, 2004, in an amount not to exceed \$65,000 (State, Medi-Cal; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 165-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *22) Proposed retroactive Agreement with Tulare County Superintendent of Schools, dba The California Friday Night Live Partnership, for enhancement of prevention services through the Friday Night Live Kids Program throughout Kern County, from January 1, 2004 through August 31, 2005, in an amount not to exceed \$30,900 (State Grant Award) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 166-2004

Watson-Parra: 4 Ayes; 1 Absent - Maben

PUBLIC HEALTH SERVICES

- 23) Hearing regarding proposed revision to fees for Public Health Services related to immunization, laboratory services and clinic services - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-061 AND ENACTED ORDINANCE G-7083

Parra-Watson: All Ayes

- *24) Proposed retroactive Agreement with the Cancer Prevention and Nutrition Section of State Department of Health Services to promote nutrition and physical activity awareness, from October 1, 2003 through September 30, 2005, in an amount not to exceed \$250,000 (prior notification October 28, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 167-2004 AND RELATED DOCUMENTS IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL; AUTHORIZED DIRECTOR OF PUBLIC HEALTH SERVICES, OR HIS DESIGNEE, TO SIGN CONTRACTORS RELEASE

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *25) Notification of anticipated retroactive Agreements with State Department of Corrections for Transitional Case Management Program, Pre-Release Program, from January 1, 2004 through December 31, 2008, in an amount not to exceed \$4,696,426; State of California, Department of Health Services Ryan White Comprehensive AIDS Resources Emergency (CARE) Act of 1990, from April 1, 2004 through March 21, 2007; Clinica Sierra Vista for Ryan White CARE Act Funds, from April 1, 2004 through March 31, 2005; and West Care Bakersfield Out Patient Treatment Program for Ryan White CARE Act Funds, from April 1, 2004 through March 31, 2005 - RECEIVED AND FILED

Watson-Parra: 4 Ayes; 1 Absent - Maben

SHERIFF

- *26) Request to accept donation of a 1998 Ford F150 pickup truck, CA license #5S73854, from Grimmway Farms - ACCEPTED DONATION; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *27) Request to appropriate unanticipated revenue from the State 9-1-1 Fund for purchase of system equipment - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$30,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210 IN THE AMOUNT OF \$30,000

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *28) Proposed addition of one (1) Network System Administrator position and deletion of one (1) vacant Senior Systems Analyst position in Budget Unit 2210, effective March 16, 2004 - APPROVED; REFERRED TO PERSONNEL DEPARTMENT TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Parra: 4 Ayes; 1 Absent - Maben

TREASURER-TAX COLLECTOR

- *29) Amended Conflict of Interest Code for the Office of the Kern County Treasurer-Tax Collector - APPROVED

Watson-Parra: 4 Ayes; 1 Absent - Maben

- *30) Cash Receipts and Disbursements for February 2004 - RECEIVED AND FILED

Watson-Parra: 4 Ayes; 1 Absent - Maben

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY COUNSEL

- 31) Request for Closed Session re significant exposure to litigation against the County (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-Parra

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 16, 2004

2:00 P.M.

BOARD RECONVENED

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

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

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

Parra-Maben: All Ayes

FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

- #1) Proposed Special Provisions for repair of sewer main in area bordered by Hawthorne, Fillmore, Birch and Tenth Streets (Requisition No. 000006) - APPROVED; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(b); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; DIRECTED WASTE MANAGEMENT TO PREPARE REQUISITION AND PURCHASING TO SOLICIT BIDS

Watson-Patrick: All Ayes

ADJOURNED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT;
RECONVENED AS BOARD OF SUPERVISORS

Parra-Patrick: All Ayes

PUBLIC PRESENTATIONS

- 2) 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!
- CORNELIA HERMONES ADDRESSED THE BOARD REGARDING ONGOING LABOR NEGOTIATIONS WITH UNITED DOMESTIC WORKERS OF AMERICA; RECEIVED AND FILED

Parra-Maben: All Ayes

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 3) 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

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 4) **Appeal by Olive-Landco Associates by McIntosh and Associates to the January 8, 2004, decision of the Hearing Officer imposing Condition 16(b) on Parcel Map 11029 to require construction of Landco Drive as a half-width major highway including a raised median and construction of full street improvements along Landco alignment to the south boundary of the proposed sump on the site; project located at the southeast corner of Olive Drive and Landco Drive at the State Highway 99 southbound on ramp, northwest Bakersfield (SD #3)**

Specific Request:

An appeal to the decision of the Hearing Officer regarding the imposition of Condition 16(b) in approving Parcel Map 11029 on January 8, 2004; condition 16(b) requires construction of Landco Drive as a half-width major highway including a raised median and construction of full street improvements along Landco alignment to the south boundary of the proposed sump located on the proposed designated remainder (TPM #11029)

(Negative Declaration; Published Bakersfield Californian) (from 2/17/2004) - OPENED HEARING; ROGER MCINTOSH, MCINTOSH & ASSOCIATES, HEARD ON BEHALF OF APPELLANT OLIVE-LANDCO ASSOCIATES, AND BOB HODEL, HEARD; CLOSED HEARING; ROGER MCINTOSH RESPONDED TO QUESTIONS POSED BY THE BOARD; CONTINUED FOR 90 DAYS TO TUESDAY, JUNE 15, 2004, AT 2:00 P.M.

Patrick-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #1

- *5) Proposed Notice of Nonrenewal Petition 04-9 by Charanjit and Surinder Sidhu for approximately 37 acres within Agricultural Preserve No. 7 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

S.D. #4

- *6) Proposed Notice of Nonrenewal Petition 04-1 by Paul and Norma Coombs for approximately 38 acres within Agricultural Preserve No. 9 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *7) Proposed Notice of Nonrenewal Petition 04-2 by Paul and Cheryl Coombs for approximately 58 acres within Agricultural Preserve No. 9 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

- *8) Proposed Notice of Nonrenewal Petitions 04-6 and 04-7 by Aera Energy for approximately 400 acres within Agricultural Preserve No. 5 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

S.D. #5

- *9) Proposed Notice of Nonrenewal Petition 04-8 by Charanjit and Surinder Sidhu for approximately 151 acres within Agricultural Preserve No. 13 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #2

- *10) Request for release of Faithful Performance and Laborers and Materialmen Securities for grading, sewer, water and street improvements, Tract 5052, west of United Street and north of Hook Avenue, Rosamond area, Kaufman & Broad Land Company - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NOS. 2645628 (AMCAS) AND 11132804227 (AIC) FOR GUARANTEE OF COMPLETED GRADING, BOND NOS. 2645631 (AMCAS) AND 11132804235 (AIC) FOR GUARANTEE OF COMPLETED SEWER IMPROVEMENTS, BOND NOS. 2645632 (AMCAS) AND 11132804243 (AIC) FOR GUARANTEE OF COMPLETED WATER IMPROVEMENTS, AND BOND NOS. 2645634 (AMCAS) AND 11132804250 (AIC) FOR GUARANTEE OF COMPLETED STREET IMPROVEMENTS, UNDERWRITTEN BY AMERICAN CASUALTY INSURANCE COMPANY OF READING, PA AND

(Continued on Page 10)

(Continued from Page 9)

AMERICAN INSURANCE COMPANY, IN THE AGGREGATE AMOUNT OF \$1,443,771; RELEASED LABORERS AND MATERIALMEN BOND NOS. 2645628 (AMCAS) AND 11132804227 (AIC) FOR GUARANTEE OF COMPLETED GRADING, BOND NOS. 2645631 (AMCAS) AND 11132804235 (AIC) FOR GUARANTEE OF COMPLETED SEWER IMPROVEMENTS, BOND NOS. 2645632 (AMCAS) AND 11132804243 (AIC) FOR GUARANTEE OF COMPLETED WATER IMPROVEMENTS, AND BOND NOS. 2645634 (AMCAS) AND 11132804250 (AIC) FOR GUARANTEE OF COMPLETED STREET IMPROVEMENTS, UNDERWRITTEN BY AMERICAN CASUALTY INSURANCE COMPANY OF READING, PA AND AMERICAN INSURANCE COMPANY, IN THE AGGREGATE AMOUNT OF \$3,789,374

Watson-Maben: All Ayes

S.D. #3

- *11) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), for County Service Area No. 81, Annexation No. 1 and establishment of Zone of Benefit Nos. 1, 2 and 3, Parcel Map 11029 and 11.01 acre designated remainder, Landco Drive, Bakersfield - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTIONS 15061(b)(3) AND 15273 OF STATE CEQA GUIDELINES AND SECTION 21080(b)(8) OF PUBLIC RESOURCES CODE; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED; APPROVED; ADOPTED RESOLUTION 2004-062; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE NECESSARY DOCUMENTS WITH LAFCO

Watson-Maben: All Ayes

- *12) Contract No. 04007, identify apparent low bid of Granite Construction for construction of North Beardsley Street Improvements, Phase VI, in an amount not to exceed \$599,808.50 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

Watson-Maben: All Ayes

S.D. #4

- *13) Request for acceptance of Irrevocable Offers of Dedication and proposed Resolution to include portions of Nord Avenue and Stockdale Highway into the County Road System for maintenance as County Road No. 3950, Parcel Map 10676 - APPROVED; ADOPTED RESOLUTION 2004-063

Watson-Maben: All Ayes

S.D. #5

- *14) Proposed Contract No. 03031 with Griffith Company, Inc., for construction of Alloway Lane drainage improvements to connect to Oswell Street drain, East Bakersfield area, in an amount not to exceed \$197,967 (Community Development Block Grant funds) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 168-2004

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *15) Contract No. 04006, Plans, Specifications and Notice to Contractors for construction on Browning Road from Garces Highway to Cecil 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 NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION; BID OPENING TO BE WEDNESDAY, APRIL 14, 2004, AT 11:00 A.M.

Watson-Maben: All Ayes

S.D. #5

- *16) Proposed Amendment No. 2 to Agreement 327-96 with the State of California, Department of Transportation, authorizing \$517,600 additional reimbursement from the State for Oswell Street-Union Pacific Railroad Overpass - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 169-2004

Watson-Maben: All Ayes

All S.D.'s

- *17) Request for sole source procurement from James Cox & Sons, Inc., to replace kneading compactor for use by Road's Soils Laboratory for materials testing, in an amount not to exceed \$30,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Watson-Maben: All Ayes

WASTE MANAGEMENT

S.D.'s #1 & #2

- *18) Proposed retroactive Amendment No. 2 to Agreement 1022-2001 with GeoSyntec Consultants to provide landfill design, quality assurance/quality control and permitting support services at the Bakersfield Metropolitan (Bena) Sanitary Landfill, to extend the term of the Agreement to December 31, 2004, for a total amount not to exceed \$600,000, an increase of \$200,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 170-2004

Watson-Maben: All Ayes

All S.D.'s

- *19) Proposed Request for Proposal to provide closure activity services for County waste facilities - APPROVED; AUTHORIZED DISTRIBUTION

Watson-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *20) Proposed Amendment No. 3 to Agreement 171-99 with the Lynn Company for Cobra Administration extending the term of the Agreement on a month-to-month basis through December 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 171-2004

Watson-Maben: All Ayes

- 21) Proposed Request for Proposals for provision of health care services at Kern County jail and juvenile detention facilities - APPROVED; AUTHORIZED DISTRIBUTION

Watson-Patrick: All Ayes

- 22) Report on Child Protective Services oversight - THE FOLLOWING INDIVIDUALS WERE HEARD: STEVE SANDERS, KERN COUNTY NETWORK FOR CHILDREN AND CITIZENS REVIEW PANEL; ROY WEYGAND, KERN COUNTY TAXPAYERS ASSOCIATION; AND LARKIN TACKETT ON BEHALF OF SENATOR DEAN FLOREZ; RECEIVED AND FILED; REQUESTED THE KERN CITIZEN REVIEW PANEL FILE SEMI-ANNUAL REPORTS WITH THE BOARD; REQUESTED THE KERN COUNTY CHILD DEATH REVIEW TEAM FILE ITS ANNUAL REPORT WITH THE BOARD; REFERRED TO COUNTY ADMINISTRATIVE OFFICER AND REQUESTED THE CITIZENS REVIEW PANEL TO REPORT BACK TO THE BOARD IN APRIL RELATIVE TO THE FEASIBILITY OF ESTABLISHING AN OMBUDSMAN POSITION FOR INTERVENTION AND PREVENTION, EXPANDING THE MEMBERSHIP OF THE CITIZENS REVIEW PANEL TO INCLUDE LAW ENFORCEMENT AND EDUCATION REPRESENTATIVES, DEVELOPING A METHOD OF REPORTING INVESTIGATIONS TO THE BOARD AS THEY OCCUR, AND POTENTIALLY EXPANDING THE ROLE AND FUNCTION OF THE CITIZENS REVIEW PANEL; REFERRED TO COUNTY COUNSEL TO REPORT BACK WITH CLARIFICATION ON THE STATE'S CONFIDENTIALITY LAWS; RECEIVED AND FILED DOCUMENT

Parra-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

Hearing

S.D. #4

- *23) Proposed Resolution and Ordinance granting pipeline franchise to Pacific Marketing and Transportation, LLC - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; ADOPTED RESOLUTION 2004-064 AND ENACTED ORDINANCE F-467

Watson-Maben: All Ayes

S.D. #1

- *24) Request for subcontractor substitution for the new Juvenile Treatment Facility (1960.8166) - FOUND THAT FLUDCO CONSTRUCTION FAILED TO MAN THE PROJECT AS PROVIDED IN THE CONTRACT WITH S. C. ANDERSON, INC.; APPROVED SUBSTITUTION OF MOUNTAIN OAK CONSTRUCTION TO COMPLETE THE GRADING AND PAVING PORTION OF THE PROJECT

Watson-Maben: All Ayes

S.D. #3

- *25) Proposed Estoppel Certificate for Bornino Family Trust, owner of 3400 Unicorn Road, Bakersfield, occupied by the Sheriff's Department - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: All Ayes

S.D. #5

- *26) Proposed retroactive Agreements with Kern County Superintendent of Schools Community Connection for Child Care, Proteus, Inc., and Ebony Counseling Center for sublease of space in the Employers' Training Resource Career Services Center One-Stop at 1600 East Belle Terrace Drive, Bakersfield; each sublessee to pay proportionate share of monthly rent and office expenses; term is concurrent with Master Lease term - MADE FINDING THAT PROJECTS ARE EXEMPT FROM CEQA PER SECTION 15301; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 172-2004, 173-2004 AND 174-2004

Watson-Maben: All Ayes

All S.D.'s

- *27) Proposed Agreement with Kern Mosquito and Vector Control District for radio service, and maintenance and repair of equipment for the period March 16, 2004 through December 31, 2016 (minimum of \$200 a month revenue to County) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061 (b)(3); APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 175-2004

Watson-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

Information Technology Services

- *28) Proposed Request for Proposals for Long Distance Telephone Services - APPROVED; AUTHORIZED DISTRIBUTION

Watson-Maben: All Ayes

- *29) Proposed retroactive Contract and Amendments with Edwards Air Force Base to license their access to the Kern County Criminal Justice Information System and the State of California Law Enforcement Telecommunications System, from June 27, 2003 through June 30, 2004, in an amount not to exceed \$4,800 (revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 176-2004 AND 177-2004

Watson-Maben: All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED ON MARCH 9, 2004

- *30) Proposed Ordinance adding Subsections (162) and (163) to Section 10.16.041, Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no stopping zones on the north and south sides of Olive Drive - ENACTED ORDINANCE G-7084

Watson-Maben: All Ayes

- *31) Proposed Ordinance adding Subsection (4) to Section 10.16.057 and adding Subsection (3) to Section 10.16.205 of Chapter 10.16, Title 10, of the Kern County Ordinance Code establishing a no stopping zone and a three-minute loading zone on "O" Street in Mojave - ENACTED ORDINANCE G-7085

Watson-Maben: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *32) Budget Transfers - APPROVED NO. 160 THROUGH NO. 164
Watson-Maben: All Ayes
- *33) Minutes for week of February 16, 2004 - APPROVED
Watson-Maben: All Ayes
- *34) Miscellaneous Letters and Documents - FILED
Watson-Maben: All Ayes
- *35) Miscellaneous Departmental Referrals by Clerk of the Board -
APPROVED AND FILED
Watson-Maben: All Ayes
- *36) Claims and Lawsuits filed with and referred by Clerk of the
Board - APPROVED AND FILED
Watson-Maben: All Ayes

ADJOURNED TO TUESDAY, MARCH 23, 2004, AT 9:00 A.M.

Patrick-

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
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.

34) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report for the Department of Public Health for fiscal years ended June 30, 2001 and June 30, 2002
- B) Letter to Barbara L. Berg, Downey-Brand, LLP, and B. P. Huddleston, California Minerals, LP, re notice of rejection of California Minerals' property tax refund claim (Copies to each Supervisor, CAO, Assessment Appeals Board, Assessor and County Counsel)

Aging & Adult Services

- C) Minutes of California Association of Public Authorities (CAPA) meeting on Thursday, February 26, 2004

Clerk of the Board

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

- 1) Tract Map 5966, Unit 2 S.D. #4
- 2) Tract Map 6085, Phase A S.D. #4
- 3) Tract Map 6118, Phase 1 S.D. #1
- 4) Tract Map 6118, Phase 2 S.D. #1
- 5) Tract Map 6133, Unit A S.D. #1
- 6) Tract Map 6140, Phase 5 S.D. #5

Community & Economic Development

- E) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Jose Jesus Ruiz

Employers' Training Resource

- F) WIA OJT Agreements:

- 1) Berchtold Equipment Company, WIA Title 201, dated March 1, 2004;
- 2) Bettie Danel dba Bettie Danel Income Tax, WIA Title 201, dated February 9, 2004;
- 3) HPS Mechanical, Inc., WIA Title 201, dated February 19, 2004;
- 4) Sideline Enterprises, Inc. dba Premier Lighting, WIA Title 201, dated February 23, 2004

Local Agency Formation Commission

- G) Resolution No. 04-03, Proceeding No. 1365, in the matter of City of Bakersfield, Annexation No. 446, Oswell No. 10
- H) Resolution No. 04-04, Proceeding No. 1366, in the matter of City of Bakersfield, Annexation No. 448, Coffee Road No. 2

Roads

- I) Irrevocable Offer of Dedication from Erasmo, Carmen and Segundo Lopez for additional right-of-way on Wainio Street, per Conditional Use Permit No. 57, Map No. 124

Miscellaneous

- J) Letter from Bruce Gibbons re claim filed against Kern County Sheriff's Department (Copies to each Supervisor, CAO and Sheriff)
- K) Letter and petition from Phyllis Lawson in opposition to modifications to intersection at Monterey and Fairfax, Bakersfield (Copies to each Supervisor, CAO and Roads)
- L) Letter from Kevin Shelley, Secretary of State, re voter verified paper trail to counties using touch-screen systems (Copies to each Supervisor, CAO and Auditor-Controller-County Clerk)
- M) Letter from Bonita Coyle, Independent Living Center of Kern County, re survey of polling places on Tuesday, March 2, 2004 (Copies to each Supervisor, CAO and Elections)
- 35) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Juan M. Carrillo, California Arts Council, re Kern County's continued participation in the Council's State-Local Partnership Program - REFERRED TO COUNTY ADMINISTRATIVE OFFICE (Copies to each Supervisor)
- 36) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Terry Williams vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Brenda Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Derrick Ray Mohlke, Joseph Daniel Mohlke, Ashely Lynn Mohlke, Minors and through their Guardian ad Litem, Danny Ray Mohlke vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Joe Toy, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Rosemary Gonzalez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Brian P. O'Neill vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Cayetano Melendez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Billy Miller vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Late claim in the matter of Helena Ann Certuche, a Minor by and through her Guardian ad Litem, Nicole Froidevaux vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- J) Summons and complaint in the matter of Magdalena Villagrana vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Summons and complaint in the matter of Gerry Salum vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Subrogation claim in the matter of Eric and Stephanie Spencer by Civil Service Employees Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Discrimination complaint in the matter of Therese M. Colwart vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)