

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, March 18, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Patrick

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) Resolution honoring and commending Barbara Gause upon her retirement with 31 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO BARBARA GAUSE; BEVERLY BEASLEY JOHNSON, DIRECTOR, DEPARTMENT OF HUMAN SERVICES (DHS); PAT CHEADLE, ASSISTANT DIRECTOR, DHS, EMPLOYMENT AND FINANCIAL SERVICES BUREAU; AND BARBARA GAUSE HEARD

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- 2) Resolution honoring and commending Sharon Joe for 30 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO SHARON JOE; DENISE PENNELL, CLERK OF THE BOARD, AND SHARON JOE HEARD; SHARON'S HUSBAND, HARVEY JOE, INTRODUCED; NUMEROUS FRIENDS AND FAMILY MEMBERS RECOGNIZED

**Patrick-Maben: 4 Ayes; 1 Absent - McQuiston**

- 3) Proclamation proclaiming March 20, 2003 as National Ag Day in Kern County - PROCLAIMED; MADE PRESENTATION TO WINIFRED PANDOL, REPRESENTING CALIFORNIA WOMEN IN AGRICULTURE; JENNIFER WILKE, TEACHER AT BAKERSFIELD HIGH SCHOOL (BHS); JANELLE WILLIAMS, STUDENT AT BHS AND MEMBER OF FUTURE FARMERS OF AMERICA; AND WINIFRED PANDOL HEARD; BHS PRINCIPAL DAVID REESE AND JENNIFER'S PARENTS, ROGER AND ANN WILLIAMS, INTRODUCED

**Watson-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*4) Resolution honoring and commending Barry K. Hayslett upon his retirement with 39 years of service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*5) Proclamation proclaiming March 17 - 21, 2003 as Protecting People with Developmental Disabilities Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

APPOINTMENTS

- \*6) Appointments of Joseph Wrennall and Lee Morales as Third District Members to the Comprehensive Economic Development Strategy (CEDS) Committee, terms to expire at the pleasure of the Board - MADE APPOINTMENTS

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PUBLIC PRESENTATIONS

- 7) 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! - RICHARD PELLERIN, FRIENDS OF FELLOWS, HEARD REGARDING FIRE PROTECTION FOR THE COMMUNITY OF FELLOWS; DEPUTY CHIEF NICK DUNN, KERN COUNTY FIRE DEPARTMENT, HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 8) 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

AIRPORTS

- \*9) Proposed Consent to Assignment of the Skyway Air Center Lease Site at Meadows Field to Loyd's Aviation and Alta Vista Partners, LLC - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*10) Proposed reimbursement of travel expenses incurred by volunteers to provide training for new touch screen voting system - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

COUNTY COUNSEL

- \*11) Resolution providing for the authorization, issuance and sale of General Obligation Bonds of the Buttonwillow Union School District, in an aggregate principal amount not to exceed \$4,000,000 - ADOPTED RESOLUTION 2003-101

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

KERN MEDICAL CENTER

- \*12) Proposed Amendment No. 4 to Agreement 197-2000 with Tao John Ounesavath, to provide computer support, extending term by one year through April 9, 2004, and increasing contractual not to exceed amount by \$65,000 to \$262,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 152-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

LIBRARY

- \*13) Request to establish sole source blanket purchase orders exceeding \$50,000 to various vendors for Temporary Assistance to Needy Families (TANF) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER IN ACCOUNT 7724-SDE EDUCATION AS FOLLOWS: BOOKS ON TAPE IN AN AMOUNT NOT TO EXCEED \$130,000; EBSCO SUBSCRIPTION SERVICES/EBSCO INFORMATION SERVICES IN AN AMOUNT NOT TO EXCEED \$155,000; RECORDED BOOKS IN AN AMOUNT NOT TO EXCEED \$105,000; AND THE GALE GROUP IN AN AMOUNT NOT TO EXCEED \$190,000

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

MENTAL HEALTH SERVICES

- \*14) Proposed Amendment No. 2 to Agreement 350-2002 with American Health Services L.L.C., dba Bakersfield Medical and Mental Health Services, for methadone maintenance treatment services for Kern County clients, to increase number of methadone dosages from 51,100 to total of 87,600 and increase compensation from \$250,000 to an amount not to exceed \$600,000 (an increase of \$350,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 153-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*15) Proposed Amendment No. 1 to Agreement 355-2002 with Restoration Village Treatment Center, Inc., dba Hannah's Haven, for sober living environment services for clients residing in the Bakersfield area, to correct contractor's Tax I.D. number (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 154-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*16) Proposed Amendment No. 1 to Agreement 393-2002 with Truxtun Psychiatric Medical Group, L.P., for psychiatric testing and outpatient services to mentally ill clients, to change contractor's name to Iyengar Malini, M.D., & Sakrepatna Manohara, M.D., dba Truxtun Psychiatric Medical Group, L.P. (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 155-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*17) Proposed Amendment No. 2 to Agreement 482-2002 with Turning Point of Central California, Inc., dba Kennemer Center, for sober living environment services for clients residing in Kern County, to remove outdated quarterly review language, decrease service levels from 761 bed days to 574 bed days and decrease compensation from \$24,802 to an amount not to exceed \$19,802 (a decrease of \$5,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 156-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*18) Proposed Amendment No. 3 to Agreement 528-2002 with College Community Services, Inc., for mental health and substance abuse services for consumers residing in the Ridgecrest area, to add substance abuse Parolee Services Grant funding source and decrease CalWORKs funding source by the same amount (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 157-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*19) Proposed Amendment No. 3 to Agreement 530-2002 with College Community Services, Inc., for mental health and substance abuse services for consumers residing in the Lake Isabella area, to add substance abuse Parolee Services Grant funding source and decrease CalWORKs funding source by the same amount (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 158-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*20) Proposed Amendment No. 1 to Agreement 972-2002 with Calvin J. Flowers, M.D., for professional psychiatric inpatient services to consumers admitted into Good Samaritan Hospital, to decrease liability insurance coverage from \$500,000 to \$300,000 (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 159-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*21) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention of mentally disordered individuals per Welfare and Institutions Code, Section 5150 - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PROBATION

- \*22) Proposed Amendment No. 1 to Agreement 538-2002 to eliminate payment of stated hourly rate for Salaries and Benefits and to provide for monthly payment of \$2,500 to Richland School District for services provided - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 160-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*23) Proposed Amendment No. 1 to Agreement 537-2002 to eliminate payment of stated hourly rate for Salaries and Benefits and to provide for monthly payment of \$2,500 to McFarland Unified School District for services provided - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 161-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PUBLIC HEALTH SERVICES

- \*24) Proposed Amendment No. 1 to Agreement 938-2002 with Clinica Sierra Vista - 34th Street Community Health Center for Ryan White CARE Act Title II funds, to increase compensation by \$7,500 to an amount not to exceed \$57,598 (100% federal funds reallocated from other contracts) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 162-2003

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

TREASURER-TAX COLLECTOR

- \*25) Cash Receipts and Disbursements for February 2003 - RECEIVED AND FILED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IHSS PUBLIC AUTHORITY

**Watson-Patrick: 4 Ayes; 1 Absent - McQuiston**

ADJOURNED TO CLOSED SESSION

**Patrick**

CLOSED SESSIONS

IHSS PUBLIC AUTHORITY

- 26) IHSS request for Closed Session regarding Meet and Confer, UDWA -

RECONVENED FROM CLOSED SESSION; ADJOURNED AS IHSS PUBLIC AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

**Maben-Watson**

NOTE: Chairman announced all members present except Supervisor McQuiston

ADJOURNED TO CLOSED SESSION

**Watson**

COUNTY ADMINISTRATIVE OFFICE

- 27) Request for Closed Session regarding public employee recruitment - Title: Employers' Training Resource Director -
- 27A) Results of Closed Session regarding public employee recruitment - Title: Employers' Training Resource Director - APPOINTED VERNA LEWIS AS INTERIM ETR DIRECTOR, EFFECTIVE MARCH 24, 2003
- 28) Request for Closed Session regarding Meet and Confer, CCAPE -

(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/ Tracey E. Cody  
Administrative Coordinator

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

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Bakersfield, California

Regular Meeting  
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2:00 P.M.

BOARD RECONVENED

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

Note: Chairman Parra announced the appointment of Verna Lewis as Interim Director of Employers' Training Resource, effective March 24, 2003 (from 3/18/2003, 9:00 a.m., Item No. 27)

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BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

**Patrick-Watson: 4 Ayes; 1 Absent - McQuiston**

#### KERN SANITATION AUTHORITY

- #1) Proposed Agreement with B. C. Laboratories, Inc., to provide chemical analytical services for Kern Sanitation Authority, in an amount not to exceed \$50,000, to terminate December 31, 2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 167-2003

**Patrick-Maben: 4 Ayes; 1 Absent - McQuiston**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

**Patrick-Watson: 4 Ayes; 1 Absent - McQuiston**

PUBLIC PRESENTATIONS

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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**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

All S.D.'s

- \*4) Proposed Agreement with Consultants Ink for preparation and coordination of a Continuum of Care Plan, in an amount not to exceed \$19,241 - **APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 163-2003**

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Continued Hearing

S.D. #2

- \*5) Hearing for the abatement of a public nuisance at 8715 Favorito Avenue, Tehachapi, APN 315-050-09 (from 2/18/2003) - **REFERRED TO STAFF**

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

Hearings

S.D. #1

- 6) Hearing on proposed increased assessments within County Service Area No. 6 for Fiscal Year 2003-2004 - **OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS WERE SUBMITTED IN FAVOR OF INCREASED ASSESSMENT; ENACTED ORDINANCE G-6978 INCREASING ASSESSMENT; ADOPTED RESOLUTION 2003-102 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT, APPROVING A PER PARCEL ANNUAL ASSESSMENT NOT TO EXCEED \$38 FOR STREET LIGHT MAINTENANCE, DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENT**

**Patrick-Watson: 4 Ayes; 1 Absent - McQuiston**



S.D. #3

- 7) Hearing on proposed increased assessments within County Service Area No. 15 for Fiscal Year 2003-2004 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS WERE SUBMITTED IN OPPOSITION TO INCREASED ASSESSMENT

**Patrick-Watson: 4 Ayes; 1 Absent - McQuiston**

S.D. #4

- 8) Hearing on proposed increased assessments within County Service Area No. 61, Zone of Benefit No. 2, for Fiscal Year 2003-2004 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS WERE SUBMITTED IN OPPOSITION TO INCREASED ASSESSMENT

**Watson-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*9) Hearing on proposed update to Capital Facility Improvement Plan and Review of Public Information, Planned Sewer Area No. 1 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING OF CEQA EXEMPTION UNDER SECTION 15061(b)(3); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-103 UPDATING AND CONFIRMING CAPITAL IMPROVEMENT PLAN; RECEIVED AND FILED REPORT

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

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

- 10) Hearing on proposed increased assessments within County Service Area No. 71, Zone of Benefit No. 3, for Fiscal Year 2003-2004 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS WERE SUBMITTED IN OPPOSITION TO INCREASED ASSESSMENT

**Watson-Patrick: 4 Ayes; 1 Absent - McQuiston**

S.D.'s #3 & #4

- 11) Hearing on proposed increased assessments within County Service Area No. 30 for Fiscal Year 2003-2004 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS WERE SUBMITTED IN OPPOSITION TO INCREASED ASSESSMENT

**Patrick-Watson: 4 Ayes; 1 Absent - McQuiston**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*12) Request to rehire retired County employee Richard Erdman as Road Maintenance Worker III at Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment - APPROVED

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

WASTE MANAGEMENT

S.D. #4

- \*13) Proposed Resolution setting public hearing for Tuesday, May 6, 2003, at 2:00 p.m. to consider the report concerning adoption of Universal Collection in the Lost Hills area; addition of Lost Hills to Garbage Franchise No. 42; and placing basic residential service charges for Fiscal Year 2003-2004 in the amount of \$19.05 per month per residential unit on the property tax roll - RECEIVED AND FILED; ADOPTED RESOLUTION 2003-104; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF HEARING AND ORDINANCE SUMMARY, AND NOTICE OF PROTEST HEARING; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND ORDINANCE SUMMARY, AND CAUSE NOTICE OF PROTEST HEARING TO BE MAILED TO PARCEL OWNERS OF RECORD

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*14) Proposed Resolution setting a public hearing for Tuesday, May 6, 2003, at 2:00 p.m. to consider the Ordinance establishing the schedule of Universal Solid Waste Management Collection Charges for residential properties with four or fewer units in the Unincorporated Taft Universal Collection Area for Fiscal Year 2003-2004, and establishing a formula for future rate increases - RECEIVED AND FILED; ADOPTED RESOLUTION 2003-105; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF HEARING AND ORDINANCE SUMMARY, AND NOTICE OF PROTEST HEARING; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND ORDINANCE SUMMARY, AND CAUSE NOTICE OF PROTEST HEARING TO BE MAILED TO PARCEL OWNERS OF RECORD

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*15) Proposed Permission to Enter from Paramount Orchards Partners VI the Lost Hills No. 1 Burn Dump to study mobility and uptake by almond trees of residues from an historical County-operated burn dump, effective March 18, 2003 to May 31, 2004, or at completion of project, whichever is earlier - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

All S.D.'s

- \*16) Proposed Urgency Ordinance to establish Dead Animal Disposal Rates at County landfills as a result of the outbreak of Exotic Newcastle Disease in areas surrounding Kern County - WAIVED READING; ENACTED ORDINANCE G-6979 AS URGENCY MEASURE

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

Hearing

S.D. #1

- 17) Proposed Energy Services Agreement with Noresco for energy related improvements at Lerdo Detention Facility, in an amount not to exceed \$3,635,502 (from 3/11/2003) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-106 MAKING FINDING THAT PROJECT IS IN THE PUBLIC INTEREST; APPROVED AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 164-2003; RATIFIED ACTIONS OF ASSISTANT CAO FOR GENERAL SERVICES IN MAKING APPLICATION FOR ENERGY-RELATED REBATE OF \$300,000

**Patrick-Watson: 4 Ayes; 1 Absent - McQuiston**

COUNTY ADMINISTRATIVE OFFICE

- 18) Proposed Master Lease Agreement with SunTrust Leasing Corporation for financing the new electronic voting elections system project (\$1,595,000) and the Phase II energy retrofit project at Lerdo Detention Facility (\$3,675,000) in the principal amount of \$5,270,000 (from 3/11/2003) - APPROVED; ADOPTED RESOLUTION 2003-107; AUTHORIZED CHAIRMAN TO SIGN LEASE AGREEMENT 165-2003 AND FINANCING DOCUMENTS

**Patrick-Watson: 4 Ayes; 1 Absent - McQuiston**

- \*19) Proposed Fiscal Year 2003-2004 Budget Development Guidelines - APPROVED

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

Hearings

S.D.'s #1 & #4

- \*20) Proposed Resolution and Ordinance granting pipeline franchise to Tricor Energy LLC - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTIONS 15301 AND 21080.21; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-108 AND ENACTED ORDINANCE F-456

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

All S.D.'s

- \*21) Proposed Resolution and Ordinance amending pipeline Franchise F-382 for Chevron Pipe Line Company - CONTINUED TO TUESDAY, APRIL 29, 2003, AT 2:00 P.M.

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

S.D. #1

- \*22) Proposed Agreement with Nicholas Construction for tot lot improvements at Wofford Heights, Mountain Mesa & Inyokern Parks, in an amount not to exceed \$119,749 (1960.8247C) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 166-2003

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

S.D. #3

- \*23) Request for approval of Bid Package and Lease Agreement, and for adoption of Resolution of Intention to lease a portion of Metropolitan Recreation Center located at 3805 Chester Avenue, Bakersfield, setting minimum bid (\$1,000 per year) and bid opening date of Thursday, April 24, 2003, at 2:00 p.m. - APPROVED; ADOPTED RESOLUTION 2003-109; AUTHORIZED GENERAL SERVICES TO PUBLISH NOTICE AND RECEIVE BIDS

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*24) Report and request for authorization as an emergency project to proceed with the replacement of the uninterruptible power supply (UPS) system at the Whiting Communications Center with Power Conversion Systems, Inc. - RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-110; AUTHORIZED ASSISTANT COUNTY ADMINISTRATIVE OFFICER TO EXECUTE SOLE SOURCE AGREEMENT WITH POWER CONVERSION SYSTEMS, INC., IN AN AMOUNT NOT TO EXCEED \$95,000, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

S.D. #5

- \*25) Plans and specifications for remodel of the third floor of the Justice Building (2183.7002K) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

S.D.'s #3 & #5

- \*26) Change Order No. 1 for tot lot improvements at Heritage, Pioneer, Rexland Acres and Casa Loma Parks, an increase of \$1,400 for a new total of \$327,400 (1960.8259) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

All S.D.'s

- \*27) Proposed donation of surplus radio and microwave equipment to the states of Jalisco, Michoacan de Ocampo, and Sinaloa of the United Mexican States - APPROVED

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

CONSIDERATION OF ORDINANCES INTRODUCED ON MARCH 11, 2003

- \*28) Proposed Ordinance adding Sub-paragraph (26) to Section 10.24.021 of Chapter 10.24 of the Kern County Ordinance Code, concerning a handicap zone on Center Street - ENACTED ORDINANCE G-6980

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*29) Proposed Ordinance adding Sub-paragraphs (143) and (144) to Section 10.16.041 of Chapter 10.16 of the Kern County Ordinance Code, concerning a no-stopping zone on the north and south sides of Niles Street - ENACTED ORDINANCE G-6981

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

MATTERS FOR EXECUTIVE APPROVAL

- \*30) Budget Transfers - APPROVED #120 THROUGH #124

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*31) Minutes for week of February 10, 2003 - APPROVED

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*32) Miscellaneous Letters and Documents - FILED

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*33) Letters Received and Referred by Clerk of the Board - APPROVED AND FILED

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

- \*34) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Maben-Patrick: 4 Ayes; 1 Absent - McQuiston**

ADJOURNED TO TUESDAY, MARCH 25, 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.

32) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) 2002 County of Kern Comprehensive Annual Financial Report
- B) Solid Waste Management Enterprise Fund Audit Report for June 30, 2002
- C) Certification of the Results of the Special Election held March 4, 2003

Clerk of the Board

- D) Received, certified and forwarded to Recorder for recordation as follows:
  - 1) Tract Map 5773, Phase 2 S.D. #4
  - 2) Parcel Map 10849 S.D. #1
  - 3) Parcel Map 10850 S.D. #1
  - 4) Parcel Map 10854 S.D. #3

Environmental Health Services

- E) Five (5) thank you letters to individuals for donations to the Bakersfield and Mojave animal shelters

Local Agency Formation Commission

- F) Proceeding No. 1348, Resolution No. 03-05, in the matter of City of California City, Reorganization No. 2 (Copies to each Supervisor and CAO)
- G) Notice of Hearing in the matter of Tejon Castac Water District, Minor Amendment of the Sphere of Influence (Copies to each Supervisor and CAO)

Mental Health

- H) Report on Behavioral Health Board's recommendations not to implement Assembly Bill 1421

Planning

- I) Consent to Recordation of Irrevocable Offer of Dedication from John S. Winterset and John S. Winterset, Jr., re County Road No. 3921, APN 364-210-18

Miscellaneous

- J) Letter from Joseph R. Schoenstein, Time Warner Cable, re change of name from Time Warner Entertainment-Advance Newhouse to "bright house network", effective Friday, March 7, 2003 (Copies to each Supervisor, CAO, General Services and County Counsel)
- K) Letter from Stacey Weirick re objections to ruling in Kern County Superior Court, Metropolitan Division, Family Court (Case No. 576377) (Copies to each Supervisor, CAO, Superior Court and County Counsel)
- L) E-mail from Richard A. Crane re newspaper article by Randolph E. Schmid entitled, "Uninsured Drain Communities" (Copies to each Supervisor and CAO)

- M) E-mail from Panfilo Fuentes re upgrading air-conditioning and heating at Lerdo (Copies to each Supervisor, CAO, Sheriff and General Services)
- N) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: Sharkey's Pizza & Chicken, 6111 Niles Street, Bakersfield; Oasis Beverage Company, 3452 Alken Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- O) Bulletin from the California Office of Traffic Safety, OTS Tracks, Winter 2003 (Copies to each Supervisor, CAO and Roads)
- P) Agenda from In-Home Supportive Services Advisory Committee on Thursday, March 13, 2003 and Minutes from meeting on Thursday, February 13, 2003
- Q) Agenda of meeting from Kern County's AIDS Advisory Board on Wednesday, March 5, 2003
- 33) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Resolution 2002-03-11 from Board of Trustees of Buttonwillow Union School District requesting the sale of bonds - REFERRED TO COUNTY COUNSEL
- 34) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Jose Luis Villanueva and Jose Luis Villanueva, Jr., a minor vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Fred Gutierrez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Ruben Bolanos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Henry E. Santa Cruz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Brian Ulrich vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Summons and complaint in the matter of Liberty Mutual Fire Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - G) Summons and complaint in the matter of Consuelo Perez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - H) Discrimination complaint in the matter of Suman Sethi vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)

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