

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, April 1, 2003

9:00 A.M.

BOARD RECONVENED

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

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) Proclamation proclaiming April 2003 as Fair Housing Month in Kern County - PROCLAIMED; MADE PRESENTATION TO ANGIE TRIGUEIRO, CHAIR, ECONOMIC OPPORTUNITY COMMITTEE, BAKERSFIELD ASSOCIATION OF REALTORS; ANGIE TRIGUEIRO HEARD

**McQuiston-Watson: All Ayes**

- 2) Proclamation proclaiming April 3, 2003 as CASA Day in Kern County - PROCLAIMED; MADE PRESENTATION TO COLLEEN McGAULEY, EXECUTIVE DIRECTOR, CASA; COLLEEN McGAULEY HEARD

**Watson-Patrick: All Ayes**

- 3) Proclamation proclaiming April 7-13, 2003 as Public Health Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DR. B. A. JINADU, DIRECTOR, PUBLIC HEALTH SERVICES; DR. JINADU HEARD

**Maben-Patrick: All Ayes**

- \*4) Resolution honoring and commending Mitchell Van Wyk upon his retirement with 36½ years of service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Patrick-Maben: All Ayes**

- \*5) Proclamation proclaiming April 5, 2003 as Colonel Vernon P. Saxon Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Patrick-Maben: All Ayes**

- \*6) Proclamation proclaiming April 23, 2003 as Arbor Day in Taft - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Patrick-Maben: All Ayes**

APPOINTMENTS

- \*7) Appointment of Cathy Prout as Alternate City Selection Committee Member to the Emergency Medical Care Advisory Board, term to expire at the pleasure of the Board - MADE APPOINTMENT

**Patrick-Maben: All Ayes**

- \*8) Appointment of Eva Vasquez-Camacho as Fifth District Member to the Water Resources Committee, term to expire December 31, 2004 - MADE APPOINTMENT

**Patrick-Maben: All Ayes**

- \*9) Reappointment of Frank Ramirez as an At-large Member of the Human Relations Commission, term to expire March 19, 2005 - MADE REAPPOINTMENT

**Patrick-Maben: All Ayes**

- \*10) Appointment of Bernita M. Jenkins as Second District Member to the Comprehensive Economic Development Strategy (CEDs) Committee, term to expire at the pleasure of the Board - MADE APPOINTMENT

**Patrick-Maben: All Ayes**

PUBLIC PRESENTATIONS

- 11) 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! - TIM HOLLOBAUGH, LINDA SPEARS, MARIE PARKER, AND SHIRLEY HOLLOBAUGH ADDRESSED THE BOARD REGARDING MENTAL HEALTH SERVICES

REFERRED TO MENTAL HEALTH DEPARTMENT TO REPORT BACK TO THE BOARD ON TUESDAY, APRIL 29, 2003 AT 9:00 A.M. REGARDING CONCERNS EXPRESSED

**Patrick-Watson: All Ayes**

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 12) 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

- \*13) Proposed Amendment No. 1 to Agreement 643-2002 with California Department of Aging (FY 2002-03 State Agreement CB-0203-33) to provide funding for Community Based Service Programs and request to appropriate unanticipated revenue from California Department of Aging for Community Based Service Programs - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 192-2003; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$4,752 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$4,752 FROM APPROPRIATIONS FOR CONTINGENCIES TO AGING AND ADULT SERVICES BUDGET UNIT 5610; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO INCREASE SERVICE PROVIDER CONTRACT AMOUNTS AS FOLLOWS: MEXICAN AMERICAN OPPORTUNITY FOUNDATION FOSTER GRANDPARENT PROGRAM BY \$321 FOR A TOTAL OF \$36,177; KERN AROUND THE CLOCK FOUNDATION LINKAGES PROGRAM BY \$3,182 FOR A TOTAL OF \$227,962; MEXICAN AMERICAN OPPORTUNITY FOUNDATION SENIOR COMPANION BY \$367 FOR A TOTAL OF \$52,609

**Patrick-Maben: All Ayes**

AIRPORTS

- \*14) Proposed month-to-month Lease Agreement with Chuck Coodey to rent Cloverleaf Hangar #15 at Meadows Field, Bakersfield at a monthly rate of \$130, to be reviewed annually - MADE FINDING THAT THIS PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO COMPLETE AND FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 193-2003

**Patrick-Maben: All Ayes**

DISTRICT ATTORNEY

- \*15) Proposed addition of one (1) Assistant District Attorney position and deletion of one (1) Confidential Assistant District Attorney position, effective April 1, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Patrick-Maben: All Ayes**

- \*16) Proposed unusual travel request and authorizations for District Attorney Investigators John Lambert and Steven Bishop for the Investigations and Trial Preparation Course in Huntington Beach, California, from April 6 through April 18, 2003, in amounts not to exceed \$1,700 each - APPROVED

**Patrick-Maben: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*17) Proposed Amendment No. 1 to Agreement 999-2002 with West Side Regional Occupational Program for the acquisition of tools and supplies for program expansion through the Governor's Discretionary 15% Grant funding by increasing the Agreement by \$6,600 for an amended total funding level of \$20,550 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 194-2003

**Patrick-Maben: All Ayes**

- \*18) Proposed retroactive Agreement with Clinica Sierra Vista, Inc., for tattoo removal services, from January 1, 2003 through December 31, 2003, in an amount not to exceed \$102,000 (prior notification on February 23, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 195-2003

**Patrick-Maben: All Ayes**

FIRE DEPARTMENT

- \*19) Request to hire retired Fire Captain Stan Pearcy, Range 61.9, Step E, and retired Fire Engineer Jack Langham, Range 59.5, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment - APPROVED

**Patrick-Maben: All Ayes**

KERN MEDICAL CENTER

- \*20) Proposed Agreement with Asereth Medical Services for temporary pharmacist labor, from April 1, 2003 through March 31, 2004, in an amount not to exceed \$200,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 196-2003

**Patrick-Maben: All Ayes**

- \*21) Proposed Agreement with Abu Taher, M.D., for pediatrician services, from April 5, 2003 through April 4, 2008, in an amount not to exceed \$596,805 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 197-2003

**Patrick-Maben: All Ayes**

- \*22) Proposed Agreement with Wedad M. Rizkalla, M.D., for pediatrician services, from April 5, 2003 through April 4, 2008, in an amount not to exceed \$504,005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 198-2003

**Patrick-Maben: All Ayes**

- \*23) Proposed Agreement with Humilde Elaine A. Castroverde, M.D., for pediatrician services, from April 5, 2003 through April 4, 2008, in an amount not to exceed \$411,655 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 199-2003

**Patrick-Maben: All Ayes**

- \*24) Proposed Agreement with Parameswaran S. Aiylam, M.D., for pediatrician services, from April 5, 2003 through April 4, 2008, in an amount not to exceed \$619,200 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 200-2003

**Patrick-Maben: All Ayes**

- \*25) Response to Audit Findings of Brown Armstrong for Fiscal Year 2002 - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

MENTAL HEALTH SERVICES

- \*26) Proposed Amendment No. 2 to Agreement 308-2002 with Transwest Security Services, Inc., for security services for Department facilities in Bakersfield, to decrease mileage rate set for transportation over ten miles and add option of a second attendant being provided upon County's request (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 201-2003

**Patrick-Maben: All Ayes**

- \*27) Proposed Resolution regarding appointment of a Privacy Official for the Mental Health Department as mandated by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) - ADOPTED RESOLUTION 2003-129

**Patrick-Maben: All Ayes**

PERSONNEL

- \*28) Request to amend Section 3.04.060 of the Kern County Ordinance Code to curtail continuous employment of extra-help employees within the County as recommended by the Civil Service Commission - APPROVED; REFERRED TO COUNTY COUNSEL TO PREPARE ORDINANCE AMENDMENT

**Patrick-Maben: All Ayes**

PUBLIC HEALTH SERVICES

- \*29) Proposed Agreement with Holy Names College for provision of clinical facilities for Clinical Nursing Experience, effective April 1, 2003 (no cost to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 202-2003

**Patrick-Maben: All Ayes**

- \*30) Proposed Amendment No. 1 to Agreement 496-2002 with Valley Catholic Charities for HIV/AIDS Early Intervention bookkeeping services for HOPWA funds, from July 1, 2002 through June 30, 2003, to amend name of contractor to Catholic Charities of the Diocese of Fresno and an increase of \$8,598 for a total amount not to exceed \$36,598 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 203-2003

**Patrick-Maben: All Ayes**

- \*31) Proposed Amendment No. 1 to Agreement 447-2002 with Valley Catholic Charities for AIDS Case Management Program bookkeeping services, from July 1, 2002 through June 30, 2003, to amend name of contractor to Catholic Charities of the Diocese of Fresno - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 204-2003

**Patrick-Maben: All Ayes**

- \*32) Proposed Amendment No. 1 to Agreement No. 497-2002 with Valley Catholic Charities for AIDS Nursing Case Management Program bookkeeping services for HOPWA Funds, from July 1, 2002 through June 30, 2003, to amend name of contractor to Catholic Charities of the Diocese of Fresno - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 205-2003

**Patrick-Maben: All Ayes**

- \*33) Notification of anticipated retroactive Agreement with Kern County Children and Families Commission for Medi-Cal Administrative Activities - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

SHERIFF

- \*34) Proposed General Release Agreement with Lycoming Engines for replacement of defective crankshaft on Cessna aircraft - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 206-2003

**Patrick-Maben: All Ayes**

ADJOURNED TO CLOSED SESSION

**Watson**

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 35) Request for Closed Session regarding Meet and Confer, CCAPE  
-

COUNTY COUNSEL

- 36) Request for Closed Session regarding a lawsuit entitled Frances Serrano v. County of Kern, Kern County Superior Court Case No. 248221 (Government Code Section 54956.9 (a))  
-

- 37) 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)) -

(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, April 1, 2003

2:00 P.M.

BOARD TO RECONVENE

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 KERN SANITATION AUTHORITY

**Patrick-Watson: All Ayes**

#### KERN SANITATION AUTHORITY

- #1) Proposed Agreement with Environmental Services Research Institute, Inc., to provide technical assistance and upgrades to the ArcView software program, in an amount not to exceed \$1,800 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 207-2003

**Patrick-Watson: All Ayes**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

**Watson-Maben: All Ayes**

#### PUBLIC PRESENTATIONS

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DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearing  
S.D. #4

- 4) Proposed Resolution ordering the extension of Zone of Benefit Nos. 3, 7 and 10 in County Service Area No. 71, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundaries extended herein, west Bakersfield, Parcel Map 10618, located south of Johnson Road and west of Nord Avenue - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-6982 ESTABLISHING ASSESSMENTS AND ADOPTED RESOLUTION 2003-130 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT, APPROVING ANNUAL ASSESSMENTS NOT TO EXCEED \$67 PER PARCEL FOR STREET LIGHT MAINTENANCE, \$6 PER PARCEL FOR SEPTIC MONITORING, \$25 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE AND \$200 PER PARCEL FOR MULTI-USE TRAIL, LANDSCAPE AND WALL MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARIES EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NOS. 3, 7 AND 10 IN COUNTY SERVICE AREA NO. 71

**Watson-Patrick: All Ayes**

S.D. #1

- \*5) Proposed Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 23 (Shafter) - WAIVED READING; INTRODUCED ORDINANCE

**McQuiston-Patrick: All Ayes**

- \*6) Proposed Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 39 (Kern Valley) - WAIVED READING; INTRODUCED ORDINANCE

**McQuiston-Patrick: All Ayes**

S.D. #5

- \*7) Request for Rexland Acres Sewer Project loan from Self-Help Enterprises to fund updating of the preliminary engineer's report, in the amount of \$6,000 - APPROVED; RATIFIED ACTIONS OF DIRECTOR OF ENGINEERING & SURVEY SERVICES FOR MAKING LOAN REQUEST

**McQuiston-Patrick: All Ayes**



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

- \*8) Proposed Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 71 (west Bakersfield) - WAIVED READING; INTRODUCED ORDINANCE

**McQuiston-Patrick: All Ayes**

All S.D.'s

- \*9) Request to hire retired County employee Dudley Dunham as Building Inspector II, 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

**McQuiston-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #3

- \*10) Proposed Resolution to declare a portion of Calloway Drive and Holland Street to be a public highway and incorporate into County Road System - ADOPTED RESOLUTION 2003-131; DIRECTED CLERK OF THE BOARD TO RECORD

**McQuiston-Patrick: All Ayes**

S.D. #4

- \*11) Proposed Agreement with Southern California Gas Company for the adjustment of gas valve covers on Mt. Pinos Way - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 208-2003

**McQuiston-Patrick: All Ayes**

S.D.'s #1 & #2

- \*12) Contract No. 03017, identify apparent low bid of Asphalt Construction Company for asphalt concrete (stockpile) at various locations in east Kern County, in an amount not to exceed \$327,750 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**McQuiston-Patrick: All Ayes**

- \*13) Proposed Grant Agreements with the California Department of Transportation (Caltrans Contract Nos. 642403 and 642404) for Transit Operating Assistance on East Kern Routes, in the amounts of \$40,000 and \$50,000, respectively - APPROVED; AUTHORIZED DIRECTOR TO SIGN

**McQuiston-Patrick: All Ayes**

All S.D.'s

- \*14) Contract No. 03016, identify apparent low bid of Granite Construction Company for asphalt concrete (stockpile) at various locations in Kern County, in an amount not to exceed \$548,300 - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**McQuiston-Patrick: All Ayes**

- \*15) Proposed Resolution adopting 2002-2003 Kern Regional Transit Disadvantaged Business Enterprise (DBE) Program and Kern Regional Transit DBE Goal - APPROVED; ADOPTED RESOLUTION 2003-132

**McQuiston-Patrick: All Ayes**

WASTE MANAGEMENT

S.D.'s #1 & #2

- \*16) Contract No. 02031, Plans, Special Provisions and Notice to Contractors for Phase 2A, Module 1 liner construction at Bakersfield Metropolitan (Bena) Sanitary Landfill - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED WASTE MANAGEMENT TO PUBLISH NOTICE TO CONTRACTORS; BID OPENING TO BE WEDNESDAY, MAY 14, 2003, AT 11:00 A.M.

**McQuiston-Patrick: All Ayes**

All S.D.'s

- \*17) Proposed Sole Source Agreement with Bakersfield Association for Retarded Citizens (BARC) for operation of a pilot program to perform Cathode Ray Tube recycling, in an amount not to exceed \$200,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 209-2003

**McQuiston-Patrick: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*18) Proposed transfer of funds for participation in the State Emergency Services and Supplemental Payments Program and Disproportionate Share Hospital Program - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$11,000,000 TO APPROPRIATIONS FOR CONTINGENCIES (GENERAL FUND); APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO CONTRIBUTIONS TO MEDICAL CARE BUDGET UNIT 4204 IN THE AMOUNT OF \$11,000,000; APPROVED PAYMENT FROM CONTRIBUTIONS TO MEDICAL CARE BUDGET UNIT 4204 TO STATE DEPARTMENT OF HEALTH SERVICES EMERGENCY SERVICES AND SUPPLEMENTAL PAYMENTS FUND IN AN AMOUNT NOT TO EXCEED \$8,750,000 AND STATE DEPARTMENT OF HEALTH SERVICES DISPROPORTIONATE SHARE HOSPITAL FUND IN THE AMOUNT OF \$2,200,823

**McQuiston-Patrick: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*19) Proposed Lease Agreement with United States Department of the Navy (USDN) for communications site on FM Hill, from date of execution by USDN through March 23, 2008 (administrative fee of \$1,250) - 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 210-2003

**McQuiston-Patrick: All Ayes**

S.D. #2

- \*20) Proposed Agreement with Edgemont Acres Mutual Water Company for lease of 16638 Vista Del Oro, North Edwards, for use by Fire Department as equipment storage, from April 1, 2003 through March 31, 2008 (\$100 annual rent) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 211-2003

**McQuiston-Patrick: All Ayes**

S.D. #4

- \*21) Identify apparent low bid of Gospich Construction Company for boat launch improvements at Buena Vista Aquatic Recreation Area (BVARA), in the amount of \$1,330,956.31 (1960.8195 & 1960.8163) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**McQuiston-Patrick: All Ayes**

S.D. #5

- \*22) Plans and Specifications for re-roof of the Mary K. Shell Mental Health Facility (4120.7001) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, MAY 1, 2003, AT 11:00 A.M.

**McQuiston-Patrick: All Ayes**

All S.D.'s

- \*23) Identify apparent low bid (adjustment factor bid) from D.C. Hall Metro-Floors, Inc., for Job Order Contract Specialty Flooring, Phase II - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**McQuiston-Patrick: All Ayes**

- \*24) Identify apparent low bid (adjustment factor bid) from Elite Painting & Wallcovering, Inc., for Job Order Contract Specialty Painting, Phase II - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**McQuiston-Patrick: All Ayes**

- \*25) Identify apparent low bid (adjustment factor bid) from S.C. Anderson, Inc., for Job Order Contract, Phase IV - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**McQuiston-Patrick: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON MARCH 25, 2003

- \*26) Proposed Ordinance adding subparagraph (147) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning a no-stopping zone on James Road - ENACTED ORDINANCE G-6983

**McQuiston-Patrick: All Ayes**

- \*27) Proposed Ordinance adding subparagraphs (145) and (146) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no-stopping zones on the west and east sides of Bedford Way - ENACTED ORDINANCE G-6984

**McQuiston-Patrick: All Ayes**

- \*28) Proposed Ordinance rescinding Section 10.04.602 and adding Section 10.04.601 to Chapter 10.04, Title 10, of the Kern County Ordinance Code concerning a 45 mile-per-hour speed limit on Jenkins Road - ENACTED ORDINANCE G-6985

**McQuiston-Patrick: All Ayes**

- \*29) Proposed Ordinance amending Section 2.56.040, Chapter 2.56, Title 2, of the Kern County Ordinance Code concerning terms of members of the Water Resources Committee - ENACTED ORDINANCE G-6986

**McQuiston-Patrick: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*30) Budget Transfers - APPROVED NO. 130 THROUGH NO. 132

**McQuiston-Patrick: All Ayes**

- \*31) Minutes for week of February 24, 2003 - APPROVED WITH CORRECTION TO ITEM NO. 20, 2:00 P.M., TO READ, "AUTHORIZED CHAIRMAN TO SIGN *QUITCLAIM DEED AND AGREEMENT* 116-2003"

**McQuiston-Patrick: All Ayes**

- \*32) Miscellaneous Letters and Documents - FILED

**McQuiston-Patrick: All Ayes**

- \*33) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**McQuiston-Patrick: All Ayes**

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

**McQuiston-Patrick: All Ayes**

ADJOURNED TO TUESDAY, APRIL 8, 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

Clerk of the Board

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

- |                            |         |
|----------------------------|---------|
| 1) Tract Map 5941, Phase 4 | S.D. #4 |
| 2) Tract Map 6066          | S.D. #2 |
| 3) Tract Map 6116          | S.D. #4 |
| 4) Parcel Map 10649        | S.D. #4 |
| 5) Parcel Map 10734        | S.D. #4 |
| 6) Parcel Map 10789        | S.D. #2 |
| 7) Parcel Map 10903        | S.D. #4 |

Employers' Training Resource

- B) Workforce Investment Act Agreements:

- 1) AKRI Corporation, WIA Title 501/543, dated March 7, 2003
- 2) Oasis Air Conditioning, Inc., WIA Title 501/543, dated February 18, 2003
- 3) Oasis Air Conditioning, Inc., WIA Title 501/543, dated February 24, 2003
- 4) Stier's Leisure Vehicles, Inc., WIA Title 501/543, dated January 29, 2003
- 5) Stier's Leisure Vehicles, Inc., WIA Title 501/543, dated February 18, 2003

- C) Amendment No. 1 to Agreement M278289 with the State of California Employment Development Department to extend the term for the CCOIS program through February 28, 2003

- D) Modification No. 3 to Agreement R174152 with the State of California Employment Development Department to extend the terms of the Welfare-to-Work and WIA 15% Caregiver Training Initiative project through March 31, 2003

Local Agency Formation Commission

- E) Report and Recommendation, Proceeding No. 1351, in the matter of East Nile CSD, Annexation No. 37 (Copies to each Supervisor and CAO)
- F) Agenda of meeting on Tuesday, March 25, 2003, and Minutes of meeting on Tuesday, February 25, 2003 (Copies to each Supervisor and CAO)

Planning

- G) Response to referral to John R. Wilson re expiration date of Vesting Tentative Tract Map 5773 (Copies to each Supervisor and CAO)
- H) Consent to Record Irrevocable Offer of Dedication from Louis G. Maltone and Janice N. Maltone re County Road No. 151

Miscellaneous

- I) Letter from Charlene Aboytes, State Board of Corrections, re February, 2003, Crowding Assessment Report (CAR) for James G. Bowles Juvenile Hall (Copies to each Supervisor and CAO)

- J) Letter from Charlene Aboytes, State Board of Corrections, re February, 2003, Crowding Assessment Report (CAR) for Pathways Academy (Copies to each Supervisor and CAO)
- K) Letter from Susan V. Rajlal, Darlene Prettyman and Elizabeth Davis, The Anne Sippi Clinic, re Assembly Bill 1425 for Mental Health Clients (Copies to each Supervisor, CAO and Mental Health)
- L) Letter from Gilbert and Ramona Gia in opposition to closure of The Learning Center at 100 East California Avenue (Copies to each Supervisor, CAO and Human Services)
- M) E-mail from Panfilo Fuentes re grants received to clean up air (Copies to each Supervisor, CAO and Resource Management Agency)
- N) E-mail from Linda McWhorter (2), Barbara Goode and Hubert J. Switalski (2) in opposition to closure of The Learning Center at 100 East California Avenue (Copies to each Supervisor, CAO and Human Services)
- O) Memorandum from San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Records for meeting on Tuesday, March 4, 2003 (Copies to each Supervisor, CAO and Clerk of the Board)
- P) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: Lost Hills 76, 21970 Highway 46, Lost Hills; Buttonwillow Travel Center, 27769 Lagood Drive, Buttonwillow; and Food Spot Market II, 1440 Castaic Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- Q) Notice from State Water Resources Control Board re announcement of release of Consolidated Request for Concept Proposals concerning Watershed and Nonpoint Source Pollution Control Programs (Copies to each Supervisor, CAO and Resource Management Agency)
- R) Bulletin from Water Education Foundation, Western Water, March/April 2003 (Copies to each Supervisor and CAO)
- S) Agenda of meeting from State Fish and Game Commission on Thursday, April 3, 2003 (Copies to each Supervisor and CAO)
- T) Agenda of meeting from Kern County Child Care Council on Wednesday, April 2, 2003
- U) Minutes of meeting from Kern County Child Care Council on Wednesday, March 5, 2003

- 33) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Timothy J. McNally, Law Offices of Hanna, Brophy, MacLean, McAleer & Jensen, LLP, re Proof of Service by Mail concerning Workers' Compensation Appeals Board Case No. BAK 137811 in the matter of Ken Peterson (deceased) and Rebecca Peterson vs. County of Kern - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor and CAO)
- 34) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of SBC (Pacific Bell) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Jose Luis Garcia vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Luis Rodriguez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Norma Jeanne Chavez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Summons and complaint in the matter of George A. Boyle, Noralee Boyle, Dean J. Miller, Victor VeVea, Alena VeVea, Ramona Guillen, Miriam Ruiz, Law Offices of George A. Boyle and Giachino Family Enterprises vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Summons and complaint in the matter of Housing Authority of the City of Sacramento vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Errata to complaint in eminent domain in the matter of Housing Authority of the City of Sacramento vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Subrogation claim in the matter of Arturo R. Garcia by Farmers Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

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