

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, April 27, 2004

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Watson

NOTE: CHAIRMAN MCQUISTON ANNOUNCED THAT SUPERVISOR PATRICK IS IN WASHINGTON D.C. TO SEEK CONTINUED FUNDING FOR THE CENTRAL CALIFORNIA OZONE STUDY.

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 Deputy Chief LeCostel Hailey upon his retirement with 30 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO LECOSTEL HAILEY; FIRE CHIEF DENNIS THOMPSON AND LECOSTEL HAILEY HEARD; SHIRLEY HAILEY INTRODUCED
Parra-Maben: 4 Ayes; 1 Absent - Patrick
- 2) Resolution honoring and commending Independent Oil Producers' Agency (IOPA) on their 100th Anniversary - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION
Watson-Maben: 4 Ayes; 1 Absent - Patrick
- 3) Proclamation proclaiming the week of April 25, 2004 as Taxpayers Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ROY WEYGAND, PRESIDENT OF KERN COUNTY TAXPAYERS ASSOCIATION; ROY WEYGAND HEARD
Maben-Watson: 4 Ayes; 1 Absent - Patrick

- 4) Certificate of Recognition recognizing Bakersfield High School, The Drillers Wrestling Team, for winning the 2003-2004 California State Championship - MADE PRESENTATIONS TO HEAD COACH ANDY VARNER AND TEAM MEMBERS; BRAD VAN ROEKEL, ATHLETIC DIRECTOR, AND ANDY VARNER, HEARD
- *5) Resolution honoring Dr. Tomas Arciniega, President, California State University Bakersfield (CSUB) for service to Kern County and the State of California - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION
Watson-Maben: 4 Ayes; 1 Absent - Patrick
- *6) Proclamation proclaiming May 2 - 8, 2004 as National Goodwill Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION
Watson-Maben: 4 Ayes; 1 Absent - Patrick
- *7) Proclamation proclaiming April 30, 2004 as Loyalty Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION
Watson-Maben: 4 Ayes; 1 Absent - Patrick
- *8) Proclamation proclaiming May 3 - 9, 2004 as Mosquito and Vector Control and West Nile Virus Awareness Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION
Watson-Maben: 4 Ayes; 1 Absent - Patrick

PUBLIC REQUESTS

- 9) Request from Gurcharan Dhillon, Rural Development Director, and Daniel G. Johnson, Community Development Manager, United States Department of Agriculture, to address the Board regarding various USDA Rural Development loan and grant programs - GURCHARAN DHILLON AND DANIEL JOHNSON HEARD
- *10) Request of Jeanette Richardson, Executive Director, Arts Council of Kern, for the Board to adopt a Resolution approving participation in the 2004-2005 California Arts Council State/Local Partnership Program - APPROVED; ADOPTED RESOLUTION 2004-112
Watson-Maben: 4 Ayes; 1 Absent - Patrick

APPOINTMENTS

- *11) Reappointment of Donald C. Gage as Special Districts' Representative Member to the Treasury Oversight Committee, term to expire April 2, 2008 - MADE REAPPOINTMENT
Watson-Maben: 4 Ayes; 1 Absent - Patrick

PUBLIC PRESENTATIONS

- 12) 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

- 13) 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]) - SUPERVISORS WATSON AND PARRA REQUESTED AN UPDATE ON THE SECRETARY OF STATE'S CONCERNS REGARDING ELECTRONIC VOTING SYSTEMS

ANN BARNETT, AUDITOR-CONTROLLER-COUNTY CLERK, AND BERNARD BARMANN, COUNTY COUNSEL, PROVIDED INFORMATION PERTAINING TO ONGOING HEARINGS, POSSIBLE OUTCOMES, AND POTENTIAL RAMIFICATIONS TO KERN COUNTY

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- 14) Request for presentation to the Board of Supervisors by the In-Home Supportive Services (IHSS) Advisory Committee regarding the State's 2004-05 IHSS Budget recommendations - HEARD PRESENTATION BY MICHAEL DULLE; HEZZY BROWN AND DAVID MENSCH, MEMBERS OF THE IHSS ADVISORY BOARD, RECOGNIZED

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- 15) 2003 Annual Report of the In-Home Supportive Services Public Authority - DIERDRE TERLESKI, PROGRAM DIRECTOR, IHSS PUBLIC AUTHORITY, HEARD; RECEIVED AND FILED

Parra-Maben: 4 Ayes; 1 Absent - Patrick

ADJOURNED AS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

Parra-Maben: 4 Ayes; 1 Absent - Patrick

AGRICULTURE AND MEASUREMENT STANDARDS

- *16) Proposed retroactive cooperative Agreement with United States Department of Agriculture for area wide management of Glassy-winged Sharpshooter in Kern County in an amount not to exceed \$500,000.00 from January 1, 2004 through December 31, 2004, retroactive approval and certification of accompanying required federal documents; retroactive approval of request for advance or reimbursement from United States Department of Agriculture; request for authority to sign retroactive and future standard form compliance agreements - APPROVED; AUTHORIZED CHAIRMAN TO SIGN COOPERATIVE AGREEMENT 268-2004; AUTHORIZED CHAIRMAN TO SIGN AND CERTIFY ACCOMPANYING REQUIRED FEDERAL DOCUMENTS; AUTHORIZED CHAIRMAN TO SIGN REQUEST FOR ADVANCE OR REIMBURSEMENT; ADOPTED RESOLUTION 2004-113 AUTHORIZING AGRICULTURAL COMMISSIONER/SEALER TO SIGN RETROACTIVE AND FUTURE STANDARD FORM COMPLIANCE AGREEMENTS SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Watson-Maben: 4 Ayes; 1 Absent - Patrick

AIRPORTS

- *17) Proposed Agreement with Transportation Security Administration to reimburse Department of Airports for providing Law Enforcement Officers for the security screening point at Meadows Field Airport, from May 1, 2004 to September 30, 2004, in an amount not to exceed \$173,758.40 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 269-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

ASSESSOR-RECORDER

- *18) Request to hire retired County employee, David G. Campbell, as an Appraiser III, Range 56, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *19) Appropriation of unanticipated revenue in the amount of \$150,822 from recording fees in Recorder Budget Unit for salaries, benefits, and postage expenses related to increase in recording activity - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$150,822 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$150,822 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2705

Watson-Maben: 4 Ayes; 1 Absent - Patrick

AUDITOR-CONTROLLER-COUNTY CLERK

- *20) Proposed addition of one (1) Fiscal Support Specialist and one (1) Programmer I/II positions and deletion of one (1) Office Services Assistant and one (1) Systems Analyst II positions, effective April 27, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: 4 Ayes; 1 Absent - Patrick

COUNTY COUNSEL

- *21) Proposed Resolution authorizing the issuance and sale of West Kern Community College District General Obligation Bonds, Election of 2004, Series 2004A in the aggregate principal amount not to exceed \$15,000,000 - APPROVED; ADOPTED RESOLUTION 2004-114

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *22) Proposed Resolution authorizing the issuance and sale of Kernville Union School District General Obligation Bonds, Election of 2004, Series 2004A in the aggregate principal amount not to exceed \$4,000,000 - APPROVED; ADOPTED RESOLUTION 2004-115

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *23) Proposed Resolution authorizing the issuance and sale of McFarland Unified School District General Obligation Bonds, Election of 2004, Series 2004A in the aggregate principal amount not to exceed \$5,700,000 - APPROVED; ADOPTED RESOLUTION 2004-116

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *24) Request of Child Support Services for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: 4 Ayes; 1 Absent - Patrick

DISTRICT ATTORNEY

- *25) Proposed addition of one (1) Legal Process Technician position and deletion of one (1) Senior Legal Secretary position to Budget Unit 2180, effective April 27, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *26) Appropriation of unanticipated revenue in the amount of \$100,000 from the Consumer Protection Prosecution Trust Fund for the investigation and prosecution of consumer protection cases - APPROVED TRANSFER OF \$100,000 FROM THE D.A. - NON-DRUG RELATED FORFEITURE TRUST FUND (22060) TO GENERAL FUND (00001); APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$100,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$100,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2180

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *27) Appropriation of unanticipated revenue in the amount of \$72,890 from the California Board of Corrections for the Title II Delinquency Prevention Program - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$72,890 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$72,890 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2180

Watson-Maben: 4 Ayes; 1 Absent - Patrick

FIRE DEPARTMENT

- *28) Appropriation of unanticipated revenue in the amount of \$100,000 from State of California Department of General Services Telephone Division for equipment upgrades to the Emergency Communications Center (cost fully reimbursed by State funds) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$100,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$100,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO FIRE DEPARTMENT BUDGET UNIT 2415

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *29) Proposed increase in hourly pay for Seasonal Firefighter I, \$10.19; Seasonal Firefighter II, \$11.43, Seasonal Firefighter III, \$12.79, and Seasonal Fire Supervisor, \$14.26, effective May 1, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: 4 Ayes; 1 Absent - Patrick

HUMAN SERVICES

- *30) Request to submit letter to the California Department of Social Services requesting a waiver of the Food Stamp work requirement time limits for Able-Bodied Adult Without Dependents (ABAWD) to allow individuals to continue receiving food stamp benefits - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *31) Proposed Agreement with Garden Pathways, Inc., for the Family to Family Youth Mentor Program, from April 27, 2004 to June 30, 2005 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 270-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *32) Request for sole source blanket purchase orders for the Independent Living Program, Child Protective Services, Jobs First, CalWORKs, General Assistance and CalLearn participants bus passes in an amount not to exceed \$365,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDERS

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *33) Request for approval of standard form agreements and related documents to be used in administration of the Host Families Housing Program for eligible emancipated foster care youths - APPROVED; AUTHORIZED DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES, OR DESIGNEE, TO SIGN THE DOCUMENTS ON BEHALF OF THE COUNTY, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *34) Request for approval of standard form agreements and related documents to be used in administration of the Scattered Site Housing Program for eligible emancipated foster care youths - APPROVED; AUTHORIZED DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES, OR DESIGNEE, TO SIGN THE DOCUMENTS ON BEHALF OF THE COUNTY, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Watson-Maben: 4 Ayes; 1 Absent - Patrick

KERN MEDICAL CENTER

- *35) Notification of retroactive Agreement with Juan Bermejo, Ph.D., for audiology consultant services - RECEIVED AND FILED

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *36) Notification of retroactive Amendment No. 1 to Agreement 532-2003 with Tiller Consulting Group, Inc., for actuarial services - RECEIVED AND FILED

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *37) Proposed retroactive Amendment No. 1 to Agreement 1066-2003 with Pulse Healthcare Staffing, Inc., for temporary nurse staffing to correct inadvertent deletion of bonus payment provisions agreed to prior to December 16, 2003 (prior notification March 30, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 271-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *38) Proposed retroactive Agreement with California Nurses Bureau, for temporary nurse staffing, from April 6, 2004 through April 5, 2005, in an amount not to exceed \$125,000 (prior notification March 30, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 272-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

MENTAL HEALTH SERVICES

- *39) Proposed approval of change in allocation of Mental Health Unit Supervisor and Supervising Mental Health Clinician positions for flexible staffing in Budget Units 4120 and 4123 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *40) Request to submit application for a \$200,000 Healthcare Information Technology Planning grant to the Agency for Healthcare Research and Quality (AHRQ) to support community-wide planning processes across multiple healthcare organization within our local area, no matching funds are required - APPROVED SUBMITTAL OF HEALTH CARE INFORMATION TECHNOLOGY PLANNING GRANT APPLICATION

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *41) Proposed addition of one (1) Mental Health Recovery Specialist III position and deletion of one (1) Staff Nurse position to Budget Unit 4120, effective April 27, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *42) Proposed Amendment No. 1 to Agreement 407-2003 with Kern County Hispanic Commission on Alcohol and Drug Abuse Services, Inc., for residential, outpatient drug free, and sober living environment services for Kern County clients residing in the Bakersfield area, to extend the term to August 31, 2004, and increase compensation from \$285,498 to an amount not to exceed \$333,081 (an increase of \$47,583) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 273-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *43) Proposed Amendment No. 1 to Agreement 411-2003 with Ebony Counseling Center, Inc., for substance abuse treatment services to Kern County clients residing in the Bakersfield area, to extend the term to August 31, 2004, and increase compensation from \$593,607 to an amount not to exceed \$692,541 (an increase of \$98,934) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 274-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *44) Proposed Amendment No. 1 to Agreement 449-2003 with Turning Point of Central California, Inc., dba Kennemer Center for sober living environment housing services for dually diagnosed homeless clients in the Bakersfield area, for increased services and funding levels from \$20,000 to an amount not to exceed \$35,000 (an increase of \$15,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 275-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *45) Proposed Amendment No. 1 to Agreement 552-2003 with Turning Point of Central California, Inc., for residential and outpatient services for Kern County residents in the Bakersfield area, to extend the term to August 31, 2004, and increase compensation from \$857,785 to an amount not to exceed \$1,000,750 (an increase of \$142,965) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 276-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *46) Proposed Amendment No. 1 to Agreement 909-2003 with Devereux Foundation for day rehabilitation and medication support services for one client who is in residence in the Devereux facility, to remove reference to specific maximum total allowable days and minutes of services, and to extend the term of agreement (No fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 277-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

PARKS AND RECREATION DEPARTMENT

- *47) Proposed Grant Agreement with Kern County Air Pollution Control District for receipt by County of \$20,500 for the purchase of a CNG-fueled pickup and request to appropriate unanticipated revenue from the Kern County Air Pollution Control District - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 278-2004; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$20,500 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 7100 IN THE AMOUNT OF \$20,500

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *48) Proposed Park Project List to be funded by the Proposition 40 Park Bond (Per Capita and Competitive Program) - APPROVED PROJECT CRITERIA AND LIST OF PARK PROJECTS FOR THE PER CAPITA AND COMPETITIVE PROGRAM UNDER THE PROPOSITION 40 PARK BOND ACT; AUTHORIZED THE PARKS DEPARTMENT TO APPLY FOR GRANT FUNDING UNDER THE COMPETITIVE PORTION OF THE PARK BOND ACT CONSISTENT WITH THE LISTED PRIORITIES AS EACH PROJECT QUALIFIES UNDER THE CRITERIA ESTABLISHED BY THE STATE OF CALIFORNIA

Watson-Maben: 4 Ayes; 1 Absent - Patrick

PARKS AND RECREATION - Wildlife Resources Commission

- *49) Proposed funding request from the California Department of Fish and Game in the amount of \$2,400 to purchase fish food for the Kern River Hatchery Trophy Program - APPROVED FUNDING IN THE AMOUNT OF \$2,400 FROM FUNDS AVAILABLE IN THE 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED THE PARKS DEPARTMENT TO PROCESS THE NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED THE PURCHASING AGENT TO ESTABLISH A PURCHASE ORDER AND AUTHORIZED THE AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT UPON PROPER DOCUMENTATION

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *50) Proposed funding request from Quail Unlimited, Ridgecrest Chapter, in the amount of \$5,856 for six (6) wildlife water projects - APPROVED FUNDING IN THE AMOUNT OF \$5,856 FROM FUNDS AVAILABLE IN THE 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED THE PARKS DEPARTMENT TO PROCESS THE NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED THE PURCHASING AGENT TO ESTABLISH A PURCHASE ORDER AND AUTHORIZED THE AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT UPON PROPER DOCUMENTATION

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *51) Proposed funding request from the California Department of Fish and Game in the amount of \$1,000 to replace a fence and repair an existing guzzler - APPROVED FUNDING IN THE AMOUNT OF \$1,000 FROM FUNDS AVAILABLE IN THE 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED THE PARKS DEPARTMENT TO PROCESS THE NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED THE PURCHASING AGENT TO ESTABLISH A PURCHASE ORDER AND AUTHORIZED THE AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT UPON PROPER DOCUMENTATION

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *52) Proposed funding request from the California Department of Fish and Game in the amount of \$537.50 to purchase pheasant for a women's pheasant hunt - APPROVED FUNDING IN THE AMOUNT OF \$537.50 FROM FUNDS AVAILABLE IN THE 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED THE PARKS DEPARTMENT TO PROCESS THE NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED THE PURCHASING AGENT TO ESTABLISH A PURCHASE ORDER AND AUTHORIZED THE AUDITOR-CONTROLLER TO ISSUE A WARRANT UPON PRESENTATION OF PROPER DOCUMENTATION

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *53) Proposed funding request from the California Department of Fish and Game in the amount of \$1,075 to purchase pheasant for a family pheasant hunt - APPROVED FUNDING IN THE AMOUNT OF \$1,075 FROM FUNDS AVAILABLE IN THE 2003-2004 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED THE PARKS DEPARTMENT TO PROCESS THE NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED THE PURCHASING AGENT TO ESTABLISH A PURCHASE ORDER AND AUTHORIZED THE AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT UPON PROPER DOCUMENTATION

Watson-Maben: 4 Ayes; 1 Absent - Patrick

PERSONNEL

- *54) Classification of positions recommended by Civil Service Commission effective May 1, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: 4 Ayes; 1 Absent - Patrick

PROBATION

- *55) Proposed Resolution requesting authorization to apply for Board of Corrections' continued Juvenile Justice Crime Prevention Act Funding (Comprehensive Multi-agency Juvenile Justice Plan Modification) - APPROVED; ADOPTED RESOLUTION 2004-117

Watson-Maben: 4 Ayes; 1 Absent - Patrick

PUBLIC HEALTH SERVICES

- *56) Proposed Amendment No. 1 to Agreement 616-2003 with Catholic Charities for the Diocese of Fresno for HIV/AIDS Early Intervention Project bookkeeping services for Housing Opportunities for People with AIDS, in an amount not to exceed \$52,832, an increase of \$2,000 for Fiscal Year 2003-04 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 279-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

RETIREMENT ASSOCIATION

- *57) Request for approval of half-day paid leave for up to 150 qualified employees to participate in the KCERA's Retirement Planning Seminar scheduled for Thursday, May 20, 2004, from 8:30 a.m. to 12 noon - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - Patrick

SHERIFF

- *58) Application to hold a parade - Greenhorn Mountain Veterans Association on June 6, 2004 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *59) Application to hold a parade - Pine Mountain Club Business Owners Association on May 15, 2004 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *60) Application to hold a 10K run - Mercado Latino on May 2, 2004 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE EVENT WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER EVENTS PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE EVENT; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *61) Proposed retroactive Agreement with California Department of Justice to receive reimbursement not to exceed \$20,000 upon completion and acceptance of interface of the Sheriff's Department Inmate Photograph System and the Cal Photo System, from March 1, 2004 to June 30, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 280-2004

Watson-Maben: 4 Ayes; 1 Absent - Patrick

- *62) Appropriation of unanticipated revenue in the amount of \$7,340.66 from the Sheriff's Crime Prevention Trust Funds for the purchase of four fully equipped deputy bicycles and a bicycle helmet giveaway in Buttonwillow - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$7,341 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$7,341 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Watson-Maben: 4 Ayes; 1 Absent - Patrick

RECESSED TO 2:00 P.M.

Watson

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Jon McQuiston
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, April 27, 2004

2:00 P.M.

BOARD TO RECONVENE

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ROLL CALL: 4 Present; 1 Absent: Supervisor Patrick

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BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!
- THOMAS MESHACK, UNITED DOMESTIC WORKERS ASSOCIATION, DISCUSSED THE FOLLOWING POINTS: INVITATION TO ATTEND STATE BUDGET HEARINGS PERTAINING TO IN HOME SUPPORTIVE SERVICES (IHSS); LEGISLATION AB 2747 REGARDING TIMELY REIMBURSEMENT TO CALIFORNIA COUNTIES OF STATE REALIGNMENT MONEY; IHSS REGISTRY AND CUSTOMER SATISFACTION; IHSS REGISTRY SCREENING FOR COMMUNICABLE DISEASES; AND CONTRACT NEGOTIATIONS

MOTION TO REOPEN PUBLIC COMMENTS

Maben-Watson: 4 Ayes; 1 Absent - Patrick

TERRENCE STEVEN FISCHER HEARD REGARDING PUBLIC ACCESS TELEVISION AND PROBLEMS GAINING ACCESS TO INMATES

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - NO ONE HEARD

NOTE: ITEM NO. 11 HEARD OUT OF ORDER, PRIOR TO ITEM NO. 3.

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Request from Kern County Planning Department to amend the text for the Willow Springs Specific Plan for clarification of policies related to infrastructure and solid waste and a request from Copa de Oro Land Company by R. L. Abbott and Associates to change the permitted land uses to residential and commercial to allow the development of 1,201 dwelling units on various lot sizes, an 18-hole golf course with accessory uses, and a three-acre neighborhood commercial area; to rescind the existing Special Plan and Development Agreement for the north 300 acres; to adopt a new Special Plan and Development Agreement Ordinance fixing current rules, regulations, and official policies for a period of ten years in exchange for additional benefits to the County on 632.23 acres located at the northwest corner of Avenue A and 110th Street West, bounded by Avenue A on the south, Gaskell Road on the north, 110th Street West on the east, and 120th Street West on the west, Willow Springs, eastern Kern County area (SD 2)**

Specific Request:

- (a) Amend the Willow Springs Specific Plan for clarification of policies related to infrastructure and solid waste (SPA #128, Map #500)
- (b) Amend the Willow Springs Specific Plan from Map Code(s) 5.5/2.8 to Map Code(s) 5.5/4.4/2.8; from Map Code(s) 5.3/4.4/2.8 to Map Code(s) 6.2/4.4/2.8; from Map Code(s) 6.2/4.4/2.8 to Map Code(s) 5.3/4.4/2.8; from Map Code(s) 3.3/2.8 to 3.3/4.4/2.8 or more restrictive map code designations and to amend the Maximum Allowed Land Use Density Table for the Kern County General Plan; amend the Willow Springs Specific Plan to delete the designated collector alignments along the east-west/north-south midsection lines of the south 1/2 of Section 35, T9N, R14W, SBB&M (SPA #12, Map #232)
- (c) A change in zone classification from A FPS to SP or a more restrictive district for the south 1/2 of Section 35, T9N, R14W, SBB&M (ZCC #29, Map #232)
- (d) Rescind Special Planning Site Development Plan 1, Map 232, adopted as Ordinance G-6066 on June 22, 1999
- (e) Adopt Special Planning Site Development Plan 2, Map 232, as an Ordinance, in accordance with Chapter 19.52 of the Kern County Zoning Ordinance

(Continued on Page 15)

(Continued from Page 14)

(f) Rescind Development Agreement 2, Map 232 between Kern County and Copa de Oro Land Company, approved on June 3, 2003, as Ordinance G-6998 and recorded as Document No. 0203112937; this development agreement is for the approved project on 300 acres of the proposed project, which includes a total of 933 dwelling units on various lot sizes, an 18-hole golf course and accessory uses, and a three-acre neighborhood commercial area

(g) Adopt new Development Agreement 3, Map 232 for the entire 632.23-acre project site

(Negative Declaration; Published Rosamond Weekly News) (from 3/9/2004) - OPENED HEARING; HEARD IN OPPOSITION TO STAFF RECOMMENDATION: ARTHUR UNGER, KERN KAWEAH CHAPTER OF THE SIERRA CLUB, AND WILLIAM NELSON; HEARD IN SUPPORT OF STAFF RECOMMENDATION: RANDALL ABBOTT, REPRESENTING PALMER INVESTMENTS, INC.; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED CEQA FINDINGS AND APPROVED CLARIFICATION OF THE TEXT OF THE WILLOW SPRINGS SPECIFIC PLAN; ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2004-118 AND 2004-119 AND ENACTED ORDINANCES G-7091, G-7092 AND G-7093: APPROVING SPECIFIC PLAN AMENDMENT; APPROVING ZONE CHANGE; RESCINDING SPECIAL PLANNING SITE DEVELOPMENT PLAN 1, MAP 232; ADOPTING SPECIAL PLANNING SITE DEVELOPMENT PLAN 2, MAP 232 WITH THE RECOMMENDED CONDITIONS OF APPROVAL, INCLUDING REVISED CONDITION NO. 22 REGARDING WIND SPEED AND GRADING; AND ADOPTING DEVELOPMENT AGREEMENT 3, MAP 232, ACTIONS B THROUGH G OF THE PROPOSAL NOT TO BECOME EFFECTIVE UNLESS BY END OF WORKDAY ON MAY 11, 2004, THE PROPERTY OWNER(S) OR THEIR REPRESENTATIVE SIGNS AND FILES AN INDEMNIFICATION AGREEMENT, APPROVED AS TO FORM BY COUNTY COUNSEL, WITH THE PLANNING DIRECTOR; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 281-2004; AUTHORIZED CLERK OF THE BOARD TO RECORD NOTICE OF RESCISSIONS OF DEVELOPMENT AGREEMENTS

Maben-Parra: 4 Ayes; 1 Absent - Patrick

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *4) **Request from Jim Lehtinen to vacate a portion of a frontage road along the south side of Rosedale Highway between Verdugo Lane and La Cresenta Drive, Greenacres area, northwest Bakersfield (SD 3)**

Specific Request:

Nonsummary vacation of a portion of a frontage road along the south side of Rosedale Highway between Verdugo Lane and La Cresenta Drive (102-30 3 098; Streets and Highways) (General Rule, Section 15061(b)(3); Published Bakersfield Californian) - CONTINUED TO TUESDAY, MAY 18, 2004, AT 2:00 P.M.

Parra-Watson: 4 Ayes; 1 Absent - Patrick

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- *5) Proposed Ordinances establishing Environmental Health Services License and Permit Fees - SET HEARING FOR TUESDAY, MAY 18, 2004, AT 2:00 P.M.; WAIVED READING; INTRODUCED ORDINANCES; DESIGNATED COUNTY COUNSEL AS THE OFFICIAL TO PREPARE A FAIR AND ADEQUATE SUMMARY OF THE ORDINANCES; DIRECTED CLERK OF THE BOARD TO PUBLISH PURSUANT TO GOVERNMENT CODE SECTION 6062a
Parra-Watson: 4 Ayes; 1 Absent - Patrick
- *6) Proposed Adjustments to Engineering and Survey Services License and Permit Fees - SET HEARING FOR TUESDAY, MAY 18, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH PURSUANT TO GOVERNMENT CODE SECTION 6062a
Parra-Watson: 4 Ayes; 1 Absent - Patrick
- *7) Proposed Adjustments to Planning License and Permit Fees - SET HEARING FOR TUESDAY, MAY 18, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH PURSUANT TO GOVERNMENT CODE SECTION 6062a
Parra-Watson: 4 Ayes; 1 Absent - Patrick
- *8) Proposed Adjustments to Roads License and Permit Fees - SET HEARING FOR TUESDAY, MAY 18, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH PURSUANT TO GOVERNMENT CODE SECTION 6062a
Parra-Watson: 4 Ayes; 1 Absent - Patrick
- *9) Illegal Dumping Program Update - RECEIVED AND FILED
Parra-Watson: 4 Ayes; 1 Absent - Patrick

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

S.D. #1

- *10) Proposed Amendment No. 1 to Agreement 710-2003 with the City of Shafter to allow City to provide "in-house" design services for park design and construction, an increase of \$473,444, for a new total of \$512,564 (CD Nos. 18.02.3 & 18.03.1) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 282-2004
Parra-Watson: 4 Ayes; 1 Absent - Patrick

NOTE: ITEM NO. 11 HEARD OUT OF ORDER, PRIOR TO ITEM NO. 3.

All S.D.'s

- 11) Report on California Association of Local Economic Development's Grand Prize Award of Excellence to Kern County for Edwards Air Force Base Retention and Expansion Plan, "The Future is Now!" - GUY GREENLEE, DIRECTOR, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT, AND TOM WARDLOW, PRESIDENT, EDWARDS COMMUNITY ALLIANCE, HEARD; RECEIVED AND FILED
Maben-Watson: 4 Ayes; 1 Absent - Patrick

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #1

- *12) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at APN 485-020-06, Lake Isabella, \$7,628.75 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2004-120 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Parra-Watson: 4 Ayes; 1 Absent - Patrick

S.D. #2

- *13) Hearing for the abatement of a public nuisance involving demolition of abandoned and dangerous structure(s) at Jessie Street, Boron, APN 244-341-03, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-121 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *14) Hearing for the abatement of a public nuisance involving demolition of abandoned and dangerous structure(s) at 26330 Tuolumne Street, California City, APN 470-201-15, estimated cost \$3,000 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-122 DECLARING ABANDONED TRAILER AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- 15) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 371 E. Reed Avenue, Mojave, APN 429-090-09, \$5,875 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT AND LETTER; ADOPTED RESOLUTION 2004-123 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Watson-Maben: 4 Ayes; 1 Absent - Patrick

S.D. #3

- 16) Proposed Resolution ordering the extension of Zone of Benefit Nos. 3, 5 and 7 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, located north of Rosedale Highway and west of Landco Drive - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7094 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2004-124 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT, APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$36 PER PARCEL FOR SEPTIC MONITORING, \$36 PER PARCEL FOR STREET SWEEPING-COMMERCIAL/LARGE LOT, \$200 PER GROSS ACRE FOR DRAINAGE FACILITIES MAINTENANCE-COMMERCIAL/LARGE LOT; 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, 5 AND 7 IN COUNTY SERVICE AREA NO. 71

Parra-Maben: 4 Ayes; 1 Absent - Patrick

S.D. #4

- *17) Hearing for the abatement of a public nuisance involving demolition of abandoned and dangerous structure(s) at 27974 Taft Highway, Dustin Acres, APN 298-120-21, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-125 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Parra-Watson: 4 Ayes; 1 Absent - Patrick

S.D. #5

- *18) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 513 Walmar Street, Bakersfield, APN 142-122-02, \$1,462.50 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2004-126 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Parra-Watson: 4 Ayes; 1 Absent - Patrick

S.D. #1

- *19) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 23 (Shafter) - APPROVED; ADOPTED RESOLUTION 2004-127; ENACTED ORDINANCE G-7095

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *20) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 39 (Kern Valley) - APPROVED; ADOPTED RESOLUTION 2004-128; ENACTED ORDINANCE G-7096

Parra-Watson: 4 Ayes; 1 Absent - Patrick

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

- *21) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 71 (west Bakersfield) - APPROVED; ADOPTED RESOLUTION 2004-129; ENACTED ORDINANCE G-7097

Parra-Watson: 4 Ayes; 1 Absent - Patrick

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- *22) Notification of anticipated retroactive Agreement with California Water Resources Control Board to operate the Local Oversight Program for leaking underground storage tanks - RECEIVED AND FILED

Parra-Watson: 4 Ayes; 1 Absent - Patrick

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *23) Contract No. 04006, identify apparent low bid of Bowman Asphalt, Inc., for construction on Browning Road between Garces Highway and Cecil Avenue, in an amount not to exceed \$299,255 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Parra-Watson: 4 Ayes; 1 Absent - Patrick

S.D. #5

- *24) Proposed Resolution to accept portions of Offers of Dedication, declaration as public highway and incorporation into the County road system as portions of Pioneer Drive and Denison Lane - APPROVED; ADOPTED RESOLUTION 2004-130; DIRECTED CLERK OF THE BOARD TO RECORD

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *25) Easement Deed and proposed Right-of-Way Contract with Joseph B. Corn providing for approximately 72 square feet of property necessary for the improvement of Pioneer Drive -

WITHDRAWN

All S.D.'s

- *26) Report regarding change orders for January 2004 through March 2004 - RECEIVED AND FILED

Parra-Watson: 4 Ayes; 1 Absent - Patrick

COUNTY ADMINISTRATIVE OFFICE

- *27) Request to recognize the Kern County Sheriff's Command Association as the exclusive bargaining representative (union) for the classification of Sheriff's Commanders pursuant to requirements of State law - APPROVED; DIRECTED COUNTY ADMINISTRATIVE OFFICER AND DIRECTOR OF PERSONNEL TO COMPLETE ALL NECESSARY ADMINISTRATIVE ACTIONS

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *28) Proposed Agreements with Kelling, Northcross & Nobriga for municipal finance consultant services, in an amount not to exceed \$65,000; and with Hawkins, Delafield & Wood for bond and disclosure counsel services, in an amount not to exceed \$18,000 for issuance of Tax and Revenue Anticipation Notes (TRAN) for Fiscal Year 2004-2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 283-2004 AND 284-2004

Parra-Watson: 4 Ayes; 1 Absent - Patrick

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- *29) Plans and specifications for the Rathbun Library reroof (1650.7134) - 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 27, 2004, AT 11:00 A.M.

Parra-Watson: 4 Ayes; 1 Absent - Patrick

S.D. #2

- *30) Proposed Amendment No. 2 to Agreement 412-98 with Miles H. Thomas Family Trust for lease of county land south of Arvin landfill, extending lease term through December 31, 2005 (\$25 per acre yearly) - 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 285-2004
Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *31) Request by Stallion Springs Community Services District for adoption of a revised Resolution for repeal of Franchise Ordinance F-258 to correct statement of facts - ADOPTED RESOLUTION 2004-131
Parra-Watson: 4 Ayes; 1 Absent - Patrick

S.D. #4

- *32) Request to set hearing for purchase of 80 acres of land near the Shafter-Wasco landfill site from Ballengee Brothers Farms for buffer purposes, drainage collection and monitoring wells, in the amount of \$416,000 and \$1,274 for escrow and closing costs - ADOPTED RESOLUTION 2004-132 SETTING HEARING FOR TUESDAY, MAY 18, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE
Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *33) Request to accept written bid from Khaled M. Hussein, dba Village Market, for month-to-month lease of the former Lost Hills fire station site vacant property, in the amount of \$185 per month - ACCEPTED HIGH BID FROM KHALED M. HUSSEIN, DBA VILLAGE MARKET; DIRECTED GENERAL SERVICES TO PREPARE LEASE FOR SUBSEQUENT APPROVAL OF THE BOARD
Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *34) Plans and specifications for the BVARA restroom reroofs (1650.7159) - 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 27, 2004, AT 11:00 A.M.
Parra-Watson: 4 Ayes; 1 Absent - Patrick

S.D. #5

- *35) Plans and specifications for the Superior Court 2nd Floor training room remodel and D17 Courtroom restroom remodel (9410.7000D) - 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 27, 2004, AT 2:00 P.M.
Parra-Watson: 4 Ayes; 1 Absent - Patrick

All S.D.'s

- *36) Proposed retroactive change of deletion date of the Property Management Division Chief position in Budget Unit 1620 from February 3, 2004 to April 3, 2004 - APPROVED; REFERRED TO PERSONNEL DEPARTMENT TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Parra-Watson: 4 Ayes; 1 Absent - Patrick

CONSIDERATION OF ORDINANCES INTRODUCED ON APRIL 20, 2004

- *37) Proposed Ordinance adding Chapter 18.102 to Title 18 of the Kern County Ordinance Code regarding park land dedication, Rosamond Community Services District - ENACTED ORDINANCE G-7098

Parra-Watson: 4 Ayes; 1 Absent - Patrick

MATTERS FOR EXECUTIVE APPROVAL

- *38) Budget Transfers - APPROVED NO. 197 THROUGH NO. 213

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *39) Minutes for week of March 22, 2004 - APPROVED

Parra-Watson: 4 Ayes; 1 Absent - Patrick

- *40) Miscellaneous Letters and Documents - APPROVED

Parra-Watson: 4 Ayes; 1 Absent - Patrick

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

Parra-Watson: 4 Ayes; 1 Absent - Patrick

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

Parra-Watson: 4 Ayes; 1 Absent - Patrick

ADJOURNED TO TUESDAY, MAY 4, 2004, AT 9:00 A.M.

Maben-

/s/ Tracey E. Cody
Administrative Coordinator

/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.

40) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report for the Department of Mental Health for Fiscal Year 2003-2004

Clerk of the Board

- B) Fax from Ron Durand, Employers' Training Resource, re resignation of Chris Frank and Mike Miller from the Workforce Investment Board (Copies to each Supervisor and CAO)

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

1) Tract Map 5305, Phase 3	S.D. #4
2) Tract Map 5858,	S.D. #4
3) Tract Map 6077, Unit 9	S.D. #1
4) Tract Map 6079, Unit 1	S.D. #4
5) Tract Map 6150, Unit 1	S.D. #4
6) Tract Map 6150, Unit 2	S.D. #4
7) Tract Map 6151, Unit 1	S.D. #4
8) Tract Map 6151, Unit 2	S.D. #4
9) Tract Map 6199	S.D. #4
10) Tract Map 6223, Unit 1	S.D. #4
11) Tract Map 6223, Unit 2	S.D. #4
12) Tract Map 6223, Unit 3	S.D. #4
13) Tract Map 6223, Unit 4	S.D. #4
14) Tract Map 6223, Unit 5	S.D. #4
15) Tract Map 6223, Unit 6	S.D. #4
16) Tract Map 6223, Unit 7	S.D. #4
17) Parcel Map 10874	S.D. #1
18) Parcel Map 10993	S.D. #1
19) Parcel Map 11009	S.D. #1
20) Parcel Map 11058	S.D. #1

Engineering & Survey Services

- D) Consent to Recordation of Irrevocable Offer of Dedication from Landco Properties, LLC, for expansion of existing sump at Landco, north of Gilmore, and providing additional drainage easement for maintenance

- E) Consent to Recordation for Irrevocable Offer of Dedication from Corporation for Better Housing for expansion of existing sump at Cottonwood and Casa Loma and providing additional drainage easement for maintenance

- F) Letter to Gilbert Tarr re grading adjacent to his parcel No. 225-221-01, 191 North Drive, Lebec (Copies to each Supervisor, CAO and County Counsel)

Grand Jury

- G) 2003-2004 Final Report re Kern County Mental Health Contracting Policies (Copies to each Supervisor, CAO and Mental Health)

Local Agency Formation Commission

- H) Report and Recommendation, Proceeding No. 1369, in the matter of City of Bakersfield, Annexation No. 449 (Union No. 11) (Copies to each Supervisor and CAO)
- I) Report and Recommendation, Proceeding No. 1372, in the matter of Mettler County Water District, Annexation No. 1 (Copies to each Supervisor and CAO)
- J) Report and Recommendation, Proceeding No. 1374, in the matter of Golden Hills C.S.D., Annexation No. 10 (Copies to each Supervisor and CAO)
- K) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1382, Annexation No. 452, Mohawk No. 1 (Copies to each Supervisor and CAO)

Miscellaneous

- L) Letter from Assemblyman Tim Leslie re introduction of Sierra Conservancy measure AB 1788 (Copies to each Supervisor, CAO, Planning and County Counsel)
- M) Letter from Garen J. Wintemute, University of California, Davis, re report entitled, "Handgun Commerce in California, 2000" (Copies to each Supervisor, CAO and Sheriff)
- N) Letter from Muriel Mowery re noise ordinance to be implemented by City of Bakersfield (Copies to each Supervisor, Sheriff and CAO)
- O) Letter from Val W. Palmer re service provided by Kern County Veteran's Services Department (Copies to each Supervisor, CAO and Veteran's Services)
- P) Letter from Michael J. Porter, Las Palmas Oil, in support of transfer of sale of PG&E facility on Rosedale to North American Power Group (Copies to each Supervisor, CAO and Planning)
- Q) Letter from D. E. Leach, California Highway Patrol, re Hazardous Materials Incident Report on Sunday, April 11, 2004, on State Route 14, south bound lane, south of Dove Spring Canyon (Copies to each Supervisor, CAO, Fire Haz Mat and Environmental Health)
- R) Letter from Carol Sorrell, Kern Health Systems, re Request for Proposal (RFP) concerning First 5 Kern Children's Health Initiative (Copies to each Supervisor, CAO and Kern Medical Center)
- S) Letter from R. E. Clements, California Highway Patrol, re efforts to achieve milestones set by CHP (Copies to each Supervisor and CAO)
- T) Letter from Linda Hansen, U.S. Department of the Interior, Bureau of Land Management, re Revised Statue 2477 concerning rights-of-way (Copies to each Supervisor, CAO, Planning and County Counsel)

- U) Letter from Charles C. Holloway, City of Los Angeles, Department of Water and Power, re Notice of Preparation of a Draft Environmental Impact Report, Pine Tree Wind Development Project (Copies to each Supervisor, CAO, Planning and County Counsel)
- V) Notice from U.S. Environmental Protection Agency re three draft permit modifications which regulate the emission of air pollutants (Copies to each Supervisor, CAO, Resource Management Agency and Planning)
- W) Preliminary Official Statement from O'Melveny & Myers, LLP, re West Kern Community College District, General Obligation Bonds, Election of 2004, Series 2004A
- X) Preliminary Official Statement from Jones Hall re McFarland Unified School District, General Obligation Bonds, Election of 2004, Series 2004A
- Y) Preliminary Official Statement from Jones Hall re Kernville Union School District, General Obligation Bonds, Election of 2004, Series 2004A
- 41) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from David G. Casnocha, Stradling Yocca Carlson & Rauth, re California Community College Financing Authority, 2004 Tax and Revenue Anticipation Bonds for West Kern Community College District - REFERRED TO COUNTY COUNSEL
 - B) Letter from David G. Casnocha, Stradling Yocca Carlson & Rauth, re California Community College Financing Authority, 2004 Tax and Revenue Anticipation Bonds for Kern Community College District - REFERRED TO COUNTY COUNSEL
 - C) Letter from Piper Jaffray & Co. re California School Cash Reserve Program Authority, 2004 Pool Bonds - REFERRED TO COUNTY COUNSEL
- 42) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Edward Taylor, M.D. and Jennifer Abraham, M.D. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Barbara Miller vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Jesse Manuel Mesa, Sr. c/o Lucy Uribe vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Mariano Rangel Moreno vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Donovan Lombardo and Lori Feliciano vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- F) Claim in the matter of Daniel Kaylor vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- G) Claim in the matter of Tim R. Hollobaugh c/o Shirley J. Hollobaugh vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- H) Subrogation claim in the matter of Barbara Flynn by Mercury Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- I) Subrogation claim in the matter of Melissa Ann Marquez by Anchor Claims Services, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)