

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, April 8, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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 Jack H. Bloch, M.D., for 27 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO DR. JACK BLOCH; DR. JACK BLOCH; DR. MAUREEN MARTIN, CHAIRPERSON OF DEPARTMENT OF SURGERY; AND DR. MARVIN KOLB, MEDICAL DIRECTOR, HEARD

McQuiston-Patrick: All Ayes

- 2) Proclamation proclaiming April 6-12, 2003 as Crime Victims' Rights Week in Kern County - PROCLAIMED; MADE PRESENTATION TO SONYA McCALL, PROBATION SUPERVISOR; SONYA McCALL HEARD

Maben-Watson: All Ayes

- 3) Proclamation proclaiming April 2003 as Public Safety Dispatcher Month in Kern County - PROCLAIMED; MADE PRESENTATION TO SHERIFF MACK WIMBISH; SHERIFF WIMBISH, COMMANDER STEVE DEL TOUR, AND FIRE CHIEF STEVE GAGE HEARD; ASSISTANT SHERIFF PHIL CROSBY, GINA BROWN, CHRISTY TEMPLETON, CHERYL LONGWITH, WALT MOULTON AND KRISTY KENNEDY INTRODUCED

Watson-Maben: All Ayes

- *4) Proclamation proclaiming April 2003 as Keep Bakersfield Beautiful Month in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Maben-Watson: All Ayes

- *5) Proclamation proclaiming April 2003 as Child Abuse Prevention Month in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Maben-Watson: All Ayes

- *6) Proclamation proclaiming April 6-12, 2003 as National Library Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Maben-Watson: All Ayes

- *7) Proclamation proclaiming April 26, 2003 as Loyalty Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Maben-Watson: All Ayes

- *8) Proclamation proclaiming May 2003 as Foster Care Month in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Maben-Watson: All Ayes

APPOINTMENTS

- *9) Appointments of Louis R. Gomez and Harris M. Brokke as First District Members and Blodgie M. Rodriguez as Fifth District Member to the Comprehensive Economic Development Strategy (CEDs) Committee, terms to expire at the pleasure of the Board - MADE APPOINTMENTS

Maben-Watson: All Ayes

- *10) Reappointment of Paul Rubadeau as an At-large Member to the West Side Mosquito and Vector Control District, term to expire January 1, 2005 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *11) Reappointment of J. Sterling Bryan as an At-large Member to the West Side Cemetery District, term to expire March 10, 2007 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *12) Appointment of Howard Ellsworth Matney (replacing Bill White) as Fourth District Member to the Wildlife Resources Commission, term to expire December 31, 2004 - MADE APPOINTMENT

Maben-Watson: All Ayes

PUBLIC PRESENTATIONS

- 13) 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

- 14) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR McQUISTON PRESENTED THE CHAIRMAN WITH THE FIRST PLACE VIP DIVISION TROPHY WON AT THE BAKERSFIELD 500 2003 SOUTHERN SIERRA COUNCIL PINWOOD DERBY AND EXPRESSED APPRECIATION TO BILL AND BRENT RUSH FOR THEIR EFFORTS

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *15) Proposed Amendment No. 1 to Agreement 561-2002 with Kern County Economic Opportunity Corporation (R300148) to provide the Brown Bag Program for FY 2002-3003, to amend name of contractor to Community Action Partnership of Kern - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 212-2003

Maben-Watson: All Ayes

AIRPORTS

- *16) Proposed disposal of structures on former ARRA Investments Inc. lease site at Meadows Field Airport - APPROVED

Maben-Watson: All Ayes

- *17) Proposed disposal of former residence at Taft Airport - APPROVED

Maben-Watson: All Ayes

- *18) Proposed request for approval to issue Request for Qualifications for completion of Master Plans for Lost Hills Airport, Kern Valley Airport, and Wasco Airport after final approval from FAA - APPROVED

Maben-Watson: All Ayes

- *19) Proposed request for approval to issue Request for Qualifications for Part 150 Noise Compatibility Study Update for Meadows Field Airport after final approval from FAA - APPROVED

Maben-Watson: All Ayes

COUNTY COUNSEL

- *20) Request of the Office of County Counsel for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Watson: All Ayes

- *21) Request of the Roads Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Watson: All Ayes

- *22) Request of the Aging and Adult Services Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Watson: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *23) Proposed retroactive Agreement with Kern High School District to provide training, work readiness and employment activities to eligible Workforce Investment Act and/or Welfare-to-Work customers, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$833,328 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 213-2003

Maben-Watson: All Ayes

- *24) Proposed retroactive Agreement with Kern High School District to provide training, work readiness and employment activities to eligible Workforce Investment Act youth, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$2,084,710 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 214-2003

Maben-Watson: All Ayes

- *25) Proposed retroactive Agreement with Kern High School District to provide employment, vocational training and youth services to eligible Migrant and Seasonal Farmworker youth, from January 1, 2003 through June 10, 2003, in an amount not to exceed \$77,723 (prior notification on December 10, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 215-2003

Maben-Watson: All Ayes

FIRE DEPARTMENT

- *26) Request for authorization to apply for Assistance to Firefighters Grant Funding for purchase of Type 3 Wildland Fire Engine - APPROVED; AUTHORIZED COUNTY ADMINISTRATIVE OFFICER, OR HIS DESIGNEE, TO EXECUTE GRANT APPLICATION DOCUMENTS

Maben-Watson: All Ayes

HUMAN SERVICES

- 27) Request for closure of on-site child care facility at 100 East California Avenue - JULIE PERSINGER; MICHELLE CURIOSO; MARY SWITALSKI; TERRI FOLEY; MICHAEL ROUW; ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION; AND KRIS GRASTY, ASSISTANT DIRECTOR, CHILD WELFARE SERVICES FOR THE DEPARTMENT OF HUMAN SERVICES, HEARD; APPROVED

Maben-Patrick: All Ayes

- *28) Proposed Amendment No. 1 to Agreement 299-2002 with West Kern Community College District for General Education Diploma Classes and Testing Program, to extend term to June 30, 2003, and increase maximum amount payable by \$5,772 to \$40,403 (State/Federal; no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 216-2003

Maben-Watson: All Ayes

- *29) Proposed Amendment No. 1 to Agreement 271-2002 with Garden Pathways, Inc., for Family to Family Mentoring Services Program, to extend term to June 30, 2003, and increase maximum amount payable by \$38,867 to \$277,067 (State/Federal; no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 217-2003

Maben-Watson: All Ayes

KERN MEDICAL CENTER

- *30) Notification of anticipated retroactive Amendment No. 1 to Agreement 272-2002 with Pulse Healthcare Services for temporary nurse staffing -

WITHDRAWN

- *31) Proposed revisions to update Kern Medical Center's Medical Staff Bylaws, Organization and Functions Manual, Credentials Policy and Procedures Manual, and Surgery Privilege Delineation Form - APPROVED

Maben-Watson: All Ayes

- *32) Proposed Amendment No. 30 to Medi-Cal Contract for Hospital Inpatient Services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 218-2003

Maben-Watson: All Ayes

- *33) Proposed Amendment No. 4 to Agreement 276-99 with McKesson for information systems, to replace current OS-Assure Unix support services with new SystemCare Unix support services and to add SystemCare Citrix support services, for ongoing annual support charges in an amount not to exceed \$45,300 during the period April 8, 2003 through April 7, 2004 - APPROVED; DIRECTED COUNTY PURCHASING AGENT TO ISSUE A PURCHASE ORDER; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 219-2003

Maben-Watson: All Ayes

- *34) Proposed retroactive Agreement with Matthew M. Malerich, M.D., Inc., for medical coverage services at KMC's orthopedic clinics, from October 1, 2002 through September 30, 2004, in an amount not to exceed \$200,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 220-2003

Maben-Watson: All Ayes

- *35) Proposed retroactive Agreement with Hill-Rom Company, Inc., for provision of support for WatchChild software program, from December 1, 2002 through November 30, 2003, in an amount not to exceed \$39,072 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 221-2003

Maben-Watson: All Ayes

- *36) Proposed Amendment No. 2 to Agreement 376-2002 with NBSG II, Inc., dba Clinical One, for temporary nurse staffing, increasing the contractual not to exceed amount by \$370,000 from \$900,000 to \$1,270,000 for the period June 1, 2002 through May 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 222-2003

Maben-Watson: All Ayes

NON-AGENDA ITEMS

MOTION TO CONSIDER NON-AGENDA ITEMS NO. 36A, 36B AND 36C: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTERS OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE DEPARTMENT RECEIVED AGREEMENTS AFTER THE AGENDA WAS POSTED, AND PAYMENTS ARE ESSENTIAL TO KEEPING LABOR AND DELIVERY AND NEONATOLOGY UNITS OPEN

McQuiston-Patrick: All Ayes

- 36A) Proposed Amendment No. 4 to Agreement 192-2002 with California Nurses Bureau for temporary personnel to increase amount payable by \$200,000 to a maximum of \$2,000,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 223-2003

Patrick-Maben: All Ayes

- 36B) Proposed Amendment No. 1 to Agreement 272-2002 with Pulse Healthcare Services for temporary personnel to increase amount payable by \$1,909,000 to a maximum of \$2,909,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 224-2003

Patrick-Maben: All Ayes

- 36C) Proposed Amendment No. 6 to Agreement 778-98 with AMN Healthcare, Inc., for temporary personnel to increase amount payable by \$2,310,000 to a maximum of \$6,810,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 225-2003

Patrick-Maben: All Ayes

MENTAL HEALTH SERVICES

- *37) Proposed Agreement with Psychiatrists Only, L.L.C., for locum tenens psychiatric services for Mental Health Department, from April 8, 2003 to June 30, 2003, in an amount not to exceed \$173,500 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 226-2003

Maben-Watson: All Ayes

PROBATION

- *38) Proposed Agreement with Kern Psychological Services, Inc., Allison Little, Ph.D., to provide social worker services to participants in the Specialized Treatment Offender Program (juvenile drug court), funding to terminate October 31, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 227-2003

Maben-Watson: All Ayes

- *39) Request authorization to apply for Board of Corrections' continued Juvenile Justice Crime Prevention Act Funding (Comprehensive Multi-agency Juvenile Justice Plan Modification) - APPROVED; ADOPTED RESOLUTION 2003-133

Maben-Watson: All Ayes

PUBLIC HEALTH SERVICES

- *40) Proposed addition of one (1) full-time Social Services Worker I/II/III position (100% grant-funded), effective April 8, 2003; and proposed Amendment No. 3 to Agreement 653-2000 with State Department of Corrections for Transitional Case Management Program Services for Inmates/Parolees Living with HIV Disease, from July 1, 2000 through June 30, 2005, in an amount not to exceed \$472,798
-

WITHDRAWN

- *41) Notification of anticipated retroactive Agreements for various providers using Ryan White Care Act Title II Federal Funds - RECEIVED AND FILED

Maben-Watson: All Ayes

SHERIFF

- *42) Application to hold a Fun Run - Over the Hill Track Club on April 26, 2003 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE RUN 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 RUNS PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE RUN; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *43) Application to hold a Parade - Greenhorn Mountain Veterans Association on June 1, 2003 - 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

Maben-Watson: All Ayes

- *44) Request to set public hearing on proposal to establish Jail Booking Fee for FY 2003-2004 in the amount of \$131.51 per chargeable booking - SET HEARING FOR TUESDAY, APRIL 29, 2003 AT 9:00 A.M.; AUTHORIZED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Watson: All Ayes

TREASURER-TAX COLLECTOR

- *45) Pooled Cash Portfolio Analysis for Month Ended February 2003 - RECEIVED AND FILED

Maben-Watson: All Ayes

Treasury Oversight Committee

- *46) Report of Compliance - 2002 Conflict of Interest Statements and Application for Nomination and Annual Filing - RECEIVED AND FILED

Maben-Watson: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

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

WITHDRAWN

COUNTY COUNSEL

- 48) 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)) -
- 49) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9(b)(3)(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.

Maben-Patrick

/s/ Tracey E. Cody
Administrative Coordinator

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

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Bakersfield, California

Regular Meeting
Tuesday, April 8, 2003

2:00 P.M.

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ROLL CALL: All Present

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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! - NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

HEARING

RESOURCE MANAGEMENT AGENCY

Planning Department

- *3) **Request from Kern County Planning Department to change name for a portion of Cawelo Avenue to Cawelo Extension and a change of name for a portion of Golden State Highway to Cawelo Avenue (SD 1)**

Specific Request:

A change of name for a portion of Cawelo Avenue to Cawelo Extension and a change of name for a portion of Golden State Highway to Cawelo Avenue (80-00 3 099 - Streets and Highways)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2003-134 APPROVING STREET NAME CHANGE AS REQUESTED

Patrick-Watson: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Land Use

S.D. #1

- *4) Notice of Nonrenewal Petition 03-06 by Allan Walker and Teresa J. Walker, for 246.75 acres within Agricultural Preserve No. 14 - DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Watson: All Ayes

All S.D.'s

- *5) Metropolitan Bakersfield General Plan Water Supply Report - RECEIVED AND FILED

Patrick-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- 6) Response to referral concerning processing of applications affecting properties with Zoning Ordinance violations - APPROVED; REFERRED PROPOSED AMENDMENTS TO ZONING ORDINANCE CHAPTERS 19.02 AND 19.114 TO PLANNING COMMISSION

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

Hearing

S.D. #1

- *7) Public hearing to amend the County of Kern's Fiscal Year 2002-2003 Annual Action Plan for Community Development Programs to create two (2) Community Development activities in the City of Shafter - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENT OF COUNTY'S FISCAL YEAR

(Continued on Page 11)

(Continued from Page 10)

2002-2003 ANNUAL ACTION PLAN TO CREATE CD ACTIVITY NO. 18.02.2, SHAFTER SKATE PARK PROJECT IN THE AMOUNT OF \$100,000, AND CD ACTIVITY NO. 18.02.3, SHAFTER WESTSIDE PARK DESIGN IN THE AMOUNT OF \$44,120; APPROVED TRANSFER OF \$144,120 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM UNPROGRAMMED FUNDS ACCOUNT TO ABOVE ACTIVITIES IN AMOUNTS NOTED; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION RELATED TO AMENDMENT TO HUD

Patrick-Watson: All Ayes

S.D. #4

- *8) Proposed Agreement with the City of Wasco to provide \$114,611 in Community Development Block Grant funds for park and alley improvements - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 228-2003

Patrick-Watson: All Ayes

All S.D.'s

- *9) Proposed Amendment to Agreement No. 1055-2001 and 984-2002 (Activity No. 46.01.4 and 46.02.4, respectively) with Community Action Partnership of Kern (formerly Kern County Economic Opportunity Corporation) to increase Emergency Shelter Grant funding for Agreement No. 1055-2001 by \$6,242.55, include updated HUD reporting requirements, and recognize the new organization name - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 229-2003

Patrick-Watson: All Ayes

- *10) Proposed Agreement with Golden Empire Gleaners Corporation, Inc., to provide funds for the purchase of a service vehicle, in an amount not to exceed \$35,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 230-2003

Patrick-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #1

- *11) 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 2003-135; ENACTED ORDINANCE G-6987

Patrick-Watson: All Ayes

- *12) 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 2003-136; ENACTED ORDINANCE G-6988

Patrick-Watson: All Ayes

S.D. #3

- *13) Resolution of Intention to extend Zone of Benefit No. 3 and set hearing to consider levying assessments within County Service Area No. 17, Zones of Benefit Nos. 1, 2 and 3, east Bakersfield, south of Breckenridge Road and west of Vineland Road, Tract 5910 - ADOPTED RESOLUTION 2003-137 OF INTENTION TO EXTEND ZONE OF BENEFIT NO. 3 AND SET HEARING TO CONSIDER LEVYING ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 17, ZONES OF BENEFIT NOS. 1, 2 AND 3; SET PUBLIC HEARING FOR TUESDAY, JUNE 3, 2003, AT 2:00 P.M., TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING; MADE FINDING PROJECT IS STATUTORILY EXEMPT FROM CEQA, PER SECTION 15061(b)(3); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION

Patrick-Watson: All Ayes

S.D. #4

- *14) Tract 5448, Unit 1, southeast corner of Rosedale Highway and Heath Road, Rosedale area, approval of completed street, drainage, water, landscaping and sewer improvements, reduction of Faithful Performance Security in Subdivision Improvement Agreement, and proposed Resolution for acceptance of street, drainage, landscaping and sewer improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$816,641 TO \$81,664 FOR GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING APRIL 8, 2003; ADOPTED RESOLUTION 2003-138 FOR ACCEPTANCE OF THE ROADS WITHIN TRACT 5448, UNIT 1, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE AND ACCEPTANCE OF STREET, DRAINAGE, LANDSCAPING AND SEWER IMPROVEMENTS FOR MAINTENANCE

Patrick-Watson: All Ayes

- *15) Tract 5448, Unit 2, south side of Rosedale Highway, 1324 feet east of Heath Road, Rosedale area, approval of completed street, drainage, water, landscaping and sewer improvements, reduction of Faithful Performance Security in Subdivision Improvement Agreement, and proposed Resolution for acceptance of street, drainage, landscaping and sewer improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$937,831 TO \$93,783 FOR GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING APRIL 8, 2003; ADOPTED RESOLUTION 2003-139 FOR ACCEPTANCE OF THE ROADS WITHIN TRACT 5448, UNIT 2, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE AND ACCEPTANCE OF STREET, DRAINAGE, LANDSCAPING AND SEWER IMPROVEMENTS FOR MAINTENANCE

Patrick-Watson: All Ayes

- *16) Tract 6025, northeast corner of Heath Road and Brimhall Road, western Rosedale, Type "A" subdivision, SmithTech, USA, for Heath Road Partners, LLC - ADOPTED RESOLUTION 2003-140 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE) AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "E" IN TRACT NO. 6024; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED SEWAGE MONITORING EASEMENT; AUTHORIZED CLERK OF THE BOARD TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFERS OF DEDICATION FOR OFF-SITE TEMPORARY TURNAROUND, STORM DRAIN, SEWER AND SLOPE EASEMENTS; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Patrick-Watson: All Ayes

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

- *17) 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 2003-141; ENACTED ORDINANCE G-6989

Patrick-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #2

- *18) Contract No. 03022, Plans, Specifications, and Notice to Contractors for construction on various streets in Tehachapi - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MAY 7, 2003, AT 11:00 A.M.

Patrick-Watson: All Ayes

S.D. #5

- *19) Contract No. 03014, Plans, Specifications, and Notice to Contractors for construction on various streets from Edison Highway to the north, from Oswell Street to the east, from the City of Bakersfield to the west, and from State Highway 58 to the south - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MAY 7, 2003, AT 11:00 A.M.

Patrick-Watson: All Ayes

All S.D.'s

- *20) Proposed submittal of amended Transit Transportation Development Act (TDA) claim to Kern COG, for Fiscal Year 2002-2003, in the amount of \$3,363,923 - APPROVED; AUTHORIZED DIRECTOR OF ROADS TO SIGN AMENDED CLAIM; AUTHORIZED SUBMITTAL OF CLAIM TO KERN COG; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$768,110 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO TRANSIT ENTERPRISE FUND BUDGET UNIT NO. 8998, IN THE AMOUNT OF \$768,110

Patrick-Watson: All Ayes

WASTE MANAGEMENT

S.D. #4

- *21) Contract No. 02030, identify low bid and proposed Agreement with Wood Bros., Inc., for construction of Module 3 liner system at Shafter-Wasco Sanitary Landfill, in an amount not to exceed \$2,890,046.93 - IDENTIFIED LOW BID; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 231-2003; AUTHORIZED WASTE MANAGEMENT TO RELEASE ALL OTHER BID GUARANTEES

Patrick-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *22) Proposed Health Insurance Portability and Accountability Act (HIPAA) Privacy Policy for County Employee Health Benefit Plan - APPROVED; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO INCLUDE IN COUNTY ADMINISTRATIVE POLICY AND PROCEDURES MANUAL; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO DISTRIBUTE PRIVACY POLICY NOTICE TO COUNTY EMPLOYEES; DESIGNATED MARY SPILLANE, DEPUTY CAO, AS HIPAA PRIVACY OFFICER FOR COUNTY ADMINISTRATIVE OFFICE

Patrick-Watson: All Ayes

- *23) Request for authorization to apply for Department of Defense Community Planning Assistance grant funding - APPROVED; AUTHORIZED COUNTY ADMINISTRATIVE OFFICER TO SIGN GRANT DOCUMENTS

Patrick-Watson: All Ayes

- *24) Request to designate Tuesday, May 6, 2003, as Teen Government Day 2003 in Kern County - APPROVED; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO WORK WITH SCHOOL COORDINATOR AND COUNTY DEPARTMENTS

Patrick-Watson: All Ayes

- *25) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 437, LAFCO Proceeding No. 1350 - ADOPTED RESOLUTION 2003-142 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF THE COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2004-2005 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Patrick-Watson: All Ayes

Legislative Matters

- 26) Proposed Resolution requesting legislation requiring inclusion of rock hounding in Red Rock Canyon State Park Plan - GORDON NIPP, SIERRA CLUB; LORELEI OVIATT, PLANNING DEPARTMENT; AND ALLAN KRAUTER, COUNTY ADMINISTRATIVE OFFICE, HEARD; APPROVED; ADOPTED RESOLUTION 2003-143; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

McQuiston-Maben: All Ayes

- *27) AB 41 (Daucher, Brea): Continuation of Federal Older Americans' Act funding during State budget delay - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Patrick-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *28) Change Order No. 2 for new Juvenile Treatment Facility, an increase of \$47,124.96, for a new total of \$16,545,055.87 (1960.8166) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: All Ayes

S.D. #3

- *29) Plans and Specification for new Airport Terminal at Meadows Field (8235.8362) - 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 15, 2003, AT 2:00 P.M.

Patrick-Watson: All Ayes

S.D. #4

- *30) Proposed Agreement with Gospich Construction Company for improvements to the Buena Vista Aquatic Recreation Area (BVARA) Boat Launching Facilities in an amount not to exceed \$1,330,956.31 (1960.8195 & 1960.8163) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 232-2003

Patrick-Watson: All Ayes

- *31) Request to set hearing for purchase of 3.9 acres of land and access easement at the former Lebec burn dump site from Tejon Ranch, in the amount of \$300,000 - ADOPTED RESOLUTION 2003-144 SETTING HEARING FOR TUESDAY, MAY 13, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Patrick-Watson: All Ayes

- *32) Request to set hearing for purchase of 77.27 acres of land adjoining the Shafter landfill site from Thomas W. and Katie Smith, in the amount of \$300,444 - ADOPTED RESOLUTION 2003-145 SETTING HEARING FOR TUESDAY, MAY 13, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Patrick-Watson: All Ayes

- *33) Request to set hearing for purchase of 7.70 acres of land at the former Fellows burn dump sites from Chevron USA, Inc., in the amount of \$36,856 - ADOPTED RESOLUTION 2003-146 SETTING HEARING FOR TUESDAY, MAY 13, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Patrick-Watson: All Ayes

- *34) Request to set hearing to amend pipeline Franchise F-434 for Nuevo Energy Company and to receive comments on negative declaration prepared for this project - ADOPTED RESOLUTION 2003-147 SETTING HEARING FOR TUESDAY, MAY 13, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Patrick-Watson: All Ayes

- *35) Proposed Agreement with Kern County Superintendent of Schools, Community Connection for Child Care (CCCC) for sublease of space in the Employers' Training Resource Career Services Center One-Stop at 1012 - 6th Street, Taft; CCCC to pay proportionate share of monthly rent and office expenses; term is concurrent with Master Lease term of Kern County Agreement No. 820-2002 - 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 233-2003

Patrick-Watson: All Ayes

All S.D.'s

- *36) Proposed Agreement with S.C. Anderson, Inc., for Job Order Contract Phase IV, in an amount not to exceed \$1,500,000 (various projects) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 234-2003

Patrick-Watson: All Ayes

- *37) Proposed Agreement with Elite Painting & Wallcovering, Inc., for the Job Order Contract Specialty Painting (Phase II), in an amount not to exceed \$250,000 (various projects) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 235-2003

Patrick-Watson: All Ayes

- *38) Revised project list for the Job Order Contract, Phase IV, Specialty Flooring and Painting (Phase II) - APPROVED

Patrick-Watson: All Ayes

- *39) Proposed Agreement with Metro Floors, Inc., for the Job Order Contract Specialty Flooring (Phase II), in an amount not to exceed \$250,000 (various projects) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 236-2003

Patrick-Watson: All Ayes

- *40) Proposed one (1) year full coverage Service Agreement with Equiserv, a division of IDSC Holdings, Inc., a Snap-On company, for the California emission inspection system operated by General Services Garage, in an amount not to exceed \$4,590 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 237-2003

Patrick-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

- *41) Proposed Agreement with California Department of Corrections to provide Tehachapi, North Kern and Wasco state prisons with access to the California Law Enforcement Telecommunications System (CLETS), from July 1, 2003, to June 30, 2005, in the amount of \$35,710 per year revenue to County - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 238-2003

Patrick-Watson: All Ayes

- *42) Proposed retroactive Memorandum of Understanding with the California Department of Highway Patrol, Fort Tejon Area, for license access to the Criminal Justice Information System (CJIS), effective September 1, 2002, in the amount of \$2,040 per year to County - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 239-2003

Patrick-Watson: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *43) Budget Transfers - APPROVED NO. 133 THROUGH NO. 140 AND NO. 142 AND NO. 143

Patrick-Watson: All Ayes

- *44) Minutes for week of March 10, 2003 - APPROVED

Patrick-Watson: All Ayes

- *45) Miscellaneous Letters and Documents - FILED

Patrick-Watson: All Ayes

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

Patrick-Watson: All Ayes

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

Patrick-Watson: All Ayes

ADJOURNED TO TUESDAY, APRIL 29, 2003, AT 9:00 A.M.

Watson-

/s/ Tracey E. Cody
Administrative Coordinator

/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.

45) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) County of Kern Single Audit Report for 2001-2002
Clerk of the Board
- B) Received, certified and forwarded to Recorder for recordation as follows:
Parcel Map 10844 S.D. #2
Community and Economic Development
- C) County Loan Agreement, HOME Investment Partnerships Program, Owner Reconstruction Program, with Sheree D. Parrish
- D) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Richard Reggio
Local Agency Formation Commission
- E) Resolution No. 03-07, Proceeding No. 1351, in the matter of East Niles Community Services District (C.S.D.), Annexation No. 37 (Copies to each Supervisor and CAO)
Planning
- F) Consent to Recordation for Irrevocable Offer of Dedication from North of the River Sanitary District No. 1, County Road No. 3918, Universe Avenue
Miscellaneous
- G) Letter from Craig A. Gilley, Fleischman and Walsh, LLP, re supplement to complaint of Costa de Oro Television, Inc. (KJLA TV) against Mediacom Communications Corporation Petition for Special Relief (Copy to General Services)
- H) Letter from A. W. Kipfer in opposition to increased Universal Collection fees in the Taft area (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- I) Thank you letter from Michael Turnipseed, Michael Turnipseed & Associates, re opportunity to serve and represent the Fifth District on the Kern County Water Resources Committee (Copies to each Supervisor and CAO)
- J) Financial Statement from Ebony Counseling Center, Inc., June 30, 2002 (Copies to each Supervisor, CAO and Auditor-Controller-County Clerk)
- K) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: Union Market, 5500 South Union Avenue, Bakersfield; One Stop, 3200 North Chester Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- L) Report from U.S. Department of Agriculture Forest Service re overview and information concerning ecological restoration of resources damaged by the McNally Fire (Copies to each Supervisor and CAO)

- 46) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Lynn Molina, Kern-Tulare Water District re Resolution 2003-5, annual estimate of obligations for 2003 - REFERRED TO COUNTY COUNSEL
 - B) Letter from Lynn Molina, Rag Gulch Water District, re Resolution 2003-04, annual estimate of obligations for 2003 - REFERRED TO COUNTY COUNSEL
- 47) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Roger Bartling vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Alexandros Frantzeskakis, a minor, by and through his parent and natural guardian, Michael Frantzeskakis and Lourdes Frantzeskakis, an Individual vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Christina Delgado, Ivan Delgado and Celestino Delgado, minors vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Notice of Hearing before Workers' Compensation Appeals Board in the matter of Kenneth W. Peterson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Summons and complaint in the matter of Rocio Adame Alfaro, individually and as successor in interest to the estate of Benigno Aguilar, Lizbeth Aguilar Adame, a minor by and through her Guardian ad Litem vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Summons and complaint in the matter of Ester Aguilar, individually and as successor in interest to the estates of Mario Aguilar and Benigno Aguilar vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Summons and complaint in the matter of Teresa Green and Elliott Green vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - H) Notice of case closure of discrimination complaint in the matter of Maria Conover vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)

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