

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, May 14, 2002

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Peterson, 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-Peterson denotes Supervisor Patrick made the motion and Supervisor Peterson 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.

NOTE: Supervisor Peterson introduced student mentor Albert Sanchez, Maricopa High School Student Body President, and Barry Koerner, Principal, Maricopa High School

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming May 26 - June 1, 2002 as Energy Efficiency Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DAVE CHRISTENSEN, DISTRICT MANAGER, THE GAS COMPANY; DAVE CHRISTENSEN HEARD

McQuiston-Patrick - All Ayes

- 2) Proclamation proclaiming the week of May 20, 2002 as Elder Abuse Prevention Week in Kern County - PROCLAIMED; MADE PRESENTATION TO PAUL ROZELL, ELDER ABUSE PREVENTION COUNCIL, AND RON ERREA, DIRECTOR, AGING AND ADULT SERVICES; PAUL ROZELL; MARSHA CARLSON, ALZHEIMER'S ASSOCIATION; AND JOYCE HUNTER, PUBLIC HEALTH NURSE, PUBLIC HEALTH DEPARTMENT, HEARD; BERNICE HOTHERSALL, COMMISSION ON AGING; MARGARITA COMER, COMMISSION ON AGING AND ELDER ABUSE PREVENTION COUNCIL; AND ROBERT FOWLER, COMMISSION ON AGING, INTRODUCED

Peterson-McQuiston - All Ayes

- 3) Proclamation proclaiming May 19-25, 2002 as Emergency Medical Services Week in Kern County in conjunction with National Emergency Medical Services Week, and recognition of EMS Personnel of the Year - PROCLAIMED; MADE PRESENTATION TO DAVID BAUMSTARK, DIRECTOR, EMERGENCY MEDICAL SERVICES DEPARTMENT; DAVID BAUMSTARK HEARD AND PRESENTED AWARDS TO SCOTT WILLIAMS AND FRANK VALDEZ AS EMERGENCY MEDICAL TECHNICIAN I OF THE YEAR 2001, VICTORIA LINVILLE AS EMERGENCY MEDICAL DISPATCHER OF THE YEAR 2001, AL HENINGER AS PARAMEDIC OF THE YEAR 2001, AND ELIZABETH SCHMEDDING AS MOBILE INTENSIVE CARE NURSE OF THE YEAR 2001; MAYOR HARVEY HALL, FAMILY, FRIENDS, AND EMPLOYERS OF AWARD RECIPIENTS RECOGNIZED

Parra-McQuiston - All Ayes

- 4) Request from Community Clean Sweep to present report on 2002 Pacific Bell Smart Yellow Pages Recycling Program and present Certificates of Recognition to program participants - GREG SANDERS, HEARD; ART CABALLERO, PRESIDENT, COMMUNITY CLEAN SWEEP, AND SUPERVISOR PATRICK PRESENTED CERTIFICATES OF RECOGNITION AND THIRD PLACE AWARD TO SHARON ROXBURGH AND STUDENTS FROM THORNER ELEMENTARY SCHOOL; SECOND PLACE AWARD TO MRS. SPALINGER'S AND MRS. MITCHELL'S FOURTH AND FIFTH GRADE STUDENTS OF NEW LIFE CHRISTIAN SCHOOL (NOT PRESENT); AND FIRST PLACE AWARD TO MICHELE WOODRUFF AND EIGHTH GRADE STUDENTS FROM FAIRFAX SCHOOL; SHARON ROXBURGH; MARGARET GALLAGOS, ADMINISTRATOR, THORNER ELEMENTARY SCHOOL; AND MICHELE WOODRUFF HEARD; STUDENTS INTRODUCED THEMSELVES
- 5) Certificate of Recognition honoring Stacy Kober as Kern County Dispatcher of the Year (continued from Tuesday, May 7, 2002) - CONTINUED TO TUESDAY, MAY 28, 2002 AT 9:00 A.M.

Peterson-Patrick - All Ayes

- *6) Resolution honoring Ehud Olmert, Mayor of Jerusalem - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Peterson-Parra - All Ayes

- *7) Resolutions honoring the Friendship Forces of Western Bay of Plenty, New Zealand; Wairarapa, New Zealand; and Bundaberg, Queensland, Australia - ADOPTED RESOLUTIONS; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Peterson-Parra - All Ayes

- *8) Proclamation proclaiming May 2002 as Older Americans Month in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Peterson-Parra - All Ayes

- *9) Proclamation proclaiming May 19-25, 2002 as National Public Works Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Peterson-Parra - All Ayes

PUBLIC PRESENTATIONS

- 10) 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

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

DEPARTMENTAL REQUESTS

AGRICULTURAL COMMISSIONER/SEALER

- *12) Notification of anticipated retroactive approval of amendment to Agreement 99-0346 with California Department of Food and Agriculture for inspections on compliance with the Business and Professions Code - RECEIVED AND FILED

Peterson-Parra - All Ayes

- *13) Proposed retroactive Amendment to Agreement 01-0239 with California Department of Food and Agriculture to add Area-Wide Management of Glassy-Winged Sharpshooter to the County Workplan for Fiscal Year 2001/2002, in an additional amount not to exceed \$668,189.05 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 341-2002

Peterson-Parra - All Ayes

AIRPORTS

- *14) Proposed retroactive Agreement with The Boyd Group/ASRC, Inc., for Frontier Jet Express Airline services solicitation presentation preparation, from February 1, 2002 through June 30, 2002, in an amount not to exceed \$12,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 342-2002

Peterson-Parra - All Ayes

- 15) Proposed request for qualifications/proposal package for lease of Famoso Race Track facility at Poso Airport with proposals to be received by the General Services Division until July 23, 2002 at 3:00 p.m. - EVELYN SHEARER AND ANDY MAROCCO, PRESIDENT, ALL AMERICAN RACING, HEARD; REVISED DATE FOR REQUESTS FOR QUALIFICATIONS TO BE RECEIVED BY GENERAL SERVICES, TO AUGUST 22, 2002; AUTHORIZED GENERAL SERVICES DIVISION AND DEPARTMENT OF AIRPORTS TO ADVERTISE REQUESTS FOR QUALIFICATIONS; APPROVED MINIMUM TERMS WITH MODIFICATION TO TERM OF LEASE TO READ: "LEASE, IF AWARDED, WOULD BE FOR A TERM TO COMMENCE NOT LATER THAN DECEMBER 1, 2003"

Parra-Peterson - All Ayes

ASSESSOR-RECORDER

- *16) Proposed Amendment No. 1 to Agreement 693-2001 with Exigent Computer Group, Inc., for computer programming services to increase contract by \$48,600, for a total of \$135,600 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 343-2002

Peterson-Parra - All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *17) Resolution from North of River Sanitary District No. 1 requesting the election of Directors be changed from odd to even numbered years to coincide with the election dates of statewide General Elections - AUTHORIZED THE ELECTIONS DIVISION TO PERFORM THE RELATED SERVICES REQUESTED AND ORDER THE CONSOLIDATION COMMENCING IN 2004

Peterson-Parra - All Ayes

BOARD OF SUPERVISORS

- *18) Proposed Nomination of Supervisor Ken Peterson to the Carrizo Plain Advisory Committee- APPROVED; DIRECTED CLERK OF THE BOARD TO FILE NOMINATION PAPERS

Peterson-Parra - All Ayes

COUNTY COUNSEL

- *19) Request from West Kern Community College District and Kern Community College District Regarding Participation in 2002 Tax and Revenue Anticipation Bonds - AUTHORIZED CLERK OF THE BOARD OF SUPERVISORS TO EXECUTE MEMORANDUM DECLINING PARTICIPATION IN 2002 TAX AND REVENUE ANTICIPATION BONDS

Peterson-Parra - All Ayes

- *20) Authorize Clerk of the Board of Supervisors to Execute Memorandum to Arvin Union Elementary School District, Buttonwillow Union Elementary School District, Caliente Union Elementary School District, Delano Union Elementary School District, Delano Joint Union High School District, Elk Hills Elementary School District, Fairfax Elementary School District, Kernville Union Elementary School District, Lamont School District, Lost Hills Union Elementary School District, Mojave Unified School District, Southern Kern Unified School District, Standard School District, Tehachapi Unified School District, Vineland Elementary School District, and Rio Bravo-Greeley Union Elementary School District, Declining Participation in 2002 Pooled Tax and Revenue Anticipation Notes - AUTHORIZED CLERK OF THE BOARD OF SUPERVISORS TO EXECUTE MEMORANDUM DECLINING PARTICIPATION IN 2002 TAX AND REVENUE ANTICIPATION NOTES

Peterson-Parra - All Ayes

- *21) Request of Personnel Department for destruction of records from July 1989 to October 1997, no longer necessary or required for County purposes and eligible for destruction - APPROVED

Peterson-Parra - All Ayes

- *22) Request of Personnel Department for destruction of records from May 1994 to August 1998, no longer necessary or required for County purposes and eligible for destruction - APPROVED

Peterson-Parra - All Ayes

FIRE DEPARTMENT

- *23) Request for approval of Intent to Donate surplus fire equipment to Concerned Resource & Environmental Workers (C.R.E.W.) - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Peterson-Parra - All Ayes

HUMAN SERVICES

- *24) Proposed Amendment No. 2 to Agreement 152-2001 with ARRC Enterprises, Incorporated, for Independent Living Program - Foster Youth Computer Camp, to extend the term to June 30, 2003; in an amount not to exceed \$219,799.50 (Federal/State; no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 344-2002

Peterson-Parra - All Ayes

KERN MEDICAL CENTER

- *25) Proposed Sole Source Agreement with Di Giacomo-Geffers and Associates for consulting services related to accreditation by Joint Commission on Accreditation of Health Care Organizations, from May 14, 2002 to August 31, 2002, in an amount not to exceed \$38,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 345-2002

Peterson-Parra - All Ayes

- *26) Relief of accountability of patients' accounts - DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF 8,476 ACCOUNTS TOTALING \$3,255,895.98; AUTHORIZED ASSIGNING 8,460 ACCOUNTS TOTALING \$3,223,883.24 TO COLLECTION AGENCIES

Peterson-Parra - All Ayes

- 27) Proposed Agreement with MedSeek, Inc., for web site creation and hosting services, in an amount not to exceed \$49,482.50 - REFERRED TO COUNTY ADMINISTRATIVE OFFICE, KERN MEDICAL CENTER, INFORMATION TECHNOLOGY SERVICES, AND COUNTY COUNSEL

Parra-Peterson - All Ayes

- *28) Proposed retroactive Agreement with the Cal-State Bakersfield Foundations for medical ethics consulting services, from April 10, 2002 to April 9, 2004, in an amount not to exceed \$24,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 346-2002

Peterson-Parra - All Ayes

- 29) Proposed cash advance in the amount of \$3,000,000 to Kern Medical Center Enterprise Fund - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS

Parra-Patrick - All Ayes

MENTAL HEALTH SERVICES

- *30) Proposed Amendment No. 1 to Agreement 357-2001 with the Department of Alcohol and Drug Programs for the provision of alcohol and drug services in the County of Kern to increase Fiscal Year 2001-2002 funding to an amount not to exceed \$8,196,569 (an increase of \$657,147) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 347-2002

Peterson-Parra - All Ayes

- *31) Proposed Amendment No. 1 to Agreement 640-2001 with the Kern County Mental Health Association to provide for the loan of department computers to clients to increase computer skills (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 348-2002

Peterson-Parra - All Ayes

- *32) Proposed Agreement with Kern County Youth Mariachi Foundation for substance abuse prevention activities, including academic advancement activities, music theory, and music instrument instruction for students and families in the youth programs from the communities of Bakersfield, Delano, Lamont and Wasco, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$139,089 (State, Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 349-2002

Peterson-Parra - All Ayes

- *33) Proposed Agreement with American Health Services, dba Bakersfield Medical and Mental Health Services, Inc., for Methadone Maintenance Treatment program services for clients residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$250,000 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 350-2002

Peterson-Parra - All Ayes

- *34) Proposed Agreement with Clinica Sierra Vista, Inc., for substance prevention services for clients residing in the Eastern Kern County area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$220,000 (State, Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 351-2002

Peterson-Parra - All Ayes

- *35) Proposed Agreement with Nankil Enterprises, Inc., dba Lakeside Board and Care, to provide a full continuum of residential services for County homeless clients in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$30,000 (State, Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 352-2002

Peterson-Parra - All Ayes

- *36) Proposed Agreement with Nankil Enterprises, Inc., dba Union Villa, to provide a full continuum of residential services for County homeless clients in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$65,000 (State, Grants; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 353-2002

Peterson-Parra - All Ayes

- *37) Proposed Agreement with Royal Palms Motel to provide temporary housing/shelter services for County homeless clients residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$102,000 (Grants; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 354-2002

Peterson-Parra - All Ayes

- *38) Proposed Agreement with Restoration Village Treatment Center, Inc., dba Hannah's House, to provide sober living environment services to County clients residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$61,907 (Grants; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 355-2002

Peterson-Parra - All Ayes

- *39) Proposed Agreement with Your Drug Store, Inc., for prescription medication services to County indigent individuals of the Kern Linkage program residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$150,000 (State; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 356-2002

Peterson-Parra - All Ayes

- *40) Proposed Agreement with Kern Psychological Services, Inc., for psychological evaluations to designated individuals meeting target population criteria of L.P.S. Conservatorship services, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$20,000 (State, Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 357-2002

Peterson-Parra - All Ayes

- *41) Proposed Agreement with Desert Counseling Clinic, Inc., to provide sober living environment services for County clients residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$51,907 (Grants; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 358-2002

Peterson-Parra - All Ayes

- *42) Proposed Agreement with Kern County Transportation Services, Inc., for client transport services 24 hours a day, 7 days a week, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$46,000 (Realignment, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 359-2002

Peterson-Parra - All Ayes

PARKS AND RECREATION DEPARTMENT

- *43) Proposal requesting use of Off-Highway Motor Vehicle Licensing Fund by the Kern County Sheriff's Department - APPROVED CANCELLATION OF \$20,710 OF DESIGNATED RESERVES IN THE OFF-HIGHWAY MOTOR VEHICLE LICENSE FUND (00170) AND APPROPRIATE \$20,710 TO GENERAL FUND APPROPRIATIONS FOR CONTINGENCIES (BUDGET UNIT 1970, ACCOUNT 6045); APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$20,710 TO THE SHERIFF'S BUDGET UNIT 2210 UPON COMPLETION OF A MEMORANDUM OF UNDERSTANDING BETWEEN PARKS DEPARTMENT AND SHERIFF'S DEPARTMENT

Peterson-Parra - All Ayes

- *44) Proposed Agreement with the California Integrated Waste Management Board for a grant to purchase and install recycled-content material or equipment at Cormack Park for \$50,000 contingent upon the County of Kern providing \$25,000 matching funds - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 360-2002

Peterson-Parra - All Ayes

PROBATION

- *45) Proposed Amendment No. 1 to Agreement 505-2001 with R. Bruce Walker, Ed.D., for pre-employment psychological screening services for Deputy Probation Officer and Group Counselor applicants, through Fiscal Year 2001-2002, in an amount not to exceed \$62,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 361-2002

Peterson-Parra - All Ayes

PUBLIC HEALTH SERVICES

- *46) Request to authorize Auditor-Controller-County Clerk to pay expenditures for food items (including snacks) used in the Tuberculosis, AIDS and Immunization Programs as requested by the Department of Public Health for FY 2002-2003 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Peterson-Parra - All Ayes

- *47) Notification of retroactive Agreement with Mesa Marin Raceway for provision of an Anti-Smoking Campaign for Racing Fans, from April 6, 2002 through December 31, 2002, in an amount not to exceed \$8,500 and request to authorize the Purchasing Agent to sign - RECEIVED AND FILED; AUTHORIZED PURCHASING AGENT TO SIGN

Peterson-Parra - All Ayes

- *48) Request to hire retired County employee Dorothy Williams as extra-help Employment Services Clerk, Step "E", for a period not to exceed 120 working days or 960 hours, whichever is greater, in the twelve (12) month period following date of employment - APPROVED

Peterson-Parra - All Ayes

NON-AGENDA ITEM

RETIREMENT ASSOCIATION

MOTION TO CONSIDER NON-AGENDA ITEM NO. 48A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE THE KERN COUNTY EMPLOYEES' RETIREMENT ASSOCIATION (KCERA) DISCOVERED THAT THE BOARD OF SUPERVISORS WOULD NOT MEET ON MAY 21, 2002 AND THE KCERA NEEDS BOARD APPROVAL FOR QUALIFIED EMPLOYEES TO TAKE HALF-DAY PAID LEAVE FOR THE RETIREMENT PLANNING SEMINAR SCHEDULED FOR THURSDAY, MAY 23, 2002

Parra-Peterson - All Ayes

- 48A) Request for approval of half-day paid leave for up to 150 qualified employees to participate in Kern County Employees' Retirement Association's Retirement Planning Seminar scheduled for Thursday, May 23, 2002, from 8:30 a.m. to 12 noon - APPROVED

Peterson-Parra - All Ayes

SHERIFF

- *49) Request to authorize payment of retroactive salary increment beyond one year to Detention Officer Denise Dannelley, in the amount of \$351.71 - APPROVED; DIRECTED PERSONNEL TO CORRECT SALARY INCREMENT DATE TO SEPTEMBER 22, 2001

Peterson-Parra - All Ayes

- *50) Application to hold a parade - Greenhorn Mountain Veterans Association on June 2, 2002 - 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

Peterson-Parra - All Ayes

TREASURER-TAX COLLECTOR

- *51) Request to hire retired County employee Linda Mortimer as Account Clerk III, Range 46.0, Step E, in Fiscal Year 2002-2003, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the twelve (12) month period following date of employment - APPROVED

Peterson-Parra - All Ayes

- *52) Cash Receipts and Disbursements for April 2002 - RECEIVED AND FILED

Peterson-Parra - All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY COUNSEL

- 53) Request for Closed Session regarding a lawsuit entitled County Sanitation District No. 2 of Los Angeles County, et al. vs. County of Kern, et al., Tulare County Superior Court Case No. 189564(Government Code Section 54956.9(a)) -

- 54) Request for Closed Session regarding lawsuits entitled Orange County Sanitation District, et al. vs. County of Kern, et al; Center for Race, Poverty and the Environment vs. County of Kern and other environmental cases (Government Code Section 54956.9(a)) -

RECONVENED FROM CLOSED SESSION; RECESSED TO 2:00 P.M.

Parra-Peterson

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Steve A. Perez
Chairman, Board of Supervisors

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Supervisors: McQuiston, Perez, Patrick, Peterson, Parra
ROLL CALL: All Present

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH AN ASTERISK (*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

Peterson-Patrick - All Ayes

KERN SANITATION AUTHORITY

- #1) Proposed Ordinance concerning collection of Sewer Service Charges on the Tax Roll for Fiscal Year 2002-2003 - WAIVED READING; INTRODUCED ORDINANCE

Peterson-Parra - All Ayes

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

Peterson-Parra - All Ayes

FORD CITY TAFT HEIGHTS SANITATION DISTRICT

- #2) Proposed Ordinance concerning collection of Sewer Service Charges on the Tax Roll for Fiscal Year 2002-2003 - WAIVED READING; INTRODUCED ORDINANCE

Peterson-Patrick - All Ayes

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

Peterson-Patrick - All Ayes

PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 4) 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]) - **AT THE REQUEST OF SUPERVISOR PEREZ, REFERRED TO GENERAL SERVICES TO HOLD A COMMUNITY MEETING IN MOJAVE TO HEAR RESIDENTS' CONCERNS REGARDING CABLE SERVICES BY CHARTER CABLE AND FILE A WRITTEN REPORT WITH THE BOARD IN 30 DAYS**

Peterson-Patrick - All Ayes

CONTINUED HEARINGS
RESOURCE MANAGEMENT AGENCY

Planning Department

- 5) **Request from Carl Witten to change the permitted uses from Residential to Recreation to allow a logging contractor on approximately 4-1/2 acres located at 8814 Main Street, Lake Isabella (SD 1)**

Specific Request:

- (a) Amend the South Lake Isabella Specific Plan from Map Code(s) "Medium Density Residential" to Map Code(s) "Recreation" (GPA #2, Map #42-30)
- (b) A change in zone classification from E (1/4) MH to RF (ZCC #22, Map #42-30)
- (c) A Conditional Use Permit to allow a logging contractor in an RF District (CUP #15, Map #42-30)

(Negative Declaration; Published Kern Valley Sun) (from 3/12/2002) - OPENED HEARING; HEARD IN SUPPORT OF STAFF RECOMMENDATION: CLETE REUTER; GEORGE GRITTON; DONALD SHIPLEY; ARA MARDEROSIAN, SIERRA CLUB; AND WAYNE BORING; HEARD IN OPPOSITION TO STAFF RECOMMENDATION: CARL WITTEN, APPLICANT; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2002-166 DISAPPROVING GENERAL PLAN AMENDMENT, ZONE CHANGE, AND CONDITIONAL USE PERMIT; RECEIVED AND FILED

McQuiston-Patrick - All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 6) Request from Marchman Family Trust to cancel a 7.503-acre portion of a Williamson Act Land Use Contract, to change the permitted uses from Agriculture to Limited Agriculture (2-1/2 acre Minimum), and to exclude 7.5 acres from the boundaries of an Agricultural Preserve located at the northeast corner of Lindsay Road and Eberle Road, south of Bakersfield (SD 2)

Specific Request:

- (a) Cancellation of a 7.503-acre portion of a 29-acre parcel of a Land Use Contract (Cancellation #01-08, Map 142)
- (b) A change in zone classification from A to A-1 or a more restrictive district (ZCC #58, Map #142)
- (c) Exclusion of approximately 7.503 acres from the boundaries of an Agricultural Preserve (Ag. Pres #10 - Excl)

(Categorically Exempt, Section 15303 (Cancellation and Zone Change) and Section 15317 (Exclusion); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2002-167, 2002-168 AND 2002-169 AND ENACTED ORDINANCE G-6879 APPROVING CANCELLATION SUBJECT TO PAYMENT OF THE PENALTY FEE, APPROVING THE MORE RESTRICTIVE E (2-1/2) RS (ESTATE - 2-1/2 ACRES - RESIDENTIAL SUBURBAN COMBINING) DISTRICT, AND APPROVING EXCLUSION, AS REQUESTED, EACH TO BE HELD IN SUSPENSE PENDING PAYMENT OF CANCELLATION PENALTY FEE

Peterson-Patrick - All Ayes

- *7) Request from Lamar Outdoor Advertising by Ronnie Walker to change the permitted uses from Limited Agriculture to Medium Industrial and a precise development plan for an off-site advertising sign on 16,104 square feet located at 7321 Rosedale Highway, south side of Rosedale Highway, west of Fruitvale Avenue, Bakersfield (SD 3)

Specific Request:

- (a) A change in zone classification from A-1 to M-2 PD (ZCC #118, Map #102)
- (b) A Precise Development Plan for the installation of an off-site advertising sign, in an M-2 PD (Medium Industrial - Precise Development Combining) District (PD Plan #58, Map #102)

(Categorically Exempt, Section 15301; Published Bakersfield Californian) - CONTINUED TO TUESDAY, MAY 28, 2002 AT 2:00 P.M.

Peterson-Parra - All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning

S.D. #2

- *8) Proposed Amendment to Agreement with Cotton/Bridges/Associates for additional studies related to the Mojave Specific Plan and Program Environmental Impact Report, in an amount not to exceed \$164,958 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 362-2002

Peterson-Parra - All Ayes

S.D. #4

- *9) Proposed Developer Agreement with Tejon Industrial Corporation to extend time to provide preliminary plans and temporary fire station facilities - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 363-2002

Peterson-Parra - All Ayes

All S.D. 's

- *10) Proposed Amendment No. 1 to Agreement with Kern County Farm Bureau to support the Farm Bureau's litigation involving the Endangered Species Listing of the Buena Vista Lake Shrew, an increase of \$20,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 364-2002

Peterson-Parra - All Ayes

RESOURCE MANAGEMENT AGENCY

Community Development

S.D. #1

- *11) Proposed Cooperative Agreement with the City of Delano for providing economic incentives to qualified businesses - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 365-2002

Peterson-Parra - All Ayes

S.D. #5

- *12) Change Order No. 2 for construction related to Downtown Arvin Revitalization Program, Arvin Adobe Complex and Outdoor Community Center Improvements, an increase of \$17,250, for a new total of \$1,554,778 - CONTINUED TO TUESDAY, MAY 28, 2002 AT 2:00 P.M.

Peterson-Parra - All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D.#1

- *13) Proposed Reimbursement Agreement with Kern County Cemetery District No. 1 for excess costs exceeding \$1,500 per panel to convert electric service under Rule 20A underground electric conversion - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 366-2002

Peterson-Parra - All Ayes

S.D.#2

- *14) Tract 5092, Unit 1, east side 35th Street west, 1980 feet north of Rosamond Boulevard, approval of completed street, drainage, water, and sewer improvements, release of Faithful Performance Security, in the amount of \$407,784, as authorized by the Subdivision Improvement Agreement, and release of Laborer's and Materialmen Security in the amount of \$203,892, both per Bond #A00002035; proposed Resolution to accept roads into County road system and accept drainage improvements for maintenance - APPROVED; RELEASED EXISTING FAITHFUL PERFORMANCE SECURITY AND LABORER'S AND MATERIALMEN SECURITY; ADOPTED RESOLUTION 2002-170

Peterson-Parra - All Ayes

S.D.#3

- *15) Contract No. 01016, Notice of Completion for North Beardsley Drainage Improvements - RECEIVED AND FILED

Peterson-Parra - All Ayes

S.D.#4

- *16) Tract 5557, Unit A, northeast corner of Palm Avenue and Heath Road, Rosedale area, release of Monument Bond, Delfino Bakersfield, LLC - RELEASED MONUMENT BOND NO. 857498S, UNDERWRITTEN BY DEVELOPER'S INSURANCE COMPANY, NOW THE INSCO-DICO GROUP, IN THE AMOUNT OF \$4,220

Peterson-Parra - All Ayes

All S.D.'s

- *17) Request for sole source procurement of Trimble Global Positioning Survey equipment in an amount not to exceed \$70,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Peterson-Parra - All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #2

- *18) Contract No. 02035, Plans, Specifications, and Notice to Contractors for construction on Highline Road from Banducci Road to Tehachapi-Willow Springs Road - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF THE PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 5, 2002, AT 11:00 A.M.

Peterson-Parra - All Ayes

- *19) Contract No. 01031, identify apparent low bid of Granite Construction for construction on Rosamond Boulevard at Union Pacific Railroad, in an amount not to exceed \$545,545 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Peterson-Parra - All Ayes

S.D. #3

- *20) Contract No. 02036, Plans, Specifications, and Notice to Contractors for construction on Hillcrest Area Streets - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF THE PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 5, 2002, AT 11:00 A.M.

Peterson-Parra - All Ayes

- *21) Contract No. 02037, Plans, Specifications, and Notice to Contractors for construction on Holland Street, Glenn Street and Verdugo Lane - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF THE PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 5, 2002, AT 11:00 A.M.

Peterson-Parra - All Ayes

- *22) Contract No. 02034, Plans, Specifications, and Notice to Contractors for construction on Victor Street from Norris Road to 660 feet south of Pembroke Avenue - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF THE PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 5, 2002, AT 11:00 A.M.

Peterson-Parra - All Ayes

- *23) Contract No. 02033, Plans, Specifications, and Notice to Contractors for construction on Edison Road and DiGiorgio Road - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS PURSUANT TO SECTION 20392 OF THE PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 5, 2002, AT 11:00 A.M.

Peterson-Parra - All Ayes

All S.D.'s

- *24) Proposed Agreement with Crossroads Software for sole source procurement of traffic safety analysis software to upgrade existing program, in an amount not to exceed \$14,176.60 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 367-2002

Peterson-Parra - All Ayes

WASTE MANAGEMENT

S.D. #1

- *25) Proposal to reduce the days and hours of operation at the McFarland-Delano Transfer Station from 7:00 a.m. to 4:00 p.m., 5:00 p.m. or 6:00 p.m. (depending upon time of year), seven days per week to 8:00 a.m. to 4:00 p.m. year-round, five days per week, effective June 15, 2002; proposed addition of two (2) full-time Solid Waste Management Aide I/II/III positions to Budget Unit 8999, effective May 15, 2002 - APPROVED OPERATION OF McFARLAND-DELANO TRANSFER STATION WITH COUNTY STAFF; AUTHORIZED IMPLEMENTATION OF NEW DAYS AND HOURS OF OPERATION; APPROVED ADDITION OF TWO FULL-TIME SOLID WASTE MANAGEMENT AIDE I/II/III POSITIONS; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Peterson-Parra - All Ayes

All S.D.'s

- *26) Proposed deletion of one (1) Word Processing Technician I/II position and concurrent addition of one (1) Administrative Aide I/II position to Budget Unit 8999, effective May 17, 2002 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Peterson-Parra - All Ayes

- *27) Proposed Agreement with William J. Vanherweg to provide biological assessment services for County solid waste facilities from May 14, 2002 through May 31, 2004, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 368-2002

Peterson-Parra - All Ayes

COUNTY ADMINISTRATIVE OFFICE

Legislative Matter

- *28) AB2304: Joint Strike Fighter Aircraft Tax Credits - ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE TO APPROPRIATE OFFICIALS

Peterson-Parra - All Ayes

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM NO. 28A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE THE COUNTY ADMINISTRATIVE OFFICE LEARNED THAT LEGISLATIVE SUBCOMMITTEES COULD CONSIDER BUDGET CUTS IN THE RURAL CRIME PREVENTION PROGRAM BEFORE THE BOARD'S NEXT SCHEDULED MEETING OF MAY 28, 2002. ACTION ON MAY 14, 2002, IS THEREFORE NECESSARY IN ORDER TO COMMUNICATE THE BOARD'S POSITION IN SUPPORT OF THIS PROGRAM TO THE APPROPRIATE LEGISLATORS IN A TIMELY MANNER

Parra-Patrick - All Ayes

- 28A) Rural Crime prevention Program, continued State funding - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Peterson-Patrick - All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

Hearings

S.D. #1

- *29) Proposed Resolution and Ordinance amending Cable Television Franchise F-391 for Mediacom California, LLC, modifying obligations of grantee - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-171 AND ENACTED ORDINANCE F-442

Peterson-Parra - All Ayes

S.D. #2

- *30) Proposed Resolution and Ordinance amending Cable Television Franchise F-364 for Paul Allen and Charter Communications Holding Company, LLC, modifying obligations of grantee - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-172 AND ENACTED ORDINANCE F-443

Peterson-Parra - All Ayes

- *31) Proposed Resolution and Ordinance amending Cable Television Franchise F-404 for Time Warner Entertainment-Advance Newhouse Partnership, modifying obligations of grantee - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-173 AND ENACTED ORDINANCE F-444

Peterson-Parra - All Ayes

S.D. #4

- *32) Proposed Resolution and Ordinance amending Cable Television Franchise F-405 for Time Warner Entertainment-Advance Newhouse Partnership, modifying obligations of grantee - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-174 AND ENACTED ORDINANCE F-445

Peterson-Parra - All Ayes

- *33) Proposed Resolution and Ordinance amending Cable Television Franchise F-426 for Suntel Communications, LLC, modifying obligations of grantee - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-175 AND ENACTED ORDINANCE F-446

Peterson-Parra - All Ayes

All S.D.'s

- *34) Proposed Resolution and Ordinance amending Cable Television Franchise F-406 for Time Warner Entertainment-Advance Newhouse Partnership, modifying obligations of grantee - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-176 AND ENACTED ORDINANCE F-447

Peterson-Parra - All Ayes

S.D. #3

- *35) Proposed retroactive approval of Amendment No. 4 to Agreement with Lowell T. Patton for license and concession privileges at Sam Lynn Recreational Center, effective October 1, 2001, extending term of license to September 30, 2004 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061 (b)(3); APPROVED; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 369-2002

Peterson-Parra - All Ayes

- *36) Reject low bid submitted by Rich Meier's Landscaping, Inc., for non-compliance with DBE requirements, and identify apparent second low bid from Elite Landscaping, Inc., for Panorama Park Landscape Improvements, in an amount not to exceed \$1,166,408(1960.8245A) - IDENTIFIED SECOND LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES; AUTHORIZED PREPARATION OF CONTRACT DOCUMENTS

Peterson-Parra - All Ayes

S.D. #5

- *37) Plans and Specifications for replacement of walls, floor covering, ceilings, and other modifications, for the new East Bakersfield Sheriff's Substation (1960.8250) - 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, JUNE 6, 2002, AT 11:00 A.M.

Peterson-Parra - All Ayes

- *38) Request to set hearing for purchase of approximately 10,324 square feet adjacent to Public Services Building from Peter and Colleen Bellue, for use as a secured storage lot for Waste Management Department's recycling program, in an amount not to exceed \$51,620 - ADOPTED RESOLUTION 2002-177 SETTING HEARING FOR TUESDAY, JUNE 11, 2002, at 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Peterson-Parra - All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED ON MAY 7, 2002

- *39) Proposed Ordinance adding subparagraph (7) to Section 10.16.050 of Chapter 10.16 concerning a no stopping zone on both sides of Valley Boulevard Frontage Road, Tehachapi area - ENACTED ORDINANCE G-6880

Peterson-Parra - All Ayes

- *40) Proposed Ordinance adding subparagraph (137) to Section 10.16.041, Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Norris Road, Bakersfield - ENACTED ORDINANCE G-6881

Peterson-Parra - All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *41) Budget Transfers - APPROVED #240 THROUGH #249

Peterson-Parra - All Ayes

- *42) Minutes for week of April 22, 2002 - APPROVED WITH CORRECTION TO ITEM NO. 52A, APRIL 23, 2002 A.M., TO REPLACE \$543,000.63 WITH **\$725,480.63** AND TO ADD THE PHRASE **"TO BE PAID BY BLANKET PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$10,000 PER YEAR"**

Peterson-Parra - All Ayes

- *43) Miscellaneous Letters and Documents - FILED

Peterson-Parra - All Ayes

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

Peterson-Parra - All Ayes

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

Peterson-Parra - All Ayes

ADJOURNED TO TUESDAY, MAY 28, 2002, AT 9:00 A.M.

Peterson-

/s/ Denise Pennell
Clerk of the Board

/s/ Steve A. Perez
Chairman, Board of Supervisors

43) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Received, certified and forwarded to Recorder for recordation as follows:
- 1) Tract Map 5923, Phase 2 (S.D. #3)
 - 2) Tract Map 6013, Phase 2 (S.D. #3)
 - 3) Tract Map 6048, Northwoods (S.D. #3)
 - 4) Parcel Map 10677 (S.D. #4)
 - 5) Parcel Map 10695 (S.D. #4)
 - 6) Parcel Map 10725 (S.D. #2)

Community Development

- B) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Maria D. Ybarra and Lupe Ybarra
- C) County Loan Agreement, HOME Investment Partnerships Program, Owner Reconstruction Program, with Mary C. Gallardo

Grand Jury

- D) 2001-2002 Grand Jury Preliminary Report re Kern County Children and Families Commission (Copies to each Supervisor, CAO and Children & Families Commission)

Local Agency Formation Commission

- E) Resolution No. 02-15, Proceeding No. 1320, in the matter of City of Bakersfield, Annexation No. 424 (Hosking No. 5) (Copies to each Supervisor and CAO)
- F) Resolution No. 02-16, Proceeding No. 1322, in the matter of Greenfield County Water District, Annexation No. 32 (Copies to each Supervisor and CAO)
- G) Resolution No. 02-17, Proceeding No. 1323, in the matter of the City of Bakersfield, Annexation No. 430 (Noriega No. 2) (Copies to each Supervisor and CAO)

Resource Management Agency

- H) Final report re Community Development Block Grant (CDBG) Timeliness Compliance (Copies to each Supervisor and CAO)

Miscellaneous

- I) Letter from Mayor Harvey Hall re highway landscaping in Bakersfield (Copies to each Supervisor, CAO, Roads and Resource Management Agency)
- J) Letter from Thomas E. McConnell, State Board of Corrections, re approval of the Juvenile Justice Crime Prevention Act (JJCPA) application for continuation funding and plan modification for Fiscal Year 2002-2003 (Copies to each Supervisor and CAO)
- K) Letter from E. R. Molina, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, April 11, 2002, on State Route 155, 9 miles east of State Route 65 (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)

- L) Letter from Saira Goraya Iqbal, Muslim Public Affairs Council, re Human Relations Commission (Copies to each Supervisor, CAO, Personnel and County Counsel)
- M) Letter from Eric Hutchins re the Human Relations Commission (Copies to each Supervisor, CAO, Personnel and County Counsel)
- N) Letter from Robyn Loeffler, State Department of Corrections, re State Building Notification, Project No. 111490, to lease building to facilitate construction of new Delano II Prison (Copies to each Supervisor, CAO, Treasurer and Auditor-Controller)
- O) Letter from Patric B. Ashby, State Department of Child Support Services re core curriculum development project (Copies to each Supervisor and CAO)
- P) Letter from Paul L. Seave, Special Assistant Attorney General, State Department of Justice, re bulletin entitled Safe from the Start, Reducing Children's Exposure to Violence (Copies to each Supervisor, CAO, Sheriff, Health, Human Services and Mental Health)
- Q) Letter from Max H. Yuan, Federal Emergency Management Agency, re Flood Insurance Rate Map (FIRM) and Letter of Map Revision (LOMR) (Copies to each Supervisor, CAO and Engineering and Survey Services)
- R) Letter from Gary Gilbert, County of Madera Board of Supervisors, re support for AB 2673, Berenda Creek Institutional Camp (Copies to each Supervisor and CAO)
- S) Letter from Mehdi Morshed, California High-Speed Rail Authority re public board meeting in Oakland on Wednesday, May 15, 2002 (Copies to each Supervisor and CAO)
- T) Letter from David L. Harlow, U.S. Department of the Interior, re re-proposing critical habitat designation of the southwestern willow flycatcher (Copies to each Supervisor, CAO, Planning and County Counsel)
- U) Letter from Robert J. Lee, Lois L. Lee and Christopher Robert Lee, re vertical and horizontal integration of organized crime in the American economy and the American government (Copies to each Supervisor, CAO, Assessor, Treasurer-Tax Collector and County Counsel)
- V) Notices from Alcoholic Beverage Control re Applications for Alcoholic Beverage Licenses: Tacos La Villa 4, 5430 Olive Drive, Suite D, Bakersfield; 1 Golf Driving Range, 19211 Highway 65, Bakersfield; Mariah Country Inn & Restaurant, 1385 Highway 58, Mojave; Restaurante Tarasco, 9900 Main Street, Lamont; and El Mercado, 9317 Main Street, Lamont (Copies to each Supervisor, CAO and Planning)
- W) Notice from Pacific Gas and Electric Company re application for a gas and electric revenue increase to fund the California Alternate Rates for Energy Program (Copies to each Supervisor, CAO and General Services)

- X) Notice from Southern California Gas Company re notice of application to decrease rates, Application No. 02-04-036 (Copies to each Supervisor, CAO and General Services)
- Y) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, May 9, 2002
- Z) Agenda of meeting from Kern County Planning Commission on Thursday, May 9, 2002
- AA) Agenda of meeting from CALFED Bay-Delta Program, Bay-Delta Public Advisory Committee, Environmental Justice Subcommittee, on Friday, May 10, 2002 (Copies to each Supervisor and CAO)
- 44) 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, 2002 Tax and Revenue Anticipation Bonds, 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, 2002 Tax and Revenue Anticipation Bonds, Kern Community College District - REFERRED TO COUNTY COUNSEL
 - C) Notice of Appeal, Riverlakes Investment Company, LLC, and Kyle Carter Homes concerning City of Bakersfield Traffic Impact Fee Credits - REFERRED TO ROADS (Copies to each Supervisor, CAO, Planning and County Counsel)
- 45) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Rodolfo Antonio Sermeno vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)
 - B) Claim in the matter of Mandy Rees vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)
 - C) Claim in the matter of Stacey L. Morris vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)
 - D) Claim in the matter of Baltazar R. Castro, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)
 - E) Claim in the matter of Baltazar R. Castro vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)
 - F) Summons and complaint in the matter of Saul Lemus vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)
 - G) Summons and complaint in the matter of Chi Hyun Leach vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)

- H) Subrogation claim in the matter of Pamela Herman by KIA Insurance Associates vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)

- I) Subrogation claim in the matter of AAA of Southern California by MAC Adjustment, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management)