

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, May 7, 2002

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Peterson

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.

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming May 2002 as Community Action Month in Kern County - PROCLAIMED; MADE PRESENTATION TO FRED DREW, EXECUTIVE DIRECTOR, COMMUNITY ACTION PARTNERSHIP OF KERN, FORMERLY KERN COUNTY ECONOMIC OPPORTUNITY CORPORATION (KCEOC), AND FRED PLANE, PRESIDENT, BOARD OF DIRECTORS; FRED PLANE AND FRED DREW HEARD

Parra-Peterson - All Ayes

- 2) Proclamation proclaiming May 8, 2002 as Day of the Teacher in Kern County - PROCLAIMED; MADE PRESENTATION TO JOHN NILON, DIRECTOR, EMPLOYERS' TRAINING RESOURCE, AND SECRETARY, KERN ALLIANCE OF BUSINESS; JOHN NILON HEARD

Patrick-Peterson - All Ayes

- 3) Proclamation proclaiming May 6-12, 2002 as Public Service Recognition Week in Kern County - PROCLAIMED; MADE PRESENTATION TO STEVEN DANIELS, CHAIRMAN, PUBLIC EMPLOYEES ROUNDTABLE OF KERN; STEVEN DANIELS HEARD

McQuiston-Peterson - All Ayes

- 4) Proclamation proclaiming May 2002 as Hepatitis C Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION DR. B. A. JINADU, PUBLIC HEALTH OFFICER; DR. JINADU, MARY O'RULLIAN AND MAGGIE DAMRON, OPTIMAL HEALTH, HEARD; DR. BOYCE DULAN INTRODUCED

Peterson-McQuiston - All Ayes

- 5) Proclamation proclaiming May 6-12, 2002 as Nurses Week in Kern County in conjunction with National Nurses Week - PROCLAIMED; MADE PRESENTATION TO TONI SMITH, EXECUTIVE NURSE, KERN MEDICAL CENTER; TONI SMITH HEARD; KERN MEDICAL CENTER REGISTERED NURSES INTRODUCED THEMSELVES

Patrick-Parra - All Ayes

- 6) Proclamation proclaiming May 2002 as Foster Parent Recognition Month in Kern County - PROCLAIMED; MADE PRESENTATION TO JOHN MELLOW, PRESIDENT, FOSTER PARENTS' ASSOCIATION; BEVERLY BEASLEY-KNIGHT, DIRECTOR OF HUMAN SERVICES INTRODUCED AND HEARD; JOHN MELLOW HEARD; SASHA BISCOE, VICE PRESIDENT, FOSTERS PARENTS' ASSOCIATION, AND HAL LOCKEY, OMBUDSMAN, FOSTER CARE PROGRAM, DEPARTMENT OF HUMAN SERVICES INTRODUCED

Peterson-McQuiston - All Ayes

- 7) Certificate of Recognition honoring Stacy Kober as Kern County Dispatcher of the Year - CONTINUED TO TUESDAY, MAY 14, 2002 AT 9:00 A.M.

Patrick-Parra - All Ayes

- *8) Proclamation proclaiming May 12, 2002 as Johnny Rodriguez Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Patrick-Parra - All Ayes

- *9) Proclamation proclaiming May 12-18, 2002 as Peace Officer Memorial Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION; APPROVED REQUEST TO OBSERVE NATIONAL PEACE OFFICER MEMORIAL WEEK BY FLYING THE PEACE OFFICER MEMORIAL FLAG; AUTHORIZED THE SHERIFF'S DEPARTMENT TO FLY THE FLAGS AT ALL SHERIFF'S DEPARTMENT FACILITIES AT HALF-STAFF DURING THE WEEK OF OBSERVANCE

Patrick-Parra - All Ayes

PUBLIC REQUESTS

- 10) Request of J. C. Warneke, California Retired Teachers Association, Division 8 of Kern County, to address the Board regarding volunteer hours donated to Kern Communities in 2001/2002 - J. C. WARNEKE HEARD
- 11) Request of Milton M. Younger to address the Board regarding a contribution to the Bakersfield Symphony Orchestra - MILTON M. YOUNGER REQUESTED BOARD CONSIDERATION TO INCREASE COUNTY CONTRIBUTION TO \$75,000; CONDUCTOR JOHN FARRER INTRODUCED

REFERRED TO COUNTY ADMINISTRATIVE OFFICE BUDGET FILE;
RECEIVED AND FILED

Parra-McQuiston - All Ayes

- 12) Request of Ron Fellows, Bureau of Land Management (BLM) Field Manager, to address the Board regarding nomination process for members of the Carrizo Plain Advisory Committee - RON FELLOWS HEARD; MR. FELLOWS FURTHER DISCUSSED THE COOPERATING AGENCY STATUS CONCEPT WHEREBY ACTIVE PARTICIPATION BY ALL AGENCIES WILL BE ENCOURAGED DURING THE PLANNING PHASE FOR DEVELOPMENT OF FEDERAL PROJECTS

REFERRED TO STAFF TO PLACE ON THE BOARD AGENDA OF MAY 14, 2002 THE NOMINATION OF SUPERVISOR KEN PETERSON TO THE CARRIZO PLAIN ADVISORY COMMITTEE; REFERRED TO PLANNING DEPARTMENT TO REPORT BACK TO THE BOARD REGARDING THE BENEFITS OF THE COOPERATING AGENCY STATUS; RECEIVED AND FILED DOCUMENTS

McQuiston-Patrick - All Ayes

APPOINTMENTS

- *13) Reappointment of Fred Haas as Third District Member to the Housing Authority of the County of Kern, term to expire May 10, 2006 - MADE REAPPOINTMENT

Patrick-Parra - All Ayes

- *14) Appointment of Dr. Kathy Orrin (replacing Susan Buckingham) as Fourth District Community Representative Member to the Local Child Care and Development Planning Council, term to expire June 30, 2004 - MADE APPOINTMENT

Patrick-Parra - All Ayes

PUBLIC PRESENTATIONS

- 15) 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

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *17) Proposed Amendment No. 1 to Agreement 390-2001 with State Department of Aging for Title III/VII Programs, Contract FF-0102-33 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 317-2002; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$127,959 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO AGING AND ADULT SERVICES BUDGET UNIT 5610 IN THE AMOUNT OF \$127,959; AUTHORIZED AUDITOR-CONTROLLER TO INCREASE THE SERVICE PROVIDER CONTRACT AMOUNTS AS FOLLOWS: INCREASE AROUND THE CLOCK HOMEMAKER BY \$1,555 FOR A TOTAL OF \$42,705; INCREASE ALZHEIMERS DISEASE ASSOCIATION ADULT DAY CARE BY \$8,267 FOR A TOTAL OF \$93,889; INCREASE HOMEMAKER SERVICES OF INDIAN WELLS VALLEY INFORMATION AND ASSISTANCE BY \$2,447 FOR A TOTAL OF \$23,726; INCREASE HOMEMAKER SERVICES OF INDIAN WELLS VALLEY ADULT DAY CARE BY \$3,469 FOR A TOTAL OF \$21,081; INCREASE HOMEMAKER SERVICES OF INDIAN WELLS VALLEY HOMEMAKER BY \$604 FOR A TOTAL OF \$38,065; INCREASE HOMEMAKER SERVICES OF INDIAN WELLS VALLEY CASE MANAGEMENT BY \$267 FOR A TOTAL OF \$5,863; INCREASE GREATER BAKERSFIELD LEGAL ASSISTANCE SENIOR LEGAL SERVICES BY \$1,600 FOR A TOTAL OF \$101,298; INCREASE GREATER BAKERSFIELD LEGAL ASSISTANCE OMBUDSMAN BY \$14,463 FOR A TOTAL OF \$126,491

Patrick-Parra - All Ayes

AIRPORTS

- *18) Proposed retroactive Agreement with ShawPittman LLC for Special Services as Airport and Aviation Federal Funding Consultant, from February 1, 2002 through June 30, 2004, in an amount not to exceed \$16,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 318-2002

Patrick-Parra - All Ayes

CHILD SUPPORT SERVICES

- *19) Request for sole source procurement from Tel-Tec Security Systems, Inc., for Child Support Services parking garage modifications and security system installation, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Patrick-Parra - All Ayes

COUNTY COUNSEL

- 20) Proposed Revised Campaign Finance and Expenditure Ordinance - LAURA DENNISON, CHAIR, LEAGUE OF WOMEN VOTERS' CAMPAIGN FINANCE COMMITTEE, HEARD; ADOPTED RESOLUTION 2002-159 CALLING FOR A COUNTYWIDE ELECTION FOR THE PURPOSE OF SUBMITTING PROPOSED REVISED KERN COUNTY CAMPAIGN FINANCE ORDINANCE TO THE VOTERS

Patrick-Parra - 4 Ayes; 1 No/Peterson

- *21) Request of Sheriff's Department, relating to Mojave jail booking and prisoner list, for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Parra - All Ayes

- *22) Request of Sheriff's Department, relating to traffic accident, property and missing persons reports, for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Parra - All Ayes

- *23) Request of CAO/General Services for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Parra - All Ayes

- *24) Request to employ retired County employee Donna Barber as a Legal Steno, Range 48.4, 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

Patrick-Parra - All Ayes

- *25) 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 - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Parra - All Ayes

- *26) 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 - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Parra - All Ayes

DISTRICT ATTORNEY

- *27) Proposed retroactive Agreement with Central Valley Toxicology, Inc., for toxicology services, from January 1, 2002 to June 30, 2003, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 319-2002

Patrick-Parra - All Ayes

EMPLOYERS' TRAINING RESOURCE

- *28) Proposed retroactive performance-based Agreement with La Cooperativa Campesina de California for the Migrant and Seasonal Farmworker Energy Conservation Program, from April 1, 2002 through July 31, 2002 (prior notification on April 23, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 320-2002

Patrick-Parra - All Ayes

FIRE DEPARTMENT

- *29) Request for authorization to pay claim to Daily Independent in Ridgecrest for fire prevention education material, in an amount not to exceed \$3,852.98 - AUTHORIZED AUDITOR TO PAY

Patrick-Parra - All Ayes

- *30) Quarterly report of overtime expenditures - RECEIVED AND FILED

Patrick-Parra - All Ayes

HUMAN SERVICES

- *31) Proposed Amendment No. 5 to Memorandum of Understanding 290-97 with the California GEMS Association for coordinated enhancements to the GEMS System, to extend term to June 30, 2003, in an amount not to exceed \$38,900 (Federal/State; no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 321-2002

Patrick-Parra - All Ayes

KERN MEDICAL CENTER

- *32) Proposed Amendment No. 5 to Agreement 778-98 with American Mobile Healthcare Medical Express for temporary professional healthcare services, changing contractor's name to AMN Healthcare, Inc. - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 322-2002

Patrick-Parra - All Ayes

LIBRARY

- *33) Request to accept grant in the amount of \$44,809 from Kern County Air Pollution Control District (KCAPCD), Department of Motor Vehicles (DMV) Funds Project (AB 2766) and proposed Agreement with KCAPCD for purchase of new bookmobile for eastern Kern County, in an amount not to exceed \$60,809 - ACCEPTED GRANT; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$44,809 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$60,809 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 8950, ACCOUNT 5299 (\$44,809 UNANTICIPATED REVENUE AND \$16,000 FROM APPROPRIATIONS FOR CONTINGENCIES, GARAGE INTERNAL SERVICE FUND); APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 323-2002; AUTHORIZED DIRECTOR OF LIBRARIES TO EXECUTE ALL OTHER RELATED DOCUMENTS

Patrick-Parra - All Ayes

- *34) Proposed retroactive 20-year Agreement with El Tejon Unified School District for real time homework tutoring subscription-based program and enrichment literature-based programs at the proposed new Frazier Park Branch Library - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 324-2002

Patrick-Parra - All Ayes

MENTAL HEALTH SERVICES

- *35) Proposed Amendment No. 1 to Agreement 569-2001 with Anne Sippi Clinic for the loan of Department Computers for severely emotionally disturbed clients' use at their facility, thereby adding computer skills to the services offered to the clients (no monetary impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 325-2002

Patrick-Parra - All Ayes

- *36) Proposed Amendment No. 1 to Agreement 925-2001 with Desert Counseling Clinic, Inc., for behavioral health services to children and adolescents in the Taft area, to modify compensation language to correctly reflect the nine-month compensation period from October 1, 2001 to June 30, 2002, instead of July 1, 2001 to June 30, 2002 as originally submitted (no monetary impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 326-2002

Patrick-Parra - All Ayes

- *37) Proposed Amendment No. 2 to Agreement 926-2001 with Desert Counseling Clinic, Inc., to increase outpatient drug free services and compensation for probation mandated clients residing in the Taft area, from \$93,750 to an amount not to exceed \$113,750 (an increase of \$20,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 327-2002

Patrick-Parra - All Ayes

- *38) Proposed Amendment No. 1 to Agreement 955-2001 with Crestwood Behavioral Health Inc., to increase residential mental health services and compensation for severely mentally ill clients due to unanticipated growth in the court ordered population referred to the Crestwood facility, from \$787,175 to an amount not to exceed \$1,061,479 (an increase of \$274,304) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 328-2002

Patrick-Parra - All Ayes

- *39) Proposed Agreement with Desert Counseling Clinic, Inc., to provide social marketing campaign development for English speaking residents of Kern County on a topic of primary prevention, for Fiscal Year 2002-2003, in an amount not to exceed \$50,000 (State, Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 329-2002

Patrick-Parra - All Ayes

- *40) Proposed Agreement with Boys and Girls Club of Bakersfield for children's substance abuse prevention activities and services, for Fiscal Year 2002-2003, in an amount not to exceed \$64,168 (State, Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 330-2002

Patrick-Parra - All Ayes

- *41) Proposed Agreement with Villa Inn to provide a full continuum of residential services for homeless clients in Kern County, for Fiscal Year 2002-2003, in an amount not to exceed \$10,000 (State, Grants; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 331-2002

Patrick-Parra - All Ayes

- *42) Proposed Agreement with Kern County Economic Opportunity Corporation for HIV testing, counseling and education in Kern County communities, including but not limited to Bakersfield, Mojave, Taft, Ridgecrest, Lake Isabella, Rosamond, California City, Tehachapi, Delano and Lamont, for Fiscal Year 2002-2003, in an amount not to exceed \$70,740 (Medi-Cal; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 332-2002

Patrick-Parra - All Ayes

- *43) Proposed Agreement with Cruco Foods, dba Cope's Food Fair, for food voucher services to County mentally ill homeless clients residing in the Bakersfield area, for Fiscal Year 2002-2003, in an amount not to exceed \$20,000 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 333-2002

Patrick-Parra - All Ayes

- *44) Proposed Agreement with Kern County Mental Health Association for recovery orientation and mentoring classes and assistance to qualified citizens to attend the Kern Linkage Homeless Team classes and provide social and recreational activities, for Fiscal Year 2002-2003, in an amount not to exceed \$76,000 (State Grant (AB 2034), Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 334-2002

Patrick-Parra - All Ayes

PARKS AND RECREATION DEPARTMENT

- *45) Report on Budget Impacts of New Streetscapes and Park Areas for Fiscal Year 2002-2003 - REFERRED TO FISCAL YEAR 2002-2003 BUDGET FILE

Patrick-Parra - All Ayes

PERSONNEL

- 46) Presentation of the Kern County Human Relations Commission Report for 2001 by Human Relations Commission President, David A. Torres - TERRI MCCLANAHAN, VICE-PRESIDENT, HUMAN RELATIONS COMMISSION HEARD ON BEHALF OF DAVID TORRES; ROBERT BORJON HEARD; REFERRED TO KGOV TO AIR PUBLIC SERVICE ANNOUNCEMENTS ON CHANNEL 16; RECEIVED AND FILED

Peterson-Parra - All Ayes

PUBLIC HEALTH SERVICES

- 47) Update on Wellness and Chronic Disease Prevention Program - RECEIVED AND FILED

Parra-Peterson - All Ayes

- *48) Proposed Amendment No. 2 to Agreement 587-2001 with Valley Catholic Charities for AIDS Case Management and HIV/AIDS Early Intervention Bookkeeping Services for Housing Opportunities for Persons with AIDS funds, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$46,406 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 335-2002

Patrick-Parra - All Ayes

SHERIFF

- *49) Addition of one (1) Deputy Sheriff Trainee I/II position to Budget Unit 2210 to perform courtroom security for Superior Court, effective May 7, 2002; fiscal impact on County General Fund: None - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Parra - All Ayes

- *50) Confirming purchase order to San Joaquin Interiors, for purchase of window blinds for Sheriff's Communications Center, in the amount of \$2,750 - APPROVED

Patrick-Parra - All Ayes

- *51) Request for authorization to apply for year two grant funding in the amount of \$65,000 with California Department of Parks and Recreation and sign grant agreement - APPROVED; AUTHORIZED SHERIFF TO SIGN

Patrick-Parra - All Ayes

- *52) Proposed Agreement with Kern County Air Pollution Control District for purchase of three (3) Ultra Low Emission Vehicles for use by the East Kern Citizen Service Unit in an amount not to exceed \$70,410 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 336-2002

Patrick-Parra - All Ayes

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 53) Request for Closed Session regarding Meet and Confer, KLEA -

COUNTY COUNSEL

- 54) Request for Closed Session regarding a lawsuit entitled Federman vs. County of Kern, et al., USDC Case No. CIV-F-99-5533AWI/LJO; USCA No. 01-16691 (Government Code Section 54956.9(a)) -
- 55) Request for Closed Session regarding a lawsuit entitled Selena Salmeron, et al. vs. County of Kern, Kern County Superior Court Case No. 242802 (Government Code Section 54956.9(a)) -

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

McQuiston-Parra

/s/ Denise Pennell
Clerk of the Board

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

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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]) - **SUPERVISOR PATRICK COMMENDED THE KERN COUNTY AIR POLLUTION CONTROL DISTRICT FOR PURCHASE OF LOW EMISSION VEHICLES TO AID IN RESOLVING AIR POLLUTION. SHE FURTHER COMMENTED ON THE EFFORTS OF SAN JOAQUIN VALLEY CITIES TO CONVERT TO COMPRESSED NATURAL GAS VEHICLES AND QUESTIONED THE STATUS OF THE COUNTY FLEET TOWARD THIS EFFORT. BILL WILBANKS, ASSISTANT COUNTY ADMINISTRATIVE OFFICER, RESPONDED SEVERAL COUNTY DEPARTMENTS PRESENTLY USE ELECTRIC OR LOW-EMISSION VEHICLES AND HE WILL REPORT BACK TO THE BOARD REGARDING FURTHER PLANS TO CONVERT THE GENERAL SERVICES FLEET. ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION, RECALLED THE COUNTY ADOPTED VEHICLE STANDARDS APPROXIMATELY FIFTEEN YEARS AGO. SUPERVISORS FURTHER DISCUSSED AIR QUALITY STANDARDS.**

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *3) **Request from Iafrati Farms by Delmarter and Deifel to cancel a 2.95-acre portion of an approximate 164-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.04 acres located on the north side of Elmo Highway, 1/2 mile east of State Route 43, McFarland area (SD 1)**

Specific Request:

Cancellation of a 2.95-acre portion of an approximate 164-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.04 acres (Cancellation #02-01; Map #33)

(General Rule, Section 15061(b)(3); Published Delano Record) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2002-160 APPROVING CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE; DIRECTED CLERK OF THE BOARD TO RECORD CONTRACT AMENDING LAND USE CONTRACT; DIRECTED CLERK OF THE BOARD TO ISSUE A TENTATIVE CERTIFICATE OF CANCELLATION AND ISSUE A CERTIFICATE OF CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE AND COMPLIANCE WITH THE CONDITIONS CONTAINED IN THE TENTATIVE CERTIFICATE OF CANCELLATION, INCLUDING OBTAINING THE REQUIRED ZONE VARIANCE TO CREATE A 2.95-ACRE PARCEL

Parra-Peterson - All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

- *4) **Application and Agreement for Online Access to Department of Motor Vehicles (DMV) license and vehicle registration information for Environmental Health Services Department - APPROVED GOVERNMENT AGENCY REQUESTOR ACCOUNT APPLICATION AND AGREEMENT AND CITY/COUNTY AGENCY APPLICATION FOR DMV ONLINE INFORMATION SERVICES; AUTHORIZED DIRECTOR TO SIGN DOCUMENTS AND TO EXECUTE MEMORANDUM OF UNDERSTANDING**

Parra-Peterson - All Ayes

RESOURCE MANAGEMENT AGENCY
Community Development

Hearings

S.D. #5

- *5) **Public Hearing regarding a proposed amendment to the Arvin/Lamont/Weedpatch Neighborhood Revitalization Strategy Area (NRSA) Plan - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DIRECTED CD PROGRAM DEPARTMENT TO MAKE ANY NECESSARY REVISIONS AND APPROVE AMENDED NRSA PLAN; AUTHORIZED DIRECTOR TO SUBMIT NRSA PLAN TO HUD AND MAKE ANY REVISIONS NECESSARY TO THE PLAN IN RESPONSE TO DIRECTIVES RECEIVED FROM HUD**

Parra-Peterson - All Ayes

All S.D.'s

- *6) Public Hearing to review and approve the County's program performance, the County of Kern Annual Action Plan for Community Development Programs for Fiscal Year 2002-2003, and projects proposed for funding with Fiscal Year 2002-2003 Community Development Block Grant (CDBG) Program Funds, Home Investment Partnership (HOME) Program Funds, and Emergency Shelter Grant (ESG) Program Funds - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DIRECTED CD PROGRAM DEPARTMENT TO MAKE NECESSARY REVISIONS AND APPROVE THE ACTION PLAN; AUTHORIZED CHAIRMAN TO SIGN APPLICATION FOR FEDERAL ASSISTANCE FORMS AND CERTIFICATIONS; AUTHORIZED DIRECTOR TO MAKE ANY REVISIONS NECESSARY TO THE ACTION PLAN AND SUBMIT TO HUD

Parra-Peterson - All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearing

S.D. #4

- 7) Hearing on proposed increase to fee contained in County Ordinance Code Chapters 17.80.040 and 18.50.060 and boundary modifications reducing Planned Sewer Area No. 1 and proposed annual update to the Capital Facilities Improvement Plan - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2002-161; ENACTED ORDINANCE G-6876

Peterson-Patrick - All Ayes

S.D. #3

- *8) Tract 5938, Phase Two, south of Olive Drive, west of Victor Street, northwest Bakersfield area, release of Monument Bond, Porter Robertson Engineering for Kyle Carter Homes - RELEASED MONUMENT SECURITY BOND NO. 1720069, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$7,045

Parra-Peterson - All Ayes

S.D. #4

- *9) Tract 5557, Unit A, northeast corner of Palm Avenue and Heath Road, Rosedale area, approval of completed street, drainage, water and sewer improvements, reduction of Faithful Performance Security from \$762,518 to \$106,668 and proposed Resolution accepting the roads within Tract 5557, Unit A, into the County Road system - APPROVED; REDUCED FAITHFUL PERFORMANCE BOND NO. 857499S, UNDERWRITTEN BY DEVELOPER'S INSURANCE COMPANY, TO \$106,668; ADOPTED RESOLUTION 2002-162

Parra-Peterson - All Ayes

- *10) Tract 5919, Unit A, west of Renfro Road, south of Meacham Road, Rosedale area, release of Monument Bond, Delmarter and Deifel for Eloy Renfrow - RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER TO ISSUE WARRANT IN THE AMOUNT OF \$3,845 TO ELOY RENFROW

Parra-Peterson - All Ayes

S.D. #5

- *11) Contract No. 02025, identify apparent low bid of Floyd Johnston Construction Company for construction of Panama Road Ditch Improvements, in an amount not to exceed \$719,990 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

Parra-Peterson - All Ayes

All S.D.'s

- *12) Report regarding audit findings for County Service Areas for Fiscal Years 1999-2000 and 2000-2001 - RECEIVED AND FILED

Parra-Peterson - All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- *13) Unusual Travel Request for Senior Animal Control Officer DeAnna Benson to attend two-week training course in Santa Rosa, California, in an amount not to exceed \$1,420 - APPROVED

Parra-Peterson - All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #5

- *14) Easement Deed and proposed Right of Way Contract from Jaco Oil Company, William J. and Dorothy Hill, and the Robert L. Ragsdale Trust No. 1-Survivor's Trust, providing for purchase of 50 square feet of their property for the improvement of Niles Street at Barlow Street, in the amount of \$500 - ACCEPTED DEED; ORDERED IT RECORDED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 337-2002; AUTHORIZED AUDITOR-CONTROLLER TO PAY

Parra-Peterson - All Ayes

- *15) Easement Deed and proposed Right of Way Contract from the John and Joyce Malley Living Trust providing for purchase of approximately 2,951 square feet of their property for the improvement of East Brundage Lane, in the amount of \$3,602 - ACCEPTED DEED; ORDERED IT RECORDED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 338-2002; AUTHORIZED AUDITOR-CONTROLLER TO PAY

Parra-Peterson - All Ayes

- *16) Easement Deed from the Bakersfield City School District (Horace Mann School) conveying approximately 2,925 square feet of their property for the improvement of Niles Street - ACCEPTED DEED; ORDERED IT RECORDED

Parra-Peterson - All Ayes

WASTE MANAGEMENT

S.D. #1

- *17) Contract No. 02032, proposed Plans and Special Provisions for construction of final closure at the Kern Valley Sanitary Landfill - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED WASTE MANAGEMENT TO PUBLISH NOTICE TO CONTRACTORS; BID OPENING TO BE WEDNESDAY, JUNE 5, 2002, AT 11:00 A.M.

Parra-Peterson - All Ayes

S.D.'s #1 & #2

- *18) Contract No. 02024, identify low bid of Omega Construction to construct gatehouses at the Bakersfield Metropolitan (Bena) Sanitary Landfill, in an amount not to exceed \$464,900 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE THE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Parra-Peterson - All Ayes

All S.D.'s

- *19) Proposed annual deposit of funds into Eastin Reserve accounts (Account No. 2184 - \$702,683; Account No. 2186 - \$20,530; Account No. 2194 - \$113,509; and Account No. 2195 - \$302,230), in a total amount not to exceed \$1,138,952 - AUTHORIZED AUDITOR-CONTROLLER TO INCREASE FUND 35050, EASTIN RESERVE ACCOUNTS, IN THE AMOUNT OF \$1,138,952 FROM EXPENDITURE SUB-OBJECT 7885, FUND 35050, BUDGET UNIT 8999

Parra-Peterson - All Ayes

- *20) Request for retroactive approval to hire retired County employee, Fred Payne, as an Engineer III, Step E, for a term not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment, effective January 16, 2002 - APPROVED

Parra-Peterson - All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *21) Status report on the activities of the Grants Research Unit - RECEIVED AND FILED

Parra-Peterson - All Ayes

- *22) Certificate of Achievement for Excellence in Financial Reporting received by James A. Rhoades, Auditor-Controller-County Clerk - RECEIVED AND FILED

Parra-Peterson - All Ayes

- *23) Certificate of Recognition and Appreciation for Job Creation Investment Fund Program received by Kern County - RECEIVED AND FILED

Parra-Peterson - All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #4

- *24) Proposed purchase of 1.51 acres of land and related 0.28 acre access easement at the former Lebec burn dump site from Harold and Rosalie Johnson Trust, for the purpose of remediation and control of burn ash, for purchase price of \$128,000 and \$803.50 for escrow fees, title insurance and closing costs, for a total of \$128,803.50 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-163; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$128,803.50

Parra-Peterson - All Ayes

S.D. #1

- *25) Proposed Resolution approving dedication of an additional 25-foot wide portion of County property for use as road right-of-way along Quality Road which will provide access to the new Juvenile Treatment Facility - APPROVED; ADOPTED RESOLUTION 2002-164; DIRECTED CLERK OF THE BOARD TO RECORD

Parra-Peterson - All Ayes

S.D. #2

- *26) Proposed Assignment and Consent to Assignment of Agreement 095-2000 for lease of 2400 Wible Road, #14, Bakersfield, to Clinica Sierra Vista, Inc. - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 339-2002

Parra-Peterson - All Ayes

S.D. #5

- *27) Plans and Specifications to repave the Justice Building parking lot (1650.7253) -

WITHDRAWN

All S.D.'s

- *28) Proposed Amendment No. 1 to Agreement 115-2001 with Dennis Hummel for construction inspection services for various projects, extending the expiration date from June 30, 2002, through June 30, 2004, and providing for an increase of \$127,700, for a new not-to-exceed amount of \$252,700 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 340-2002

Parra-Peterson - All Ayes

- *29) Proposed Resolution approving acquisition of software licenses under the Microsoft Enterprise Master License Agreement between the County of Riverside and Microsoft and authorizing the Purchasing Agent to execute enrollment documents - APPROVED; ADOPTED RESOLUTION 2002-165

Parra-Peterson - All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED ON APRIL 23, 2002

- *30) Proposed Ordinance adding Chapter 2.140 to Title 2 of the Kern County Ordinance Code concerning creation of the County of Kern In-Home Supportive Services Public Authority - ENACTED ORDINANCE G-6877

Parra-Peterson - All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED ON APRIL 30, 2002

- *31) Proposed Ordinance amending Section 17.32.210, Part 7804.4.2 of Chapter 17.32 of the Kern County Ordinance Code concerning extension of fireworks sale period - ENACTED ORDINANCE G-6878

Parra-Peterson - All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *32) Budget Transfers - APPROVED #227 THROUGH #339

Parra-Peterson - All Ayes

- *33) Minutes for week of April 15, 2002 - APPROVED

Parra-Peterson - All Ayes

- *34) Miscellaneous Letters and Documents - FILED

Parra-Peterson - All Ayes

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

Parra-Peterson - All Ayes

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

Parra-Peterson - All Ayes

ADJOURNED TO TUESDAY, MAY 14, 2002, AT 9:00 A.M.

Peterson-

/s/ Denise Pennell
Clerk of the Board

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

34) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Kern Medical Center Financial Statements with Independent Auditor's Report
- B) Report of Current Internal Controls and Financial Records of the Environmental Health Services Department
- C) Acceptance of Stop Notice Bond
- D) Statement of Money in the County Treasury as of March 15, 2002

Employers' Training Resource

E) WIA Agreements:

1. AFSA Data Corporation, WIA Title 201, dated April 1, 2002;
2. American Specialty Insulation, Inc. dba A.S.I., Inc., WIA Title 201, dated February 21, 2002;
3. James Bradford dba Bradford & Sons Construction, WIA Title 501, dated April 10, 2002;
4. Derrick Dickerson dba DOD Construction, WIA Title 201, dated March 22, 2002;
5. Derrick Dickerson dba DOD Construction, WIA Title 201, dated March 25, 2002;
6. KUZU Acquisition I, Co., Inc. dba Golden State Metals, WIA Title 201, dated April 12, 2002;
7. PNA Construction Technologies, Inc., WIA Title 301, dated April 10, 2002;
8. PNA Construction Technologies, Inc., WIA Title 501, dated April 10, 2002;
9. Stier's Leisure Vehicle, Inc. dba Stier's R. V. Sales, WIA Title 201, dated April 10, 2002

Welfare-to-Work Amendment:

1. James and Dorene Taplin dba Quality Postal Services, WtW Title 70%, dated April 16, 2002

Environmental Health Services

- F) Three (3) thank you letters to individuals for donations to Bakersfield and Mojave animal shelters (Copies to each Supervisor and CAO)

Human Services

- G) Report on County assistance in the operation of the Kern County Economic Opportunity Corporation (KCEOC) Helpline

Local Agency Formation Commission

- H) Notice of Protest Hearing, Proceeding No. 1317, in the matter of West Kern Water District Annexation No. 12 (Copies to each Supervisor and CAO)

Planning

- I) Consent to Record easement for temporary turnaround, from JoEllen Barnard Walton, Marian C. Barnard, II, and Lawton Powers and Aloma F. Powers to County of Kern

- J) Consent to Record irrevocable offer of dedication for easement for ingress, egress and road purposes from System Capital Real Property Corporation to County of Kern, County Road No. 3896

Miscellaneous

- K) Letter from Joseph Graf re Kern County Mental Health symposium on race and diversity (Copies to each Supervisor, CAO, Personnel and County Counsel)
- L) Letter from Cay Goude, U.S. Department of the Interior, Fish and Wildlife Service, re additional information request for the Status Review of the California spotted owl (Copies to each Supervisor, CAO, Planning and County Counsel)
- M) Letter from Jacques R. LaRochelle, City of Bakersfield, re high speed rail station location in Bakersfield (Copies to each Supervisor, CAO, Roads and Resource Management Agency)
- N) Letter from Florence Dunagan in support of a three dog limit on small lots (Copies to each Supervisor, CAO, Planning, Animal Control and County Counsel)
- O) Letter from Denice Gary Pandol re resignation from the Kern County Human Relations Commission (Copies to each Supervisor, CAO and Personnel)
- P) Letter from Gale A. Norton, Secretary of the Interior, re designated national monuments in the State of California (Copies to each Supervisor, CAO, Planning and County Counsel)
- Q) Letter from Alan Ingham, State Department of Toxic Substances Control, re petroleum refinery source reduction project (Copies to each Supervisor, CAO, Environmental Health, Resource Management Agency, Sheriff, Fire and Planning)
- R) Notice from Alcoholic Beverage Control re Application for Alcoholic Beverage License: Oswell Mini Market, 3101 Niles Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- S) Resolution 02-18 from Board of Trustees of Greenfield Union School District certifying all proceedings in the March 5, 2002, General Obligation Bond Election (Copy to County Counsel)
- T) Auditor's Report from Brown Armstrong Randall Reyes Paulden & McCown re Single Audit Report of County of Kern, year ended June 30, 2001 (Copies to each Supervisor and CAO)
- U) Bulletin from the California Rifle and Pistol Association, Inc., The Firing Line, May 2002, Issue No. 869 (Copies to each Supervisor, CAO and County Counsel)
- V) Bulletin from Department of Water Resources, Office of Water Use Efficiency, Water Conservation News, April 2002 (Copies to each Supervisor and CAO)

- W) Bulletin from the Water Education Foundation, Western Water, March/April 2002, "The Colorado River: Coming to Consensus?"
- X) News release from U.S. Department of the Interior, Bureau of Land Management, re nominations for Carrizo Plain Advisory Committee (Copies to each Supervisor, CAO, Planning and County Counsel)
- Y) Agenda of meeting from Kern County Child Care Council on Wednesday, May 1, 2002
- Z) Revised agenda of meeting from Kern County Child Care Council on Wednesday, May 1, 2002
- AA) Agenda of meeting from California Regional Water Quality Control Board on Wednesday and Thursday, May 8 and 9, 2002 (Copies to each Supervisor and CAO)
- BB) Agenda of meeting from State Fish and Game Commission on Tuesday, May 7, 2002 (Copies to each Supervisor, CAO, Planning and Parks)
- CC) Minutes of meetings from Kern Council of Governments and Kern Council of Governments, Transportation Planning Policy Committee, on Thursday, March 21, 2002
- 35) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Ray and Evelyn Shearer, Shearer Luck Racing, re issues concerning lease on Famoso Raceway - REFERRED TO GENERAL SERVICES (Copies to each Supervisor and CAO)
 - B) Letter from William C. Kuhs, Kuhs, Parker & Stanton, re Resolution 835, Lost Hills Water District annual estimate for Fiscal Year 2003 - REFERRED TO COUNTY COUNSEL
- 36) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Mike Dorkin, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)
 - B) Claim in the matter of Donald Vincent Purpuro vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Israel Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Joshua S. Martinez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Nellie Irizarry vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of Rudy Soto vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- G) Claim in the matter of Judy Wilder vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Freddy Johnson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Subrogation claim in the matter of Sylvia L. Balteria by Farmers Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Subrogation claim in the matter of April Cantley by GEICO Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Discrimination complaint in the matter of Rebecca Rivera vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)