

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, June 1, 2004

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: The vote is displayed in bold below each item. For example, Patrick-Parra denotes Supervisor Patrick made the motion and Supervisor Parra seconded the motion.

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming June 2004 as Water Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO BILL TAUBE, PRESIDENT, WATER ASSOCIATION OF KERN COUNTY; BILL TAUBE HEARD

Maben-Parra: All Ayes

NOTE: ITEM NO. 6 WAS HEARD OUT OF ORDER AFTER ITEM NO. 1.

- 2) Proclamation proclaiming May 31 - June 6, 2004 as Glennville Round-up Week in Kern County - PROCLAIMED; MADE PRESENTATION TO CARL JOHNSON, COMMANDER, GREENHORN MOUNTAIN VETERAN'S ASSOCIATION; CARL JOHNSON HEARD

Patrick-Watson: All Ayes

- 3) Certificates of Recognition to California State University, Bakersfield Swimming and Diving Team for winning NCAA Division II Swimming and Diving Championship - MADE PRESENTATIONS TO COACH BOB STEELE AND TEAM MEMBERS CARL CRAWFORD, CHRIS TORBEK, MATT JONES, KYLE SIMAS AND MARK SOHO; COACH STEELE HEARD; OTHER TEAM MEMBERS RECEIVING CERTIFICATES BUT NOT PRESENT WERE KAROL ZEMIER, KIN WONG, MIKE TRUJILLO, GABE SCLAFINI, ZACH RHUE, CHRIS RITTER, GREG MROZ, JUSTIN POLLOCK, JUSTIN MASON, CHRIS HORNER, PIOTR GEGOTEK, KYLE KNOFF, BOBBY DMYTROW, SETH DAWSON, QUINN CHAVES, AND ASSISTANT COACHES EV STEELE AND LARRY EVERINGHAM

- *4) Ratify Proclamation proclaiming May 29, 2004 as World War II Veterans Recognition Day in Kern County - RATIFIED

Watson-Maben: All Ayes

- *5) Ratify Resolution honoring Pearl Harbor Survivors and dedication of a new memorial at Lake Isabella Park in Kern County - RATIFIED

Watson-Maben: All Ayes

PUBLIC REQUESTS

NOTE: ITEM NO. 6 WAS HEARD OUT OF ORDER AFTER ITEM NO. 1

- 6) Request from Loron Hodge, Manager, Water Association of Kern County, to address the Board regarding the Water Association Annual Report on the status of the local water supply - LORON HODGE; BILL TAUBE, PRESIDENT, WATER ASSOCIATION OF KERN COUNTY; JIM BECK, STATE WATER PROJECT; STEVE DALKE, FRIANT-KERN CANAL; AND FLORN CORE, CITY OF BAKERSFIELD, HEARD

RECEIVED AND FILED DOCUMENT

Maben-Parra: All Ayes

- 7) Request from Loron Hodge, Executive Director, Kern County Farm Bureau, to address the Board regarding request for funding in the amount of \$10,000 to support continuing legal action opposing Endangered Species Listing of Buena Vista Lake Shrew - LORON HODGE AND ROBERT KUNDE, CHAIRMAN, ENDANGERED SPECIES COMMITTEE, MADE PRESENTATION; MARY GRIFFIN, KERN AUDUBON SOCIETY, AND ARTHUR UNGER, KERN-KAWEAH CHAPTER OF THE SIERRA CLUB, HEARD IN OPPOSITION

REFERRED TO STAFF TO PREPARE AN AGREEMENT FOR FUTURE BOARD CONSIDERATION; RECEIVED AND FILED

Maben-Parra: All Ayes

- 8) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council, to address the Board regarding their Quarterly Report; Geographical Priorities mandated by the California Department of Education, Child Development Division; and Kern County Child Care Council Bylaw revisions - TAMMY BURNS HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN COUNTY PRIORITIES REPORT FORM AND BYLAWS

Patrick-Parra: All Ayes

APPOINTMENTS

- *9) Appointment of John Neal Willey as At-large, Directly Affected Persons Member to the Kern County AIDS Advisory Board, term to expire August 16, 2004 - MADE APPOINTMENT

Watson-Maben: All Ayes

- *10) Appointment of Luisa Burkes as Third District Member to the Commission on Aging, term to expire September 22, 2005 - MADE APPOINTMENT

Watson-Maben: All Ayes

- *11) Appointment of Jason Lawrence Sperber (replacing Frank Ramirez) as At-large Member to the Human Relations Commission, term to expire March 19, 2005 - MADE APPOINTMENT

Watson-Maben: All Ayes

PUBLIC PRESENTATIONS

- 12) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!
- NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *14) Proposed Agreement with KGET-TV17 for booth space at the KGET-TV17 Health Fair 2004 on September 18, 2004, in an amount not to exceed \$1,750 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 358-2004

Watson-Maben: 4 Ayes; 1 Abstain - Watson

- *15) Proposed Agreement with Alzheimer's Disease Association of Kern County for the provision of adult day care service, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$45,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 359-2004

Watson-Maben: All Ayes

- *16) Proposed Agreement with California Department of Aging (State Agreement No. MS-0405-29) for the Multipurpose Senior Services Program, for Fiscal Year 2004-2005, in an amount not to exceed \$656,873 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 360-2004; AUTHORIZED DIRECTOR TO SIGN ALL RELATED STATE TRANSMITTAL DOCUMENTS

Watson-Maben: All Ayes

- *17) Proposed Area Plan Update for Fiscal Year 2004-2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF TRANSMITTAL

Watson-Maben: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- *18) Request for sole source procurement of Glassywinged Sharpshooter sticky traps for the Kern County Glassywinged Sharpshooter Area Wide Pest Management Program from Seabright Laboratories, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$55,000 - AUTHORIZED PURCHASING AGENT TO ISSUE A SOLE SOURCE PURCHASE ORDER

Watson-Maben: All Ayes

- *19) Request for approval of Addendum No. 2 to Software License Agreement 828-2003, Addendum to Software License Agreement 829-2003, and Annual Support and Services Agreement 830-2003 with Streamline Business Solutions for the purchase of RMMSWin 2.20 (V2.00+V2.20) upgraded software, in an amount not to exceed \$6,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 361-2004

Watson-Maben: All Ayes

- *20) Request for authorization to submit revised Application for Federal Assistance in the amount of \$869,000 to the United States Department of Agricultural Animal and Plant Health Inspection Service, Plant Protection and Quarantine for the development of Pest Management Strategies for the Glassywinged Sharpshooter in Kern County - APPROVED; AUTHORIZED CHAIRMAN TO SIGN REVISED APPLICATION AND ACCOMPANYING CERTIFICATIONS IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL; AUTHORIZED DEPARTMENT TO SUBMIT APPLICATION

Watson-Maben: All Ayes

- *21) Proposed Agreement with California Department of Food and Agriculture to reimburse Kern County for enforcement activities in accordance with the Organic Food Act for Fiscal Year 2004-2005, in an amount not to exceed \$1,700 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 362-2004

Watson-Maben: All Ayes

- *22) Proposed Agreement with California Cantaloupe Advisory Board to reimburse Kern County for Cantaloupe Surveillance, from June 1, 2004 through October 31, 2004, in an amount not to exceed \$19,968 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 363-2004

Watson-Maben: All Ayes

- *23) Proposed Agreement with California Department of Food and Agriculture for Weighmaster inspection and audit, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$8,250 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 364-2004

Watson-Maben: All Ayes

AIRPORTS

- *24) Proposed Amendment No. 4 to Agreement dated April 4, 1977 with Loyd's Aviation, Sites 1-5 and 15 to add approximately 4.18 acres to the leased site - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE A COPY OF NOTICE OF EXEMPTION IF REQUESTED BY DIRECTOR OF DEPARTMENT OF AIRPORTS; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 365-2004

Watson-Maben: All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *25) Proposed addition of one (1) Fiscal Support Technician-Bilingual position and deletion of one (1) Office Services Technician - Bilingual position, Budget Unit 1110, effective June 1, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: All Ayes

COUNTY COUNSEL

- *26) Proposed Ordinance terminating the provisions of Ordinance G-5389 concerning allowing homeowners to transfer base year value of homes in other counties to a replacement dwelling in Kern County - WAIVED READING; INTRODUCED ORDINANCE

Watson-Maben: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *27) Notification of anticipated retroactive Agreement with Tulare County Workforce Investment Board, Inc., for a Nurse Workforce Initiative Grant Program - RECEIVED AND FILED

Watson-Maben: All Ayes

- *28) Request for retroactive approval of unusual travel for Michael Nickell to attend a BrightStar ARCserve Backup for Windows: Concepts and Environment 9.0 course in Los Angeles, from May 24, 2004 through May 28, 2004, at an estimated cost of \$3,239 - APPROVED

Watson-Maben: All Ayes

HUMAN SERVICES

- *29) Proposed Agreement with West Kern Community College District for General Education Diploma Classes and Testing Program, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$17,316 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 366-2004

Watson-Maben: All Ayes

- *30) Proposed increase in the General Fund Contribution to Human Services Direct Aid (Budget Unit 5220) in the amount of \$2,100,000 and appropriation of unanticipated revenue in the amount of \$5,000,000 from California Department of Social Services for Foster Care program - APPROVED INCREASE IN GENERAL FUND CONTRIBUTION TO BUDGET UNIT 5220; APPROVED CANCELLATION OF APPROPRIATIONS FOR CONTINGENCIES IN THE GENERAL FUND IN THE AMOUNT OF \$2,100,000; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$5,000,000 TO APPROPRIATIONS FOR CONTINGENCIES (BUDGET UNIT 5220); APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$5,000,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 5220

Watson-Maben: All Ayes

MENTAL HEALTH SERVICES

- *31) Proposed Amendment No. 2 to Agreement 335-2003 with Jack L. Hendrix, dba Griffin's Gate Community Men's Center, for sober living environment services for homeless mentally ill consumers in the Bakersfield area, to extend the term to September 30, 2004, and increase compensation from \$125,000 to an amount not to exceed \$156,250 (an increase of \$31,250) (Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 367-2004

Watson-Maben: All Ayes

- *32) Proposed Amendment No. 1 to Agreement 336-2003, with Nankil Enterprises, Inc., dba Lakeside Board and Care, for board and care services for homeless mentally ill consumers in the Bakersfield area, to extend the term to September 30, 2004, and increase the compensation from \$15,000 to an amount not to exceed \$18,750 (an increase of \$3,750) (Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 368-2004

Watson-Maben: All Ayes

- *33) Proposed Amendment No. 3 to Agreement 337-2003 with Nankil Enterprises, Inc., dba Union Villa, for board and care services for homeless mentally ill consumers in the Bakersfield area, to extend the term to September 30, 2004, and increase the compensation from \$62,500 to an amount not to exceed \$76,250 (an increase of \$13,750) (Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 369-2004

Watson-Maben: All Ayes

- *34) Proposed Amendment No. 1 to Agreement 338-2003 with Golden Empire Affordable Housing dba Green Gardens, for temporary sheltering and housing services for homeless consumers in Kern County, to decrease the funding level from \$15,000 to an amount not to exceed \$5,000 (a decrease of \$10,000) (Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 370-2004

Watson-Maben: All Ayes

- *35) Proposed Amendment No. 2 to Agreement 447-2003 with Restoration Village Treatment Center, Inc., dba Hannah's Haven, for sober living environment services for homeless mentally ill consumers in the Bakersfield area, to extend the term to September 30, 2004, and increase compensation from \$69,000, to an amount not to exceed \$86,250 (an increase of \$17,250) (Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 371-2004

Watson-Maben: All Ayes

- *36) Proposed Amendment No. 2 to Agreement 449-2003 with Turning Point of Central California, Inc., dba Kennemer Center, to extend the term to September 30, 2004, and increase compensation from \$35,000 to an amount not to exceed \$43,750 (an increase of \$8,750) (Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 372-2004

Watson-Maben: All Ayes

- *37) Proposed Amendment No. 1 to Agreement 544-2003 with College Community Services, Inc., for mental health services for clients residing in the Ridgecrest area, to extend the term to September 30, 2004, and increase compensation from \$562,578 to an amount not to exceed \$695,295 (an increase of \$132,717) (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 373-2004

Watson-Maben: All Ayes

- *38) Proposed Amendment No. 1 to Agreement 545-2003 with College Community Services, Inc., for mental health services for clients residing in the Tehachapi, Mojave and Rosamond areas, to extend the term to September 30, 2004, and increase compensation from \$1,212,825 to an amount not to exceed \$1,499,249 (an increase of \$286,424) (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 374-2004

Watson-Maben: All Ayes

- *39) Proposed Amendment No. 1 to Agreement 546-2003 with College Community Services, Inc., for mental health services for clients residing in the Lake Isabella area, to extend the term to September 30, 2004, and increase compensation from \$571,836 to an amount not to exceed \$706,728 (an increase of \$134,892) (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 375-2004

Watson-Maben: All Ayes

- *40) Proposed Amendment No. 1 to Agreement 558-2003 with Henrietta Weill Memorial Child Guidance Clinic, Inc., for mental health services for children residing in the west Bakersfield area, to extend the term to August 31, 2004, and increase compensation from \$1,360,689 to an amount not to exceed \$1,584,137 (an increase of \$223,448) (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 376-2004

Watson-Maben: All Ayes

- *41) Proposed Amendment No. 1 to Agreement 560-2003 with Henrietta Weill Memorial Child Guidance Clinic, Inc., for mental health services for children residing in the Greater Bakersfield area, to extend the term to August 31, 2004, and increase compensation from \$1,968,263 to an amount not to exceed \$2,284,569 (an increase of \$316,306) (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 377-2004

Watson-Maben: All Ayes

- *42) Proposed Amendment No. 2 to Agreement 706-2003 with Nankil Enterprises, Inc., dba Vista Gardens, for board and care services for homeless mentally ill consumers in the Bakersfield area, to extend the term to September 30, 2004, and increase compensation from \$15,000 to an amount not to exceed \$18,750 (an increase of \$3,750) (Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 378-2004

Watson-Maben: All Ayes

- *43) Proposed Agreement with North Chester Drugs, Inc., dba North Chester Pharmacy, for pharmacy prescription services for mentally ill clients residing in the Greater Bakersfield area, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$80,000 (Grant [AB-2034]; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 379-2004

Watson-Maben: All Ayes

- *44) Proposed Agreement with Your Drug Store, Inc., for pharmacy prescription services for mentally ill clients residing in the Greater Bakersfield area, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$41,000 (Grant [AB-2034]; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 380-2004

Watson-Maben: All Ayes

- *45) Proposed Agreement with Dr. Komal Desai, M.D., to provide outpatient psychiatric services to mentally ill clients residing in the Bakersfield area, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$148,200 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 381-2004

Watson-Maben: All Ayes

- *46) Proposed Agreement with Richard Feldman, M.D., for professional outpatient psychiatric services, to conduct medication evaluations and provide clinical guidance to clinic staff regarding psychiatric aspects of their work with mentally ill indigent clients residing in the Bakersfield area, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$156,000 (Medi-Cal, Realignment, Grant [AB-2034]; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 382-2004

Watson-Maben: All Ayes

- *47) Proposed Agreement with Marjorie Tavoularis, M.D., for outpatient psychiatric services for mentally ill indigent clients residing in the Bakersfield area, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$79,040 (State [Realignment]; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 383-2004

Watson-Maben: All Ayes

- *48) Proposed Agreement with Clinica Sierra Vista, Inc., for a full continuum of outpatient mental health services for adults clients residing in the Delano area, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$464,898 (Medi-Cal, State [Realignment], CalWorks; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 384-2004

Watson-Maben: All Ayes

- *49) Proposed Agreement with Clinica Sierra Vista, Inc., for a full continuum of outpatient mental health services for adult clients residing in the communities of Arvin/Lamont and Frazier Park, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$311,845 (Medi-Cal, State [Realignment], CalWorks; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 385-2004

Watson-Maben: All Ayes

- *50) Proposed authorization for Stand-by Pay for requested classification assigned to Crisis Services, Mobile Evaluation Team (MET), and Children's System of Care Wraparound Team, from June 1, 2004 through June 30, 2005, in an amount not to exceed \$75,000 (State/Federal/Realignment) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Watson-Maben: All Ayes

- *51) Proposed approval for fingerprinting and background investigations to be conducted by the Kern County Sheriff's Office for mental health staff who work with children, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$4,000 (Realignment) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Watson-Maben: All Ayes

- *52) Proposed authorization to obtain special and professional services that are beyond the capability of employees to provide, are services specialized in nature that are not available at the Department, or are infrequent in occurrence, unpredictable in volume and cost, and therefore, may not be specifically identified in the Department's budget, for Fiscal Year 2004-2005, in an amount not to exceed \$174,000 (Realignment, Budgeted) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Watson-Maben: All Ayes

- *53) Proposed approval to fund the Interim Funding program, which provides temporary funds for clothing, food, and housing for disabled individuals until they obtain benefits via Supplemental Security Income (SSI), at which time the Department is reimbursed the amount funded, for Fiscal Year 2004-2005, in an amount not to exceed \$175,000 (Realignment, Budgeted) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY CLAIMS FOR THIS PROGRAM FROM MENTAL HEALTH FUND 00141

Watson-Maben: All Ayes

- *54) Proposed addition of two (2) Mental Health Recovery Specialist II positions, and deletion of one (1) Substance Abuse Specialist position effective June 1, 2004, and one (1) Mental Health Technician position effective June 29, 2004, from Budget Unit 4120 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Maben: All Ayes

- *55) Proposed Agreement with California Department of Mental Health for Managed Care of Short-Doyle/Medi-Cal Services, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$7,201,747 (funding to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 386-2004

Watson-Maben: All Ayes

PARKS AND RECREATION DEPARTMENT

- *56) Proposed retroactive Agreement with the City of Bakersfield to replenish evaporation and percolation losses at Buena Vista Aquatic Recreation Area (BVARA), from March 1, 2004 through February 28, 2005, in an amount not to exceed \$390,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 387-2004

Watson-Maben: All Ayes

- *57) Proposed participation in the Polaris Industries' Personal Watercraft Program for two watercraft for marine law enforcement at no cost to the County other than operations and damage to the craft - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Watson-Maben: All Ayes

PUBLIC HEALTH SERVICES

- *58) Proposed Agreement with Hans E. Einstein, M.D., for routine and non-invasive medical procedures for suspected cases of Valley Fever or Tuberculosis, for Fiscal Year 2004-2005, in an amount not to exceed \$13,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 388-2004

Watson-Maben: All Ayes

- *59) Proposed Agreement with Independent Living Center of Kern County for providing tenant-based rental assistance services using Housing Opportunities for Persons with AIDS funds, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$39,600 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 389-2004

Watson-Maben: All Ayes

- *60) Proposed Agreement with Community Action Partnership of Kern County for HIV/AIDS Education and Prevention Program services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$65,856 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 390-2004

Watson-Maben: All Ayes

- *61) Proposed retroactive Agreement with Clinica Sierra Vista for providing outpatient primary care medical services using Ryan White CARE Act Title II funds, from April 1, 2004 through March 31, 2005, in an amount not to exceed \$125,903 (prior notification March 16, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 391-2004

Watson-Maben: All Ayes

- *62) Proposed Agreement with Clinica Sierra Vista for providing emergency housing assistance and related support services to HIV-infected persons, and their family members using Housing Opportunities for Persons with AIDS funds, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$199,066 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 392-2004

Watson-Maben: All Ayes

- *63) Proposed Agreement with Planned Parenthood Mar Monte for HIV/AIDS Education and Prevention Program services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$45,384 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 393-2004

Watson-Maben: All Ayes

- *64) Proposed Resolution and Agreement with Neloufa Roshini Merrill, M.D., for routine and non-invasive physical assessments for children's physicals, from July 1, 2004 through June 30, 2005 in an amount not to exceed \$5,500 and assumption of malpractice liability - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 394-2004; ADOPTED RESOLUTION 2004-157

Watson-Maben: All Ayes

- *65) Proposed Agreement with Kern Around the Clock Foundation for Targeted Case Management services, from July 1, 2004 through June 30, 2005 (no cost to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 395-2004

Watson-Maben: All Ayes

- *66) Proposed Agreement with Vineland School District for School-based Medi-Cal Administrative Activities, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$10,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 396-2004

Watson-Maben: All Ayes

- *67) Request to increase sole source Purchase Order 041337 with Meridian Bioscience Corporation for Valley Fever testing kits by \$30,000 to an amount not to exceed \$140,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO INCREASE PURCHASE ORDER

Watson-Maben: All Ayes

SHERIFF

- *68) Proposed Agreement with Ernest Solano, Ph.D., for pre-employment screening (not to exceed \$350 per candidate) and post-shooting assessment services (not to exceed \$150 per hour), from July 1, 2004 through June 30, 2007, in an amount not to exceed \$50,000 per year - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 397-2004

Watson-Maben: All Ayes

- *69) Proposed Agreement with Taft City Elementary School District for law enforcement services, from August 15, 2004 through June 15, 2005, in an amount not to exceed \$82,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 398-2004

Watson-Maben: All Ayes

- *70) Proposed Memorandum of Understanding with the Federal Bureau of Investigation, Sacramento Division, for participation in the Fresno Joint Terrorism Task Force (no cost to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 399-2004

Watson-Maben: All Ayes

VETERANS' SERVICE DEPARTMENT

- *71) Proposed annual Agreement with Union Cemetery Association for perpetual care of veterans plots in Union Cemetery, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$5,820 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 400-2004

Watson-Maben: All Ayes

ADJOURNED TO CLOSED SESSION

Maben

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

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

COUNTY COUNSEL

- 73) Request for Closed Session regarding significant exposure to litigation against the County (Government Code Section 54956.9(b)(3)(C) -
- 74) Request for Closed Session regarding a lawsuit entitled In the Matter of an Appeal Under the Tanner Act, Health & Safety Code Section 25199 et seq., Kern County's Approval of Conditional Use Permit No. 4, Map No. 97, Padres Hacia Una Vida Mejor, Juanita Fernandez, Lorenzo Garcia, Rosa Solorio-Garcia, Dora Montoya, Eduardo Montoya, Saul Moreno, Sylvia Moreno, Manuel Peres, and Juan Reyes, Appellants vs. County of Kern and Clean Harbors Buttonwillow LLC, Respondents (Government Code Section 54956.9(a)) -
- 75) Request for Closed Session regarding a lawsuit entitled Vidal Velez vs. County of Kern, Kern County Superior Court Case No. 250523 SPC (Government Code Section 54956.9(a)) -
- 76) Request for Closed Session regarding a determination of whether the County will initiate or intervene in litigation or join as amicus curiae in a lawsuit. (Government Code Section 54956.9(c)) -

(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-Parra

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, June 1, 2004

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

Patrick-Maben: All Ayes

KERN SANITATION AUTHORITY

- #1) Request to schedule establishment of Fiscal Year 2004-2005 Appropriations Limit for Kern Sanitation Authority - RECEIVED AND FILED; SCHEDULED ESTABLISHMENT OF APPROPRIATIONS LIMITS FOR TUESDAY, JUNE 22, 2004, AT 2:00 P.M.

Patrick-Maben: All Ayes

- #2) Proposed Agreement with San Joaquin Composting to remove and compost biosolids, from June 1, 2004, through December 31, 2004, in an amount not to exceed \$30,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 401-2004

Patrick-Maben: All Ayes

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

Patrick-Watson: All Ayes

FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

- #3) Request to schedule establishment of Fiscal Year 2004-2005 Appropriations Limit for Ford City-Taft Heights Sanitation District - RECEIVED AND FILED; SCHEDULED ESTABLISHMENT OF APPROPRIATIONS LIMITS FOR TUESDAY, JUNE 22, 2004, AT 2:00 P.M.

Patrick-Watson: All Ayes

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

Parra-Watson: All Ayes

PUBLIC PRESENTATIONS

- 4) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!
- THOMAS MESHACK, UNITED DOMESTIC WORKERS OF AMERICA (UDWA), ADDRESSED THE BOARD REGARDING ONGOING LABOR NEGOTIATIONS, AND PUBLICLY REJECTED THE COUNTY'S OFFER. HE ADDED UDWA HAS SUBMITTED A COUNTER PROPOSAL FOR THE BOARD'S CONSIDERATION.

ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS' ASSOCIATION, EXPRESSED CONCERN ABOUT DISCUSSING ONGOING LABOR NEGOTIATIONS IN OPEN SESSION AND REQUESTED THAT FUTURE PRESENTATIONS BE PROHIBITED.

COUNTY COUNSEL BERNARD BARMANN STATED THE CHAIRMAN HAS FULL DISCRETION TO RESTRICT THIS TYPE OF COMMUNICATION FROM OCCURRING IN OPEN SESSION DURING THE COLLECTIVE BARGAINING PROCESS. COUNTY ADMINISTRATIVE OFFICER SCOTT JONES ADDED THE COUNTY IS STILL IN NEGOTIATIONS WITH UDWA AND HIS OFFICE JUST RECEIVED THEIR COUNTER PROPOSAL THIS MORNING.

CHAIRMAN MCQUISTON ADVISED MR. MESHACK AND UDWA REPRESENTATIVES PRESENT THAT FUTURE COMMENTS RELATIVE TO UDWA'S COLLECTIVE BARGAINING PROCESS WILL NO LONGER BE PERMITTED IN PUBLIC SESSION.

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 5) 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

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *6) **Request from Jeffrey Johnson to include 160 acres within the boundaries of an Agricultural Preserve located two miles north of the intersection of Highway 65 and Sherwood Avenue, east of McFarland (SD 1)**

Specific Request:

Inclusion of approximately 160 acres within the boundaries of an Agricultural Preserve (Ag Pres #14 - Incl, Map #35) (Categorically Exempt, Section 15317; Published Delano Record) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2004-158 APPROVING INCLUSION AS REQUESTED

Parra-Patrick: All Ayes

- 7) **Request from Noble Howze/Superior Water Company (original applicant - Bill Denbeste by B & L Anderson Consulting) to appeal the decision of the Hearing Officer to approve Precise Development Plan 26, Map 79 for the development of two 7,600-square-foot warehouse/shop and office buildings located on the west side of Cherry Avenue, approximately 800 feet north of Seventh Standard Road, Bakersfield (SD 1)**
Specific Request:

An appeal to the decision of the Planning Director to approve Precise Development Plan 26, Map 79 (Notice of Decision 26-04; approved March 25, 2004) for the development of two 7,600-square-foot warehouse/shop and office buildings in an M-2 PD (Medium Industrial - Precise Development Combining) District (Appeal #2, Map #79) (Negative Declaration; Published Shafter Press) - OPENED HEARING; ERNEST CONANT, YOUNG WOOLDRIDGE, LLP, ON BEHALF OF SUPERIOR WATER COMPANY, HEARD IN SUPPORT OF THE APPEAL; GEORGE LUSICH, ULN ASSOCIATES, AND WILLIAM KUHS, KUHS, PARKER AND HUGHES, ON BEHALF OF THE ORIGINAL APPLICANT, BILL DENBESTE, HEARD IN OPPOSITION TO THE APPEAL; ERNEST CONANT AND NOBLE HOWZE RESPONDED TO QUESTIONS POSED BY THE BOARD; CLOSED HEARING; ADOPTED NEGATIVE DECLARATION AND REVISED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2004-159 SUSTAINING THE APPEAL AND APPROVING THE PRECISE DEVELOPMENT PLAN SUBJECT TO REVISED CONDITIONS; REFERRED TO RESOURCE MANAGEMENT AGENCY, ENVIRONMENTAL HEALTH SERVICES, PLANNING AND COUNTY COUNSEL TO CLARIFY THE ORDINANCE RELATIVE TO THE DISPARITY BETWEEN DEVELOPMENT OF A NEW WELL AND CONVERSION OF AN EXISTING WELL TO CIRCUMVENT THE ORDINANCE; RECEIVED AND FILED DOCUMENTS

Parra-Maben: All Ayes

- 8) **Request from C.F. Stowell (original applicant - Country Oaks Baptist Church by Glenn Hartzell) to appeal the decision of the Planning Commission to approve a modification of Conditional Use Permit 12, Map 165-25 to allow expansion to an existing private school and to allow the installation of cargo containers for this permit which originally allowed the construction of a church with a school on 9.47 acres located at 20915 Schout Road, Tehachapi (SD 2)**

Specific Request:

An appeal to the decision of the Kern County Planning Commission to approve a modification of Conditional Use Permit 12, Map 165-25 (Resolution 46-04; approved March 25, 2004) to allow expansion to an existing private school (Section 19.16.030.K) and to allow the installation of cargo containers (Section 19.16.030.L) for this permit (originally approved December 14, 1989) which originally allowed the construction of a church with a school (Section 19.16.030.J) in an E (5) RS (Estate - 5 acres - Residential Suburban Combining) District (Appeal #2, Map #165-25) (Negative Declaration; Published Tehachapi News) - OPENED HEARING; C.F. STOWELL AND JOHN ROMER, COUNTRY OAKS BAPTIST CHURCH, HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2004-160 DENYING THE APPEAL AND APPROVING MODIFICATION OF CONDITIONAL USE PERMIT WITH REVISED CONDITIONS

Maben-Parra: All Ayes

- *9) **Request from Louis and Teresa Marraccino by French and Associates to change the permitted uses from highway commercial to general commercial and a request to allow a commercial coach as a contractor's business office on 33,370 square feet located at the southwest corner of Lockwood Valley Road and Lakewood Road, Lake of the Woods (SD 4)**

Specific Request:

(a) A change in zone classification from CH FPS GH to C-2 PD FPS GH or a more restrictive district (ZCC #15, Map #238-33)

(b) A Conditional Use Permit to allow a commercial coach as a contractor's business office (Section 19.32.030.K) in a C-2 PD FPS GH District (CUP #11, Map #238-33)

(General Rule, Section 15061(b)(3) for zone change; Categorically Exempt, Section 15303 for conditional use permit; Published Mountain Enterprise) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2004-161 AND 2004-162 AND ENACTED ORDINANCE G-7109 APPROVING ZONE CHANGE AS REQUESTED AND APPROVING CONDITIONAL USE PERMIT SUBJECT TO CONDITIONS

Parra-Patrick: All Ayes

- 10) **Request from Kern County Planning Department to adopt the Kern County California Environmental Quality Act Draft Implementation document pursuant to Section 15022 Public Agency Implementing Procedures, State CEQA Guidelines (All SD's)**

Specific Request:

Adoption of the Kern County California Environmental Quality Act Draft Implementation document pursuant to Section 15022 Public Agency Implementing Procedures, State CEQA Guidelines. Kern County is required to adopt objectives, criteria, and procedures for implementing and administering the responsibilities of CEQA, including the orderly evaluation of projects and preparation of environmental documents. This document will replace the existing Resolution 88-068 adopted by the Board of Supervisors on January 19, 1988, called "Amendment of the Kern County CEQA Guidelines for Implementation of CEQA and State CEQA Guidelines" (Adopt CEQA Implementation)

(General Rule, Section 15061(b)(3) and Categorically Exempt, Section 15308; Published Bakersfield Californian) - OPENED HEARING; CHES ARTHUR HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, RESCINDED RESOLUTION 88-068; ADOPTED RESOLUTION 2004-163 APPROVING THE KERN COUNTY CALIFORNIA ENVIRONMENTAL QUALITY ACT IMPLEMENTATION DOCUMENT; RECEIVED AND FILED DOCUMENT

Parra-Patrick: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

All S.D.'s

- *11) Request to appropriate unanticipated revenue in the amount of \$200,000 from Community Development Block Grant Program rehabilitation loan repayments - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$200,000 TO KEY 6040, APPROPRIATIONS FOR CONTINGENCIES IN DEPARTMENT NO. 8920, TRUST FUND 29080; AUTHORIZED NECESSARY COUNTY AND HUD BUDGET ADJUSTMENTS

Parra-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #1

- *12) Hearing for the abatement of a public nuisance involving demolition of abandoned and dangerous structure(s) at 4112 Perdue Avenue, Lake Isabella, APN 485-032-13, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-164 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 90 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Parra-Patrick: All Ayes

S.D. #4

- *13) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 713 San Emidio Way, Frazier Park, APN 259-036-05, \$2,890 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2004-165 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Parra-Patrick: All Ayes

- *14) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 101 Buchanan Street, Taft, APN 199-251-12, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-166 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Parra-Patrick: All Ayes

- *15) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 303 Pierce Street, Taft, APN 199-182-10, \$1,774.99 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2004-170 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Parra-Patrick: All Ayes

- *16) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at Cloud Avenue, Derby Acres, APN 183-090-19, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-171 DECLARING ABANDONED ACCESSORY STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Parra-Patrick: All Ayes

S.D. #1

- *17) Request for Release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5772, Phase 1, north of Universe Avenue between North Chester Avenue and McCray Street, DeWalt Group, Inc. - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. S500217, UNDERWRITTEN BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$66,072

Parra-Patrick: All Ayes

- *18) Request for Release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5772, Phase 2, southeast corner West Day Avenue and McCray Street, DeWalt Group, Inc. - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. S500866, UNDERWRITTEN BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$81,783

Parra-Patrick: All Ayes

- *19) Request for Release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5772, Phase 3, north of Universe Avenue between North Chester Avenue and McCray Street, DeWalt Group, Inc. - APPROVED; RELEASED FAITHFUL PERFORMANCE AMENDED LETTER OF CREDIT NO. 09-99-006, ISSUED BY BANK OF THE SIERRA, IN THE AMOUNT OF \$27,723

Parra-Patrick: All Ayes

- *20) Request for Release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5772, Phase 4, south side of West Day Avenue between North Chester Avenue and McCray Street, DeWalt Group, Inc. - APPROVED; RELEASED FAITHFUL PERFORMANCE AMENDED LETTER OF CREDIT NO. 09-99-008, ISSUED BY BANK OF THE SIERRA, IN THE AMOUNT OF \$35,521

Parra-Patrick: All Ayes

- *21) Request for Release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5772, Phase 5, north side of Universe Avenue between North Chester Avenue and McCray Street, DeWalt Group, Inc. - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. S502899, UNDERWRITTEN BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$67,941

Parra-Patrick: All Ayes

- *22) Request for Release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5772, Phase 6, north of Universe Avenue between North Chester Avenue and McCray Street, DeWalt Group, Inc. - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. S503067, UNDERWRITTEN BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$21,156

Parra-Patrick: All Ayes

- *23) Proposed Resolution of Intention to Extend Zone of Benefit Nos. 3, 5, 7 and 8 in County Service Area No. 71, Tract 6162, northwest Bakersfield, located north of Norris Road and west of Coffee Road - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, AUGUST 3, 2004, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2004-172

Parra-Patrick: All Ayes

S.D. #2

- *24) Contract No. 03026, Change Order No. 1, for construction of Mojave/Rosamond curb cut improvements, a decrease of \$1,034.09, for a new total of \$115,695.11 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick: All Ayes

S.D. #4

- *25) Request for Release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5557, Unit A, northeast corner of Palm Avenue and Heath Road, Delfino Bakersfield, LLC - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. 857499S, UNDERWRITTEN BY DEVELOPERS INSURANCE COMPANY, IN THE AMOUNT OF \$106,668

Parra-Patrick: All Ayes

All S.D.'s

- *26) Request to schedule establishment of Proposition 4 Appropriations Limit for Fiscal Year 2004-2005 for County Service Areas - RECEIVED AND FILED; SCHEDULED ESTABLISHMENT OF APPROPRIATIONS LIMITS FOR TUESDAY, JUNE 29, 2004, AT 2:00 P.M.

Parra-Patrick: All Ayes

- *27) Proposed Resolution authorizing the Director of Engineering & Survey Services to order changes or additions to work pursuant to Public Contracts Code Section 20142 - APPROVED; ADOPTED RESOLUTION 2004-173

Parra-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *28) Proposed Contract No. 04006 with Bowman Asphalt, Inc., for construction on Browning Road between Garces Highway and Cecil Avenue, in an amount not to exceed \$299,255 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 402-2004

Parra-Patrick: All Ayes

- *29) Contract No. 04023, Plans, Specifications, and Notice to Contractors for construction on Zerker Road from Kimberlina Road to Merced Avenue and Famoso Avenue from Zerker Road to State Highway 65 - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM REQUIREMENTS OF CALIFORNIA ENVIRONMENTAL QUALITY AT, PER SECTION 15301(C) OF STATE CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 23, 2004, AT 11:00 A.M.

Parra-Patrick: All Ayes

S.D. #3

- *30) Contract No. 04014, Plans, Specifications, and Notice to Contractors for the modification of the Olive Drive median and signal interconnect from Coffee Road to Knudsen Drive - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM REQUIREMENTS OF CALIFORNIA ENVIRONMENTAL QUALITY ACT, PER SECTION 15301(C) OF STATE CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 23, 2004, AT 11:00 A.M.

Parra-Patrick: All Ayes

S.D. #4

- *31) Contract No. 04016, Plans, Specifications, and Notice to Contractors for construction on Brown Material Road from State Highway 46 to State Highway 33 - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM REQUIREMENTS OF CALIFORNIA ENVIRONMENTAL QUALITY ACT, PER SECTION 15301 (C) OF STATE CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 23, 2004, AT 11:00 A.M.

Parra-Patrick: All Ayes

S.D. #5

- *32) Easement Deed and proposed Right-of-Way Contract with Joseph B. Corn providing for approximately 72 square feet of property necessary for the improvement of Pioneer Drive - ACCEPTED DEED; DIRECTED CLERK OF THE BOARD TO RECORD; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 403-2004

Parra-Patrick: All Ayes

- *33) Contract No. 04021, Plans, Specifications, and Notice to Contractors for construction on Tejon Highway and Comanche Drive - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM REQUIREMENTS OF CALIFORNIA ENVIRONMENTAL QUALITY ACT, PER SECTION 15301(C) OF STATE CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 23, 2004, AT 11:00 A.M.

Parra-Patrick: All Ayes

S.D.'s #1 & #2

- *34) Proposed Contract No. 04013 with Granite Construction Company for asphalt concrete (stockpile) at various locations in east Kern County, in an amount not to exceed \$345,195 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 404-2004

Parra-Patrick: All Ayes

S.D.'s #3 & #5

- *35) Proposed Resolution to declare portions of East Brundage Lane as a public Highway and incorporate into the County road system - APPROVED; ADOPTED RESOLUTION 2004-174; DIRECTED CLERK OF THE BOARD TO RECORD

Parra-Patrick: All Ayes

All S.D.'s

- *36) Proposed Contract No. 04012 with Granite Construction Company for asphalt concrete (stockpile) at various locations in Kern County, in an amount not to exceed \$796,650 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 405-2004

Parra-Patrick: All Ayes

WASTE MANAGEMENT

S.D. #4

- *37) Proposed closure of Lost Hills Transfer Station - APPROVED; DIRECTED WASTE MANAGEMENT TO IMPLEMENT PUBLIC NOTIFICATION PLAN

Parra-Patrick: All Ayes

- *38) Contract No. 04015, identify apparent low bid of Bowman Asphalt, Inc., to construct entrance improvements at the Shafter-Wasco Sanitary Landfill, in an amount not to exceed \$176,982.69 - IDENTIFIED LOW BID; AUTHORIZED WASTE MANAGEMENT TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Parra-Patrick: All Ayes

S.D.'s #1 & #2

- *39) Proposed Plans and Special Provisions to construct the Phase 2A Main Access Road Realignment at the Bakersfield Metropolitan (Bena) Sanitary Landfill (Requisition No. 303) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(b); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; DIRECTED WASTE MANAGEMENT TO PREPARE REQUISITION AND PURCHASING TO SOLICIT BIDS

Parra-Patrick: All Ayes

All S.D.'s

- *40) Proposed Request for Proposal to provide Archaeological Assessment Services for Kern County facilities - APPROVED AUTHORIZED DISTRIBUTION

Parra-Patrick: All Ayes

- *41) Proposed Agreement with Shaw EMCON/OWT, Inc., to provide hydrogeologic consulting services for County waste facilities, from June 1, 2004 through June 1, 2007, in an amount not to exceed \$500,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 406-2004

Parra-Patrick: All Ayes

- *42) Proposed Agreement with Geomatrix Consultants, Inc., to provide hydrogeologic consulting services for County waste facilities, from June 1, 2004 through June 1, 2007, in an amount not to exceed \$500,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 407-2004

Parra-Patrick: All Ayes

- *43) Proposed Agreement with GeoSyntec Consultants to provide hydrogeologic consulting services for County waste facilities, from June 1, 2004 through June 1, 2007, in an amount not to exceed \$700,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 408-2004

Parra-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *44) Proposed transfer of funds for Medi-Cal Disproportionate Share Hospital Program for Fiscal Year 2003-2004 - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE TO APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$9,916,614; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$9,916,614 TO CONTRIBUTIONS FOR MEDICAL CARE BUDGET UNIT 4204; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE INTERGOVERNMENTAL TRANSFER

Parra-Patrick: All Ayes

- *45) Proposed prepayment of Fiscal Year 2004-2005 retirement contribution to Kern County Employees' Retirement Association in the amount of \$52,500,000 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO COMPLETE NECESSARY ACCOUNTING TRANSACTIONS ON OR BEFORE JULY 9, 2004

Parra-Patrick: All Ayes

- 46) Proposed Resolution approving documents and issuance of Fiscal Year 2004-2005 Tax and Revenue Anticipation Note (TRAN) in an amount not to exceed \$110,000,000 - APPROVED; ADOPTED RESOLUTION 2004-175; AUTHORIZED CHAIRMAN, OR ANY MEMBER OF THE BOARD IN ABSENCE OF CHAIRMAN, TO SIGN DOCUMENTS

Patrick-Parra: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearings

S.D. #2

- *47) Proposed purchase of a fee interest in 540.75 acres of land near the Mojave-Rosamond landfill site from Genus L.P., for buffer purposes, drainage, monitoring wells and potential habitat offset, in the amount of \$675,937 and \$525 for escrow and closing costs - 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 AS APPROPRIATE; ADOPTED RESOLUTION 2004-176; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$676,462

Parra-Patrick: All Ayes

S.D. #4

- *48) Proposed purchase of 80 acres of land near the Shafter-Wasco landfill site from Ballengee Brothers Farms for buffer purposes, drainage collection and monitoring wells, in the amount of \$416,000 and \$1,274 for escrow and closing costs (from 5/18/2004) - 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 AS APPROPRIATE; ADOPTED RESOLUTION 2004-177; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$417,274

Parra-Patrick: All Ayes

S.D. #1

- *49) Identify apparent low bid and proposed Agreement with Best Roofing & Waterproofing for the Kern River Valley Veterans/Senior Center Reroof, in an amount not to exceed \$161,600 (1650.7119B) - IDENTIFIED APPARENT LOW BID; APPROVED AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 409-2004

Parra-Patrick: All Ayes

- *50) Proposed License Agreement with City of Delano to run communication cables from the Delano Police Department to the County Courts Building to provide a more efficient network system, from June 1, 2004 to May 31, 2014 (\$385.78 annual payment to County) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 410-2004

Parra-Patrick: All Ayes

S.D. #3

- *51) Proposed Amendment No. 1 to Agreement No. 303-2004 with BSK & Associates for the new Airport Terminal at Meadows Field, so testing and inspection services may begin June 1, 2004, and to provide for an increase of \$300,000, for a new total of \$500,000 (8215.7500) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 411-2004

Parra-Patrick: All Ayes

S.D. #4

- *52) Proposed Agreement with Ballengee Brothers Farms for lease of land south and west of Shafter-Wasco landfill for farming purposes, commencing on date County obtains title to lease property and terminating on June 1, 2014 (initial rent approximately \$4,000 per year) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 412-2004

Parra-Patrick: All Ayes

- *53) Proposed Deposit Agreement recognizing the \$10,000 cash surety deposit by Rapid Communications, LLC - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 413-2004

Parra-Patrick: All Ayes

- *54) Change Order No. 2 for the play area redevelopment at Lake Webb Campground, an increase of \$3,900, for a new total of \$222,753 (1960.8155) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick: All Ayes

S.D. #5

- *55) Proposed support of Baker Street Maintenance District and annual maintenance district fee - AUTHORIZED ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES TO SIGN AND SUBMIT A BALLOT APPROVING FORMATION OF THE MAINTENANCE DISTRICT; IF APPROVED, AUTHORIZED GENERAL SERVICES TO PAY AN ANNUAL MAINTENANCE FEE TO THE CITY OF BAKERSFIELD IN AN AMOUNT NOT TO EXCEED \$300.50

Parra-Patrick: All Ayes

- *56) Proposed Amendment to extend term of License Agreement No. 768-2003 with California State University Bakersfield (CSUB) allowing CSUB to use classroom space at the O. C. Sills Building at no cost to provide courses in social work, from September 1, 2003 until terminated by either party - MADE FINDING PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 414-2004

Parra-Patrick: All Ayes

- *57) Request to set hearing for amending pipeline Franchise F-466 for Casa Loma Water Company - ADOPTED RESOLUTION 2004-178 SETTING HEARING FOR TUESDAY, JULY 6, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Parra-Patrick: All Ayes

All S.D.'s

- *58) Project list for the Job Order Contract Site Civil, Phase I - APPROVED

Parra-Patrick: All Ayes

- *59) Identify apparent low bid from San Joaquin Interiors, Inc., for the Job Order Contract Specialty Flooring, Phase III, in an amount not to exceed \$250,000 (various projects) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

Parra-Patrick: All Ayes

- *60) Identify apparent low bid from Elite Painting & Wallcovering, Inc., for the Job Order Contract Specialty Painting, Phase III, in an amount not to exceed \$250,000 (various projects) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO PREPARE CONTRACT DOCUMENTS

Parra-Patrick: All Ayes

- *61) Identify apparent low bid from Ace Engineering, Inc., for the Job Order Contract, Phase V, in an amount not to exceed \$1,500,000 (various projects) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

Parra-Patrick: All Ayes

- *62) Identify apparent low bid and proposed Agreement with Wood Brothers, Inc., for the Job Order Contract Site Civil, Phase I, in an amount not to exceed \$1,500,000 (various projects) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 415-2004

Parra-Patrick: All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED ON MAY 18, 2004

- *63) Proposed Ordinance adding Subsection (227) to Section 10.16.070, Chapter 10.16, Title 10 of the Kern County Ordinance Code, concerning a no stopping zone on Foothill Drive, Bakersfield - ENACTED ORDINANCE G-7110

Parra-Patrick: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *64) Budget Transfers - APPROVED NO. 242 THROUGH NO. 259

Parra-Patrick: All Ayes

- *65) Minutes for week of May 3, 2004 - APPROVED

Parra-Patrick: All Ayes

- *66) Miscellaneous Letters and Documents - APPROVED

Parra-Patrick: All Ayes

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

Parra-Patrick: All Ayes

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

Parra-Patrick: All Ayes

ADJOURNED TO TUESDAY, JUNE 8, 2004, AT 9:00 A.M.

Parra-

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54953.2)**

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

66) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

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

- 1) Tract Map 6026 S.D. #4
- 2) Tract Map 6082, Unit 5 S.D. #4
- 3) Tract Map 6082, Unit 7 S.D. #4
- 4) Tract Map 6129, Phase 2 S.D. #4
- 5) Parcel Map 10277 S.D. #1
- 6) Parcel Map 10972 S.D. #5

District Attorney

B) Response to 2003-2004 Grand Jury report (Copies to each Supervisor and CAO)

Employers' Training Resource

C) WIA OJT Agreements:

- 1) Bakersfield Cold & Dry Storage dba BCD Storage, WIA Title 201, dated May 3, 2004
- 2) Bakersfield Plastics, Inc., WIA Title 501, dated April 27, 2004
- 3) Braaten Electric, Inc., WIA Title 301, dated May 11, 2004
- 4) Code Precast Products, Inc., WIA Title 501, dated April 27, 2004
- 5) Sears Logistics Services, Inc., WIA Title 201, dated April 15, 2004
- 6) Sideline Enterprises, Inc. dba Premier Lighting, WIA Title 201, dated April 27, 2004
- 7) Smith Tech USA, Inc., WIA Title 501, dated April 22, 2004
- 8) Keith K. Stoller dba San Joaquin Bookkeeping & Tax Services, WIA Title 501, dated May 3, 2004

D) Modification No. 15 to Agreement R380507 with the State of California Employment Development Department to add funding into grant codes 303 and 503

E) Modification No. 16 to Agreement R380507 with the State of California Employment Development Department to extend the term end date of the NWI project funding in grant code 638 through September 10, 2004

F) Modification No. 6 to Agreement R485279 with the State of California Employment Development Department to incorporate and add federal re-allotment funds into grant code 504 for dislocated worker

Engineering & Survey Services

G) Certificate of Acceptance for Public Highway Easement from Batey Development, Inc., re Tract 5662, Unit 1

Environmental Health Services

- H) Thank you letter to Claire Graham for donation to Mojave shelter and Bakersfield animal care center

Grand Jury

- I) 2003-2004 Final Report re County Clerk Elections Division, Electronic Voting (Copies to each Supervisor, CAO and Auditor-Controller)
- J) 2003-2004 Final Report re Kern County Animal Control (Copies to each Supervisor, CAO and Environmental Health)

Local Agency Formation Commission

- K) Report and Recommendation, Proceeding No. 1375, in the matter of City of Bakersfield, Annexation No. 450 (McKee No. 1)
- L) Report and Recommendation, Proceeding No. 1376, in the matter of Mojave Public Utility District, Annexation No. 27
- M) Report and Recommendation, Proceeding No. 1383, in the matter of City of Delano, Annexation No. 38
- N) Agenda of meeting on Tuesday, May 25, 2004
- O) Minutes of meeting on Tuesday, April 27, 2004

Roads

- P) Consent to Recordation for Irrevocable Offer of Dedication from Lewis William Aukeman and Carol L. Aukeman for additional right-of-way on Riverside Street and Los Angeles Street, APN 088-130-21
- Q) Consent to Recordation for Irrevocable Offer of Dedication from John Balfanz for additional right-of-way on Allen Road, APN 529-012-07, County Road No. 3952

Miscellaneous

- R) Letter from Linda Torn, State Department of Health Services, re Child Health and Disability Prevention (CHDP) allocations for Fiscal Year 2004-2005 (Copies to each Supervisor, CAO and Public Health)
- S) Letter from Timothy W. Boyer, State Board of Equalization, re Calpine Corporation, et al vs. California State Board of Equalization, et al, San Diego County Superior Court Case No. GIC 828751 (Copies to each Supervisor, CAO, County Counsel, Treasurer-Tax Collector, Assessor and Auditor)
- T) Letter from Malcolm X. Dougherty, State Department of Transportation, re installation of developer-funded traffic signal at southbound 99 off-ramp and State Route 119 (Taft Highway) intersection (Copies to each Supervisor, CAO and Roads)
- U) Letter from Senator Roy Ashburn re funding to the In-Home Supportive Services Program (IHSS) (Copies to each Supervisor, CAO and Aging & Adult Services)

- V) Letter from Senator Barbara Boxer to U.S. Department of the Interior and U.S. Department of Agriculture re termination of contract for large airtankers and its effect on firefighting ability during California's wildland fire season (Copies to each Supervisor, CAO and Fire)
- W) Letter from Mary M. Murdoch, Nextel Communications, re installation of a cell site at Neumarkel Road, .6 miles south of Bena Road, Bakersfield (Copies to each Supervisor, CAO and Planning)
- X) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re U.S. Department of Agriculture Secretarial disaster designation for the county of Santa Barbara and the contiguous counties of Kern, San Luis Obispo and Ventura, due to agriculture losses caused by insufficient chill hours, rain and heat occurring from April 1, 2003 through October 31, 2003 (Copies to each Supervisor, CAO, Agricultural Commissioner, Emergency Services and County Counsel)
- Y) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re U.S. Small Business Administration's declaration of Santa Barbara and the contiguous counties of Kern, San Luis Obispo and Ventura, a disaster area due to agriculture losses caused by insufficient chill hours, rain and heat occurring from April 1, 2003 through October 31, 2003 (Copies to each Supervisor, CAO, Agricultural Commissioner, Emergency Services and County Counsel)
- Z) Letter from Mayor Harvey L. Hall re opposition to action taken by League of California Cities to support the budget "deal" proposed by the Governor (Copies to each Supervisor and CAO)
- AA) Letter from Rev. Jim and Sharon Dewey re possible closure of Camp Erwin Owen (Copies to each Supervisor, CAO and Probation)
- BB) Letter from W. Edward Chynoweth re current problems experienced by farmers and comments concerning compliance with the dust control plan to be in place by year end (Copies to each Supervisor, CAO, Agricultural Commission and Air Pollution Control District)
- CC) Letter from Brian J. Todd, Building Industry Association of Kern County, re proposed development fee increases (Copies to each Supervisor, CAO, Resource Management Agency and Planning)
- DD) Letter from Ronn Dominici, San Joaquin Valley Regional Association of California Counties, re vote to oppose SB 1334, Environmental Quality (Copies to each Supervisor, CAO and Planning)
- EE) Letter from Rick Bower, North Kern Cemetery District, re reappointment of Arturo Munoz to the District's Board (Copies to each Supervisor and CAO)

- FF) Letter from Senator Roy Ashburn to Bob Braaten responding to his concerns about Bakersfield Citizens for Local Control and its effect on businesses and construction in Bakersfield (Copies to each Supervisor, CAO and Planning)
- GG) Letter from Richard H. Martin, U.S. Department of the Interior, National Park Service, re request for review and comment on Draft General Management Plan and Comprehensive River Management Plan/Environmental Impact Statement for Sequoia and Kings Canyon National Parks and Middle and South Forks of the Kings River and North Fork of the Kern River (Copies to each Supervisor, CAO, Planning and County Counsel)
- HH) Opinion from the Court of Appeal of the State of California, Fifth Appellate District, in the case of N. L. Neilson, et al vs. California City, et al (Copy to County Counsel)
- II) Survey from nine (9) households re Red Apple Avenue, Westwood Extension, County Road Project (Copies to each Supervisor, CAO, Planning and County Counsel)
- JJ) Brochure from Department of Toxic Substances Control re Paramount Farming Company Sites, Fact Sheet, May 2004 (Copies to each Supervisor, CAO, Environmental Health, Public Health and County Counsel)
- KK) Notice from U.S. Department of Agriculture, Forest Service, re release of Draft Land Management Plans (Forest Plans) and Draft Environmental Impact Statement (DEIS) for the Angeles, Cleveland, Los Padres and San Bernardino National Forests (Copies to each Supervisor, CAO and Planning)
- LL) Notices from Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses: Gill Mart, 390 Bernard Street, Bakersfield; Lebec Brewery, 658 Lebec Road, Lebec; Thai Palms Restaurant, 20909 South Street, Suite 2-5, Tehachapi (Copies to each Supervisor, CAO and Planning)
- 67) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Carol Noel, United Square Dancers Association, re pending increase in fees for rental of Veteran's and recreation halls - REFERRED TO PARKS (Copies to each Supervisor and CAO)
- B) Letter from Linda L. Hargreaves, Shamrox Kennels, re proposed ordinance limiting number of dogs allowed throughout the County - REFERRED TO ENVIRONMENTAL HEALTH (Copies to each Supervisor, CAO, Planning and County Counsel)
- C) Letter from Vikki Del Pellegrino, Kern County Behavioral Health Board, re formation of an affordable housing task force - REFERRED TO COUNTY ADMINISTRATIVE OFFICE (Copies to each Supervisor)

- D) Resolution No. 4-13-04 from Elk Hills Elementary School District certifying the proceedings of the bond election held on Tuesday, March 2, 2004 - REFERRED TO COUNTY COUNSEL
- E) Resolution No. 5-11-04 from Elk Hills Elementary School District requesting the sale of District bonds, prescribing the use of bond proceeds, approving an official statement and certain other matters relating thereto - REFERRED TO COUNTY COUNSEL
- F) Resolution No. 05-11-04-02 from Midway Elementary School District requesting the sale of District bonds, prescribing the use of bond proceeds, approving an official statement and certain other matters relating thereto - REFERRED TO COUNTY COUNSEL
- 68) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Sharon Lawrence for Jaimee Nicole Lawrence, a minor vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Mark McKinney vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Isom Clinton Kennedy, III vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Sheila Ann Nadal vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Barbara Flynn vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Addendum to claim in the matter of Barbara Flynn vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Release for property damage for claim in the matter of Barbara Flynn vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Maria Maravilla vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Chenevea Hosey vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Billy Cornett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Sharon Walker vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- L) Amended claim in the matter of Senaido Velazquez, Soleny Velazquez, Ricardo Velazquez, Jr., and Marisol Sanchez, minors, by and through their Guardian a Litem, Marisol Vargas vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Summons and complaint in the matter of Scott Everett Wininger vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Summons and complaint in the matter of Brian Daniel Villalba, Jennifer Villalba, minors, by and through their Guardian ad Litem, Maria Zavala vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Subrogation claim in the matter of Michael Pumphrey by Sequoia Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Subrogation claim in the matter of Gladys Fair by Allstate Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Subrogation claim in the matter of Gregory R. Fontes by Geico Direct vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Discrimination complaints (3) in the matter of Linda Joyce Tomlin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
- S) Discrimination complaint in the matter of Linda Joyce Tomlin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)