

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, June 10, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Watson

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 15-20, 2003 as Royal Family Kids' Camp Week in Kern County - PROCLAIMED; MADE PRESENTATION TO RANDY AND KIM MARTIN; RANDY MARTIN HEARD

Patrick-McQuiston: All Ayes

NOTE: Supervisor Patrick acknowledged Dennis Hendrix who was recently appointed to the AIDS Advisory Board.

PUBLIC REQUESTS

- 2) Request of Wesley Crawford Muhammad to address the Board regarding domestic abuse -

WITHDRAWN

APPOINTMENTS

- *3) Appointment of Irene Elizabeth Cook as Public Agency Representative, Fourth District Member, to the Local Child Care and Development Planning Council, term to expire June 30, 2005 - MADE APPOINTMENT

Patrick-McQuiston: All Ayes

- *4) Appointment of Dennis Hendrix as a Support Health Care Providers Member to the Acquired Immune Deficiency Syndrome (AIDS) Advisory Board, term to expire August 16, 2005 - MADE APPOINTMENT

Patrick-McQuiston: All Ayes

PUBLIC PRESENTATIONS

- 5) 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! - FRANK WELCOME HEARD REGARDING MENTAL HEALTH SERVICES

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 6) 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

- *7) Proposed approval of award of contract with Kern Around the Clock Foundation for Linkages and Respite Purchase of Services Program to provide assistive case management services to qualifying frail or disabled adults, for Fiscal Year 2003-2004, in an amount not to exceed \$229,358 - APPROVED AWARD AND AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 427-2003

Patrick-McQuiston: All Ayes

- *8) Proposed approval of award of contract with Alzheimer's Disease Association of Kern County to provide an Alzheimer's Day Care Resource Center Program for Fiscal Year 2003-2004, in an amount not to exceed \$77,000 - APPROVED AWARD AND AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 428-2003

Patrick-McQuiston: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- *9) Request to set hearing to consider proposed revisions to Department of Agriculture and Measurement Standards' Schedule of Fees relating to Cantaloupe Inspection and Mileage Rate - SET HEARING FOR TUESDAY, JULY 1, 2003 AT 9:00 A.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING PREPARED BY COUNTY COUNSEL

Patrick-McQuiston: All Ayes

COUNTY COUNSEL

- 10) Recommendations of the Kern County Local Campaign Finance Hearing Panel - FRANK WELCOME HEARD;
- (1) APPROVED CONFLICT OF INTEREST CODE;
 - (2) WAIVED READING; INTRODUCED ORDINANCE AMENDING KERN COUNTY CAMPAIGN FINANCE ORDINANCE TO CLARIFY DEFINITION OF ELECTION CYCLES TO ACCOMMODATE CHANGES IN DATES OF PRIMARY ELECTIONS IN CALIFORNIA;
 - (3) ADOPTED PROPOSED REGULATIONS TO CLARIFY THAT THE KERN COUNTY CAMPAIGN FINANCE ORDINANCE DOES NOT APPLY TO: (A) CONTRIBUTIONS FOR PRE-2003 ELECTIONS; (B) CONTRIBUTIONS TO PAY DEBTS OR LOANS INCURRED FOR PRE-2003 ELECTIONS; AND (C) FORGIVENESS OF LOANS OR DEBTS INCURRED FOR PRE-2003 ELECTIONS; AND
 - (4) ADOPTED RESOLUTION 2003-220 PROVIDING THAT PANEL MEMBERS ARE COMPENSATED AT THE SAME RATE AS MEMBERS OF THE ASSESSMENT APPEALS BOARD (\$200 PER DAY/\$125 PER HALF DAY/TRAVEL EXPENSES IF PLACE OF RESIDENCE IS TWENTY (20) MILES OR MORE FROM THE PLACE OF MEETING)

Maben-Patrick: All Ayes

- *11) To correct error, rescission of Resolution 2003-169 abolishing Repair and Demolition Revolving Fund; adoption of substitute Resolution repealing Resolution 70-769 - RESCINDED RESOLUTION 2003-169 AND ADOPTED SUBSTITUTE RESOLUTION 2003-221 REPEALING RESOLUTION 70-769

Patrick-McQuiston: All Ayes

- *12) Kern County Retirement Replacement Benefit Plan in accordance with Internal Revenue Code Section 415 and the County Employees Retirement Law of 1937- ADOPTED RESOLUTION 2003-222: (A) ADOPTING THE KERN COUNTY REPLACEMENT BENEFIT PLAN; (B) DELEGATING THE ADMINISTRATION OF THE PLAN TO THE AUDITOR-CONTROLLER-COUNTY CLERK; (C) APPROVING THE MOU, BETWEEN THE COUNTY AND KCERA, REGARDING THE PLAN; AND (D) AUTHORIZING THE CHAIRMAN TO SIGN THE MOU AGREEMENT 429-2003

Patrick-McQuiston: All Ayes

DISTRICT ATTORNEY

- *13) Request for sole source procurement of the Leica DMC Forensic Microscope System from McBain Instruments Company, in an amount not to exceed \$80,500 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Patrick-McQuiston: All Ayes

- *14) Request sole source procurement of the RapidTrace Solid Phase Extraction System and TurboVap Workstation for analysis of toxicology samples from Zymark Corp., in an amount not to exceed \$110,600 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Patrick-McQuiston: All Ayes

- *15) Request sole source procurement of security system enhancements from Tel-Tec Security Systems, Inc., in an amount not to exceed \$34,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Patrick-McQuiston: All Ayes

- *16) Proposed Resolution authorizing grant application for the Statutory Rape Vertical Prosecution Program from the Office of Criminal Justice Planning, in the amount of \$151,375 - APPROVED; ADOPTED RESOLUTION 2003-223

Patrick-McQuiston: All Ayes

- *17) Proposed Resolution authorizing grant application for the Violence Against Women Vertical Prosecution Program from the Office of Criminal Justice Planning, in the amount of \$108,812 - APPROVED; ADOPTED RESOLUTION 2003-224

Patrick-McQuiston: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *18) Notification of anticipated retroactive approval of amendments with La Cooperativa Campesina de California, the Kern High School District and Proteus, Inc., to extend terms of the agreements for the Migrant and Seasonal Farmworker Youth Program through September 30, 2003 - RECEIVED AND FILED

Patrick-McQuiston: All Ayes

- *19) Request for authorization to apply for \$100,000 and \$65,000 in cash awards for 2003 Innovations in American Government Program and 2003 Career Advancement Strategy Competition - APPROVED; AUTHORIZED ETR AS THE FISCAL AGENT FOR RECEIPT OF AWARD FUNDS; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

Patrick-McQuiston: All Ayes

- *20) Request for authorization to apply for \$1,900,000 in COMMUNITIESFIRST grant funding from the California Endowment to enhance previously awarded Nurse Workforce Initiative grant funding to address local health care priorities - APPROVED; AUTHORIZED ETR AS THE FISCAL AGENT FOR RECEIPT OF GRANT FUNDS; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

Patrick-McQuiston: All Ayes

- *21) Proposed retroactive Agreement with Mexican American Opportunity Foundation for paid work experience opportunities to eligible CalWORKs customers, from January 1, 2003 through June 30, 2003, in an amount not to exceed \$104,300 (prior notification on February 25, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 430-2003

Patrick-McQuiston: All Ayes

- *22) Proposed retroactive Agreement with ARBOR E & T for paid work experience opportunities to eligible CalWORKs customers, from January 1, 2003 through June 30, 2003, in an amount not to exceed \$49,500 (prior notification on February 25, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 431-2003

Patrick-McQuiston: All Ayes

- *23) Proposed retroactive Agreement with ARBOR, Incorporated for services to Workforce Investment Act and/or Welfare-to-Work eligible customers in the Arvin-Lamont area, from July 1, 2002 through December 31, 2002, in an amount not to exceed \$87,186 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 432-2003

Patrick-McQuiston: All Ayes

- *24) Proposed retroactive Agreement with ARBOR E & T for services to Workforce Investment Act and/or Welfare-to-Work eligible customers in the Arvin-Lamont area, from January 1, 2003 through June 30, 2003, in an amount not to exceed \$70,314 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 433-2003

Patrick-McQuiston: All Ayes

FIRE DEPARTMENT

- *25) Proposed Agreement with North Kern State Prison to provide fire apparatus maintenance services, from July 1, 2003 to June 30, 2006, in an amount not to exceed \$29,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 434-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-McQuiston: All Ayes

- *26) Proposed Agreement with Wasco State Prison to provide fire apparatus maintenance services, from July 1, 2003 to June 30, 2006, in an amount not to exceed \$33,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 435-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-McQuiston: All Ayes

HUMAN SERVICES

- *27) Proposed sole source Agreement with Click2Learn, Inc., for the provision of software licenses, professional and support services, for a three-year term, in an amount not to exceed \$151,335 (\$140,741 Federal/State; \$10,594 County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 436-2003

Patrick-McQuiston: All Ayes

- *28) Proposed Amendment No. 1 to Agreement 164-2002 with Delano Joint Union High School District for outstationing of Child Protective Services Social Worker, to extend term to June 30, 2005 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 437-2003

Patrick-McQuiston: All Ayes

- *29) Request for authorization to apply for Supportive and Therapeutic Options Program funds from the California Department of Social Services for implementing mental health treatment to juveniles while they are incarcerated (County cost \$110,044 from Mental Health Realignment Funds) - APPROVED

Patrick-McQuiston: All Ayes

KERN MEDICAL CENTER

- *30) Proposed changes in clinical privilege status for 20 members of Kern Medical Center's Medical Staff - APPROVED

Patrick-McQuiston: All Ayes

- *31) Proposed retroactive Agreement with Kern Faculty Medical Group, Inc., for surgeons for routine on-call surgery coverage and on-call surgery coverage for management of trauma-designated patients at KMC, from January 9, 2003 through January 8, 2005, in an amount not to exceed \$180,000 -

WITHDRAWN

- *32) Proposed retroactive Agreement with Bakersfield Family Medical Center for hospital services from March 1, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 438-2003

Patrick-McQuiston: All Ayes

- 33) Proposed Amendment No. 6 to Information Systems Agreement 611-99 with CTG Healthcare Solutions, Inc., amending original scope of work and increasing funding for additional support services by \$250,000 for a maximum contractual amount of \$1,398,000 - FRANK WELCOME HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 439-2003

Patrick-Watson: All Ayes

MENTAL HEALTH SERVICES

- 34) Proposed Amendment No. 2 to Agreement 355-2002 with Restoration Village Treatment Center, Inc., dba Hannah's Haven, for temporary sober living environment (SLE) housing services for County substance abuse clients residing in the Bakersfield area, to reduce service levels and compensation from \$61,907 to an amount not to exceed \$54,860 (a decrease of \$7,047) -APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 440-2003

McQuiston-Patrick: All Ayes

- *35) Proposed Amendment No. 2 to Agreement 432-2002 with Griffin's Gate, Inc., for sober living environment housing services for County clients residing in the Bakersfield area, to increase services and compensation from \$140,480 to an amount not to exceed \$150,563 (an increase of \$10,083) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 441-2003

Patrick-McQuiston: All Ayes

- *36) Proposed Amendment No. 3 to Agreement 482-2002 with Turning Point of Central California, Inc., dba Kennemer Center, for temporary sober living environment housing services for substance abuse clients residing in the Bakersfield area, to revise HIPAA provisions, and to increase compensation from \$19,025 to an amount not to exceed \$26,827 (an increase of \$7,025) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 442-2003

Patrick-McQuiston: All Ayes

- *37) Proposed Agreement with STEP-II for outpatient drug free (ODF) treatment services to County substance abuse clients residing in the Northeast Bakersfield area, for Fiscal Year 2003-2004, in an amount not to exceed \$149,750 (State [CalWORKs, SACPA]; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 443-2003

Patrick-McQuiston: All Ayes

- *38) Proposed Agreement with Kern County Youth Mariachi Foundation for substance abuse prevention activities for County at-risk children residing in the Bakersfield, Delano, Lamont and Wasco areas, for Fiscal Year 2003-2004, in an amount not to exceed \$125,180 (State set-aside, Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 444-2003

Patrick-McQuiston: All Ayes

- *39) Proposed Agreement with North Bakersfield Recreation and Parks District for primary substance abuse prevention services for children residing in the west and north Bakersfield areas, for Fiscal Year 2003-2004, in an amount not to exceed \$136,876 (State set-aside, Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 445-2003

Patrick-McQuiston: All Ayes

- *40) Proposed Agreement with Restoration Village Treatment Center, Inc., dba Hannah's Haven, for outpatient drug free (ODF) services to County substance abuse clients residing in the Bakersfield area, for Fiscal Year 2003-2004, in an amount not to exceed \$107,524 (Medi-Cal; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 446-2003

Patrick-McQuiston: All Ayes

- 41) Proposed Agreement with Restoration Village Treatment Center, Inc., dba Hannah's Haven, to provide sober living environment (SLE) housing services for County clients with concurrent mental health and substance abuse diagnoses residing in the Bakersfield area, for Fiscal Year 2003-2004, in an amount not to exceed \$50,000 (Grant [AB-2034]; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 447-2003

Patrick-McQuiston: All Ayes

- *42) Proposed Agreement with American Health Services, dba Bakersfield Medical and Mental Health Services, Inc., for methadone maintenance treatment services for County substance abuse clients residing in the Bakersfield area, for Fiscal Year 2003-2004, in an amount not to exceed \$600,000 (Medi-Cal; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 448-2003

Patrick-McQuiston: All Ayes

- *43) Proposed Agreement with Turning Point of Central California, Inc., dba Kennemer Center, for social model detoxification treatment and temporary sober living environment (SLE) housing services for County substance abuse clients while under treatment in the Bakersfield area, for Fiscal Year 2003-2004, in an amount not to exceed \$20,000 (Grant [AB-2034]; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 449-2003

Patrick-McQuiston: All Ayes

- *44) Proposed Agreement with Psychiatrists Only, L.L.C. for psychiatric recruitment and locum tenens services, for Fiscal Year 2003-2004, in an amount not to exceed \$261,000 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 450-2003

Patrick-McQuiston: All Ayes

- *45) Proposed Agreement with Community Action Partnership of Kern, for HIV tests in Bakersfield, Mojave, Taft, Ridgecrest, Lake Isabella, Rosamond, California City, Tehachapi, Delano and Lamont, for Fiscal Year 2003-2004, in an amount not to exceed \$70,740 (Substance Abuse Prevention and Treatment Grant; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 451-2003

Patrick-McQuiston: All Ayes

- 46) Proposed Agreement with Cruco Foods, dba Cope's Food Fair, for food voucher services for homeless mentally ill clients in the Bakersfield area, for Fiscal Year 2003-2004, in an amount not to exceed \$21,565 (Grant [AB-2034]; Budgeted) - FRANK WELCOME HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 452-2003

Watson-Maben: All Ayes

- *47) Proposed Agreement with Sycamore Health Care, Inc., for enhanced residential services for clients residing in Kern County, for Fiscal Year 2003-2004, in an amount not to exceed \$821,980 (State; Mandated /Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 453-2003

Patrick-McQuiston: All Ayes

- *48) Proposed Agreement with Kern Psychological Services, Inc., for specialized clinical consultation to department staff and psychological evaluation and testing for individuals identified and referred by department staff, for Fiscal Year 2003-2004, in an amount not to exceed \$36,000 (Medi-Cal; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 454-2003

Patrick-McQuiston: All Ayes

- *49) Proposed Agreement with Transforming Local Communities for outcome studies for the SB-1557 Children's System of Care Grant to meet State requirements, for Fiscal Year 2003-2004, in an amount not to exceed \$9,960 (CSOC Grant; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 455-2003

Patrick-McQuiston: All Ayes

- *50) Request for authorization to apply for a three-year Supportive Housing Program Homeless Management Information System (HMIS) Grant, funded by the U.S. Department of Housing and Urban Development, for collecting information about local homeless needs, coordinating access to services, allocating resources and reducing the impact of homelessness - APPROVED

Patrick-McQuiston: All Ayes

- *51) Request for authorization to apply for a three-year Supportive Housing Program Grant renewal, funded by the U.S. Department of Housing and Urban Development, for continuation of the HELP+ Program, a countywide street outreach program that locates, assesses and links homeless individuals and families with services they are eligible for - APPROVED

Patrick-McQuiston: All Ayes

- *52) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention of mentally disordered individuals per Welfare and Institutions Code, Section 5150 - APPROVED

Patrick-McQuiston: All Ayes

PUBLIC HEALTH SERVICES

- *53) Proposed Amendment No. 2 to Agreement 658-2002 with Kern County Superintendent of Schools for the Child Care Health Consultancy Project to extend term from June 30, 2003, to September 30, 2003, and an increase of \$70,000 to an amount not to exceed \$462,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 456-2003

Patrick-McQuiston: All Ayes

- *54) Proposed Agreement with Hans E. Einstein, M.D., for medical services to recommend admission to KMC for Valley Fever and Tuberculosis patients, for FY 2003-2004, in an amount not to exceed \$13,000- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 457-2003

Patrick-McQuiston: All Ayes

- *55) Proposed Agreement with Community Action Partnership of Kern for HIV/AIDS Education and Prevention Program Services, for FY 2003-2004, in an amount not to exceed \$44,998 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 458-2003

Patrick-McQuiston: All Ayes

- *56) Proposed Agreement with Planned Parenthood Mar Monte for HIV/AIDS Education and Prevention Program Services, for FY 2003-2004, in an amount not to exceed \$45,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 459-2003

Patrick-McQuiston: All Ayes

- *57) Proposed Agreement with Clinica Sierra Vista for HIV/AIDS Education and Prevention Program Services, for FY 2003-2004, in an amount not to exceed \$90,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 460-2003

Patrick-McQuiston: All Ayes

VETERANS' SERVICE DEPARTMENT

- *58) Proposed annual Agreement with Union Cemetery Association for perpetual care of veterans plots in Union Cemetery, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$5,820 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 461-2003

Patrick-McQuiston: All Ayes

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSIONS

COUNTY COUNSEL

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

Patrick-McQuiston

/s/ Denise Pennell
Clerk of the Board

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

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Tuesday, June 10, 2003

2:00 P.M.

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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

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! - ROBERT CAMPBELL HEARD REGARDING WORKERS' COMPENSATION APPEALS BOARD DECISION IN THE MATTER OF KENNETH W. PETERSON VS. KERN COUNTY

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Request from Melody G. Van Doorn to change the permitted uses from residential to commercial for development of an automobile/boat repair sales facility and to allow a parking lot in a residential district on 0.5 acre located at 518 Roberts Lane, Oildale (S.D. #3)**

Specific Request:

- (a) A change in zone classification from R-2 to C-2 PD or a more restrictive district (ZCC #39, Map #102-13)
(b) A Precise Development Plan for the development of a real estate office (Section 19.32.020.C.1) and an automobile/boat repair and sales facility (Sections 19.32.020.C.2 and 19.32.020.C.5) (PD Plan #19, Map #102-13)
(c) A Conditional Use Permit to allow a parking lot (Section 19.20.030.D) in an R-2 District (CUP #106, Map 102-13)

(Categorically Exempt, Section 15303; Published Bakersfield Californian) - OPENED HEARING; JAMES JACKSON AND ROBERT CAMPBELL, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-225, 2003-226 AND 2003-227 AND ENACTED ORDINANCE G-7005 APPROVING ZONE CHANGE, PRECISE DEVELOPMENT PLAN SUBJECT TO RECOMMENDED CONDITIONS, AND CONDITIONAL USE PERMIT SUBJECT TO RECOMMENDED CONDITIONS

Patrick-Maben: All Ayes

- 4) **Request from Hillcrest Parking, Inc., by Wilson and Associates to change the zoning from automobile parking to general commercial on 3.7 acres located on the north side of Niles Street, between Crestmont Drive and Glenwood Drive, northeast Bakersfield (S.D. #3)**

Specific Request:

A change in zone classification from P (Parking) to C-2 PD (General Commercial - Precise Development Combining) or a more restrictive district (ZCC #24, Map #103-27)

(Categorically Exempt, Section 15305; Published Bakersfield Californian) - OPENED HEARING; ROBERT CAMPBELL; AND JOHN WILSON, WILSON AND ASSOCIATES, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2003-228 AND ENACTED ORDINANCE G-7006 APPROVING ZONE CHANGE AS REQUESTED

Patrick-Watson: All Ayes

- *5) **Request from Willow Brook, LLC, by Delmarter and Deifel to change the permitted uses from limited agriculture to commercial on 13 acres and to exclude that acreage from the boundaries of an Agricultural Preserve for property located on the northwest corner of Bear Mountain Boulevard and Interstate 5, southwest of Bakersfield (S.D. #4)**

Specific Request:

- (a) A change in zone classification from A-1 to C-2 PD or a more restrictive district (ZCC #10, Map #141)
(b) Exclusion of approximately 12.98 acres from the boundaries of an Agricultural Preserve (Ag Pres #10 - Excl) (Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2003-229 AND 2003-230 AND ENACTED ORDINANCE G-7007 APPROVING ZONE CHANGE AND EXCLUSION AS REQUESTED

Maben-Watson: All Ayes

GENERAL PLAN AMENDMENT HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

Amendment of the Land Use, Open Space and Conservation Element, Maximum Allowed Land Use Density Table of the Kern County General Plan, Metropolitan Bakersfield General Plan, Western Rosedale Specific Plan; adopt text and maps of the Frazier Park/Lebec Specific Plan; adopt Circulation Element of the Frazier Park/Lebec Specific Plan; amend the Kern County Circulation Element; alteration of Agricultural Preserve No. 10; other items as cited which include amendments of certain Zoning Maps and applications and proceedings

- *6) **Request from Kern County Waste Management Department to change the permitted uses from open space and natural resource to exclusive agriculture on 321 acres located on Bowman Road, approximately one mile east of State Route 395, Ridgecrest (S.D. #1)**

Specific Request:

(a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 1.1 to Map Code(s) 3.4 or a more restrictive map code designation (GPA #1, Map #70)

(b) A change in zone classification from OS and NR (20) to A or a more restrictive district (ZCC #6, Map #70)

(General Rule, Section 15061(b)(3); Published Daily Independent) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-231 AND 2003-232 AND ENACTED ORDINANCE G-7008 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

Maben-Watson: All Ayes

- *7) **Request from Housing Authority of Kern County to change the permitted uses from residential to commercial to facilitate the conversion of existing office buildings into a medical complex, and requested approval of proposed reduction to 54 parking spaces where 66 are otherwise required, on 1.78 acres located on the southwest corner of Roberts Lane and Colin B. Kelly Drive, Oildale (S.D. #3)**

Specific Request:

(a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) HMR to Map Code(s) GC or a more restrictive map code designation (GPA #4, Map #102-13)

(b) A change in zone classification from R-2 to C-2 or a more restrictive district (ZCC #40, Map #102-13)

(c) A Zone Variance to allow 54 parking spaces, where 64 spaces are required (Section 19.82.020.C.3), in a C-2 District (ZV #97, Map #102-13)

(Categorically Exempt, Section 15303 (General Plan Amendment and Zone Change); Categorically Exempt, Section 15305 (Zone Variance); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-231, 2003-233 AND 2003-234 AND ENACTED ORDINANCE G-7009 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE, TO BECOME EFFECTIVE UPON RECORDATION OF AN AVIGATION EASEMENT ON THE SUBJECT PROPERTY, AND APPROVING ZONE VARIANCE SUBJECT TO CONDITIONS

Maben-Watson: All Ayes

- *8) **Request from Dominic Espitia by Cornerstone Engineering, Inc., to change the permitted uses from limited agriculture to 1/4-acre residential on 1.3 acres located approximately 177 feet east of Renfro Road, south of Brimhall Road, in the Rosedale area (S.D. #4)**

Specific Request:

(a) Amend the Western Rosedale Specific Plan from Map Code(s) RR to Map Code(s) SR or a more restrictive map code designation (GPA #48, Map #101)
(b) A change in zone classification from A-1 MH to E (1/4) or a more restrictive district (ZCC #132, Map #101)
(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-231 AND 2003-235 AND ENACTED ORDINANCE G-7010 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

Maben-Watson: All Ayes

- *9) **Request from John and Lucy Machado by B & L Anderson Consulting to change the permitted uses from limited agriculture to light and medium industrial warehousing with a precise development plan on approximately eight acres at Hageman Road and Allen Road (S.D. #4)**

Specific Request:

(a) Amend the Western Rosedale Specific Plan from Map Code(s) RR to Map Code(s) LI and SI or more restrictive map code designations (GPA #47, Map #101)
(b) A change in zone classification from A-1 to M-1 PD and M-2 PD or more restrictive districts (ZCC #129, Map #101)
(c) A Precise Development Plan for the development of two 6,000-square-foot warehouses in an M-1 PD District and six 6,000-square-foot warehouses with outside storage in an M-2 PD District (PD Plan #11, Map #101)
(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2003-231, 2003-236 AND 2003-237 AND ENACTED ORDINANCE G-7011 APPROVING GENERAL PLAN AMENDMENT, APPROVING ZONE CHANGE AS REQUESTED, AND APPROVING PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS

Maben-Watson: All Ayes

- 10) **Request from Kern County Planning Department for adoption of a Specific Plan containing various residential, commercial, industrial, public facilities, and resource management designations on approximately 9,586 acres in the Frazier Park and Lebec area (S.D. #4)**

Specific Request:

Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from various Nonjurisdictional (1.x), Public Facilities (3.x), Residential (5.x), Commercial (6.x), Industrial (7.x), and Resource (8.x) map codes to Map Code 4.1 (Accepted County Plan Areas) or a more restrictive map code designation; adopt the text and maps of the Frazier Park/Lebec Specific Plan to allow various land uses; amend the Kern County Circulation Element and adopt the Circulation Element of the Frazier Park/Lebec Specific Plan (GPA #8, Map #237; GPA #7, Map #238; GPA #7, Map #254; GPA #2, Map #255)

(Continued on Page 15)

(Continued from Page 14)

(Environmental Impact Report; Published Mountain Enterprise) - OPENED HEARING; HARRY RIEDEL, EL TEJON UNIFIED SCHOOL DISTRICT, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, CERTIFIED ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 FINDINGS AND SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2003-231 APPROVING GENERAL PLAN AMENDMENT AND CIRCULATION AMENDMENT AND ADOPTED THE FRAZIER PARK/LEBEC SPECIFIC PLAN

Watson-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Streets and Highways

S.D. #3

- *11) Request from Betty Hix, et al, by Delmarter and Deifel for a Summary Vacation of a portion of Hix Court, south side of Rosewood Avenue, between Brentwood Drive and Park Drive, east Bakersfield, Map 103-25 3 098 - APPROVED; ADOPTED RESOLUTION 2003-238

Maben-Watson: All Ayes

Miscellaneous

S.D. #1

- 12) Request by Teja Virk for Determination of Public Convenience for the issuance of an off-sale beer and wine license at 3200 North Chester Avenue, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - BOB VIRK AND JEFF WARREN, HEARD; APPROVED; ADOPTED RESOLUTION 2003-239

McQuiston-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- 13) Report on Metropolitan Bakersfield Freeway Beautification Master Plan Design Guidelines - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15304 (b); AUTHORIZED RESOURCE MANAGEMENT AGENCY TO FILE NOTICE OF EXEMPTION; HEARD PRESENTATION BY LESLEE TEMPLE, VICE PRESIDENT AND CHIEF FINANCIAL OFFICER OF NUVIS LANDSCAPE ARCHITECTURE AND PLANNING; CITY OF BAKERSFIELD MAYOR, HARVEY HALL, HEARD; APPROVED REPORT

Patrick-Watson: All Ayes

- *14) Proposed deletion of one (1) Administrative Coordinator position in Budget Unit 2730, effective June 27, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #4

- *15) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), for formation of County Service Area No. 97, and establishment of Zones of Benefit Nos. 1, 2 and 3, Parcel Maps 10632 and 10906, Erro Ranch, southwest Bakersfield - APPROVED; ADOPTED RESOLUTION 2003-240; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE NECESSARY DOCUMENTS WITH LAFCO; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTIONS 15061 (b) (3) AND 15273; DIRECTED CLERK OF THE BOARD TO FILE A NOTICE OF EXEMPTION

Maben-Watson: All Ayes

All S.D.'s

- *16) Request to set hearing for service charges in all County Service Areas for Fiscal Year 2003-2004 - ADOPTED RESOLUTION 2003-241 SETTING HEARING FOR TUESDAY, JULY 22, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15273(a); DIRECTED CLERK OF THE BOARD TO FILE A NOTICE OF EXEMPTION

Maben-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services - Animal Control Services

All S.D.'s

- 17) Report on six months activities, Animal Control Services Division - RECEIVED AND FILED; REFERRED LICENSING REVENUE EFFORTS TO BUDGET FILE

Maben-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #5

- *18) Proposed Contract No. 03014 with Griffith Company for construction of asphalt concrete overlay on various streets in southeast Bakersfield from Edison Highway to the north, from Oswell Street to the east, from the City of Bakersfield to the west, and from State Highway 58 to the south, in an amount not to exceed \$1,084,322 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 462-2003

Maben-Watson: All Ayes

S.D.'s #1 & #2

- *19) Contract No. 03017, Notice of Completion for manufacturing and delivery of asphalt concrete (stockpile) at various locations in east Kern County - RECEIVED AND FILED

Maben-Watson: All Ayes

WASTE MANAGEMENT

S.D.'s #1 & #5

- *20) Contract No. 03025; identify apparent low bid of Golden State Fence Company for construction of fences at China Grade and Arvin Sanitary Landfills, in an amount not to exceed \$196,597.50 - IDENTIFIED LOW BID; AUTHORIZED WASTE MANAGEMENT TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Maben-Watson: All Ayes

S.D.'s #1, #2 & #4

- *21) Deposit of funds into Eastin Reserve accounts (Account 2184 - \$270,365; Account 2195 - \$199,323; Account 2197 - \$330,312), in a total amount not to exceed \$800,000 - AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO INCREASE FUND 35050, EASTIN RESERVE ACCOUNTS, IN THE AMOUNT OF \$800,000 FROM EXPENDITURE SUB-OBJECT 7885, FUND 35050, BUDGET UNIT 8999

Maben-Watson: All Ayes

All S.D.'s

- 22) Proposed Ordinance establishing the Solid Waste Administration Fee - MICHAEL ROUW AND ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; WAIVED READING; INTRODUCED ORDINANCE

McQuiston-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

Hearing

- 23) Proposed reallocation of Health and Mental Health Program Realignment funds and transfer from General Fund contingencies to support Kern Medical Center operations - OPENED HEARING; ELIZABETH DAVIS; MARY O'RULLIAN, NATIONAL ALLIANCE FOR THE MENTALLY ILL; FRANK WELCOME; VIKKI DEL PELLEGRINO, BEHAVIORAL HEALTH BOARD; AND ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; CLOSED HEARING; MADE FINDING THAT THE TRANSFER OF \$1,750,000 FROM MENTAL HEALTH PROGRAM REALIGNMENT TRUST FUND TO THE HEALTH PROGRAM REALIGNMENT TRUST FUND FOR FISCAL YEAR 2002-2003 IS THE MOST COST EFFECTIVE USE OF AVAILABLE RESOURCES TO MAXIMIZE CLIENT OUTCOMES; ADOPTED RESOLUTION 2003-242; APPROVED TRANSFER OF \$1,750,000 FROM MENTAL HEALTH PROGRAM REALIGNMENT TRUST FUND TO HEALTH PROGRAM REALIGNMENT TRUST FUND; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE (REALIGNMENT FUNDS) TO APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$1,750,000; APPROVED BUDGET TRANSFER OF \$4,250,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO KERN MEDICAL CENTER COUNTY CONTRIBUTION BUDGET UNIT #4202; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$5,000,000 TO KERN MEDICAL CENTER ENTERPRISE FUND; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES (KMC ENTERPRISE FUND) IN THE AMOUNT OF \$5,000,000 TO BUDGET UNIT #8997

Patrick-Watson: All Ayes

- *24) Proposed Resolution authorizing application for State Homeland Security Grant Program Part II in the amount of \$1,625,646 - APPROVED; ADOPTED RESOLUTION 2003-243; AUTHORIZED COUNTY ADMINISTRATIVE OFFICER TO SIGN RELATED DOCUMENTS

Maben-Watson: All Ayes

- *25) Proposed letter of support for locating final assembly of Boeing 7E7 Jetliner at Palmdale Regional Airport - APPROVED; AUTHORIZED BOARD MEMBERS' SIGNATURES

Maben-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #4

- *26) Proposed Resolution and Ordinance granting an amendment to pipeline Franchise F-434 for Nuevo Energy Company and to receive comments on negative declaration prepared for this project - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED NEGATIVE DECLARATION; ADOPTED RESOLUTION 2003-244; ENACTED ORDINANCE F-458; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF DETERMINATION

Maben-Watson: All Ayes

S.D. #1

- *27) Proposed approval of Capital Project to replace the walk-in refrigerator at Camp Irwin Owen, in the amount of \$45,000 - APPROVED

Maben-Watson: All Ayes

S.D. #2

- *28) Proposed License Agreement with State Assembly Rules Committee for use of an office in the Building Inspections annex building at 1775 Highway 58, Mojave, to be used by the 34th District State Assemblyman Bill Maze (\$75 monthly rent) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 463-2003

Maben-Watson: All Ayes

- *29) Request for emergency authorization under Public Contract Code Sections 20134(a) and 22050 for Assistant County Administrative Officer to enter into a contract with an appropriate contractor for security fencing around the Keene Heliport in an amount not to exceed \$20,000, in the form approved by County Counsel - APPROVED; ADOPTED RESOLUTION 2003-245; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$20,000 FROM THE STATE FIRE TRUST FUND TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO CAPITAL PROJECTS, BUDGET UNIT 1960, IN THE AMOUNT OF \$20,000

Maben-Watson: All Ayes

S.D. #5

- *30) Proposed Amendment No. 3 to Agreement 538-2000 with Lee Development Group, LLC, for portion of 1300 - 18th Street, Bakersfield, for the District Attorney Welfare Fraud Division, to provide for payment of rent one year in advance in future years - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 464-2003 UPON FINAL APPROVAL BY COUNTY COUNSEL

Maben-Watson: All Ayes

- *31) Proposed Lease Agreement with U.S. House of Representatives District Office for a portion of 12014 Main Street, Lamont, to be used as office space by the Field Representative for U.S. Representative, Calvin Dooley (\$50 monthly rent) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 465-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Maben-Watson: All Ayes

- *32) Proposed Amendment No. 6 to Agreement 085-97 with Lee Development Group, LLC, for lease of office space and parking structure at 1300 - 18th Street, Bakersfield, for the Department of Child Support Services, to provide for tenant improvements in an amount not to exceed \$102,000 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 466-2003 UPON FINAL APPROVAL OF DOCUMENT BY COUNTY COUNSEL

Maben-Watson: All Ayes

- *33) Proposed approval of Major Maintenance Project to replace the underground fuel tank for the emergency generator at 1215 Truxtun Avenue - APPROVED PROJECT; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO MAJOR MAINTENANCE PROJECTS BUDGET UNIT #1650 IN THE AMOUNT OF \$81,300

Maben-Watson: All Ayes

S.D.'s #1 & #3

- *34) Change Order No. 2 for the tot lot improvements at Hart, Lake Ming and Stramler Parks, an increase of \$1,551, for a new total of \$129,636 (1960.8247D) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

All S.D.'s

- *35) Report on the radio communications system project - RECEIVED AND FILED

Maben-Watson: All Ayes

- *36) Proposed Amendment No. 2 to Agreement 291-2002 with Enterprise Rent-A-Car Company to clarify the applicable rental terms and conditions relating to employee personal vehicle rental - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 467-2003

Maben-Watson: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *37) Budget Transfers - APPROVED NO. 224 THROUGH NO. 242
Maben-Watson: All Ayes
- *38) Minutes for week of May 5, 2003 - APPROVED
Maben-Watson: All Ayes
- *39) Miscellaneous Letters and Documents - FILED
Maben-Watson: All Ayes
- *40) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED
Maben-Watson: All Ayes
- *41) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED
Maben-Watson: All Ayes

ADJOURNED TO TUESDAY, JUNE 17, 2003, AT 9:00 A.M.

Patrick-

/s/ Tracey E. Cody
Administrative Coordinator

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

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

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

39) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

County Administrative Office

- A) Amendment to Administrative Policy and Procedures Manual, Chapter 1, Exhibit C, re Alcohol and Drug Abuse Policy
- B) Response to referral re request from Wesley Crawford Mohammad for information concerning ethnic composition of County's workforce

Employers' Training Resource

- C) WIA Agreements:
 - 1) Cantu Enterprises, Inc. dba Central California Consultants, Inc., WIA Title 301, dated May 13, 2003;
 - 2) Oasis Air Conditioning, Inc., WIA Title 501/543, dated May 12, 2003;
 - 3) Oasis Air Conditioning, Inc., WIA Title 501, dated May 16, 2003
- D) Modification No. 7 to Agreement R380507 with the State of California Employment Development Department to correct the planned timeframes for Exhibits DD, EE and II to reflect September 30, 2003, for the 25% grant funding

Environmental Health Services

- E) Nine (9) thank you letters to individuals for donations to the Mojave and Bakersfield animal shelters

Local Agency Formation Commission

- F) Resolution No. 03-10, Proceeding No. 1350, in the matter of City of Bakersfield, Annexation No. 437, Renfro No. 5/Pacheco No. 12 (Copies to each Supervisor and CAO)

Planning

- G) Consent to Recordation of Irrevocable Offer of Dedication from Tehachapi Valley United Methodist Church re County Road No. 3928

Roads

- H) Consent to Recordation of Irrevocable Offer of Dedication from W. R. Pengilley and J. R. Pengilley re additional right-of-way for Eagle Way at Rosamond Boulevard
- I) Grant of Easement from W. R. Pengilley and J. R. Pengilley for additional right-of-way on Rosamond Boulevard, County Road No. 3705

Miscellaneous

- J) Letter from Kern Food Growers Against Sewage Sludge in opposition to sewage sludge of any classification being applied over usable groundwater (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- K) Letter from Deborah Richardson re zoning, compliance and abatement issues in west Antelope Valley area (Copies to each Supervisor, CAO and Engineering & Survey Services)

- L) Letter from Helen Dennis, City of California City, re joint public hearing on Tuesday, July 1, 2003, concerning proposed Third Amendment to the Redevelopment Plan for the California City Redevelopment Project (Third Amendment) (Copies to each Supervisor, CAO and County Counsel)
- M) Five (5) letters in opposition to increase in Universal Collection fees in Metropolitan Bakersfield (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- N) Ten (10) letters in opposition to Universal Collection fees in east Kern
- O) Notice from Department of Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses: Mojave Texaco, 15700 Sierra Highway, Mojave; Roma Liquor Mart, 106 Front Street, Buttonwillow; El Potrero Café, 318 Center Street, Taft (Copies to each Supervisor, CAO and Planning)
- P) Agenda of meeting from Kern County Child Care Council on Wednesday, June 4, 2003
- Q) Minutes of meeting from Kern County Child Care Council on Wednesday, April 2, 2003
- 40) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Dottie Johns and Jeanette Richardson, The Arts Council of Kern, re future funding and programs - REFERRED TO BUDGET FILE (Copies to each Supervisor and CAO)
- 41) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Ernie Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of John S. Broome, Trustee of the Broome Family Trust vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Jeannine Phelps vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Franco Chirinos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Cassius Clay Whitehead vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of Bolinger & Associates and Allstate Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Summons and complaint in the matter of Amanda Nordstrom, Samantha Mudge, a Minor, by and through her Guardian ad Litem, Amanda Nordstrom vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- H) Notice of change of address in the matter of Xavier Lumar J'Neial vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Notice of case closure in the matter of Ismael Carrillo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)