

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, June 11, 2002

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Peterson

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

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming June 2002 as Prostate Cancer Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO JENNIFER HENRY, COMMUNITY SERVICES MANAGER, AMERICAN CANCER SOCIETY, AND ANN HILDEBRAND; ANN HILDEBRAND HEARD; REPRESENTATIVES FROM PUBLIC HEALTH AND THE EAST BAKERSFIELD COMMUNITY HEALTH CENTER INTRODUCED

Peterson-Patrick - All Ayes

- 2) Proclamation proclaiming June 2002 as Water Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO STU PYLE, PRESIDENT, WATER ASSOCIATION OF KERN COUNTY; STU PYLE, JIM BECK, STEVE DALKE, AND FLORN CORE, CITY OF BAKERSFIELD, HEARD

McQuiston-Patrick - All Ayes

PUBLIC REQUESTS

- 3) Request of Loron Hodge, Manager, Water Association of Kern County, to address the Board with the Water Association's Annual Report - LORON HODGE, MANAGER, WATER ASSOCIATION OF KERN COUNTY AND JIM BECK HEARD

APPOINTMENTS

- *4) Reappointment of Deanna "Dee" Sutherland as Second District Member to the Commission on Aging, term to expire June 17, 2004 - MADE APPOINTMENT

Peterson-Parra - 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! - NO ONE HEARD

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]) - SUPERVISOR PATRICK ANNOUNCED SHE WILL BE ACCEPTING AN AWARD FROM THE URBAN LIBRARY COUNCIL IN ATLANTA AND WILL BE ABSENT FROM THE JUNE 18 BOARD MEETING

SUPERVISOR MCQUISTON REPORTED HE WILL NOT BE PRESENT FOR THE 2:00 P.M. SESSION TODAY AS HE IS ATTENDING A MEETING IN LOS ANGELES REGARDING RETENTION OF THE AEROSPACE INDUSTRY IN CALIFORNIA, AS A LOCAL GOVERNMENT REPRESENTATIVE

CHAIRMAN PEREZ ANNOUNCED THE BIRTH OF HIS NEW GRANDSON, CHASE RYAN PEREZ, THIS MORNING

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *7) Proposed California Department of Aging Contract Title III/VII Older Americans Act, Contract Number FF-0203-33; Grant Award Conditions for FY 2002-2003 in an amount not to exceed \$2,213,411- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 453-2002; AUTHORIZED DIRECTOR TO TRANSMIT TITLE III/VII OLDER AMERICANS TERMS AND CONDITIONS TO THE CALIFORNIA DEPARTMENT OF AGING

Peterson-Parra - All Ayes

- *8) Proposed Amendment No. 2 to Agreement FF-0102-33, Title III/VII with California Department of Aging, to increase funding for nutrition, ombudsman, In-Home Supportive Services, preventive health, and elder abuse prevention by \$98,346 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 454-2002; AUTHORIZED AUDITOR-CONTROLLER TO INCREASE THE PROVIDER CONTRACT FOR GREATER BAKERSFIELD LEGAL ASSISTANCE BY \$4,037

Peterson-Parra - All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- *9) Proposed retroactive approval of cooperative Agreement with United States Department of Agriculture for area wide management of Glassywinged Sharpshooter in Kern County for County to receive \$2,800,000, and approval of request for advance or reimbursement with United States Department of Agriculture; request for authority to sign retroactive and future standard form compliance agreements; request to authorize Auditor-Controller-County Clerk to establish interest bearing trust fund; and refer matter to the FY 2002-2003 budget file - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 455-2002 AND RELATED DOCUMENTS; ADOPTED RESOLUTION 2002-202 AUTHORIZING AGRICULTURAL COMMISSIONER/SEALER TO SIGN RETROACTIVE AND FUTURE COMPLIANCE AGREEMENTS; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ESTABLISH AN INTEREST BEARING TRUST FUND FOR THE DEPOSIT OF FUNDS RECEIVED FOR THE GLASSYWINGED SHARPSHOOTER AREA WIDE PEST MANAGEMENT PROJECT; AND REFERRED MATTER TO THE FY 2002-2003 BUDGET FILE TO BE INCLUDED IN SPECIAL SERVICES BUDGET UNIT 1040

Peterson-Parra - All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *10) Proposed Resolutions for temporary transfer of funds in or after July 2002 to the County General Fund in the amount of \$200,000,000, and to the County Fire Fund in the amount of \$21,000,000 - APPROVED; ADOPTED RESOLUTIONS 2002-203 AND 2002-203A

Peterson-Parra - All Ayes

BOARD OF TRADE

- 11) Proposed Agreements with Tourism Promotion Grant recipients previously approved by the Board of Supervisors on April 16, 2002: A) Bakersfield Sports Marketing Council, \$20,000; B) California State Old Time Fiddlers' Association District 3, \$6,000; C) Dust Bowl Historical Foundation, Inc., \$20,000; D) Exotic Feline Breeding Compound, Inc., \$5,200; E) Friends of Jawbone, Inc., \$12,900; F) Indian Wells Valley Community Foundation, \$12,000; G) IWV 2000 Corporation, \$14,000; H) Kern County Youth Mariachi Foundation, \$10,000; I) Kern River Paiute Council, \$5,000; J) Kern River Valley Chamber of Commerce, \$20,000; K) Kern Valley River Council, \$15,000; L) Mountain Memories Association, \$12,500; M) Native American Heritage Preservation Council of Kern, \$5,000; N) Ridge Route Communities Museum and Historical Society, \$10,000; O) Ridgecrest Area Convention and Visitors Bureau, \$17,500; P) Taft District Chamber of Commerce, \$20,000; Q) Kern River Celtic Association, \$20,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 456-2002, 457-2002, 458-2002, 459-2002, 460-2002, 461-2002, 462-2002, 463-2002, 464-2002; 465-2002, 466-2002, 467-2002, 468-2002, 469-2002, 470-2002, 471-2002, AND 472-2002

Parra-McQuiston - All Ayes

COUNTY COUNSEL

- *12) Proposed retroactive Agreement with Ferra and Associates for review of Integrated Disability Management Program procedures, from December 12, 2001 to June 30, 2003, in an amount not to exceed \$10,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 473-2002

Peterson-Parra - All Ayes

DISTRICT ATTORNEY

- *13) Proposed Resolution authorizing grant application for the Violence Against Women Vertical Prosecution Program in the amount of \$108,812 - APPROVED; ADOPTED RESOLUTION 2002-204

Peterson-Parra - All Ayes

EMERGENCY MEDICAL SERVICES

- *14) Appropriation of unanticipated revenue in the amount of \$343,228 from State Emergency Medical Services Appropriation (EMSA) monies for payment of qualifying physician and hospital claims for uncompensated care - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$343,228 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$343,228 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT #4201

Peterson-Parra - All Ayes

- *15) Report on Paramedic, Registered Nurse, Flight Nurse, and Emergency Nurse Comparison for Air Ambulance Service - RECEIVED AND FILED

Peterson-Parra - All Ayes

- *16) Proposed retroactive Agreement with Robert Barnes, M.D., for medical director services, from May 30, 2002 through May 29, 2003, in an amount not to exceed \$33,600 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 474-2002

Peterson-Parra - All Ayes

HUMAN SERVICES

- *17) Request approval for retroactive salary underpayment from January 27, 2001, and increment raise to Step "C", effective January 26, 2002 for Samantha Frayre, Human Services Technician, in the amount of \$2,017.03 - APPROVED

Peterson-Parra - All Ayes

- *18) Proposed space use permit for 100 East California Avenue, Bakersfield for State of California Employment Development Department (EDD) to occupy space, at no charge - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA UNDER SECTION 15301 OF STATE CEQA GUIDELINES; AUTHORIZED DEPARTMENT OF HUMAN SERVICES TO FILE NOTICE OF EXEMPTION; AUTHORIZED CHAIRMAN TO SIGN

Peterson-Parra - All Ayes

- *19) Proposed Agreement with Clinica Sierra Vista, Inc., for outstationing of Human Services Technicians in Perinatal and Obra '90 Clinics, from July 1, 2002 to June 30, 2004; no County cost; - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 475-2002

Peterson-Parra - All Ayes

- *20) Proposed Agreement with Clinica Sierra Vista, Inc., for case management services for Cal-Learn participants, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$1,008,000; no County cost - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 476-2002

Peterson-Parra - All Ayes

- *21) Appropriate unanticipated revenue from federal and State funds for direct aid payments within Human Services Direct Financial Aid Fund and cancellation of appropriations within Human Services Administration Fund - APPROVED
APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$9,916,102 TO APPROPRIATIONS FOR CONTINGENCIES, HUMAN SERVICES DIRECT FINANCIAL AID FUND (FUND 00140); APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$9,916,102 FROM APPROPRIATIONS FOR CONTINGENCIES TO HUMAN SERVICES DIRECT FINANCIAL AID BUDGET UNIT 5220; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$10,337,294 IN HUMAN SERVICES ADMINISTRATION BUDGET UNIT 5120 TO APPROPRIATIONS FOR CONTINGENCIES HUMAN SERVICES ADMINISTRATION FUND (FUND 00130); APPROVED CANCELLATION OF APPROPRIATIONS, HUMAN SERVICES ADMINISTRATION FUND IN THE AMOUNT OF \$10,337,294

Peterson-Parra - All Ayes

KERN MEDICAL CENTER

- *22) Proposed Amendment No. 2 to Agreement 1086-2001 with Westways Staffing Services, Inc., for temporary nursing staffing needs, to increase contractual amount by \$200,000, for a total amount not to exceed \$1,200,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 477-2002

Peterson-Parra - All Ayes

- *23) Proposed retroactive Amendment No. 1 to Agreement 426-2001 with Rehab & Wellness Center of Bakersfield, Inc., for physical therapy, occupational therapy and speech therapy services, extending the term by two years from May 29, 2001 through May 28, 2004 and increasing contractual amount by \$150,000, for a total amount not to exceed \$225,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 478-2002

Peterson-Parra - All Ayes

- *24) Proposed Amendment No. 1 to Agreement 703-2001 with Certus Corporation for Medi-Cal and Medicare report consultant services, extending the term one year through June 30, 2003, and increasing contractual amount by \$97,500, for a total amount not to exceed \$185,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 479-2002

Peterson-Parra - All Ayes

- *25) Relief of Accountability of patients' accounts - DISCHARGED KERN MEDICAL FROM ACCOUNTABILITY OF 2311 ACCOUNTS TOTALING \$1,245,445.91; AUTHORIZED ASSIGNING 2311 ACCOUNTS TOTALING \$1,245,445.91 TO COLLECTION AGENCIES

Peterson-Parra - All Ayes

LIBRARY

- *26) Proposed Resolution approving Grant Application for California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000, Kern County Library, Frazier Park Branch - ADOPTED RESOLUTION 2002-205 APPROVING SUBMISSION OF APPLICATION FOR GRANT FUNDS UNDER THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000, CERTIFYING PROJECT BUDGET, LOCAL FUNDING COMMITMENT AND SUPPLEMENTAL FUNDS AND PUBLIC LIBRARY OPERATION FOR KERN COUNTY LIBRARY, FRAZIER PARK BRANCH, ADOPTING AMENDED NEGATIVE DECLARATION AND DIRECTING CLERK OF THE BOARD TO FILE NOTICE OF DETERMINATION; AUTHORIZED CHAIRMAN TO SIGN GRANT APPLICATION; AUTHORIZED DIRECTOR OF LIBRARIES TO SIGN ALL GRANT APPLICATION DOCUMENTS

Peterson-Parra - All Ayes

MENTAL HEALTH SERVICES

- *27) Proposed Amendment No. 1 to Agreement 494-2001 with Aegis Medical Group, Inc., increasing Methadone maintenance services, from \$1,285,000 to an amount not to exceed \$1,891,000 (an increase of \$606,000) (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 480-2002

Peterson-Parra - All Ayes

- *28) Proposed Agreement with Turning Point of Central California, Inc., for outpatient drug free treatment services to County clients in the Bakersfield area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$807,562 (Medi-Cal, State, CalWORKS; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 481-2002

Peterson-Parra - All Ayes

- *29) Proposed Agreement with Turning Point of Central California, Inc., dba Kennemer Center, to provide social model detoxification treatment for homeless mental ill clients in the Bakersfield area, for Fiscal Year 2002-2003, in an amount not to exceed \$24,802 (Grants; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 482-2002

Peterson-Parra - All Ayes

- *30) Proposed Agreement with Aegis Medical Group, Inc., for outpatient Methadone maintenance treatment program services for County clients in the Bakersfield and Delano areas, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$1,838,404 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 483-2002

Peterson-Parra - All Ayes

- *31) Proposed Resolution and Agreement with California Mental Health Directors' Association (CMHDA), permitting the State Department of Mental Health to withhold funds from County's Early Prevention Screening Diagnosis and Treatment (ESPD) funds for the purpose of contracting with an Administrative Service Organization (ASO) to administer outpatient Specialty Mental Health Services for full-scope Medi-Cal eligible/adoption assistance for youth placed out-of-County, for FY 2002-2003, in an amount not to exceed \$50,000 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; ADOPTED RESOLUTION 2002-206; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 484-2002

Peterson-Parra - All Ayes

- *32) Proposed Agreement with The Family Care Network, Inc., to provide children's Therapeutic Behavioral Services (TBS), from July 1, 2002 to June 30, 2003, in an amount not to exceed \$360,000 (Medi-Cal; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 485-2002

Peterson-Parra - All Ayes

- *33) Proposed Agreement with Clinica Sierra Vista, Inc., to provide mental health services for Kern County children and adolescents in the Arvin/Lamont area, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$1,447,316 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 486-2002

Peterson-Parra - All Ayes

- *34) Proposed Agreement with Clinica Sierra Vista, Inc., for mental health services for Kern County adult clients in the communities of Arvin/Lamont and Frazier Park, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$318,211 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 487-2002

Peterson-Parra - All Ayes

- *35) Proposed Agreement with Clinica Sierra Vista, Inc., for behavioral health services for Kern County adult clients in the Delano and McFarland areas, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$614,898 (Medi-Cal, State, CalWORKS; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 488-2002

Peterson-Parra - All Ayes

- *36) Proposed Agreement with Dean Haddock, Ph.D., for Hearing Officer services for Certification Review Hearings for County clients, for Fiscal Year 2002-2003, in an amount not to exceed \$7,000 (Realignment, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 489-2002

Peterson-Parra - All Ayes

- *37) Proposed Agreement with Therese M. Foley, to provide Hearing Officer services for Certification Reviews, and/or Riese Capacity Hearings and/or Keyhea Hearings for County clients, for Fiscal Year 2002-2003, in an amount not to exceed \$8,500 (Realignment, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 490-2002

Peterson-Parra - All Ayes

- *38) Proposed Agreement with Connie Giannantonio for Certification Review Hearings, and/or Riese Capacity Hearings and/or Keyhea Hearings for County clients, for Fiscal Year 2002-2003, in an amount not to exceed \$8,500 (Realignment, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 491-2002

Peterson-Parra - All Ayes

- *39) Proposed Agreement with Ray Yinger for Certification Review Hearings, and/or Riese Capacity Hearings and/or Keyhea Hearings for County clients, for Fiscal Year 2002-2003, in an amount not to exceed \$24,950 (Realignment, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 492-2002

Peterson-Parra - All Ayes

- *40) Proposed Agreement with Good Samaritan Hospital, Inc., to provide intensive psychiatric inpatient hospital services to Medi-Cal beneficiaries, for Fiscal Year 2002-2003, in a State set aside amount (State, Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 493-2002

Peterson-Parra - All Ayes

PARKS AND RECREATION DEPARTMENT

- *41) Proposed Resolution requesting authorization to receive Proposition 12 (Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000) Funding, in the amount of \$2,430,000, for a water diversion project at Kern River County Park and construction of improvements at various County parks - APPROVED; ADOPTED RESOLUTION 2002-207

Peterson-Parra - All Ayes

PUBLIC HEALTH SERVICES

- *42) Proposed retroactive Agreement with Beardsley Unified School District for Medi-Cal Administrative Activities, from July 1, 2001 through June 30, 2003, in an amount not to exceed \$80,000 (prior notification June 26, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 494-2002

Peterson-Parra - All Ayes

- *43) Proposed Amendment No. 1 to Agreement 163-99 with Kern Health Systems for Medi-Cal Managed Care services to modify claims dispute resolution procedures - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 495-2002

Peterson-Parra - All Ayes

- *44) Proposed Agreement with Valley Catholic Charities for HIV/AIDS Early Intervention Project bookkeeping services for HOPWA funds, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$28,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 496-2002

Peterson-Parra - All Ayes

- *45) Proposed Agreement with Valley Catholic Charities for AIDS Nursing Case Management Program bookkeeping services for HOPWA funds, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$21,044 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 497-2002

Peterson-Parra - All Ayes

- *46) Proposed retroactive Agreement with North Bakersfield Recreation and Park District for Medi-Cal Administrative Activities, from July 1, 2001 through June 30, 2003, in an amount not to exceed \$100,000 (prior notification June 26, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 498-2002

Peterson-Parra - All Ayes

- *47) Proposed Agreement with Planned Parenthood Mar Monte for HIV Education and Prevention Program services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$45,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 499-2002

Peterson-Parra - All Ayes

- *48) Proposed Agreement with Clinica Sierra Vista for HIV Education and Prevention Program services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$90,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 500-2002

Peterson-Parra - All Ayes

SHERIFF

- 49) Authorization of layoffs in Sheriff's Department and deletion of positions - AUTHORIZED LAYOFFS WITHIN THE SHERIFF'S DEPARTMENT BUDGET UNIT 2210; APPROVED DELETION OF FOUR (4) SENIOR DETENTION OFFICER POSITIONS (ITEM 4545) (FOUR CURRENT VACANCIES); APPROVED DELETION OF TWENTY-THREE (23) DETENTION OFFICER POSITIONS (ITEM 4546) (SEVEN CURRENT VACANCIES); APPROVED DELETION OF ONE (1) TYPIST CLERK IV POSITION (ITEM 3165) (ONE CURRENT VACANCY); APPROVED DELETION OF ONE (1) TYPIST CLERK II POSITION (ITEM 3167) (ONE CURRENT VACANCY); APPROVED DELETION OF ONE (1) ACCOUNT CLERK III POSITION (ITEM 2561) (NO CURRENT VACANCY) ALL TO BE EFFECTIVE JULY 13, 2002; DIRECTED PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; REFERRED TO COUNTY COUNSEL TO REVIEW INFORMATION ON THE RULING BY THE FEDERAL JUDGE REGARDING REMOVAL OF FEDERAL PRISONERS FROM THE MAX MEDIUM FACILITY, AND COMMUNICATE WITH STATE AND FEDERAL LEGISLATORS TO SUPPORT CONTINUED CONTRACTS TO HOUSE FEDERAL PRISONERS IN KERN COUNTY FOR REPORT BACK TO THE BOARD ON JUNE 25, 2002

McQuiston-Peterson - All Ayes

- *50) Accept donation of a \$10,000 check from Corvettes of Bakersfield, Inc., to the Kern County Sheriff's Department Search and Rescue Group - ACCEPTED DONATION; ORDERED THE \$10,000 BE DEPOSITED INTO THE KERN COUNTY SHERIFF'S SEARCH AND RESCUE TRUST ACCOUNT TO BE USED TO SUPPLEMENT THE FUNDS NEEDED FOR TRAINING AND THE PURCHASING OF SEARCH AND RESCUE EQUIPMENT; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Peterson-Parra - All Ayes

- *51) Application to hold a parade - Mojave Chamber of Commerce on September 21, 2002 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Peterson-Parra - All Ayes

VETERANS' SERVICE DEPARTMENT

- *52) Proposed annual Agreement with Union Cemetery Association for perpetual care of veterans plots in Union Cemetery, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$5,820 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 501-2002

Peterson-Parra - All Ayes

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IHSS PUBLIC AUTHORITY

Patrick-Peterson

ADJOURNED TO CLOSED SESSION

Peterson

CLOSED SESSIONS

IHSS PUBLIC AUTHORITY

- 53) Request for Closed Session to instruct the Employee Relations Officer, the Authority's designated representative, regarding labor negotiations -

RECONVENED FROM CLOSED SESSION

ROLL CALL: All Present

ADJOURNED AS IHSS PUBLIC AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

McQuiston-Patrick

ADJOURNED TO CLOSED SESSION

Patrick

COUNTY ADMINISTRATIVE OFFICE

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

- 55) Request for Closed Session regarding public employee performance evaluations (establish performance goals) - Titles: Director of Emergency Medical Services, Director of Human Services, and Fire Chief -

COUNTY COUNSEL

- 56) Request for Closed Session regarding significant exposure to litigation against the County (multiple cases) (Government Code Section 54956.9(b)(1) -

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

Parra-Peterson

/s/ Denise Pennell
Clerk of the Board

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, June 11, 2002

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Peterson, Parra
ROLL CALL: 3 Present; 2 Absent - McQuiston/Perez

NOTE: VICE CHAIRMAN PATRICK ANNOUNCED SUPERVISOR MCQUISTON IS ATTENDING A MEETING IN LOS ANGELES THIS AFTERNOON REGARDING THE AEROSPACE INDUSTRY IN CALIFORNIA, AND STATED CHAIRMAN PEREZ WAS DELAYED TEMPORARILY AND WILL BE PRESENT LATER IN THE MEETING.

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

NOTE: THE CONSENT AGENDA WAS HEARD OUT OF ORDER AFTER ITEM NO. 27, AS SEVERAL AGENDA ITEMS REQUIRED A 4/5 VOTE.

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!** - D.K. MASON, KERN COUNTY PUBLIC ACCESS TELEVISION, PRESENTED A DRAFT CONTRACT BETWEEN KERN COUNTY AND KERN COUNTY PUBLIC ACCESS TELEVISION FOR THE BOARD'S CONSIDERATION

RECEIVED AND FILED

Parra-Peterson - 3 Ayes; 2 Absent - McQuiston/Perez

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

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

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

Specific Request:

(a) A change in zone classification from A-1 to M-2 PD (ZCC #118, Map #102)

(b) A Precise Development Plan for the installation of an off-site advertising sign, in an M-2 PD (Medium Industrial - Precise Development Combining) District (PD Plan #58, Map #102)

(Categorically Exempt, Section 15301; Published Bakersfield Californian) (from 5/14/2002 and 5/28/2002) - CONTINUED TO TUESDAY, JUNE 25, 2002, AT 2:00 P.M.

Peterson-Parra - 3 Ayes; 2 Absent - McQuiston/Perez

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *4) **Request from Grealish Investments by Delmarter and Deifel to change the permitted uses from Residential to Light Industrial for the development of an industrial complex on 5.07 acres located on the southeast corner of Fruitvale Avenue and Krebs Road, Rosedale area (SD 3)**

Specific Request:

(a) A change in zone classification from E (5) RS to M-2 PD (ZCC #117, Map #102)

(b) A Precise Development Plan for an industrial complex in an M-2 PD District (PD Plan #57, Map #102)

(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 2002-208 AND 2002-209 AND ENACTED ORDINANCE G-6887 APPROVING ZONE CHANGE AS REQUESTED AND APPROVING PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

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; Housing Element of the Kern County General Plan and the Metropolitan Bakersfield 2010 General Plan; Metropolitan Bakersfield 2010 General Plan, Rosamond Specific Plan, Buttonwillow Community Development Plan; Kern County Year 2000 General Plan, Appendix G; Alteration of Agricultural Preserve 9; Other Items as Cited Which Include Amendments of Certain Zoning Maps and Applications and Proceedings

- *5) **Request from Christopher Bryan by Donald E. Ward to change the permitted uses from 20-acre Residential to 5-acre Residential on 21.86 acres located at 19963 Walker Basin Road, five miles east of Caliente-Bodfish Road, 12 miles northeast of Caliente (SD 2)**

Specific Request:

(a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 5.8/2.5 to Map Code(s) 5.7/2.5 (GPA #2, Map #108-18)

(b) A change in zone classification from E (20) RS MH to E (5) RS MH (ZCC #6, Map #108-18)

(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 2002-210 AND 2002-211 AND ENACTED ORDINANCE G-6888 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *6) **Request from Landtec Development by Cornerstone Engineering, Inc. to change the permitted uses from Limited Agriculture to Commercial on 10 acres located on the south side of Dawn Road, lying east of State Highway 14, approximately 2-1/2 miles north of Rosamond (SD 2)**

Specific Request:

Specific Request:

(a) Amend the Rosamond Specific Plan from Map Code(s) 5.6 to Map Code(s) 6.2 (GPA #58, Map #230)

(b) A change in zone classification from A-1 to C-2 PD (ZCC #100, Map #230)

(Negative Declaration; Published Rosamond Weekly News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2002-210 AND 2002-212 AND ENACTED ORDINANCE G-6889 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *7) **Request from Oscar Gutierrez by Alta Engineering/Hughes Surveying to change the permitted uses from Limited Agriculture to Light Industrial and Residential for the development of a trucking facility on 4-1/2 acres located at 1630 Morning Drive, Bakersfield (SD 3)**

Specific Request:

(a) Amend the Metropolitan Bakersfield 2010 General Plan from Map Code(s) SR to Map Code(s) GC for the northern 1.02 acres of the site (GPA #1, Map #103-25)

(b) A change in zone classification from A-1 PD to M-1 PD on the northern 1.02 acres and E (1/2) RS on the southerly 3.48 acres or more restrictive districts (ZCC #21, Map #103-25)

(c) A Precise Development Plan for the development of a trucking facility, in an M-1 PD District (PD Plan #16, Map #103-25)

(Negative Declaration; Published Bakersfield Californian) - PER PLANNING DEPARTMENT RECOMMENDATION, CONTINUED TO TUESDAY, JULY 23, 2002, AT 2:00 P.M.

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *8) **Request from Kern County Waste Management Department to change the permitted uses from Agriculture to Sanitary Landfill for 50 acres, amend the boundaries on the Buttonwillow Sanitary Landfill map found in the General Plan, and exclude 70.6 acres from an Agricultural Preserve on property adjacent to the Buttonwillow Transfer Station and Sanitary Landfill located south of Sullivan Road and east of Buttonwillow Drive, north of Buttonwillow (SD 4)**

Specific Request:

(a) Amend the Buttonwillow Community Development Plan from Map Code(s) A to Map Code(s) SL; amend the Kern County Year 2000 General Plan, Appendix G, Buttonwillow Sanitary Landfill map (GPA #3, Map #98-14)

(b) Exclusion of approximately 70.6 acres from the boundaries of an Agricultural Preserve (Ag Pres #9 - Excl) (Negative Declaration (prepared by Kern County Waste Management Department); Published Shafter Press) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2002-210 AND 2002-213 AND ENACTED ORDINANCE G-6890 APPROVING GENERAL PLAN AMENDMENT, AMENDMENT OF THE KERN COUNTY YEAR 2000 GENERAL PLAN, APPENDIX G, BUTTONWILLOW SANITARY LANDFILL MAP, AND EXCLUSION AS REQUESTED

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *9) **Request from Douglas and Lori Hallmark by French and Associates to change the permitted uses from Residential to Commercial and Industrial on 11.21 acres located northwest of Lebec Road, approximately 300 feet southwest of Landfill Road, Lebec (SD 4)**

Specific Request:

(a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 5.6, 8.5, and 8.5/2.1 to Map Code(s) 5.6/2.1, 6.2, and 6.2/2.1 (GPA #5, Map #237-34)

(b) A change in zone classification from E (2-1/2) RS MH to C-2 PD and M-1 PD (ZCC #21, Map #237-34) (Negative Declaration; Published Mountain Enterprise) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2002-210 AND 2002-214 AND ENACTED ORDINANCE G-6891 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *10) **Request from Kern County Planning Department to amend the Housing Element of the Kern County General Plan and the Metropolitan Bakersfield 2010 General Plan, Countywide (All SD's)**

Specific Request:

Amend the Housing Element of the Kern County General Plan and the Metropolitan Bakersfield 2010 General Plan for the unincorporated area to revise and update the housing goals, objectives, policies, and implementation as required by Government Code Section 65588 (GPA #119, Map #500)

(Negative Declaration; Published Bakersfield Californian) - CONTINUED TO TUESDAY, JULY 30, 2002, AT 2:00 P.M.

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Community Development Program Department

All S.D.'s

- *11) Closeout of completed Community Development Block Grant (CDBG) funded projects, and transfer of \$102,532.85 to the CDBG Unprogrammed Funds line item - APPROVED TRANSFER OF FUND BALANCES FOR COMPLETED PROJECTS TO THE RESPECTIVE CDBG PROGRAM YEAR UNPROGRAMMED FUNDS LINE ITEM; AUTHORIZED THE NECESSARY HUD AND COUNTY BUDGET ADJUSTMENTS AND PROJECT CLOSEOUTS

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #2

- *12) Hearing for the abatement of a public nuisance involving the demolition of an abandoned and dangerous structure at 8 East Silver Queen, Mojave, APN 429-060-17, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2002-215 THE ABANDONED STRUCTURE 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 NUISANCE IS 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 THE NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *13) Hearing for the abatement of a public nuisance involving the demolition of an abandoned and dangerous structure at 8316 School Street, Lamont, APN 188-082-05, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2002-216 THE ABANDONED STRUCTURE 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 NUISANCE IS 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 OF THE ACCESSORY STRUCTURES ONLY, AND BOARD AND SECURE THE PRIMARY RESIDENCE AND TO PERFORM THE NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *14) Hearing for the abatement of a public nuisance involving the demolition of an abandoned and dangerous structure at 12704 Parish Avenue, Lamont, APN 187-131-34, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DECLARED BY RESOLUTION 2002-217 THE ABANDONED STRUCTURE 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 NUISANCE IS 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 THE NECESSARY INSPECTIONS IN THE PERFORMANCE OF THE DEMOLITION CONTRACT
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
S.D. #3
- *15) Contract No. 02007, Notice of Completion for Airport Acres Water System Improvements - RECEIVED AND FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
S.D. #4
- *16) Contract No. 02004, Notice of Completion for construction of Frazier Park Drain-Phase V - RECEIVED AND FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
S.D. #5
- *17) Contract No. 01044, Notice of Completion for Lamont Flood Mitigation - RECEIVED AND FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
All S.D.'s
- *18) Request to set hearing for service charges in all County Service Areas for the 2002-2003 Fiscal Year - ADOPTED RESOLUTION 2002-218 SETTING HEARING FOR TUESDAY, JULY 23, 2002, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
RESOURCE MANAGEMENT AGENCY
Roads Department
S.D. #1
- *19) Contract No. 01012, Notice of Completion for construction on Erskine Creek Road - RECEIVED AND FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
S.D. #2
- *20) Proposed Contract No. 01031 with Granite Construction Company for construction on Rosamond Boulevard at Union Pacific Railroad, in an amount not to exceed \$545,545 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 502-2002
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *21) Proposed Resolution in support of early acquisition of real property for the North Mojave Project on State Route 14 - ADOPTED RESOLUTION 2002-219
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
S.D. #3
- *22) Contract No. 01030, Notice of Completion for Channelization on Allen Road at Meacham Road - RECEIVED AND FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
COUNTY ADMINISTRATIVE OFFICE
- *23) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 433, LAFCO Proceeding No. 1339 - ADOPTED RESOLUTION 2002-220 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2003-2004 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
- *24) Proposed establishment of Tobacco Revenue Securitization Proceeds Capital Projects Fund, #00235, as an interest bearing fund, and Budget Unit #8235, Tobacco Revenue Securitization Proceeds Capital Projects Budget Unit - APPROVED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
- *25) Request for authorization to submit application for grant funding to United States Department of Justice for law enforcement and security, in the amount of \$494,608 - APPROVED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
- *26) Transfer of property tax revenues to Tax Liability Reserves - DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER \$6,800,000 FROM GENERAL FUND SECURED TAXES TO GENERAL FUND TAX LIABILITY RESERVE AND \$3,400,000 FROM STRUCTURAL FIRE FUND SECURED TAXES TO STRUCTURAL FIRE FUND TAX LIABILITY RESERVE
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

NOTE: CHAIRMAN PEREZ WAS PRESENT AT 2:10 P.M.

- 27) Proposed Resolution approving lease agreement, agency agreement, bond purchase contract, preliminary official statement and continuing disclosure agreement in connection with the issuance and delivery of the Kern Public Services Financing Authority Lease Revenue Bonds for the Southeast Bakersfield Community Services Center - APPROVED; ADOPTED RESOLUTION 2002-221
Parra-Patrick - 4 Ayes; 1 Absent - McQuiston

NOTE: THE CONSENT AGENDA WAS HEARD OUT OF ORDER AFTER ITEM NO. 27, WITH FOUR BOARD MEMBERS PRESENT AND VOTING.

Legislative Matters

- *28) HR 3131 and S 1278: Federal tax credits for independent film and television productions - ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #5

- *29) Proposed purchase of approximately 10,324 square feet adjacent to Public Services Building from Peter and Colleen Bellue, for use as a secured storage lot for Waste Management's recycling program, for purchase price of \$51,620 and \$200 for escrow/closing fees, for a total of \$51,820 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-222; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND TO ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$51,820

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

S.D. #1

- *30) Identify apparent low bid of Bowe Contractors, Inc., for the Inyokern Senior Center expansion project, in an amount not to exceed \$252,900 (8920.26001) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *31) Proposed Agreement with Purkiss-Rose-RSI Landscape Architecture for design services for the Lake Isabella skate park facility, in an amount not to exceed \$25,525 (8920.28011) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 503-2002

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *32) Proposed Amendment and Memorandum of Amendment to Agreement 748-98 with Chevron USA, Inc., formerly Texaco Exploration and Production, Inc., and EOG Resources, Inc., for oil, gas, and mineral lease at Shafter Experimental Farm, to provide for the use of new drilling technology (County to receive 1/6 royalty) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 504-2002 AND 505-2002

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

S.D. #3

- *33) Appropriation of unanticipated revenue in the amount of \$55,000 to fund Panorama Park improvements - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$55,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$575,000 FROM APPROPRIATIONS FOR CONTINGENCIES, MAJOR MAINTENANCE, AND SPECIAL SERVICES TO CAPITAL PROJECT BUDGET UNIT 1960, EXP. ACCOUNT 8245

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *34) Proposed Agreement with Brown & Fowler Construction for installation of playground equipment, landscaping and other services at the former Public Health Department site, in an amount not to exceed \$116,890 (1960.8248) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 506-2002

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *35) Change Order No. 1 for computer room HVAC system remodel at Information Technology Services, providing for additional time and an increase of \$5,326.44, for a new total of \$123,531.36 (1650.7038)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *36) Proposed Amendment No. 4 to Agreement 085-97 with Lee Development Group, LLC, for lease of office space and parking structure at 1300 - 18th Street, Bakersfield, for use by the Department of Child Support Services, to provide for tenant improvements to office space and security modifications to the parking structure, in an amount not to exceed \$395,061 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 507-2002 UPON FINAL APPROVAL BY COUNTY COUNSEL

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

- *37) Appropriation of unanticipated revenue in the amount of \$133,601.39 to fund landscaping and demolition at the former Public Health Department site - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$133,601.39 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVE BUDGET TRANSFER IN THE AMOUNT OF \$208,601.39 FROM APPROPRIATIONS FOR CONTINGENCIES AND FROM TOT LOT UPGRADE CAPITAL PROJECT TO BUDGET UNIT 1960, EXP. ACCOUNT 8248

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

- *38) Proposed Settlement Agreement between Pacific Bell Telephone Company, dba SBC Pacific Bell, and Kern County, in an amount not to exceed \$34,497.55 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 508-2002

Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

MATTERS FOR EXECUTIVE APPROVAL

- *39) Budget Transfers - APPROVED #289 THROUGH #297
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
- *40) Minutes for week of May 13, 2002 - APPROVED WITH CORRECTION
TO ITEM NO. 41, 2:00 P.M., DELETING BUDGET TRANSFER NO.
249, WHICH WAS VOIDED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
- *41) Miscellaneous Letters and Documents - FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
- *42) Miscellaneous Departmental Referrals by Clerk of the Board
- APPROVED AND FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston
- *43) Claims and Lawsuits filed with and referred by Clerk of the
Board - APPROVED AND FILED
Peterson-Parra - 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO TUESDAY, JUNE 18, 2002, AT 9:00 A.M.

Peterson-

/s/ Denise Pennell
Clerk of the Board

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

41) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report of County Counsel, Risk Management Budget Unit, General Liability Self-Insurance Program Internal Service Fund, and Workers' Compensation Self-Insurance Program Internal Service Fund for Fiscal Years Ended June 30, 2001 and 2000 - RECEIVE AND FILE

Clerk of the Board

- B) Letter from Anthony Martinez re resignation from the Board of Trade (Copies to each Supervisor and CAO)

General Services

- C) Response to letter from Michael J. Butcher, Belridge Elementary School, re availability of surplus school district property

Planning Department

- D) Consent to Record re Irrevocable Offer of Dedication from Primex Farms, LLC, County Road No. 3901

Miscellaneous

- E) Letters from Paul Amato, Mika Amato, Shirley Griesbach, Horace and Karen Jarrell, and Daryl M. and Jacqueline L. Black in opposition to wild animal keeping, Tehachapi area (Copies to each Supervisor, CAO and Planning)
- F) Letter from Maridee A. Gregory, State Department of Health Services, re Child Health and Disability Prevention (CHDP) allocations for Fiscal Year 2002-2003 (Copies to each Supervisor, CAO, Public Health and Auditor-Controller)
- G) E-mail from D. K. Mason, Kern County Public Access TV, Inc., re public access channel (Copies to each Supervisor, CAO, General Services and County Counsel)
- H) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: La Mexicana Market, 11121 Main Street, Lamont and E&J Discount General Store, 6498 Wofford Boulevard, Wofford Heights (Copies to each Supervisor, CAO and Planning)
- I) Notice from Safety-Kleen (Buttonwillow), Inc., re potential transfer of the Hazardous Waste Facility Permit issued by the Department of Toxic Substances Control (DTSC) to Clean Harbors (Copies to each Supervisor, CAO, Planning and Environmental Health)
- J) Survey Report from The Rehabilitation Accreditation Commission (CARF) (Copies to each Supervisor and CAO)
- K) Agenda of special meeting from Tehachapi City Council on Monday, June 3, 2002, and agendas of regular meetings of Tehachapi City Council, Tehachapi Redevelopment Agency and Tehachapi Public Financing Authority on Monday, June 3, 2002
- L) Agenda of meeting from Kern County Child Care Council on Wednesday, June 5, 2002, and minutes of meeting on Wednesday, May 1, 2002
- M) Agenda of meeting from Central Valley Regional Water Quality Control Board on Thursday, June 6, 2002 (Copies to each Supervisor, CAO and Resource Management Agency)

- 42) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Charlotte Hill, Fountain Springs Estates HOA, re bank charges and assessment payments concerning the account of Nancy Guinn, 5505 Fountain View Way - REFERRED TO MENTAL HEALTH (Copies to each Supervisor and CAO)
 - B) Letter from Kunie Sato re value and plans for land purchased in Rosamond - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
 - C) Letter from Richard Papst, Arts Council of Kern, re funding in 2003 - REFERRED TO BUDGET FILE FOR FISCAL YEAR 2002-2003 (Copies to each Supervisor and CAO)
- 43) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Adelina Ibarra Martinez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Irma Melendez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Kirk Kobos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Olga Lezama-Flores and Araceli Pacheco-Lezama vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Notice of amended discrimination complaint in the matter of Rebecca Rivera vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Notice of amended discrimination complaint in the matter of Rivera/Leonard Perez as an individual vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Notice of amended discrimination complaint in the matter of Rivera/Joseph Mansour as an individual vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - H) Summons and complaint in the matter of Christopher Hurtz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- I) Summons and complaint in the matter of the People of the State of California, acting by and through the Department of Transportation vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Summons and complaint in the matter of Yolanda Elizabeth Guerrero de Hernandez, as an individual and as guardian-ad-litem for minors, Jovani Gamoliel Hernandez-Guerrero and Norma Angelica Hernandez-Guerrero; Diana Jaquelin Hernandez-Guerrero, as an individual; Juan Hernandez-Cabrera, as an individual; Irene Vera de Hernandez, as an individual; Victoria Hernandez, as an individual; and Marta Patricia Hernandez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Civil subpoenas (3) in the matter of County Sanitation District No. 2 of Los Angeles County vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)