

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

KERN MEDICAL CENTER  
1830 Flower Street  
Conference Room 1058  
Bakersfield, California

Regular Meeting  
Monday, June 14, 2004

2:00 P.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Patrick

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!  
- NO ONE HEARD

#### BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

#### DEPARTMENTAL REQUESTS

##### KERN MEDICAL CENTER

- 3) Update report regarding Kern Medical Center's financial condition - RECEIVED AND FILED

**Parra-Watson: All Ayes**

- 4) Report regarding Kern Medical Center's Information Systems Program - TONY RIZOS, DIRECTOR OF INFORMATION SYSTEMS MADE PRESENTATION; KATHY GRIFFITH, LABORATORY SUPERVISOR HEARD; RECEIVED AND FILED DOCUMENTS

**Parra-Watson: All Ayes**

- 5) Report regarding Kern Medical Center's Licensed Clinical Staff Retention and Recruitment Programs and Strategies - MIKE EWALD, DIRECTOR OF HUMAN RESOURCES MADE PRESENTATION; TONI SMITH, RN, NURSE EXECUTIVE, HEARD; EVELYN ELLIOTT, PHARMACY DIRECTOR, AND GREG PRINCE, RADIOLOGY MANAGER, INTRODUCED; RECEIVED AND FILED DOCUMENTS

**Watson-Parra: All Ayes**

- 6) Proposed authorization to obtain outside medical and related supplies and professional services, in an amount not to exceed \$3.25 million, and execute amendments to the California Medical Assistance Commission contract for Hospital Inpatient Services, for the Emergency Services and Supplemental Payments Fund and Graduate Medical Education, Fiscal Year 2004-2005 - AUTHORIZED CHIEF EXECUTIVE OFFICER OF KERN MEDICAL CENTER TO SECURE OUTSIDE MEDICAL AND RELATED SUPPLIES AND PROFESSIONAL SERVICES, AUTHORIZED THE AUDITOR-CONTROLLER-COUNTY CLERK TO PAY FOR SUCH SUPPLIES AND SERVICES IN AN AMOUNT NOT TO EXCEED \$3.25 MILLION, AND EXECUTE AMENDMENTS TO THE CALIFORNIA MEDICAL ASSISTANCE COMMISSION CONTRACT FOR HOSPITAL INPATIENT SERVICES, FOR THE EMERGENCY SERVICES AND SUPPLEMENTAL PAYMENTS FUND AND GRADUATE MEDICAL EDUCATION, FOR THE FISCAL YEAR BEGINNING JULY 1, 2004 SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL; REFERRED TO KMC TO PROVIDE QUARTERLY REPORTS TO THE BOARD DESCRIBING THE NUMBER AND TYPES OF CONTRACTS EXECUTED BY THE CEO UNDER THE APPROVED AUTHORITY

**Watson-Patrick: All Ayes**

- \*7) Proposed changes in clinical privilege status for 18 members of Kern Medical Center's Medical Staff - APPROVED

**Patrick-Watson: All Ayes**

- \*8) Proposed approval of supplement to Agreement 276-99 with McKesson Information Systems, LLC, to extend Carebridge Services, for dedicated and secure access to the Internet, for the term July 1, 2004 through June 30, 2005, in an amount not to exceed \$93,280 annually, with annual renewals thereafter - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 464-2004; AUTHORIZED PURCHASING AGENT TO ISSUE ANNUAL PURCHASE ORDER

**Patrick-Watson: All Ayes**

- \*9) Proposed Amendment No. 8 to Agreement 611-99 with CTG Healthcare Solutions, Inc., amending the scope of work, extending the term through March 31, 2005, increasing the funding for additional support services by \$300,000 from \$1,598,000 to \$1,898,000, and increasing the maximum reimbursement for expenses by \$85,000 from \$60,000 to \$145,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 465-2004

**Patrick-Watson: All Ayes**

- \*10) Proposed Agreement with Kern County Neurological Medical Group, Inc., for neurological interpretation of Electroencephalograms, from June 20, 2004 through June 19, 2006, in an amount not to exceed \$20,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 466-2004

**Patrick-Watson: All Ayes**

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 11: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE ISSUES RAISED INVOLVING KMC AND THE AVAILABILITY OF STAFF THIS WEEK AND NOT NEXT REQUIRES THAT THE BOARD ADDRESS THESE ISSUES WITHOUT DELAY THIS WEEK; THE NEED FOR ACTION CAME TO THE ATTENTION ON JUNE 11, 2004, IN THE LATE AFTERNOON AFTER THE POSTING OF THE AGENDA AT 2:00 P.M. THAT DATE

**Parra-Patrick: All Ayes**

ADJOURNED TO CLOSED SESSION

**Watson-Patrick: All Ayes**

CLOSED SESSION  
NON-AGENDA ITEM

- 11) Request for Closed Session regarding significant exposure to litigation against the County (Government Code Section 54956.9(b)(3)(A) -

RECONVENED FROM CLOSED SESSION; ADJOURNED TO TUESDAY, JUNE 15, 2004 AT 9:00 A.M.

**Parra-Patrick**

/s/ Denise Pennell  
Clerk of the Board

/s/ Jon McQuiston  
Chairman, Board of Supervisors

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

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

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, June 15, 2004

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.

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BOARD ACTION SHOWN IN CAPS

#### APPOINTMENTS

- \*1) Reappointment of Wilfred A. "Hezzy" Brown as Fourth District Member to the Commission on Aging, term to expire June 17, 2006 - MADE REAPPOINTMENT  
**Patrick-Watson: All Ayes**
  
- \*2) Reappointment of Herminia Damo as Second District Member to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2006 - MADE REAPPOINTMENT  
**Patrick-Watson: All Ayes**
  
- \*3) Reappointment of John Thomas Gardner as Second District Member to the Commission on Aging, term to expire June 17, 2006 - MADE REAPPOINTMENT  
**Patrick-Watson: All Ayes**

PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*6) Proposed notification of anticipated retroactive Agreements with Kern Around the Clock Foundation for homemaker services; North Bakersfield Recreation & Park District for homemaker services; Homemaker Services of Indian Wells Valley for homemaker services, case management/information and referral, and adult day care services; Valley Caregiver Resource Center for homemaker services; and Greater Bakersfield Legal Assistance for legal and ombudsman services for Title III-B Senior Social Services - RECEIVED AND FILED

**Patrick-Watson: All Ayes**

- \*7) Proposed notification of anticipated retroactive Agreements with Adventist Health, City of Delano, Richard Prado Senior Center, and North Bakersfield Recreation & Park District for Title III-C Senior Nutrition Services - RECEIVED AND FILED

**Patrick-Watson: All Ayes**

- \*8) Proposed notification of anticipated retroactive Agreements with Alzheimer's Disease Association of Kern County, for access, caregiver support, respite, and supplemental services; Kern Around the Clock Foundation for caregiver support; Homemaker Services of Indian Wells Valley for service information, access, caregiver support, respite, and supplemental services; Valley Caregiver Resource Center for service information, access, caregiver support, respite, and supplemental services; and Greater Bakersfield Legal Assistance for supplemental services for Title III-E Family Care Giver Support Programs - RECEIVED AND FILED

**Patrick-Watson: All Ayes**

- \*9) Proposed notification of anticipated retroactive Agreements with Alzheimer's Disease Association of Kern County, for Alzheimer's Day Care Resource Center; Kern Around the Clock Foundation for Linkages and Respite Purchase of Services; and Community Action Partnership of Kern County for the Brown Bag Program for Community Based Service Programs - RECEIVED AND FILED

**Patrick-Watson: All Ayes**

DISTRICT ATTORNEY

- \*10) Proposed Resolution authorizing submission of application to the Governor's Office of Emergency Services for the Vertical Prosecution Block Program in the amount of \$204,412 and execution of Grant Award Agreement - APPROVED; ADOPTED RESOLUTION 2004-189; AUTHORIZED DISTRICT ATTORNEY TO SIGN GRANT AGREEMENT SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

**Patrick-Watson: All Ayes**

- \*11) Proposed Resolution authorizing submission of application to the California Department of Insurance for the Automobile Insurance Fraud Program in the amount of \$204,012.20 - APPROVED; ADOPTED RESOLUTION 2004-190

**Patrick-Watson: All Ayes**

- \*12) Proposed Resolution authorizing submission of application to the Governor's Office of Emergency Services in the amount of \$573,853 and execution of Grant Award Agreement - APPROVED; ADOPTED RESOLUTION 2004-191; AUTHORIZED DISTRICT ATTORNEY TO SIGN GRANT AGREEMENT SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

**Patrick-Watson: All Ayes**

- \*13) Appropriation of unanticipated revenue in the amount of \$470,000 from the District Attorney Equipment/Automation Fund and the District Attorney Local Forfeiture Trust Fund for automation and operational expenditures - APPROVED TRANSFER OF \$200,000 FROM THE DISTRICT ATTORNEY EQUIPMENT/AUTOMATION FUND (22079) AND \$270,000 FROM THE DISTRICT ATTORNEY LOCAL FORFEITURE TRUST (22064); APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$470,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$300,000 TO BUDGET UNIT 2180 AND \$170,000 TO BUDGET UNIT 2200

**Patrick-Watson: All Ayes**

- \*14) Proposed deletion of one (1) Office Services Assistant position, Budget Unit 2180, effective July 10, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Patrick-Watson: All Ayes**

HUMAN SERVICES

- \*15) Proposed Agreement with Kern County Superintendent of Schools Office (KCSOS) for provision of the Promoting Safe and Stable Families Program, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$903,065 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 467-2004

**Patrick-Watson: All Ayes**

- \*16) Proposed Agreement with Kern County Superintendent of Schools Office, as administrative agent for the Kern County Child and Family Services Agency, for oversight and monitoring of child abuse, prevention, intervention and treatment program funding, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$431,659 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 468-2004

**Patrick-Watson: All Ayes**

- \*17) Proposed Agreement with the University of California for Annual Training Program for Foster Parents, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$6,525 (State/Federal; no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 469-2004

**Patrick-Watson: All Ayes**

- \*18) Proposed Agreement with the State of California Employment Development Department, to allow use of approximately 88 square feet of office space at 100 East California Avenue, Bakersfield, from June 21, 2004 through June 20, 2006 - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; AUTHORIZED DEPARTMENT OF HUMAN SERVICES TO FILE NOTICE OF EXEMPTION; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 470-2004

**Patrick-Watson: All Ayes**



MENTAL HEALTH SERVICES

- \*19) Proposed Amendment No. 1 to Agreement 538-2003, with the California Mental Health Directors' Association (CMHDA), for coordinated management of mental health plan, Specialty Mental Health services for Medi-Cal beneficiaries who are minors residing out-of-home and out of their County of residence, to increase services and funding levels from \$50,000 to an amount not to exceed \$63,000 (an increase of \$13,000) (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 471-2004

**Patrick-Watson: All Ayes**

- \*20) Proposed Amendment No. 1 to Agreement 339-2003 with Michelle Montelongo, for sign language interpretation, to extend the contract term from July 1, 2004 through September 30, 2004, and increase compensation from \$70,500 to an amount not to exceed \$88,125 (an increase of \$17,625) (State - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 472-2004

**Patrick-Watson: All Ayes**

- \*21) Proposed Amendment No. 1 to Agreement 542-2003 with College Community Services, Inc., for mental health services for children residing in the Tehachapi, Mojave and Rosamond areas, to extend the contract term from July 1, 2004 through September 30, 2004 and increase compensation from \$2,672,679, to an amount not to exceed \$3,305,890 (an increase of \$663,211) (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 473-2004

**Patrick-Watson: All Ayes**

- \*22) Proposed Amendment No. 1 to Agreement 543-2003 with College Community Services, Inc., for mental health services for children residing in the Lake Isabella area, to extend the contract term from July 1, 2004 through September 30, 2004, and increase compensation from \$691,220, to an amount not to exceed \$885,401 (an increase of \$194,181) (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 474-2004

**Patrick-Watson: All Ayes**

- \*23) Proposed retroactive Memorandum of Understanding with the University of California, Los Angeles (UCLA) Purchasing Department, from November 1, 2003 through October 31, 2005, to accept revenue in the approximate amount of \$75,000 for participation in the Treatment System Impact and Outcomes of Proposition 36 study facilitated by the UCLA Integrated Substance Abuse Programs - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 475-2004

**Patrick-Watson: All Ayes**

- \*24) Proposed Agreement with Clinica Sierra Vista, Inc., for outpatient drug free treatment services for clients residing in Delano, McFarland, and Pond areas, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$234,917 (Medi-Cal, State (SACPA, CalWORKs, SAPT; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 476-2004

**Patrick-Watson: All Ayes**

- \*25) Proposed Agreement with Clinica Sierra Vista, Inc., for primary substance abuse prevention services for County clients residing in the Eastern Kern County area, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$198,000 (State [Set-Aside]; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 477-2004

**Patrick-Watson: All Ayes**

- \*26) Proposed Agreement with Clinica Sierra Vista, Inc., for a full continuum of mental health services based on recovery principles, including mental health and dual diagnosis, to children and adolescents residing in the Arvin, Lamont and Frazier Park areas, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$1,445,316 (Medi-Cal, State [Realignment]; Mandated/Budgeted - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 478-2004

**Patrick-Watson: All Ayes**

- \*27) Proposed sole source procurement and Agreement with New Advances for People with Disabilities Genesis Group, for substance abuse outpatient drug free treatment services to County clients who are eligible under Proposition 36 for treatment as a condition of their probation, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$63,812 (State [SACPA]); Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 479-2004

**Patrick-Watson: All Ayes**

- \*28) Proposed sole source Agreement with Valueoptions, Inc., for coordinated management of Mental Health Plan Specialty Mental Health Services for Medi-Cal beneficiaries who are minors residing out of home and out of their County of residence, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$175,000 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 480-2004

**Patrick-Watson: All Ayes**

- \*29) Proposed retroactive Memorandum of Understanding with the Kern County Superintendent of Schools to receive funding for the IDEA Mental Health Allocation Plan and IDEA County Mental Health Services, from July 1, 2003 through June 30, 2004, in an approximate amount of \$1,564,346, revenue to County (Grant) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 481-2004

**Patrick-Watson: All Ayes**

- \*30) Proposed Agreement with Frederic Lee Rowe, M.D., to provide adolescent outpatient psychiatric services to mentally ill children residing in the Bakersfield area, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$189,800 (Medi-Cal; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 482-2004

**Patrick-Watson: All Ayes**

PROBATION

- \*31) Proposed Agreement with Alliance Against Family Violence, Inc., to provide services to families experiencing family violence, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$98,597 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 483-2004

**Patrick-Watson: All Ayes**

- \*32) Proposed Agreement with Alpha House to provide services to families experiencing family violence, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$3,631 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 484-2004

**Patrick-Watson: All Ayes**

- \*33) Proposed Agreement with Women's Center-High Desert, Inc., to provide services to families experiencing family violence, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$7,772 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 485-2004

**Patrick-Watson: All Ayes**

- \*34) Proposed Agreement with R. Bruce Walker, Ed.D., Inc., to provide mental health services to the Kern Crossroads Facility, from July 1, 2004 through June 30, 2006, in an amount not to exceed \$359,820 per fiscal year -

**WITHDRAWN**

- \*35) Request for relief from accountability of 166 delinquent Kern County Juvenile Traffic Court accounts totaling \$166,709.99 - APPROVED

**Patrick-Watson: All Ayes**

PUBLIC HEALTH SERVICES

- \*36) Proposed Agreement with Interim Health Care, Assisted Care Division, for In-home Attendant Care services, from July 1, 2004 through September 30, 2004, in an amount not to exceed \$3,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 486-2004

**Patrick-Watson: All Ayes**

- \*37) Proposed Amendment No. 1 to Agreement 707-2003 with Interim Health Care, Assisted Care Division, for In-home Nursing Care services, increasing compensation by \$800 to an amount not to exceed \$15,460 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 487-2004

**Patrick-Watson: All Ayes**

- \*38) Proposed Agreement with Community Action Partnership of Kern County for immunization services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$39,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 488-2004

**Patrick-Watson: All Ayes**

- \*39) Proposed Agreement with El Tejon School District for School-based Medi-Cal Administrative Activities, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 489-2004

**Patrick-Watson: All Ayes**

- \*40) Proposed Agreement with National Health Services, Inc., for immunization services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$80,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 490-2004

**Patrick-Watson: All Ayes**

- \*41) Proposed Agreement with Sage Community Health Centers, Inc., for immunization services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$16,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 491-2004

**Patrick-Watson: All Ayes**

SHERIFF

- \*42) Proposed Agreement with East Kern Airport District to provide supplemental law enforcement services for test flight event, from June 15, 2004 through June 30, 2004, (revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 492-2004

**Patrick-Watson: All Ayes**

- \*43) Request to transfer funds into Sheriff's Designated Aircraft Long Term Maintenance Account 2180 from Budget Unit 2210, Account 7761 (no fiscal impact) - AUTHORIZED TRANSFER OF \$24,645.65 FROM SHERIFF'S BUDGET UNIT 2210, KEY 7761, TO SHERIFF'S DESIGNATED LONG TERM MAINTENANCE ACCOUNT #2180

**Patrick-Watson: All Ayes**

TREASURER-TAX COLLECTOR

- \*44) Cash Receipts and Disbursements for May 2004 - RECEIVED AND FILED

**Patrick-Watson: All Ayes**

ADJOURNED TO CLOSED SESSION

**Maben**

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

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

COUNTY COUNSEL

- 46) Request for Closed Session regarding significant exposure to litigation against the County (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.

**Maben-Watson**

/s/ Denise Pennell  
Clerk of the Board

/s/ Jon McQuiston  
Chairman, Board of Supervisors

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, June 15, 2004

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN  
SANITATION AUTHORITY

**Maben-Patrick: All Ayes**

KERN SANITATION AUTHORITY

- #1) Proposed Agreement with Boyle Engineering Corporation to provide engineering services, from June 15, 2004 through July 31, 2007, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 493-2004  
**Watson-Patrick: All Ayes**
- #2) Proposed Agreement with T. J. Cross Engineers, Inc., to provide engineering services, from June 15, 2004 through July 31, 2007, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 494-2004  
**Watson-Patrick: All Ayes**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD  
OF SUPERVISORS

**Watson-Patrick: All Ayes**

PUBLIC PRESENTATIONS

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CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 5) **Appeal by Olive-Landco Associates by McIntosh and Associates to the January 8, 2004, decision of the Hearing Officer imposing Condition 16(b) on Parcel Map 11029 to require construction of Landco Drive as a half-width major highway including a raised median and construction of full street improvements along the Landco alignment to the south boundary of the proposed sump on the site; project located at the southeast corner of Olive Drive and Landco Drive at the State Highway 99 southbound on ramp, northwest Bakersfield (SD 3)**

Specific Request:

An appeal to the decision of the Hearing Officer regarding the imposition of Condition 16(b) in approving Parcel Map 11029 on January 8, 2004. Condition 16(b) requires construction of Landco Drive as a half-width major highway including a raised median and construction of full street improvements to the south boundary of the proposed sump located on the proposed designated remainder (TPM #11029) (Negative Declaration; Published Bakersfield Californian) (from 2/17/2004 and 3/16/2004) - ROGER MCINTOSH, MCINTOSH & ASSOCIATES, ON BEHALF OF OLIVE-LANDCO, HEARD; CONTINUED TO TUESDAY, JULY 13, 2004, AT 2:00 P.M.

**Patrick-Maben: All Ayes**

6) **Request from Kern County Planning Department to adopt the Kern County Revised General Plan Update located in the unincorporated area of Kern County outside the Metropolitan Bakersfield General Plan area (All SD's)**

Specific Request:

Adoption of the Kern County Revised General Plan Update. The Revised General Plan Update will combine the Land Use, Open Space, Conservation, Circulation, Noise, Safety, and Energy Elements into one consolidated, comprehensive document. The Recreation Element and Public Facilities and Services Element will be rescinded as part of the Revised General Plan Update. A Military Readiness Element Chapter is being included with full formulation of goals, policies, and implementation to be completed when the Office of Planning and Research completes their guidelines. The Specific Plans 4.1 area will be readopted. The update also includes new Map Codes 2.10 (Nearby Waste Facilities), 2.11 (Burn Dumps), 3.4.1 (Solid Waste Disposal Facility Buffer), 3.7 (Other Waste Facilities - Nonhazardous/Nondisposal), and 3.7.1 (Other Waste Facilities Buffer). Revisions to the Appendix of the General Plan Update include deletion of Appendix H: Hazardous Waste Management Plan, which contained excerpts from the Kern County and Incorporated Cities Hazardous Waste Management Plan now incorporated by reference in General Plan policies. No changes are proposed to existing land use designations, and no increase in development density is proposed. The Kern County and Incorporated Cities Integrated Waste Management Plan Siting Element is required by law to be consistent with the Kern County General Plan. (GPA #112, Map #500) (Environmental Impact Report; Published all newspapers) (from 6/8/2004) - OPENED HEARING; THE FOLLOWING INDIVIDUALS WERE HEARD REGARDING:

LAND USE POLICIES: JACK STEWART, CITY MANAGER, CALIFORNIA CITY; MARY ANNE LOCKHEART; JOE DREW, SENIOR VICE PRESIDENT OF REAL ESTATE, TEJON RANCH; PAULINE LARWOOD, EXECUTIVE DIRECTOR, SMART GROWTH COALITION OF KERN COUNTY; ARTHUR UNGER, KERN KAWEAH CHAPTER OF THE SIERRA CLUB; AND SCOTT HAIR, PRESIDENT, GREEN FROG MARKET AND VICE PRESIDENT, INDEPENDENT GROCER'S ASSOCIATION

AIR QUALITY: PAULINE LARWOOD AND ARTHUR UNGER

AGRICULTURE: PETE BELLUOMONI, PRESIDENT, KERN COUNTY FARM BUREAU; JOHN FALLGATTER, PRESIDENT, SMART GROWTH COALITION; AND PAULINE LARWOOD

REFERRED TO PLANNING TO CLARIFY LANGUAGE RELATING TO RESPONSIBILITY FOR COMPLIANCE WITH REQUIRED BUFFER AREAS ADJACENT TO EXISTING FARM LAND

**Watson-Maben: All Ayes**

TERRI STOLLER, SUNRIDGE NURSERIES, HEARD REGARDING PARCELING OUT OF HOMESTEADS

MODIFIED 10-YEAR PERIOD IN POLICY NO. 2 ON PAGE 30 (SPECIAL TREATMENT AREAS) TO FIVE YEARS

**Watson-Maben: All Ayes**

(Continued on Page 17)



(Continued from Page 16)

OPEN SPACE AND CONSERVATION: NO ONE HEARD

CIRCULATION AND TRAFFIC: ARTHUR UNGER HEARD

MOTION TO AMEND TRAFFIC PATTERNS AND FLOWS FROM LEVEL OF SERVICE 'D' STANDARDS TO THE HIGHER LEVEL OF SERVICE 'C' AND TO FURTHER INVESTIGATE THE ISSUE OF ESTABLISHING TRAFFIC IMPACT FEES COUNTYWIDE

**Watson-Patrick**

**MOTION WITHDRAWN**

REFERRED TO PLANNING, ROADS, RESOURCE MANAGEMENT AGENCY, COUNTY COUNSEL AND COUNTY ADMINISTRATIVE OFFICE TO REVIEW LEVEL OF SERVICE 'C' AND 'D' TRAFFIC FLOWS TO MEET COUNTYWIDE TRANSPORTATION NEEDS, AND TO FURTHER INVESTIGATE THE CONCEPT OF ESTABLISHING TRAFFIC MITIGATION FEES IN UNINCORPORATED AREAS FOR REPORT BACK TO THE BOARD

**Patrick-Watson: All Ayes**

PHYSICAL CONSTRAINTS: NO ONE HEARD

BIOLOGICAL/OAK TREE PRESERVATION: DANA KARCHER, EXECUTIVE DIRECTOR, TREE FOUNDATION OF KERN AND PRESIDENT-ELECT, CALIFORNIA URBAN FOREST COUNCIL; GLENN BAUMANN, REPRESENTING FRIENDS OF THE OAKS (LETTER SUBMITTED); ELIZABETH FONTAINE, FRIENDS OF THE OAKS

AMENDED THE PLAN TO REPLACE 'QUALIFIED' WITH 'CERTIFIED OR LICENSED' ARBORIST OR BOTANIST IN SECTION KK OF THE OAK POLICY ON PAGE 74

**Maben-Patrick: All Ayes**

PUBLIC SERVICES/INFRASTRUCTURE: NO ONE HEARD

AT THE REQUEST OF SUPERVISOR PATRICK, STAFF CHANGED ITS RECOMMENDATION ON LANGUAGE ON PAGE 34, SECTION 1.6, ASSUMPTIONS: RESIDENTIAL, TO REMOVE THE WORD 'REASONABLY' IN THE SECOND PARAGRAPH, TO READ AS FOLLOWS: "...AND SHOULD BE PROVIDED WITH NECESSARY SERVICES."

REFERRED TO PARKS AND PLANNING TO ADDRESS THE ISSUE OF A 5-ACRE STANDARD AND ESTABLISHMENT OF GREENBELTS IN FUTURE DEVELOPMENTS FOR REPORT BACK TO THE BOARD

**Maben-Patrick: All Ayes**

REFERRED TO STAFF TO COMMENT ON THE PLANS' SEWER/SEPTIC SYSTEM CONNECTION POLICIES' EFFECT ON LARGER LOTS

**Watson-Maben: All Ayes**

ENERGY: ED DUGGAN, REPRESENTING OAK CREEK ENERGY SYSTEM AND THE KERN WIND ENERGY ASSOCIATION (LETTER SUBMITTED AND REFERRED TO STAFF)

POLICY NO. 5 WAS ADDED TO SECTION 5.4.4, TRANSFORMATION DEVELOPMENT ON PAGE 206 TO READ: "ENCOURAGE THE UTILIZATION OF ANAEROBIC DIGESTERS FOR THE CONVERSION OF WASTE FROM CONFINED ANIMAL FACILITIES."

**Watson-Maben: All Ayes**

(Continued on Page 18)

(Continued from Page 17)

OVERALL GENERAL PLAN OBJECTIVES AND PROCESS: ARTHUR UNGER  
DISCUSSED CLARIFICATION RELATING TO WATER QUALITY ISSUES

SUPERVISOR MABEN COMMENDED COUNTY STAFF AND THE PUBLIC FOR  
THEIR COMMITMENT TO THIS GENERAL PLAN UPDATE

AMENDED THE CIRCULATION ELEMENT SECTION 2.4.4, PAGE 115,  
REVISING POLICY NO. 1 TO INCLUDE LANGUAGE RELATING TO THE  
EAST-WEST ARTERIAL CIRCULATION NEEDS OF THE RIDGECREST-  
INDIAN WELLS VALLEY RELATING TO SAFETY AND ROAD CAPACITY  
DEFICIENCIES; REMOVING POLICY NO. 4; AND ADDING  
IMPLEMENTATION MEASURE D TO PURSUE FUNDING AND STUDIES FOR  
SAFE AND ADEQUATE CIRCULATION IN THE RIDGECREST-INDIAN WELLS  
VALLEY AREA

**Maben-Patrick: All Ayes**

CHAIRMAN MCQUISTON PASSED THE GAVEL TO VICE CHAIRMAN PARRA

REFERRED TO STAFF TO REVIEW CONSISTENCY WITH THE  
METROPOLITAN BAKERSFIELD GENERAL PLAN RELATING TO AG LAND  
CONVERSION, URBAN ENCROACHMENT, SMART GROWTH, AND SEWAGE  
TREATMENT FOR REPORT BACK TO THE BOARD

**McQuiston-Watson: All Ayes**

REFERRED TO STAFF TO REPORT BACK TO THE BOARD REGARDING AG  
LAND CONVERSION FEES, CONSERVATION EASEMENTS AND DEVELOPMENT  
RIGHTS

**McQuiston-Patrick: All Ayes**

REFERRED TO STAFF TO DEVELOP A GENERAL PLAN CHECKLIST TO  
ASSIST DEVELOPERS THROUGH THE GENERAL PLAN PROCESS

**McQuiston-Maben: All Ayes**

REFERRED TO STAFF TO REPORT BACK TO THE BOARD REGARDING THE  
MERITS OF CONDUCTING GENERAL PLAN WINDOWS FOUR TIMES  
ANNUALLY

**McQuiston-Patrick: All Ayes**

THE GAVEL WAS RETURNED TO THE CHAIRMAN

ADDED A NEW GOAL NO. 5 TO SECTION 1.6 RESIDENTIAL, ON PAGE  
34, TO READ AS FOLLOWS: "PROMOTE MIXED DENSITIES WITHIN  
DEVELOPMENTS TO INCREASE AVERAGE DENSITY, INCREASE  
GREENBELTS AND PATHS, REDUCE CONSUMPTION OF AG LAND, AND  
REDUCE THE COST OF INFRASTRUCTURE"

**Watson-Patrick: All Ayes**

CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION,  
CERTIFIED FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT; ADOPTED  
SECTION 15091 FINDINGS AND SECTION 15093 STATEMENT OF  
OVERRIDING CONSIDERATION; ADOPTED REVISED GENERAL PLAN  
UPDATE TEXT; ADOPTED SUGGESTED FINDINGS; ADOPTED RESOLUTION  
2004-192; RECEIVED AND FILED DOCUMENTS

**Patrick-Maben: All Ayes**

BOARD MEMBERS COMMENDED PLANNING STAFF AND THE PUBLIC FOR  
THEIR EFFORTS IN COMPLETING THIS DOCUMENT

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

S.D. #5

- \*7) Request for Release of Funds for Community Development Activities Nos. 29.03.2 and 29.04.1, Lamont Curb and Gutter Improvements, Multi-Year (Phases I and II) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT TO HUD

**Parra-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #1

- \*8) Request to approve final map for Tract 6097, north side of Snow Road, 657 feet west of Quail Creek Road, north Bakersfield, Porter-Robertson Engineering for Donald G. and Connie R. Wattenbarger - APPROVED; ADOPTED RESOLUTION 2004-193 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; APPROVED CONSENT TO COMMON USE AGREEMENTS 495-2004 AND 496-2004; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Parra-Maben: All Ayes**

- \*9) Request to approve final map for Tract 6143, north side of Snow Road, 1317 feet west of Quail Creek Road, north Bakersfield, Porter-Robertson Engineering for Banks and Wattenbarger - APPROVED; ADOPTED RESOLUTION 2004-194 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; APPROVED CONSENT TO COMMON USE AGREEMENTS 495-2004 AND 496-2004; AUTHORIZED CHAIRMAN TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFER OF DEDICATION FOR 1-FOOT NON-ACCESS STRIP; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Parra-Maben: All Ayes**

S.D. #2

- \*10) Request to set public hearing to consider levying an assessment for Zone of Benefit No. 3 within County Service Area No. 63 and proposed Resolution of Intention to Extend Zone of Benefit No. 3, Parcel Map 10946, Rosamond, located south of Rosamond Boulevard and east of 60th Street West - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(B)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, AUGUST 3, 2004, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2004-195

**Parra-Maben: All Ayes**

S.D. #3

- \*11) Request to set public hearing to consider proposed formation of Seventh Standard Road and Wings Way Underground Utility District - APPROVED; ADOPTED RESOLUTION 2004-196 ON PROPOSED FORMATION OF SEVENTH STANDARD ROAD AND WINGS WAY UNDERGROUND UTILITY DISTRICT; ESTABLISHED TUESDAY, JULY 6, 2004, AT 2:00 P.M., FOR PUBLIC HEARING; DIRECTED CLERK OF THE BOARD TO MAIL HEARING NOTICE TO AFFECTED PROPERTY OWNERS AND UTILITIES

**Parra-Maben: All Ayes**

- \*12) Proposed Agreement with Fruitvale School District to construct new drainage basin and abandon existing drainage basin, no cost to County - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 497-2004 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

**Parra-Maben: All Ayes**

S.D. #5

- \*13) Request to set public hearing to consider levying assessments within County Service Area No. 18 and Zone of Benefit Nos. 5, 6 and 7 and proposed Resolution of Intention to Extend Zone of Benefit No. 5, Tract 6123, Virginia Colony, located south of Virginia Avenue and west of Oswell Street - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(B)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, AUGUST 3, 2004, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2004-197

**Parra-Maben: All Ayes**

All S.D.'s

- \*14) Request to set hearing for service charges in all County Service Areas for Fiscal Year 2004-2005 - APPROVED; SET HEARING FOR TUESDAY, AUGUST 3, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

**Parra-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department  
S.D. #4

- \*15) Proposed Agreement with Rosedale-Rio Bravo Water Storage District for construction of Heath Road Culvert replacement at Goose Lake Slough and related 21-day road closure, total project cost not to exceed \$350,000, with County's portion not to exceed \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 498-2004

**Parra-Maben: All Ayes**

All S.D.'s

- \*16) Proposed submission of Transit Transportation Development Act (TDA) claim for Fiscal Year 2004-2005 to Kern COG in the amount of \$4,455,225, and authorization to sign 2004-2005 TDA Roads Claim - APPROVED; AUTHORIZED DIRECTOR OF ROADS TO SIGN CLAIMS; AUTHORIZED SUBMITTAL OF TRANSIT TDA CLAIM TO KERN COG

**Parra-Maben: All Ayes**

WASTE MANAGEMENT

S.D. #2

- \*17) Proposed Amendment No. 7 to Agreement 576-90 with Benz Sanitation, Inc., and Tehachapi Recycling, Inc., to amend the processing requirement for waste which is charged a recycling surcharge - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 499-2004

**Parra-Maben: All Ayes**

S.D.'s #1 & #2

- \*18) Proposed Agreement with GeoSyntec Consultants, Inc., to provide engineering and quality assurance services for design and construction of the Phase 2A, Module 2 liner at the Bakersfield Metropolitan (Bena) Sanitary Landfill from June 15, 2004 through June 29, 2007, in an amount not to exceed \$400,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 500-2004

**Parra-Maben: All Ayes**

All S.D.'s

- \*19) Proposed Agreement with Shaw Environmental, Inc., to provide services concerning the development of Facility Master Plans for County waste facilities from June 15, 2004 through June 30, 2007, in an amount not to exceed \$500,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 501-2004

**Parra-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- 20) Proposed Amendment No. 2 to Agreement 1008-2000 with Kern County Farm Bureau to support litigation involving endangered species listing of Buena Vista Lake Shrew, in the amount of \$10,000 - ARTHUR UNGER HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 502-2004

**Watson-Parra: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*21) Identify apparent low bid from Graham Prewett, Inc., for the new roofing at Rathbun Library, in an amount not to exceed \$173,000 (1650.7134) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

**Parra-Maben: All Ayes**

S.D. #2

- \*22) Identify apparent low bid from Desert Construction, Inc., for tot lot improvements at Boron, Mojave East and Rosamond Parks, in an amount not to exceed \$136,000 (1960.8122A) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

**Parra-Maben: All Ayes**

- \*23) Proposed Agreement with PR Ennis 1 LLC, for lease of 1001 Tehachapi Boulevard, A-400, Tehachapi, for Tehachapi Branch Library from date of execution through August 31, 2009, for an approximate total cost of \$111,000 for Fiscal Year 2004-2005 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 503-2004

**Parra-Maben: All Ayes**

S.D. #3

- \*24) Change Order No. 4 for the new airport terminal at Meadows Field, an increase of \$54,234.73, for a new total of \$19,744,066.54 (8215.8415) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Parra-Maben: All Ayes**

- \*25) Identify apparent low bid from Graham Prewett, Inc., for the reroof at the Sheriff's Norris Road Facility, Buildings A & B, in an amount not to exceed \$534,000 (1650.7132 & 1650.7118) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

**Parra-Maben: All Ayes**

S.D. #4

- \*26) Proposed Agreement with Gospich Construction Company for the restroom reroofs at Buena Vista Aquatic Recreation Area (BVARA), in an amount not to exceed \$204,000 (1650.7159) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 504-2004

**Parra-Maben: All Ayes**

- \*27) Proposed Agreement with Khaled M. Hussein, d.b.a. Village Market, for a month-to-month lease of vacant County property located at the corner of Highway 46 and Woodland Avenue, Lost Hills, for use as a parking area (\$185 monthly rent) - CONTINUED TO TUESDAY, JULY 6, 2004, AT 2:00 P.M.

**Parra-Maben: All Ayes**

- \*28) Request to select Secor International, Inc., based on responses to Request for Proposal, as consultant for site characterization at the former Frank Uhler Fire Training Facility, in an amount not to exceed \$340,623 (1650.7253) - APPROVED; AUTHORIZED GENERAL SERVICES TO PREPARE AGREEMENT

**Parra-Maben: All Ayes**

S.D. #5

- \*29) Identify apparent low bid from Brinar Construction for the tot lot improvements at Heritage, Casa Loma, Pioneer & Rexland Acres Parks, in an amount not to exceed \$138,500 (1960.8123 & 1960.8156) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

**Parra-Maben: All Ayes**

- \*30) Proposed Agreement with Black/Hall Construction for remodel of the Superior Court 2nd Floor Training Room and D17 Courtroom Restroom, in an amount not to exceed \$438,121 (9410.7000D) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 505-2004

**Parra-Maben: All Ayes**

- \*31) Identify apparent low bid from Leon Construction, Inc., for the reroof at the Bakersfield Animal Shelter, in an amount not to exceed \$123,703 (1650.7119A) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

**Parra-Maben: All Ayes**

All S.D.'s

- 32) Proposal to name the new Juvenile Treatment Facility the Larry J. Rhoades Juvenile Treatment Facility in honor of Chief Probation Officer Larry J. Rhoades - APPROVED

**Patrick-Parra: All Ayes**

- \*33) Proposed Resolution approving additional service credit (Golden Handshake) under Government Code Section 31641.04 for the purpose of encouraging early retirement for one (1) Building Services Worker II in Budget Unit 1610, effective July 10, 2004, and one (1) Construction Project Inspector III in Budget Unit 1640, effective June 26, 2004; and deletion of one (1) Building Services Worker I/II/III position and one (1) Construction Project Inspector I/II/III position, effective July 30, 2004 - APPROVED; ADOPTED RESOLUTION 2004-198; REFERRED TO PERSONNEL DEPARTMENT TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Parra-Maben: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*34) Budget Transfers - APPROVED NO. 268 THROUGH NO. 280

**Parra-Maben: All Ayes**

- \*35) Minutes for week of May 17, 2004 - APPROVED

**Parra-Maben: All Ayes**

- \*36) Miscellaneous Letters and Documents - APPROVED

**Parra-Maben: All Ayes**

- \*37) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Parra-Maben: All Ayes**

- \*38) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Parra-Maben: All Ayes**

ADJOURNED TO TUESDAY, JUNE 22, 2004, AT 2:00 P.M.

**Maben-**

/s/ Denise Pennell  
Clerk of the Board

/s/ Jon McQuiston  
Chairman, Board of Supervisors



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

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

36) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Aging & Adult Services

- A) Agenda of In-Home Supportive Services Advisory Committee meeting on Thursday, June 10, 2004
- B) Minutes of In-Home Supportive Services Advisory Committee meeting on Thursday, May 13, 2004

Auditor-Controller-County Clerk

- C) Report on Statements of Grant Revenues and Expenditures- Proposition 10 Audits
- D) Certification of the Results of the Special Election held May 25, 2004

Clerk of the Board

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

- 1) Tract Map 6061, Phase 2                      S.D. #4
- 2) Tract Map 6077, Unit 11                      S.D. #3
- 3) Tract Map 6095, Phase 3                      S.D. #2
- 4) Tract Map 6140, Phase 8                      S.D. #5
- 5) Parcel Map 10842                              S.D. #4
- 6) Parcel Map 10938                              S.D. #4
- 7) Parcel Map 11045                              S.D. #5

Sheriff

- F) Response to 2003-2004 Grand Jury Final Report re Sheriff's Department, Central Receiving Facility (Copies to each Supervisor and CAO)

Miscellaneous

- G) Letter from Sedrick V. Mitchell, State Resources Agency, re Office of Grants and local services update (Copies to each Supervisor, CAO and Parks)
- H) Letter from Henry R. Renteria, Office of Emergency Services, re Secretarial disaster designation for the County of San Luis Obispo, and the contiguous counties of Kern, Kings, Monterey and Santa Barbara, for agriculture losses caused by unseasonable rainfall occurring from May 1 through July 31, 2003 (Copies to each Supervisor, CAO, Emergency Services, Ag Commissioner and County Counsel)
- I) Letter from Richard L. Cotta, Community Alliance for Responsible Environmental Stewardship (CARES), re request of dairy industry for legal clarification of air permitting (Copies to each Supervisor, CAO, Resource Management Agency, Planning and County Counsel)
- J) Letter from Arthur L. Gaffrey, U.S. Department of Agriculture, Forest Service, re McNally Fire Roadless Restoration Project and cancellation of the environmental impact statement due to lack of funding (Copies to each Supervisor, CAO and Planning)

- K) Letter from Deborah Goble, Elk Hills Elementary School District, re Resolution No. 4-13-04 certifying proceedings of the District's bond election held on Tuesday, March 2, 2004; Resolution No. 5-11-04 requesting sale of bonds, prescribing the use of bond proceeds, etc.; and Resolution No. 5-11-04A establishing and appointing members to an Independent Citizens' Oversight Committee (Copy to County Counsel)
- L) Three (3) letters and two (2) petitions from residents re trash and tumbleweed problems along Edison Highway and Oswell Street (Copies to each Supervisor, CAO, Engineering & Survey Services and Fire)
- M) Preliminary Budget of Kern County Water Agency for Fiscal Year 2004-2005
- N) Notice from Alcoholic Beverage Control for alcoholic beverage license from Leona Valley Winery, 1200 Orange Street, Rosamond (Copies to each Supervisor, CAO and Planning)
- O) Notice from Containment Solutions re permanent closure of plant effective July 30, 2004 (Copies to each Supervisor, CAO and Employers' Training Resource)
- 37) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Letter from Dolores Robinson, City of Shafter, re Resolution No. 1674 requesting a General Municipal Election to be held on Tuesday, November 2, 2004, in the City of Shafter - REFERRED TO ELECTIONS
- 38) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Clean Harbors Buttonwillow, LLC vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Juan and Linda Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Ronald Garver vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Harold L. Hawk vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Dana Blair vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Summons and complaint in the matter of Eddie Martinez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - G) Summons and complaint in the matter of Estella Andino vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- H) Summons and complaint in the matter of Elizabeth Neal by her Guardian ad Litem, Robin Neal, and Erica Neal by her Guardian ad Litem, Sonja Flipppo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
- I) Summons and complaint in the matter of CSE Safeguard Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
- J) Letter re discrimination complaint in the matter of Conover vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)