

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, July 23, 2002

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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

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

BOARD ACTION SHOWN IN CAPS

NOTE: Non-Agenda Item 30A was heard out of order before Item 1.

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming August 2002 as Kern County Career Services Center Alumni and Ambassador Month - PROCLAIMED; MADE PRESENTATION TO JOHN NILON, DIRECTOR, EMPLOYERS' TRAINING RESOURCE; SUPERVISOR PARRA ALSO RECOGNIZED WORKFORCE INVESTMENT ACT STUDENTS AND RAUL RANGEL, CALIFORNIA STATE UNIVERSITY BAKERSFIELD, CAREER BEGINNINGS, PRESENT IN THE AUDIENCE; JOHN NILON HEARD

**Parra-McQuiston - All Ayes**

- \*2) Resolution honoring and commending Mercy Hospitals for more than 90 years of dedicated service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Patrick-Parra - All Ayes**

PUBLIC REQUESTS

- 3) Request of Wade Tavorn, Workforce Investment Act (WIA) Instructor, for WIA technology students to address the Board regarding Bakersfield Little League - WADE TAVORN, FOOTHILL HIGH SCHOOL, HEARD; WIA STUDENTS, ANTOINETTE ROBINSON, COSME BRAVO, MOISES FLORES, ESMERALDA PEREZ, TIMOTHY ROBINSON, ABRAHAM BONUELOS, MADE PRESENTATION; BOB ADDISON, DIRECTOR OF PARKS, HEARD; RECEIVED AND FILED

**McQuiston-Parra - All Ayes**

APPOINTMENTS

- \*4) Appointment of Allan Jaffe (replacing Don J. McKernan) as First District Member to the Water Resources Committee, term to expire December 31, 2003 - MADE APPOINTMENT

**Patrick-Parra - All Ayes**

- \*5) Reappointment of Frank Guillard as First District Member to the Commission on Aging, term to expire June 17, 2004 - MADE REAPPOINTMENT

**Patrick-Parra - All Ayes**

- \*6) Reappointment of Annette Gail Brown as First District Consumer Member to the Local Child Care and Development Planning Council, term to expire June 30, 2005 - MADE REAPPOINTMENT

**Patrick-Parra - All Ayes**

- \*7) Appointment of Idalia Ablin, Nurse Representative, term to expire June 30, 2005, and reappointments of Wagih Michael, Safety Net Provider (June 30, 2004), Margo Arnold, Public Policy Committee Chair Member (June 30, 2005), Dr. Ed Brown, Primary Care Representative - Metropolitan Bakersfield (June 30, 2003), Dr. Kyle Terry, Primary Care Representative - Non-metropolitan Bakersfield (June 30, 2005) and Brian Kamoto, Pharmacist Representative (June 30, 2003) to the Kern Health Systems Board of Directors - MADE APPOINTMENTS

**Patrick-Parra - All Ayes**

PUBLIC PRESENTATIONS

- 8) 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! - ANTHONY WILLIAM NOCE ADDRESSED THE BOARD REGARDING THE FY 2002-2003 BUDGET FOR THE KERN COUNTY GRAND JURY; RECEIVED AND FILED AND REFERRED TO THE BUDGET FILE

**McQuiston-Parra - All Ayes**

RAUL RANGEL, CALIFORNIA STATE UNIVERSITY BAKERSFIELD (CSUB), INTRODUCED PETER RIVERA, DIRECTOR OF CAREER BEGINNINGS, CSUB; MR. RIVERA HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 9) 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 PARRA ANNOUNCED THE GROUND BREAKING OF THE SOUTHEAST COMMUNITY SERVICE CENTER ON THURSDAY, AT 9:00 A.M., AT COTTONWOOD AND EAST BELLE TERRACE. THIS IS A JOINT VENTURE WITH THE KERN COUNTY SUPERINTENDENT OF SCHOOLS, KERN COUNTY, AND VARIOUS PARTNERS

SUPERVISOR PEREZ REPORTED HE CONVENED A COALITION OF VALLEY COUNTIES COMPRISED OF COUNTY SUPERVISORS, SHERIFFS, DISTRICT ATTORNEYS AND FARM BUREAUS TO DISCUSS THE FATE OF THE RURAL CRIME GRANT IN THE STATE BUDGET. DISCUSSIONS WITH STATE LEGISLATORS REVEAL THIS FUNDING WILL PROBABLY BE RETAINED IN THE STATE BUDGET

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*10) Proposed retroactive Agreement with California Department of Aging Contract FC-0204-33 for Title III-E National Family Caregiver Program, for Fiscal Years 2002-2003 and 2003-2004, in an amount not to exceed \$245,254 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 686-2002; AUTHORIZED DIRECTOR TO TRANSMIT CONTRACT TO CALIFORNIA DEPARTMENT OF AGING

**Patrick-Parra - All Ayes**

- \*11) Proposed retroactive Agreement with Adventist Health for Senior Nutrition Services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$361,738 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 687-2002

**Patrick-Parra - All Ayes**

- \*12) Proposed retroactive Amendment No. 1 to Agreement 609-2001 with City of Ridgecrest for nutrition services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$180,352 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 688-2002

**Patrick-Parra - All Ayes**

- \*13) Proposed retroactive Amendment No. 1 to Agreement 720-2001 with Shafter Recreation and Park District for nutrition services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$91,635 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 689-2002

**Patrick-Parra - All Ayes**

- \*14) Proposed retroactive Agreement with Greater Bakersfield Legal Assistance for Title III-E National Family Caregiver Support Program, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$47,407 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 690-2002

**Patrick-Parra - All Ayes**

AIRPORTS

- \*15) Proposed Amendment No. 3 to Lease Agreement with James C. Berry, dba Republic Parking System, for parking concession operations reducing the highest percent rent paid to County at Meadows Field Airport from 95.01% to 85.01%, effective July 23, 2002 - MADE FINDING THAT THIS PROJECT IS EXEMPT FROM CEQA PER SECTION 15301 OF THE STATE CEQA GUIDELINES; DIRECTED CLERK OF THE BOARD TO COMPLETE AND FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 691-2002

**Patrick-Parra - All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*16) Proposed Amendment No. 2 to Agreement 531-2001 with Brown Armstrong Accountancy Corporation adding grant-specific audits of Proposition 10 (Children and Families Commission) grant funds in each of the following programs: Born to Read (Library) for the period of October 1, 2000 through September 30, 2001; Health and Wellness (Public Health) for the period of November 1, 2000 through October 31, 2001; and Prenatal/Early Childhood Nurse Home Visitation (Public Health) for the period November 1, 2000 through October 31, 2001, at a cost not to exceed \$3,500 for each of the three audits - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 692-2002

**Patrick-Parra - All Ayes**

- \*17) Transfer to County General Fund of unclaimed refundable property tax payments in the amount of \$27,536.38 - APPROVED

**Patrick-Parra - All Ayes**

- \*18) Request from City of Bakersfield to render certain election services for their Municipal Election and to consolidate with the General Election to be held November 5, 2002 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Patrick-Parra - All Ayes**

- \*19) Request from City of Delano to render certain election services for their Municipal Election and to consolidate with the General Election to be held November 5, 2002 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Patrick-Parra - All Ayes**

- \*20) Request from City of Ridgecrest to render certain election services for their Municipal Election and to consolidate with the General Election to be held on November 5, 2002 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Patrick-Parra - All Ayes**

CHILD SUPPORT SERVICES

- \*21) Proposed retroactive Amendment No. 3 to Agreement with the California Department of Child Support Services for extension of the term of the Annual Automation Cooperation Agreement, from July 1, 2002 to December 31, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 693-2002

**Patrick-Parra - All Ayes**

CLERK OF THE BOARD

- \*22) Amended Conflict of Interest Code for the Kern County Children and Families Commission - APPROVED

**Patrick-Parra - All Ayes**

- \*23) Amended Conflict of Interest Code for the Kern County Behavioral Health Board - APPROVED

**Patrick-Parra - All Ayes**

COUNTY COUNSEL

- \*24) Proposed Ordinance amending Chapter 2.64, Title 2, of the Kern County Ordinance Code concerning Payment of Mileage and Per Diem Expenses to Grand Jurors - WAIVED READING; INTRODUCED ORDINANCE

**Patrick-Parra - All Ayes**

- \*25) Amendments to Kern County Assessment Appeals Board Rules - APPROVED AMENDMENTS TO ASSESSMENT APPEALS RULES AND REQUESTED THAT THE CLERK OF THE BOARD ENTER THESE AMENDMENTS IN THE AAB RULE BOOK AND MAKE APPROPRIATE CONFORMING CHANGES TO KERN COUNTY AAB FORMS AND FILING INFORMATION

**Patrick-Parra - All Ayes**

DISTRICT ATTORNEY

- \*26) Proposed Resolution authorizing grant application for the Department of Insurance Automobile Insurance Fraud Program, in the amount of \$262,347.91 - APPROVED; ADOPTED RESOLUTION 2002-266

**Patrick-Parra - All Ayes**

- \*27) Proposed Resolution authorizing grant application for the Department of Insurance Workers Compensation Insurance Fraud Program, in the amount of \$571,762.43 - APPROVED; ADOPTED RESOLUTION 2002-267

**Patrick-Parra - All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*28) Notification of anticipated retroactive agreements with the Kern Community College District: Bakersfield College, Weill Institute, Cerro Coso Community College, and Porterville College; Kern High School District: Bakersfield Adult School; Federico Career College; and National Training Institute, to provide training for people using Individual Training Accounts, from July 1, 2002 through June 30, 2003 - RECEIVED AND FILED

**Patrick-Parra - All Ayes**

- \*29) Request for authorization to apply for Nurse Workforce Initiative funding from the Workforce Investment Act Governor's 15% Discretionary Funds - APPROVED; AUTHORIZED ETR AS FISCAL AGENT; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

**Patrick-Parra - All Ayes**

- \*30) Request for authorization to apply for dislocated worker funding from the Workforce Investment Act Governor's 25% Discretionary Funds - APPROVED; AUTHORIZED ETR AS FISCAL AGENT; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

**Patrick-Parra - All Ayes**

NOTE: Non-Agenda Item 30A was heard out of order before Item 1.

NON-AGENDA ITEM

FIRE DEPARTMENT

MOTION TO CONSIDER NON-AGENDA ITEM NO. 30A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE THE FIRE CHIEF AND EMERGENCY SERVICES DIRECTOR DECLARED ON JULY 21, 2002 A LOCAL EMERGENCY DUE TO A WILDLAND FIRE THAT OCCURRED ON JULY 21, 2002 AT 12:41 P.M. CAUSING CONDITIONS OF EXTREME PERIL TO THE SAFETY OF PERSONS AND PROPERTY TO ARISE IN THE LAKE ISABELLA AREA AND LOCAL EMERGENCY RESPONSE AGENCIES WERE FACED WITH BEING EXTENDED BEYOND THEIR FUNCTIONAL CAPABILITIES. THE DECLARATION OF THE LOCAL EMERGENCY IS REQUIRED IN ORDER TO CLAIM REIMBURSEMENT OF FIRE SUPPRESSION COSTS UNDER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FIRE MANAGEMENT ASSISTANCE GRANT PROGRAM, AS AUTHORIZED UNDER SECTION 420 OF THE FEDERAL STAFFORD ACT, AS AMENDED BY THE DISASTER MITIGATION ACT OF 2000

**Patrick-McQuiston - All Ayes**

- 30A) Proposed Resolution declaring the existence of a Local Emergency in Kern County - APPROVED; ADOPTED RESOLUTION 2002-268

**McQuiston-Parra - All Ayes**

HUMAN SERVICES

- \*31) Proposed Agreement with the Regents of the University of California for and on behalf of its Irvine Campus to place Social Sciences Undergraduate Program students in County facilities for Human Services work experience, from July 23, 2002 to December 31, 2002 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 694-2002

**Patrick-Parra - All Ayes**

- \*32) Proposed Amendment No. 1 to Agreement 949-2001 with University of California at Los Angeles for CalWORKS Sanction Research to provide an updated scope of work and contractor notification change (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 695-2002

**Patrick-Parra - All Ayes**

KERN MEDICAL CENTER

- \*33) Proposed changes in clinical privilege status for 13 members of Kern Medical Center's Medical Staff - APPROVED

**Patrick-Parra - All Ayes**

- \*34) Unusual travel request for Jose A. Perez, Jr., M.D., to attend the Medical Management course in Dallas, Texas, from August 17, 2002 to August 22, 2002, in an amount not to exceed \$4,000 - APPROVED

**Patrick-Parra - All Ayes**

- \*35) Proposed Amendment No. 1 to Agreement 218-2002 with Psychiatric Resources Locums amending contractor's legal name to S.P. Resources, LLC - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 696-2002

**Patrick-Parra - All Ayes**

- \*36) Proposed Amendment No. 1 to Agreement 920-2001 with Javad Naderi, M.D. to include annual expense reimbursement of \$7,500 for continuing medical education - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 697-2002

**Patrick-Parra - All Ayes**

- \*37) Proposed retroactive Amendment No. 1 to Agreement 139-2002 with Joshua Tobias, M.D., for emergency medical services, increasing the not to exceed amount from \$97,077 to \$101,123, effective June 6, 2002 through November 30, 2006 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 698-2002

**Patrick-Parra - All Ayes**

- \*38) Proposed cash advance in the amount of \$8,500,000 to Kern Medical Center Enterprise Fund - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS

**Patrick-Parra - All Ayes**

- \*39) Notification of retroactive Agreement with Advanced Gastroenterology Medical Associates Inc., for gastroenterology services - RECEIVED AND FILED

**Patrick-Parra - All Ayes**

MENTAL HEALTH SERVICES

- \*40) Proposed Amendment No. 1 to Agreement 329-2002 with Desert Counseling Clinic, Inc., for substance abuse services to clients residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, to increase the fiscal records retention period (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 699-2002

**Patrick-Parra - All Ayes**

- \*41) Proposed Amendment No. 1 to Agreement 386-2002 with Desert Counseling Clinic, Inc., for substance abuse services to clients residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, to reallocate substance abuse levels of care (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 700-2002

**Patrick-Parra - All Ayes**

- \*42) Proposed Amendment No. 1 to Agreement 387-2002 with STEP-II, Inc., for substance abuse services to clients residing in the Bakersfield area, from July 1, 2002 to June 30, 2003, to allocate substance abuse levels of care (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 701-2002

**Patrick-Parra - All Ayes**

- \*43) Proposed Amendment No. 2 to Agreement 395-2002 with Desert Counseling Clinic, Inc., for behavioral health services to clients residing in the Taft area, from July 1, 2002 to June 30, 2003, to allocate substance abuse levels of care (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 702-2002

**Patrick-Parra - All Ayes**

- \*44) Proposed approval of new Drug Medi-Cal rates submitted by the State Department of Alcohol and Drug Programs, beginning August 1, 2002 and continuing forward until revised by the State - APPROVED; AUTHORIZED DEPARTMENT TO BILL NEW RATES EFFECTIVE AUGUST 1, 2002

**Patrick-Parra - All Ayes**

- \*45) Proposed retroactive Agreement with State of California, Department of Rehabilitation, to provide funds to the County for the On-Track Employment Services, Individual Self Sufficiency Project (ISSP), for employment and retention assistance to mentally ill clients residing in the Bakersfield area, from July 1, 2002 to September 30, 2003, in an amount not to exceed \$164,328 (State; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 703-2002

**Patrick-Parra - All Ayes**

PARKS AND RECREATION DEPARTMENT

- \*46) Proposed Resolution authorizing the application for Roberti-Z'Berg-Harris Urban Open Space and Recreation Program Block Grant Funding from the California Department of Parks and Recreation, in the amount of \$1,061,894 - ADOPTED RESOLUTION 2002-269

**Patrick-Parra - All Ayes**

PERSONNEL

- \*47) Classifications of positions recommended by the Civil Service Commission, effective retroactive to June 29, 2002 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITION AND SALARY SCHEDULE

**Patrick-Parra - All Ayes**

PUBLIC HEALTH SERVICES

- \*48) Proposed retroactive Agreement with State Department of Health Services for Childhood Lead Poisoning Prevention, FY 2002-2005, in an amount not to exceed \$1,005,474 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 704-2002 AND RELATED DOCUMENTS

**Patrick-Parra - All Ayes**



- \*49) Proposed retroactive Agreement with Clinica Sierra Vista for professional services for Housing Opportunities for Persons with AIDS funds, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$142,924 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 705-2002

**Patrick-Parra - All Ayes**

- \*50) Proposed retroactive Agreement with State Department of Health Services for Immunization Project Subvention funds, for FY 2002-2003, in an amount not to exceed \$737,455 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 706-2002 AND RELATED DOCUMENTS

**Patrick-Parra - All Ayes**

- \*51) Proposed retroactive Agreement with Drummond Medical Group, Inc., for clinical x-ray professional services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$8,000 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 707-2002

**Patrick-Parra - All Ayes**

- \*52) Proposed retroactive Agreement and Resolution with Neloufa Roshini Merrill, M.D., for medical services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$10,000 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 708-2002; ADOPTED RESOLUTION 2002-270

**Patrick-Parra - All Ayes**

- \*53) Proposed retroactive Memorandum of Agreement with the University of Kansas Medical Center to use the Department of Public Health facility for practical experience for nursing students effective May 8, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 709-2002

**Patrick-Parra - All Ayes**

- \*54) Request to expend a portion of Tuberculosis Local Assistance Award for Food and Shelter Allotment for FY 2002-2003, and direct the Auditor-Controller-County Clerk to pay expenses - APPROVED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Patrick-Parra - All Ayes**

RETIREMENT ASSOCIATION

- \*55) Proposed amendments to Board of Retirement Bylaws and Regulations to permit certain qualified rollovers to the retirement plan permissible under new tax law - APPROVED

**Patrick-Parra - All Ayes**

SHERIFF

- \*56) Proposed Agreement with Department of Justice for Federal Equitable Sharing Program, for forfeited property sales, from September 30, 2002 through September 30, 2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 710-2002; AUTHORIZED CHAIRMAN TO SIGN FEDERAL ANNUAL CERTIFICATION REPORTS

**Patrick-Parra - All Ayes**

- \*57) Proposed three-year Agreement with the City of Tehachapi to provide law enforcement services, from July 1, 2002 to June 30, 2005, in an amount not to exceed \$765,715 in FY 2002-2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 711-2002

**Patrick-Parra - All Ayes**

- \*58) Proposed deletion of one (1) Senior Secretary position and addition of one (1) Word Processing Technician I/II position, effective July 23, 2002 (no fiscal impact) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Patrick-Parra - All Ayes**

- \*59) Unusual travel request for Senior Deputy Tim Melanson and Deputy Brian Carr to attend training in Huntsville, Alabama, from August 4, 2002 through September 6, 2002, in an amount not to exceed \$5,227 each - APPROVED

**Patrick-Parra - All Ayes**

TREASURER-TAX COLLECTOR

- \*60) Cash Receipts and Disbursements for June 2002 - RECEIVED AND FILED

**Patrick-Parra - All Ayes**

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IHSS PUBLIC AUTHORITY

**Patrick-Parra**

ADJOURNED TO CLOSED SESSION

**McQuiston-Parra**

CLOSED SESSIONS

IHSS PUBLIC AUTHORITY

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

RECONVENED FROM CLOSED SESSION; ALL MEMBERS PRESENT; ADJOURNED AS IHSS PUBLIC AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

**McQuiston-Parra**

ADJOURNED TO CLOSED SESSION

**Patrick**

COUNTY ADMINISTRATIVE OFFICE

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

- 63) Request for Closed Session regarding public employee performance evaluation - Title: County Administrative Officer -

COUNTY COUNSEL

- 64) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9(b)(1)(3)(A)) -

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

**McQuiston-Parra**

/s/ Denise Pennell  
Clerk of the Board

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

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, July 23, 2002

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

#### PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!  
- DENNIS TOPE ADDRESSED THE BOARD REGARDING DISMANTLING OF AN EXISTING TWO-LANE STEEL GIRDER BRIDGE ON ROUTE 202 OVER TEHACHAPI CREEK AND UNION PACIFIC RAILROAD BY CALTRANS. CRAIG POPE, DIRECTOR OF ROADS, HEARD.

RECEIVED AND FILED DOCUMENTS; REFERRED TO ROADS

**Parra-Patrick - All Ayes**

#### 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 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) (from 6/11/2002) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2002-271 AND 2002-272 AND ENACTED ORDINANCE G-6894 APPROVING GENERAL PLAN AMENDMENT, APPROVING ZONE CHANGE TO E (1/2) RS (ESTATE - 1/2 ACRE - RESIDENTIAL SUBURBAN COMBINING) FOR THE SOUTHERLY 3.48 ACRES OF THE PROPERTY, APPROVING ZONE CHANGE TO C-1 PD (NEIGHBORHOOD COMMERCIAL - PRECISE DEVELOPMENT COMBINING) FOR THE NORTHERLY 1.02 ACRES OF THE PROPERTY; PRECISE DEVELOPMENT PLAN HAS BEEN WITHDRAWN
- Parra-McQuiston - All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*4) **Request from John and Laurie Thorpe to change the permitted use from 2-1/2 acre Residential to Limited Agriculture on 2.59 acres located at 21192 Old Town Road in Tehachapi (SD 2)**
- Specific Request:**
- A change in zone classification from E (2-1/2) RS (Estate - 2-1/2 acres - Residential Suburban Combining) to A-1 (Limited Agriculture) or a more restrictive district (ZCC #10, Map #165-23)
- (Categorically Exempt, Section 15303; Published Tehachapi News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2002-273 AND ENACTED ORDINANCE G-6895 APPROVING ZONE CHANGE AS REQUESTED
- Parra-McQuiston - All Ayes

- 5) **Request from James and Eileen Sanders to vacate a portion of a 20-foot-wide alley located north of Pembroke Avenue, approximately 600 feet west of Patton Way, northwest Bakersfield (SD 3)**

Specific Request:

Nonsummary vacation of a portion of a 20-foot-wide alley (102-16 3 098; Streets and Highways)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; EILEEN SANDERS HEARD IN SUPPORT OF VACATION; DENNIS HEARRON, MELISSA VIGIL AND CAROL HAMBLEN HEARD IN OPPOSITION; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2002-274 DISAPPROVING VACATION; RECEIVED AND FILED DOCUMENTS

**Patrick-McQuiston - All Ayes**

- \*6) **Request from Kern County Waste Management Department to vacate a 1/4-mile-long portion of Miller Avenue, south of Sullivan Road, north of Buttonwillow (SD 4)**

Specific Request:

Nonsummary vacation of 1/4-mile-long portion of Miller Avenue (98-13 3 098; 98-14 3 098; Streets and Highways)

(Negative Declaration prepared by Kern County Waste Management Department); Published Shafter Press) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2002-275 APPROVING VACATION

**Parra-McQuiston - All Ayes**

- 7) **Request from Kern County Planning Department to vacate a portion of Majesty Palm Street, approximately 150 feet west of Allen Road, western Rosedale area (SD 4)**

Specific Request:

Nonsummary vacation of a portion of Majesty Palm Street (101-26 3 098; Streets and Highways)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - NEIL WALKER, ANDREW THOMPSON, TOM RAMOS AND KAREN RAMOS HEARD; CONTINUED TO TUESDAY, AUGUST 20, 2002, AT 2:00 P.M.

**Patrick-McQuiston - All Ayes**

- 8) **Request from Karen Anthony, Peggy Biby, Lou DeWitt, Will Johnson, Will and Jodi Mulliniks, Patricia Gaspers, and Pat Crouch appealing the decision of the Planning Commission approving the installation of a mobilehome that does not meet the age or architectural requirements and allowing a 4-foot 7-inch rear-yard setback, where 5 feet is required, in an R-1 District on approximately 3,700 square feet located at 828 Elm Trail, Frazier Park (SD 4)**

Specific Request:

An appeal of the decision of the Kern County Planning Commission approving Conditional Use Permit Case 19, Map 238-36 (Resolution 75-02; approved May 23, 2002) to allow the installation of a mobilehome that does not meet the age or architectural requirements (Section 19.18.030.A) and Modification Case 15, Map 238-36 (Resolution 76-02; approved May 23, 2002) to allow a 4-foot 7-inch rear-yard setback,

(Continued on Page 15)

(Continued from Page 14)

where 5 feet is required (Section 19.18.070.C), in an R-1 District (Appeal #6, Map #238-36) (Categorically Exempt, Section 15303; Published Mountain Enterprise) - OPENED HEARING; MALINDA CHADWICK, DARREL TOMFORT AND GENA BENTLEY HEARD IN SUPPORT OF STAFF'S RECOMMENDATION; TANYA GUEST, JODI MULLINI, KAREN ANTHONY AND PEGGY BIBY HEARD IN OPPOSITION TO STAFF'S RECOMMENDATION; CLOSED HEARING; CHAIRMAN PEREZ PASSED GAVEL TO VICE-CHAIRMAN PATRICK; ADOPTED RESOLUTION 2002-276 SUSTAINING THE APPEAL AND DENYING INSTALLATION OF A MOBILEHOME; RECEIVED AND FILED DOCUMENTS; REFERRED ISSUE OF STANDARDS FOR APPROVALS CURING VIOLATIONS TO PLANNING COMMISSION

**Perez-McQuiston - 3 Ayes, 1 No - Parra**

THE GAVEL WAS RETURNED TO CHAIRMAN PEREZ

- 9) Report on Board of Supervisor's referral to the Planning Department to revise by-right dairy siting criteria in the Zoning Ordinance and prepare an Environmental Impact Report; proposed Ordinance requiring Conditional Use Permit for all dairies (All S.D.'s) - OPENED HEARING; ROBERT FEENSTRA, EXECUTIVE DIRECTOR, MILK PRODUCERS COUNCIL OF AMERICA; PAUL MARTIN, COORDINATOR, WESTERN UNITED DAIRYMEN; J. P. CATIVIELA, CARES INDUSTRY COALITION; PETER BELLUOMINI, FIRST VICE PRESIDENT, KERN COUNTY FARM BUREAU; BRENT NEWELL, ATTORNEY FOR THE CENTER ON RACE, POVERTY AND THE ENVIRONMENT; ARTHUR UNGER, KERN KAWEAH CHAPTER OF THE SIERRA CLUB; RODNEY PALLA, DAIRYMAN; AND BOB CAMPBELL, HEARD; CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 2:00 P.M.; REFERRED TO PLANNING TO ESTABLISH A SCHEDULE OF MEETINGS WITH THE DAIRY INDUSTRY AND TO KEEP THE BOARD APPRISED OF PROGRESS

**Parra-McQuiston - 3 Ayes, 1 No - Patrick**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearing

All S.D.'s

- \*10) Hearing on 2002-2003 Fiscal Year Service Charges for all County Service Areas - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED ASSESSMENTS AND FEES; ADOPTED RESOLUTION 2002-277 CONFIRMING ENGINEERING AND SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT TO SET FEES FOR FISCAL YEAR 2002-2003; ENACTED ORDINANCE G-6896 ESTABLISHING COUNTY SERVICE AREA FEES FOR FISCAL YEAR 2002-2003

**Parra-McQuiston - All Ayes**

S.D. #2

- \*11) Contract No. 02013, Change Order No. 2, for construction of Mojave Drainage Improvements - Pipelines, an increase of \$20,459.71 (1.7%), for a new total of \$1,258,480.79 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Parra-McQuiston - All Ayes**

S.D. #4

- \*12) Proposed Resolution endorsing application for a Clean Water Act (Section 205j) Grant and conditionally accepting the grant if offered, Frazier Park area - APPROVED; ADOPTED RESOLUTION 2002-278; ACKNOWLEDGED ENGINEERING & SURVEY SERVICES' PREVIOUS FILING OF THE GRANT APPLICATION; AUTHORIZED DIRECTOR TO NEGOTIATE A CONTRACT FOR ADMINISTRATION OF THE GRANT FUNDS (IF AWARDED)  
**Parra-McQuiston - All Ayes**

S.D. #5

- \*13) Contract No. 02009, Change Order No. 1, for construction of Lamont Curb and Gutter Improvements, an increase of \$11,234 (6.8%), for a new total of \$175,715.96 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN  
**Parra-McQuiston - All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*14) Proposed 7th Standard Road Widening from State Route 99 Interchange to Coffee Road, Phase II Preliminary Design, Right of Way Plan and Negative Declaration - ADOPTED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; MADE FINDING THAT THERE IS NO POTENTIAL FOR ADVERSE EFFECT ON WILDLIFE RESOURCES; AUTHORIZED ROADS TO FILE NOTICE OF DETERMINATION AND CERTIFICATE OF FEE EXEMPTION; APPROVED PHASE II PRELIMINARY DESIGN AND RIGHT OF WAY PLAN; DIRECTED ROADS TO PROCEED WITH THE PROJECT AND ACQUIRE ANY NECESSARY RIGHT OF WAY  
**Parra-McQuiston - All Ayes**

- \*15) Proposed Contract No. 02026 with Granite Construction Company for construction on Santa Fe Way from Seventh Standard Road and Riverside Avenue, in an amount not to exceed \$612,285 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 712-2002  
**Parra-McQuiston - All Ayes**

S.D. #3

- \*16) Proposed Agreement with Vaughn Water Company to reimburse County for costs related to the adjustment of water valve covers on Holland Street, Glenn Street and Verdugo Lane west of Calloway Drive and South of State Route 58 (Contract No. 02037) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 713-2002  
**Parra-McQuiston - All Ayes**

- \*17) Proposed Contract No. 02027 with Griffith Company for Calloway Drive Underpass Landscaping and Signal Interconnect, in an amount not to exceed \$325,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 714-2002  
**Parra-McQuiston - All Ayes**



- \*18) Contract No. 20028, Notice of Completion, for construction on Calloway Drive Underpass at B.N.S.F. Railway, PUC No. 2-892.6B - RECEIVED AND FILED  
**Parra-McQuiston - All Ayes**

S.D. #4

- \*19) Proposed modification to a no-stopping zone on Industrial Parkway Drive - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE  
**Parra-McQuiston - All Ayes**

All S.D.'s

- \*20) Contract No. 02021, Change Order No. 1, for asphalt concrete stockpile at various locations in Kern County, an increase of \$750, for a new total of \$296,730 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN  
**Parra-McQuiston - All Ayes**

WASTE MANAGEMENT

S.D. #1

- \*21) Proposed Contract No. 02032 with Sukut Construction, Inc., to construct final closure at the Kern Valley Sanitary Landfill, in an amount not to exceed \$2,543,356.85 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 715-2002  
**Parra-McQuiston - All Ayes**

All S.D.'s

- \*22) Quarterly report concerning Change Orders approved by the Waste Management Department Director pursuant to Board authorization - RECEIVED AND FILED  
**Parra-McQuiston - All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*23) Transfer of property tax entitlement related to City of Bakersfield, Annexation No. 434 - Local Agency Formation Commission (LAFCO) Proceeding No. 1342 - ADOPTED RESOLUTION 2002-279 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  
**Parra-McQuiston - All Ayes**

- \*24) Proposed response to Grand Jury Final Report on Camp Erwin Owen - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE  
**Parra-McQuiston - All Ayes**

- \*25) Proposed Amendment No. 2 to Agreement with Managed Care Systems for County employee assistance program and substance abuse gatekeeping services to extend the term three years to July 31, 2005, and to provide 5% rate increase effective August 1, 2003, and August 1, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 716-2002  
**Parra-McQuiston - All Ayes**

- \*26) Electronic communications usage policy proposed by the Technology Advisory Committee - APPROVED  
**Parra-McQuiston - All Ayes**
- \*27) Request from Kern Economic Development Corporation for increased contribution in the amounts of \$150,000, \$100,000, and \$50,000 over the next three fiscal years - REFERRED TO FISCAL YEAR 2002-2003 BUDGET FILE  
**Parra-McQuiston - All Ayes**
- \*28) Report on results of Fiscal Year 2001-2002 budget savings incentive program - REFERRED TO FISCAL YEAR 2002-2003 BUDGET FILE  
**Parra-McQuiston - All Ayes**
- 29) Fiscal Year 2002-2003 recommended budget documents for the County of Kern and special districts governed by the Board of Supervisors - RECEIVED AND FILED DOCUMENTS  
**Parra-McQuiston - All Ayes**

Legislative Matters

- 30) SB 1975 - Statewide primary elections - DENNIS FOX HEARD; ADOPTED POSITION OF OPPOSITION UNLESS AMENDED; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE  
**Parra-Patrick - All Ayes**
- 31) HR 3962 - Local government notification and approval for federal land acquisitions - DENNIS FOX HEARD; ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE  
**Patrick-Parra - All Ayes**
- \*32) SB 1521 - Statewide planning model - ADOPTED POSITION OF OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE  
**Parra-McQuiston - All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- 33) Identify apparent low bid from S. C. Anderson, Inc., for the new Juvenile Treatment Facility, in an amount not to exceed \$16,340,000 (1960.8166) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS  
**McQuiston-Parra - All Ayes**

- \*34) Proposed Agreement with Pacific Gas & Electric Company (PG&E), granting easement across a portion of the China Grade Landfill to PG&E for the installation and modification of power lines (one-time fee to County of \$1,690) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 717-2002

**Parra-McQuiston - All Ayes**

S.D. #2

- \*35) Report on Board's request for a community meeting to receive input concerning amendment to Cable Television Franchise Ordinance F-364 - RECEIVED AND FILED

**Parra-McQuiston - All Ayes**

S.D. #3

- \*36) Proposed Amendment No. 2 to Agreement 248-2001 with Landscape Architectural Design Services for the Panorama Park Landscape design project, providing for additional services, a new completion date and an increase of \$9,200 (1960.8245A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 718-2002

**Parra-McQuiston - All Ayes**

S.D. #4

- \*37) Plans and Specifications for the Frazier Mountain Park playground accessibility project (7100.7500) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

**Parra-McQuiston - All Ayes**

S.D. #5

- \*38) Plans and Specifications for handicap accessibility upgrade and other improvements at the Sheriff's Department Property Room (1650.7262) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, AUGUST 22, 2002, AT 11:00 A.M.

**Parra-McQuiston - All Ayes**

- \*39) Change Order No. 3 for demolition and grading at former site of the Department of Public Health, an increase of \$1,956, for a new total of \$401,725.86 (1960.8248) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Parra-McQuiston - All Ayes**

- \*40) Proposed Lease and Joint Use Agreement with Bakersfield City School District, Kern County Superintendent of Schools, and Kern High School District, for Mental Health Department's use of space at 714 Williams Street, Bakersfield, from July 24, 2002, to October 31, 2002, in an amount not to exceed \$7,458.36, payable monthly in amounts of \$2,294.88 beginning July 24, 2002 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 719-2002

**Parra-McQuiston - All Ayes**

- \*41) Proposed purchase of a 40-foot strip of land 1/2 mile south of Panama Lane adjacent to Weedpatch highway, from Kern Oil & Refining Company for the North Lamont Channel Flood Mitigation project, for a purchase price of \$8,000 plus \$625 for escrow fees and title policy insurance, for a total of \$8,625 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-280; ACCEPTED GRANT DEED AND AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS; DIRECTED AUDITOR-CONTROLLER TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$8,625

**Parra-McQuiston - All Ayes**

- \*42) Proposed Agreement for Lease with Kern Community College District for use of office and meeting space at 2100 Chester Avenue, Bakersfield, by the Employers' Training Resource, for a period of three years and nine months, cost to County of \$68 per month for rent (use allowance) plus a one-time tenant improvement cost payment in an amount not to exceed \$100,000 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 720-2002

**Parra-McQuiston - All Ayes**

All S.D.'s

- \*43) Proposed Resolution approving acquisition of software licenses under the Microsoft Select Master License Agreement between the County of Riverside and Microsoft and authorizing the Purchasing Agent to sign the enrollment documents on behalf of the County - APPROVED; ADOPTED RESOLUTION 2002-281

**Parra-McQuiston - All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
Information Technology Services

- \*44) Proposed Agreement with American Registry for Internet Numbers, Ltd., to obtain an autonomous system number and grant authority to the Director of Information Technology Services for administration of the agreement (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 721-2002

**Parra-McQuiston - All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*45) Minutes for Week of June 17, 2002 - APPROVED
- \*46) Miscellaneous Letters and Documents - FILED
- \*47) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED
- \*48) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

ADJOURNED TO TUESDAY, JULY 30, 2002, AT 9:00 A.M.

**Patrick-**

/s/ Denise Pennell  
Clerk of the Board

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

46) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Aging & Adult Services

- A) Response to referral to Ken Seaton-Msemaji, United Domestic Workers of America, re implementation of AB 1682 in Home Supportive Services (IHSS) employer of record

Auditor-Controller-County Clerk

- B) 2001-2002 Fund Balances available for financing 2002-2003 Budget
- C) Report on Refunds (Government Code Section 26906) of Erroneous Deposits pursuant to Board Resolution 71-4
- D) Statement of money in the County Treasury as of May 21, 2002
- E) Report on audit activity by the County Auditor-Controller-County Clerk during the fiscal year ended June 30, 2002
- F) Touch Screen/Optical Scan Voting System proposal evaluation
- G) Audit Report of the Ford City-Taft Heights Sanitation District
- H) Audit Report of the Kern Sanitation Authority

Clerk of the Board

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

- |                            |        |
|----------------------------|--------|
| 1) Tract Map 5362, Unit 3  | S.D. 2 |
| 2) Tract Map 5893, Phase E | S.D. 1 |
| 3) Tract Map 5893, Phase F | S.D. 1 |
| 4) Tract Map 6057, Phase A | S.D. 3 |
| 5) Parcel Map 10490        | S.D. 4 |

Community Development

- J) County Loan Agreement, HOME Investment Partnerships Program, First-Time Homebuyers Mortgage Assistance Program with Audelia Bravo

Employers' Training Resource

- K) WIA/WtW Agreements
- |  |
|--|
| 1) Branch Warehouse Corporation, WtW 70%, dated May 29, 2002                   |
| 2) Covenant Community Medical Group, Inc., WIA Title 201, dated June 17, 2002; |
| 3) D & T Aircraft, Inc., WIA Title 201, dated July 2, 2002;                    |
| 4) Daisytek International, WIA Title 501, dated May 20, 2002;                  |
| 5) Daisytek International, WIA Title 501, dated May 20, 2002;                  |
| 6) Daisytek International, WIA Title 501, dated May 20, 2002;                  |
| 7) Daisytek International, WIA Title 201, dated May 20, 2002;                  |
| 8) Daisytek International, WIA Title 501, dated June 10, 2002;                 |

- 9) Daisytek International, WIA Title 501, dated June 17, 2002;
  - 10) Daisytek International, WIA Title 201, dated June 17, 2002;
  - 11) Daisytek International, WIA Title 201, dated June 17, 2002;
  - 12) Daisytek International, WIA Title 201, dated June 17, 2002;
  - 13) Daisytek International, WIA Title 201, dated June 18, 2002;
  - 14) Daisytek International, WIA Title 501, dated July 1, 2002;
  - 15) Daisytek International, WIA Title 501, dated July 8, 2002;
  - 16) Diamond Resources, Inc., WIA Title 201, dated May 8, 2002;
  - 17) HPS Mechanical, Inc., WIA Title 201, dated June 27, 2002;
  - 18) HPS Mechanical, Inc., WIA Title 201, dated June 27, 2002;
  - 19) HPS Mechanical, Inc., WIA Title 201, dated June 27, 2002;
  - 20) JCS Ventures, Inc. dba Star Office Staffing, WIA Title 301, dated May 31, 2002;
  - 21) Key Energy Services-California, Inc. dba Key Energy Services, Inc., WIA Title 201, dated June 28, 2002;
  - 22) Key Energy Services-California, Inc. dba Key Energy Services, Inc., WIA Title 501, dated June 28, 2002;
  - 23) Mt. Vernon Veterinary Hospital, Inc. dba Mt. Vernon Veterinary Hospital, WIA Title 301, dated April 25, 2002;
  - 24) Norcon Composites, Inc., WIA Title 201, dated June 24, 2002;
  - 25) Oasis Air Conditioning, Inc., WIA Title 201, dated June 20, 2002;
  - 26) Pierce Truck Repair, WIA Title 201, dated May 21, 2002;
  - 27) Progressive Steps, WIA Title 301, dated June 10, 2002;
  - 28) Rawles Sewing Machines, WIA Title 201, dated May 20, 2002;
  - 29) Rawles Sewing Machines, WIA Title 201, dated July 2, 2002;
  - 30) Stier's Leisure Vehicles, Inc., WIA Title 201, dated May 22, 2002;
  - 31) Victory Circle, Inc., WIA Title 201, dated May 28, 2002
- L) WIA Amendments:
- 1) Jimmie D. Childress dba Childress Construction, WIA Title 201, Encumbrance No. D200268, dated June 19, 2002;
  - 2) OMG America dba Fidelity Lending Corporation, WIA Title 201, Encumbrance No. D200261, dated July 8, 2002
- M) Modification No. 2 to Agreement R174152 with the State Employment Development Department to extend the term of the Welfare-to-Work and WIA 15% CTI project through December 31, 2002

- N) Modification No. 11 to Agreement R069109 with the State Employment Development Department to incorporate local Board travel and training funds for the period April 1, 2000 through December 31, 2002
- O) Modification No. 4 to Agreement R275841 with the State Employment Development Department to transfer dislocated worker funding to adult funding and add \$5,557 in WIA 15% SP funds for the Universal Access Grant

Environmental Health

- P) Three (3) thank you letters to individuals and companies for donations to the Mojave and Bakersfield animal shelters

General Services

- Q) Acceptance of Amendment to Franchise and Rider to Great American Insurance Company Bond Number 7277267 for The Termo Company Amendment to Franchise F-390, by Ordinance No. F-440

Grand Jury

- R) 2001-2002 Final Report

Human Services

- S) Response to referral to Delores Cisneros, HCFS, Inc., re representation of Medi-Cal clients (Copies to each Supervisor and CAO)

Local Agency Formation Commission

- T) Resolution 02-24, Proceeding No. 1328, in the matter of Kern Tulare Water District, Detachment Q (Copies to each Supervisor and CAO)
- U) Resolution 02-26, Proceeding No. 1332, in the matter of Buttonwillow County Water District, Annexation No. 5 (Copies to each Supervisor and CAO)
- V) Resolution 02-27, Proceeding No. 1333, in the matter of Greenfield County Water District, Annexation No. 34 (Copies to each Supervisor and CAO)
- W) Notice of Protest Hearing, Proceeding No. 1326, in the matter of Greenfield County Water District, Annexation No. 33 (Copies to each Supervisor and CAO)

Planning

- X) Response to letter from Kern County Citizens for Honest Government related to the Planning Department's administration of outdoor advertising sign regulations (Copies to each Supervisor and CAO)
- Y) Memorandum re new street names Sierra Leone Road and Paradise Way, Conditional Use Permit 6, Map No. 168, Cache Creek area
- Z) Consent to Recordation, Irrevocable Offer of Dedication from Ronetta and Christopher P. Krauter, Conditional Use Permit 21, Map No. 101-24



- AA) Consent to Recordation, Irrevocable Offer of Dedication from Poso Creek Family Dairy, LLC, APN 059-130-51, 059-130-08, 059-130-52 and 059-130-53, Zone Map 31
- BB) Consent to Recordation, Irrevocable Offer of Dedication from Livo E. and Rose Mary Palla, Trustees of the Livio and Rose Palla Family Trust, Conditional Use Permit 7, Map No. 141
- Resource Management Agency
- CC) Quarterly Status Report on key issues of Resource Management Agency and component departments (Copies to each Supervisor and CAO)
- Miscellaneous
- DD) Letter from Barbara Fields, Barbara Fowler and Becky Kaiser conveying sympathy for loss of Supervisor Peterson and support for the Board (Copies to each Supervisor and CAO)
- EE) Letters from Jon J. Bernstein, DVM, Ber Mar Pet Hospital, Kerry Milliken, DVM, Rick Glassey, Rick Glassey's Jungle Bookings, and Nicholas Toth, Cougar Hill Ranch, in support of wild animal keeping, Tehachapi area (Copies to each Supervisor, CAO, Planning and County Counsel)
- FF) Thank you letter from Senator Wm. J. "Pete" Knight re support for continued funding of the Rural Crime Prevention Program (RCP) (Copies to each Supervisor, CAO, Agriculture Commissioner, District Attorney and Sheriff)
- GG) Thank you letter from Senator Wm. J. "Pete" Knight requesting support to fully fund the Williamson Act in the 2002-2003 State budget (Copies to each Supervisor, CAO and Planning)
- HH) Letter from Sandy West, North Bakersfield Recreation & Park District, re retirement from the North Bakersfield Recreation and Park District, effective Friday, July 5, 2002 (Copies to each Supervisor and CAO)
- II) Fourteen (14) forms from individuals in opposition to wild animal keeping, Tehachapi area (Copies to each Supervisor, CAO, Planning and County Counsel)
- JJ) Letter from Steven G. Ladd, Kern County Children and Families Commission, re report of Kern County Grand Jury's Ad Hoc Committee (Copies to each Supervisor and CAO)
- KK) Letter from James E. Simmons, Southwest Defense Alliance, conveying sympathy for loss of Supervisor Peterson (Copies to each Supervisor and CAO)
- LL) Letter from Joseph R. Schoenstein, Time Warner Cable, re developments involving the Time Warner Entertainment-Advance/Newhouse Partnership (TWE-A/N) (Copies to each Supervisor, CAO and General Services)
- MM) Letter from Paul A.E. Moeller re community access cable television (Copies to each Supervisor, CAO, General Services and County Counsel)

- NN) Letter from Ken Blanton, Kern County Fire Fighters Union, re pending expiration of their current Memorandum of Understanding (Copies to each Supervisor and CAO)
- OO) Letter from Gary L. Yates, The California Wellness Foundation, re youth violence prevention and Choices for Youth forum to be held in Los Angeles in the fall (Copies to each Supervisor and CAO)
- PP) Letter from Paul L. Seave, State Department of Justice, re "Window of Opportunity" video focusing on effect of exposure to violence on children (Copies to each Supervisor and CAO)
- QQ) Letter from D. E. Leach, California Highway Patrol, re Hazardous Materials Incident Report on Wednesday, June 19, 2002, east bound State Route 58, one mile east of State Route 202 (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- RR) Letter from Deborah Richardson re nuisance located at 266th Street West, Rosamond, APN 254-401-26 (Copies to each Supervisor, CAO and Engineering and Survey Services)
- SS) Thank you letter from Congressman Calvin Dooley re correspondence concerning welfare reform (Copies to each Supervisor, CAO and Human Services)
- TT) Letter from Jack J. Pandol, The Grapery, to Secretary of Agriculture Bill Lyons, re visit to Kern County concerning glassy winged sharp shooter (Copies to each Supervisor, CAO and Agricultural Commissioner)
- UU) Letter from James McCall re comments concerning the proposed three-dog limit (Copies to each Supervisor, CAO, Resource Management Agency, Planning and Environmental Health)
- VV) Letter from Raul M. Rojas, City of Bakersfield Public Works Department, re offers of dedication for County roads, Mohawk Street between Truxtun Avenue and Rosedale Highway (Copies to each Supervisor and CAO)
- WW) Letter from Patric B. Ashby, State Department of Child Support Services, re Nebraska Health and Human Services payment redirection and address change for interstate child support payments (Copies to each Supervisor and CAO)
- XX) Letter from Patric B. Ashby, State Department of Child Support Services, re using paydate/date of withholding provided by employer as the legal date of collection for wage withholdings (Copies to each Supervisor and CAO)
- YY) Letter from Joan Obert, State Department of Child Support Services, re release of Child Support Warning Notices schedule (Copies to each Supervisor and CAO)
- ZZ) Letter from Mike Pool, U.S. Department of the Interior, Bureau of Land Management, re National Environmental Policy Act (NEPA) and achieving cooperating agency status (Copies to each Supervisor, CAO, Planning and County Counsel)

- AAA) Letter from Kelly Brodie, State Victim Compensation and Government Claims Board, re extension of deadline to November 2, 2002, to submit claims for reimbursement through Senate Bill 551 (Copies to each Supervisor, CAO, Mental Health, Human Relations, Sheriff and District Attorney)
- BBB) Letter from Sheryl Lauth, North Edwards Water District, re perchlorate contamination at Well No. 1 (Copies to each Supervisor, CAO and Environmental Health)
- CCC) E-mail from Andrew Thomson, Clinton Bradshaw, Gary and Judy Denny, Neil Walker and Scott and Janell Cote in support of Nonsummary Vacation, Map 101-26, Majesty Palm Street (Copies to each Supervisor, CAO, Planning and County Counsel)
- DDD) San Joaquin Valley Air Pollution Control District, 2002-2003 Adopted Budget (Copies to each Supervisor and CAO)
- EEE) Memorandum from Nancy Quan, State Resources Agency, to Ed Anton, State Water Resources Control Board, re petition for temporary change of place of Use-Year 2002 Transfer of up to 13,000 acre-feet from Kern County Water Agency to Del Puerto Water District and San Luis Water District (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- FFF) Notice from Los Padres National Forest re schedule of proposed environmental actions, July through September, 2002 (Copies to each Supervisor, CAO and Planning)
- GGG) Notice from Southern California Gas Company, re proposed rate increase, Application No. 02-06-035 (Copies to each Supervisor, CAO and General Services)
- HHH) Notice from State Water Resources Control Board re petition for temporary change involving the transfer of 13,000 acre-feet of water from the California Department of Water Resources to Del Puerto Water District and San Luis Water District under Permit 16482 (Application 17512) (Copies to each Supervisor, CAO, Resource Management Agency and Engineering and Survey Services)
- III) Notice from Kern County Child Care Council re 2002-2003 meeting calendar
- JJJ) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: Desert Oasis Country Store, 4968 W. Rosamond Boulevard, Rosamond; Kim Chong Jae, 10521 & 10525 Rosedale Highway, Bakersfield; Riverside Cafe, 11 Kern River Drive, Kernville; BK Market, 2515 Center Street, Rosamond; Loves Travel Stop 230, 21948 Highway 46, Lost Hills; EZ Trip Buttonwillow, 20662 Tracy Avenue, Buttonwillow; and Golden Bull 2, 22460 Rosedale Highway, Bakersfield (Copies to each Supervisor, CAO and Planning)
- KKK) Bulletin from Minority Construction, Volume 9, Issue 60, June 25, 2002 (Copies to each Supervisor)

- LLL) Bulletin from Minority Construction, Volume 9, Issue 61, July 2, 2002 (Copies to each Supervisor and CAO)
- MMM) Bulletin from U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime re Services for Trafficking Victims Discretionary Grant Application Kit (Copies to each Supervisor, CAO, Sheriff, District Attorney and Probation)
- NNN) Bulletin from The California Rifle and Pistol Association, Inc., The Firing Line, Issue No. 871, July, 2002 (Copies to each Supervisor, CAO, Planning and County Counsel)
- OOO) Bulletin from the American Land Rights Association, National Inholders Association (Copies to each Supervisor, CAO, Planning and County Counsel)
- PPP) Brochure from Governor Gray Davis re the 2002 Governor's Environmental and Economic Leadership Awards, 2002 Nominations (copies to each Supervisor and CAO)
- QQQ) News release from Senator Barbara Boxer re request to President to approve \$200 million loan to prevent Amtrak shutdown (Copies to each Supervisor and CAO)
- RRR) Agenda of meeting from Central Valley Regional Water Quality Control Board on Tuesday, July 9, 2002 (Copies to each Supervisor and CAO)
- SSS) Agenda of meeting from CALFED Bay-Delta Program, Bay-Delta Public Advisory Committee, Environmental Justice Subcommittee, on Thursday, July 18, 2002 (Copies to each Supervisor and CAO)
- TTT) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, July 11, 2002
- 47) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Charles G. Meyer, Bakersfield Museum of Art, re request for funds to underwrite the "Art Smart" program - REFERRED TO 2002-2003 BUDGET FILE (Copies to each Supervisor and CAO)
- B) Letter from Rita Gable, City of Ridgecrest, re Resolution 02-75 giving notice to hold a General Municipal Election on Tuesday, November 5, 2002, and Resolution 02-76 requesting Board of Supervisors to render specified services relating to the conduct of the election - REFERRED TO ELECTIONS (Copies to each Supervisor and CAO)
- C) Letter from Pamela A. McCarthy, City of Bakersfield, re Resolution 109-02 requesting approval from the Board of Supervisors to consolidate the City's General Municipal Election with the Statewide General Election on Tuesday, November 5, 2002 - REFERRED TO ELECTIONS

- D) Letter from Dave Thomas re the number of dairies allowed in Kern County - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
- E) Notice of Preparation from San Bernardino Valley Municipal Water District and Western Municipal Water District of Riverside County, re preparation of a Draft Environmental Impact Report relating to diversion, when available, by the project co-proponents of water from the Santa Ana River - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
- F) E-mail (3) from Lloyd Wiens, Frazier Park Property Owners Association, re ownership and operation of Frazier Mountain Community Park - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor, CAO and Parks)
- G) E-mail from MarrLand Property Owners Association re Marrland and Frazier Park early residential subdivisions - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor and Parks)
- 48) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Harold E. Goldsmith, Sr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Chuck Steven Patterson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Leroy Hunter vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Mary Jenkins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Laura Ann Wasson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Claim in the matter of Monico F. Cabrera and Elifrosina Cabrera vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - G) Claim in the matter of Raymond Chavez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - H) Claim in the matter of Bob Whitney vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - I) Claim in the matter of Steven R. Marquesen vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - J) Claim in the matter of Sierra Victor Ranch Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - K) Claim in the matter of Timothy Oates vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- L) Claim in the matter of Vanh and Craig Mancevice vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of Cheri (Valdez) Campbell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Clete V. Reuter vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Claim in the matter of Justin K. Kuster vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Claim in the matter of Ed and Verone Stevens vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Claim in the matter of Peter Collins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Summons and complaint in the matter of The Bakersfield Californian vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Summons and complaint in the matter of Ennis Commercial Properties, LLC vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Summons and complaint in the matter of David Hernandez, a minor by and through is Guardian ad Litem, Graciela Hernandez, Graziela Hernandez and David Hernandez, Sr., Individually vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- U) Summons and complaint in the matter of Linda Reed vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- V) Summons and complaint in the matter of James J. Owen vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- W) Summons and complaint in the matter of Peter Collins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- X) Subrogation claim in the matter of Med Daugherty by Personal Express Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Y) Subrogation claim in the matter of Carrie Raprager by Geico Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Z) Subrogation claim in the matter of Ken Takahashi/The Ackerly Group, Inc. by Liberty Mutual Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- AA) Transfer of discrimination complaint re Carson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
- BB) Notice of Motion authorizing and approving debtors' sale of real property, House2Home, Inc., f/k/a Homebase, Inc. - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- CC) Joinder to debtor's motion for order authorizing and approving sale of real property, House2Home, Inc., f/k/a Homebase, Inc. - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)