

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, August 24, 2004

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Parra

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

NOTE: SUPERVISOR PATRICK INTRODUCED ALBERT RARDIN, THIRD DISTRICT APPOINTEE TO THE COMMISSION ON AGING

BOARD ACTION SHOWN IN CAPS

#### PUBLIC REQUESTS

- \*1) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council, to present the April 1, 2004 through June 30, 2004 Quarterly Report to the Board - RECEIVED AND FILED

**Maben-Parra: All Ayes**

#### APPOINTMENTS

- \*2) Appointment of Albert Rardin as Third District Member to the Commission on Aging, term to expire June 17, 2006 - MADE APPOINTMENT

**Maben-Parra: All Ayes**

- \*3) Appointment of Joseph Hughes (replacing Rayburn S. Dezember) as At-large, Sixth Member to the Retirement Board, term to expire December 31, 2006 - MADE APPOINTMENT

**Maben-Parra: All Ayes**

- \*4) Reappointment of David Anderson as At-large Member to Public Cemetery District No. 1 of Kern County, term to expire August 1, 2008 - MADE REAPPOINTMENT

**Maben-Parra: All Ayes**

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 6) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR MABEN COMMENDED ROSS ELLIOTT AND THE EMERGENCY MEDICAL SERVICES STAFF FOR NOTABLE IMPROVEMENTS TO AIR AMBULANCE AND EMERGENCY SERVICES IN EAST KERN COMMUNITIES

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*7) Notification of retroactive Agreement with South Fork Union School District for facility use - RECEIVED AND FILED

**Maben-Parra: All Ayes**

- \*8) Proposed retroactive Amendment No. 1 to Agreement 112-2004 with Community Action Partnership of Kern amending the scope of work to provide the Brown Bag Program, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$19,112 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 724-2004

**Maben-Parra: All Ayes**

- \*9) Request for retroactive approval of California Health Advocates (CHA) Mini-Grant Application and proposed Agreement, effective July 12, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN MINI-GRANT APPLICATION AND AGREEMENT 725-2004; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$6,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$6,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 5610

**Maben-Parra: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*10) Resolution from Maricopa Unified School District requesting the Elections Official to conduct their bond election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*11) Resolution from City of Ridgecrest requesting Elections Official to conduct their tax election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*12) Resolution from City of Delano requesting Elections Official to conduct their tax election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*13) Resolution from Kern High School District requesting Elections Official to conduct their bond election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*14) Resolution from Antelope Valley Community College District requesting Elections Official to conduct their bond election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*15) Resolution from Lakeside Union School District requesting Elections Official to conduct their Special Election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*16) Resolution from Southern San Joaquin Municipal Utility District requesting Elections Official to conduct their Special Election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*17) Resolution from Tehachapi Cummings County Water District requesting election of directors be changed from odd to even numbered years - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

**Maben-Parra: All Ayes**

- \*18) Amended Conflict of Interest Code and departmental Regulations for Auditor-Controller-County Clerk - APPROVED

**Maben-Parra: All Ayes**

- \*19) Proposed Agreement with Macias Gini and Company for performing selected reviews and procedures relating to Kern Medical Center for Fiscal Year 2004, in an amount not to exceed \$111,120; Fiscal Year 2005, in an amount not to exceed \$112,219; and Fiscal Year 2006, in an amount not to exceed \$115,922 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 726-2004

**Maben-Parra: All Ayes**

- \*20) Proposed Resolution setting the 2004/2005 tax rates for all agencies included on the County Tax Roll - APPROVED; ADOPTED RESOLUTION 2004-268

**Maben-Parra: All Ayes**

BOARD OF SUPERVISORS

- \*21) Request from Second District Supervisor Don Maben for a letter of support for expansion of the Mojave California Highway Patrol Office - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF SUPPORT

**Maben-Parra: All Ayes**

- 22) Request from Fourth District Supervisor Raymond A. Watson for the Board to send a written request to the Local Agency Formation Commission (LAFCO) to consider addressing specific issues relating to sphere of influence boundaries - APPROVED; DIRECTED CLERK OF THE BOARD TO TRANSMIT COPY OF LETTER TO LAFCO

**Watson-Parra: All Ayes**

CHILD SUPPORT SERVICES

- \*23) Proposed authorization for unusual travel for Warren Baziuk, Sabra Cesmat, Elizabeth Garcia, Cynthia Hagar, Myra McArthur, Phyllis Nance, Jewelle Scales, Linda Schreder, Kimberlyn Stillwell, Sandy Tate, and Stacey Wuertz to attend Train the Trainers sessions in Sacramento, September 6, 2004 through September 24, 2004, expenses not to exceed \$26,026 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Maben-Parra: All Ayes**

COUNTY COUNSEL

- \*24) Proposed Memorandum of Understanding between the County of Kern and the Kern County Water Agency regarding the County Replacement Benefits Plan - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 727-2004

**Maben-Parra: All Ayes**

- \*25) Proposed Ordinance adding Subsection (229) to Section 10.16.070 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a one-hour (1) parking zone along the north side of East California Avenue - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Parra: All Ayes**

- \*26) Proposed Ordinance adding Subsection (228) to Section 10.16.070 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no parking zone on the north side of Shirley Lane - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Parra: All Ayes**

DISTRICT ATTORNEY

- \*27) Proposed Resolution authorizing grant application for the Governor's Office of Emergency Services, Violence Against Women Vertical Prosecution Program, in the amount of \$90,654 - APPROVED; ADOPTED RESOLUTION 2004-269

**Maben-Parra: All Ayes**

- \*28) Proposed authorization for Purchasing Agent to issue sole source blanket purchase orders to: West Groups for legal publications, in an amount not to exceed \$97,000; Applied Biosystems for genetic analyzers, in an amount not to exceed \$95,000; and VWR International for scientific supplies in an amount not to exceed \$80,000, for a total amount not to exceed \$272,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE BLANKET PURCHASE ORDERS

**Maben-Parra: All Ayes**

- \*29) Request for approval of the Department of Justice and Department of the Treasury Federal Annual Certification Report, for the period July 1, 2003 through June 30, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Parra: All Ayes**

EMERGENCY MEDICAL SERVICES

- \*30) Report on Air Ambulance Boundary Change - RECEIVED AND FILED

**Maben-Parra: All Ayes**

- \*31) Proposed revisions to Emergency Medical Services Fund claims procedures and adoption of the 2002 Northern California Locality 99 Physicians Medicare Fee Schedule to determine physician reimbursement rates - APPROVED

**Maben-Parra: All Ayes**

- \*32) Proposed Agreement with California Emergency Medical Services Authority for grant funds in the amount of \$124,598 for Regional Disaster Medical Health Specialist program and appropriation of unanticipated revenue - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 728-2004; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$124,598 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$124,598 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 4200

**Maben-Parra: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*33) Notification of anticipated retroactive Amendments to Agreements with Ebony Counseling Center, ARBOR E & T, and West Side Regional Occupational Program, for job search activities, placement assistance, vocational training, and work experience - RECEIVED AND FILED

**Maben-Parra: All Ayes**

- \*34) Proposed retroactive Agreement with Department of Rehabilitation to reimburse facility costs for use of one dedicated work station at the Stockdale Career Services Center, from July 1, 2004 through June 30, 2006, in an amount not to exceed \$17,328 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 729-2004

**Maben-Parra: All Ayes**

- \*35) Proposed retroactive Amendment No. 3 to Agreement 1158-2002 with La Cooperativa Campesina de California for a Migrant and Seasonal Youth Program to extend the term through December 31, 2004, and increase compensation by \$23,083, for a total amount not to exceed \$245,195 (prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 730-2004

**Maben-Parra: All Ayes**

- \*36) Proposed retroactive Agreement with Tehachapi Unified School District for educational and employment readiness activities for in-school youths, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$30,000 (prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 731-2004

**Maben-Parra: All Ayes**

HUMAN SERVICES

- \*37) Proposed Agreement with Moss Beach Homes, Inc., as represented by ASPIRA Foster and Family Services, for provision of SB 163 Wraparound Services, from August 31, 2004 through September 1, 2005, in an amount not to exceed \$1,458,566 (40% State/Federal; 60% County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 732-2004

**Maben-Parra: All Ayes**

- \*38) Request for sole source procurement for California Department of Justice Fingerprinting Services for adoptions, foster care licensing, employees, volunteers and relative placements, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Maben-Parra: All Ayes**

KERN MEDICAL CENTER

- \*39) Notification of retroactive Agreement with Central Cardiology Medical Clinic, an independent contractor, for specialized cardiac services - RECEIVED AND FILED

**Maben-Parra: All Ayes**

- \*40) Proposed changes in clinical privilege status for 19 members of Kern Medical Center's Medical Staff - APPROVED

**Maben-Parra: All Ayes**

- \*41) Acceptance of donation of travel expenses from OneLegacy for two individuals, to be designated by Kern Medical Center, to attend the Department of Health and Human Services Organ Donation Breakthrough Collaborative in San Diego, from September 12, 2004 through September 15, 2004 - APPROVED; ADOPTED RESOLUTION 2004-270

**Maben-Parra: All Ayes**

- \*42) Proposed Amendment No. 4 to Software License Agreement 180-99 with Minnesota Mining and Manufacturing Company, extending the term for an additional five years, through August 26, 2009, for a maximum amount not to exceed \$604,624 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 733-2004

**Maben-Parra: All Ayes**

- \*43) Proposed McKesson Contract Supplement to Agreement 276-99 for Horizon Physician Portal Upgrade Services, in an amount not to exceed \$22,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 734-2004

**Maben-Parra: All Ayes**

- \*44) Proposed retroactive Amendment No. 1 to Agreement 056-2004 with Shabbir A. Shakir, M.D., an independent contractor, for urology services, changing the effective date of the term from February 5, 2004 to December 31, 2003, and increasing the maximum amount payable by \$4,400 from \$73,600 to \$78,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 735-2004

**Maben-Parra: All Ayes**

- \*45) Proposed Practice Group Agreement with Kern Emergency Physicians, an independent contractor, for professional medical services rendered by core physicians and non-core physicians in the Emergency Department, from August 24, 2004 through August 23, 2007, in an amount not to exceed \$385,950 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 736-2004

**Maben-Parra: All Ayes**

- \*46) Proposed Agreement with Gabriela V. Obrocea, M.D., Ph.D., a contract employee, for psychiatry services, from September 1, 2004 through August 30, 2009, in an amount not to exceed \$1,040,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 737-2004

**Maben-Parra: All Ayes**

- \*47) Proposed Agreement with Diego Mendez, M.D., an independent contractor, for obstetrical and gynecological services, from August 29, 2004 through August 28, 2006, in an amount not to exceed \$200,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 738-2004

**Maben-Parra: All Ayes**

- \*48) Proposed Agreement with Bahram Raofi, M.D., a contract employee, for radiology services, from August 28, 2004 through August 27, 2009, in an amount not to exceed \$583,000 for the interim 24-months of the Agreement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 739-2004

**Maben-Parra: All Ayes**

- \*49) Proposed retroactive Amendment No. 1 to the Letter of Agreement with Health Net of California, Inc., for health care services rendered to Health Net Medi-Cal Managed Care members, to extend the term through December 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 740-2004

**Maben-Parra: All Ayes**

- \*50) Proposed retroactive Letter of Agreement with Medical Development International Ltd., Inc., for inpatient and outpatient health care services rendered to inmates of the federal correctional facility located in Taft, California - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 741-2004

**Maben-Parra: All Ayes**

- \*51) Proposed retroactive Amendment No. 1 to Acute Hospital Services Agreement 1083-2000 with Kaiser Foundation Hospitals, to provide acute hospital services (prior notification June 22, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 742-2004

**Maben-Parra: All Ayes**



LIBRARY

- \*52) Request to hire retired County employees Audrey Deadrich as a Librarian I, Step A, Range 53.9; Delores Gisinger as an Office Services Assistant, Step E, Range 42.8; Mary Jeffers as an Office Services Assistant, Step E, Range 42.8; Jane S. Hasten as a Librarian I, Step E, Range 53.9; Linda Knowles as an Office Services Technician, Step E, Range 45.0; Helen Nelson as an Office Services Technician, Step E, Range 45.0; Vivian Stowers as an Office Services Technician, Step E, Range 45.0; and Karyl Towse as an Office Services Technician, Step E, Range 45.0 for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment - APPROVED

**Maben-Parra: All Ayes**

- \*53) Notification of Award of Human Rights Video Grant - RECEIVED AND FILED

**Maben-Parra: All Ayes**

MENTAL HEALTH SERVICES

- \*54) Proposed Amendment No. 2 to Agreement 404-2003 with Vince Saldias dba Positive Visions for Men, for sober living environment services for clients residing in the Bakersfield area, to increase funding levels to match service provision to an amount not to exceed \$82,352 (an increase of \$11,525) (Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 743-2004

**Maben-Parra: All Ayes**

- \*55) Proposed Agreement with Henrietta Weill Memorial Child Guidance Clinic, Inc., for professional treatment to seriously mentally disturbed children and adolescents residing in the West Bakersfield area, from September 1, 2004 through June 30, 2005, in an amount not to exceed \$1,062,663 (Drug Medi-Cal, State, Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 744-2004

**Maben-Parra: All Ayes**

- \*56) Proposed sole source Agreement with Gene Saint-Amand, for professional grant writing, technical consultation, review and assistance to Mental Health Department and collaborative partners, from October 1, 2004 through June 30, 2005, in an amount not to exceed \$39,375 (State, SAMHSA' Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 745-2004

**Maben-Parra: All Ayes**

- \*57) Amended Conflict of Interest Code for the Mental Health Department - APPROVED

**Maben-Parra: All Ayes**

PERSONNEL

- \*58) Classification of positions recommended by Civil Service Commission, effective August 24, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Parra: All Ayes**

PROBATION

- \*59) Proposed Agreement with Kern County Superintendent of Schools Substance Abuse Prevention Education Partnership for delinquency prevention/truancy reduction services, from September 1, 2004 through August 31, 2005, in an amount not to exceed \$140,820 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 746-2004

**Maben-Parra: All Ayes**

- \*60) Request authorization to execute grant contract with the Governor's Office of Emergency Services for the Victim Witness Assistance Program, Fiscal Year 2004-2005, in the amount of \$452,468 - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO EXECUTE GRANT AGREEMENT

**Maben-Parra: All Ayes**

SHERIFF

- \*61) Request to hire retired County employee, Glenda Wigginton, as an Office Services Technician, at Step E, Range 45, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment - APPROVED

**Maben-Parra: All Ayes**

- \*62) Proposed retroactive Agreement with State of California, Commission on Peace Officer Standards and Training, for training services by Kern County Sheriff's Department, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$63,200 (revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 747-2004; APPROVED SHERIFF'S TRAINING FUND 22132 TO BE THE REPOSITORY FOR REVENUE FROM THIS CONTRACT TO FUND CONTINUATION AND GROWTH OF REGIONAL SKILLS TRAINING PROGRAM

**Maben-Parra: All Ayes**

- \*63) Proposed Agreement with U.S. Department of Agriculture - Forest Service for law enforcement support - APPROVED THE 2005 OPERATING AND FINANCIAL PLAN FOR VEHICULAR PATROL ON FOREST SERVICE LANDS FROM OCTOBER 1, 2004 TO SEPTEMBER 30, 2005, IN AN AMOUNT NOT TO EXCEED \$20,000; APPROVED THE 2005 OPERATING AND FINANCIAL PLAN FOR CONTROLLED SUBSTANCES, FROM OCTOBER 1, 2004 TO SEPTEMBER 30, 2005, IN AN AMOUNT NOT TO EXCEED \$10,000; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 748-2004

**Maben-Parra: All Ayes**

- \*64) Proposed Agreement with National Insurance Crime Bureau for donation of equipment to the Sheriff's Department for use in auto theft suppression - APPROVED; AUTHORIZED SHERIFF OR HIS DESIGNEE TO SIGN

**Maben-Parra: All Ayes**

- \*65) Proposed Agreement with Mojave Unified School District for law enforcement services, from September 1, 2004 through June 30, 2005, in an amount not to exceed \$91,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 749-2004

**Maben-Parra: All Ayes**

- \*66) Proposed Agreement with Southern Kern Unified School District for law enforcement services, from September 1, 2004 through June 30, 2005, in an amount not to exceed \$91,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 750-2004

**Maben-Parra: All Ayes**

- \*67) Proposed Agreement with Beardsley School District for law enforcement services, from September 1, 2004 through June 30, 2005, in an amount not to exceed \$91,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 751-2004

**Maben-Parra: All Ayes**

- \*68) Application to hold a Parade, Mojave Chamber of Commerce Gold Rush Days Celebration, September 18, 2004, Mojave, California - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Parra: All Ayes**

- \*69) Application to hold a Parade, Boron Chamber of Commerce Annual 20 Mule Team Days celebration Parade, October 2, 2004, in Boron, California - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Parra: All Ayes**

- \*70) Application to hold a Parade, Antelope Valley Chamber of Commerce Armed Forces Appreciation Day Parade and September Fest, September 25, 2004, Rosamond, California - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Parra: All Ayes**

- \*71) Application to hold a Parade, Buttonwillow Chamber of Commerce and Agriculture Fall Farm Festival, September 18, 2004, Buttonwillow, California - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Parra: All Ayes**

TREASURER-TAX COLLECTOR

- \*72) Pooled Cash Portfolio Analysis for Month Ended July 2004 - RECEIVED AND FILED

**Maben-Parra: All Ayes**

- \*73) Proposed Amendment No. 2 to Agreement 285-2002 with Govolution, Inc., expanding the scope of work and increasing the maximum amount by \$20,000 to provide enhancements to the Treasurer-Tax Collector's payment system to accept Automated Clearing House (ACH) payments - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 752-2004

**Maben-Parra: All Ayes**

- \*74) Cash Receipts and Disbursements for July 2004 - RECEIVED AND FILED

**Maben-Parra: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Planning Department

Hearing

All S.D.'s

- 75) Public hearing and report on dairy and dairy calf feedlot land use permitting and the preparation of a single Program/Project Environmental Impact Report to address multiple dairy and feedlot proposals and proposed Interim Urgency Ordinance - OPENED HEARING; HEARD IN SUPPORT OF STAFF RECOMMENDATION: GEORGE PETRISANS; ARTHUR UNGER, KERN KAWEAH CHAPTER OF THE SIERRA CLUB; BILL DESCARY; DANIEL RUDNICK; PHIL RUDNICK; RODNEY PALLA; LARRY PENNELL, CITY MANAGER, CITY OF WASCO; YGNACIO MORALES; AND CAROLINE FARRELL, CENTER ON RACE, POVERTY AND THE ENVIRONMENT; HEARD IN OPPOSITION TO STAFF RECOMMENDATION: JOHN DUNLAP; DAVID ALBERS, DAIRY FARMER AND ATTORNEY; MARK LAMBOOY, MILK PRODUCER; WILLIAM SANDERS; PETE DEJONG; PETE BELLUOMINI, PRESIDENT, KERN COUNTY FARM BUREAU; CARRIE VANDER POEL; BRIAN VANDER POEL; RICHARD REYNEVELD; REX NEDEREND; TED DE GROOT, REX RANCH, WASCO; J.P. CATIVIELA, REPRESENTING DAIRY CARES; HANK VANDER POEL; EMILIE JOHNSON, MICHAEL BRANDMAN ASSOCIATES, INC.; AND JOHN DUNLAP, REPRESENTING DAIRY ACTION NETWORK

RECESSED AT 11:35 A.M.; RECONVENED WITH ALL MEMBERS PRESENT

MARY JANE WILSON SPOKE ON BEHALF OF J.B. AGUERRA, IN OPPOSITION TO STAFF'S RECOMMENDATION; JOEL VANDER POEL; DAVID AVILA; AND ROB PELLETERIE, TEAMSTERS LOCAL UNION 7 HEARD IN OPPOSITION; CLOSED HEARING; CONTINUED TO TUESDAY, AUGUST 24, 2004 AT 2:00 P.M. (SEE ITEM 2A)

**Maben-Parra: All Ayes**

RECESSED TO 2:00 P.M.

**Maben-Parra**

/s/ Denise Pennell  
Clerk of the Board

/s/ Jon McQuiston  
Chairman, Board of Supervisors

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, August 24, 2004

2:00 P.M.

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

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- 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

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 2A) **Public hearing and report on dairy and dairy calf feedlot land use permitting and the preparation of a single Program/Project Environmental Impact Report to address multiple dairy and feedlot proposals and proposed Interim Urgency Ordinance** - NOTE: THE PUBLIC HEARING WAS HELD DURING THE 9:00 A.M. SESSION AND PUBLIC TESTIMONY WAS RECEIVED AT THAT TIME (CONTINUED FROM TUESDAY, AUGUST 24, 2004, 9:00 A.M., AGENDA ITEM NO. 75)

JOHN DUNLAP, DAIRY ACTION NETWORK REPRESENTATIVE, RESPONDED TO QUESTIONS BY SUPERVISOR PARRA

DIRECTED STAFF TO PROCEED WITH PROCESSING THE CONDITIONAL USE PERMIT (CUP) APPLICATION FOR THE PETRISSANS DAIRY

**Watson-Maben: All Ayes**

DIRECTED STAFF TO PROCESS PENDING DAIRY CONDITIONAL USE PERMIT APPLICATIONS IDENTIFIED AS HAVING STATUS II, III AND IV IN THE AUGUST 24, 2004 ADDENDUM STAFF REPORT, AND PROCESS OTHER DAIRY CUP APPLICATIONS GROUPED ACCORDING TO DATE OF APPLICATION SUBMITTAL AND GEOGRAPHICAL AREA; COUNTY WILL HIRE NEEDED ENVIRONMENTAL AND LEGAL CONSULTANTS SELECTED BY THE PLANNING DEPARTMENT AT THE SHARED EXPENSE OF THE APPLICANTS; RECEIVED AND FILED DOCUMENTS

**Watson-Parra: All Ayes**

MOTION TO ENACT RECOMMENDED INTERIM URGENCY ORDINANCE PROHIBITING APPROVAL OF FUTURE DAIRIES AND CALF FEEDLOTS IN THE SAN JOAQUIN VALLEY PORTION OF KERN COUNTY, EXCEPTING ANY DAIRY OR DAIRY CALF FEEDLOT PROJECT WHICH, PRIOR TO AUGUST 4, 2004, HAS BEEN THE SUBJECT OF A CONDITIONAL USE PERMIT HEARING BEFORE THE BOARD OF SUPERVISORS, OR HAS CIRCULATED A NOTICE OF PREPARATION, OR WHICH HAS BEEN SPECIFICALLY DESIGNATED BY BOARD OF SUPERVISORS ACTION TO BE PROCESSED UNDER A SINGLE ENVIRONMENTAL IMPACT REPORT

**Patrick-Maben: 2 Ayes - McQuiston, Patrick**  
**3 Noes - Maben, Watson, Parra**

**MOTION DEFEATED**

RECESSED; RECONVENED WITH ALL MEMBERS PRESENT

- 3) **Request from C & R Vanderham Dairy to eliminate midsection lines as future collector alignments and a conditional use permit to allow a dairy located on the southeast corner of Riverside Street and Palm Avenue, southwest of Shafter (SD 4)**

Specific Request:

(a) Amend the Circulation Element of the Kern County General Plan to eliminate the midsection lines of Section 24, T28S, R24E, MDB&M, as future collector alignments (GPA #3, Map #78)

(b) A Conditional Use Permit to allow the construction of a dairy (Section 1 9.12.030.A.2) in an A District (CUP #9, Map #78)

Environmental Impact Report; Published Bakersfield Californian and Shafter Press) (from 3/9/2004 & 5/11/2004) -

(Continued on Page 16)

(Continued from Page 15)

OPENED HEARING; HEARD IN SUPPORT OF STAFF RECOMMENDATION: DAVID ALBERS, ON BEHALF OF C & R VANDERHAM DAIRY; JOHN DUNLAP; J. P. CATIVIELA; AND RICK VANDERHAM, WHO INTRODUCED THE VANDERHAM FAMILY

HEARD IN OPPOSITION TO STAFF RECOMMENDATION: BILL DESCARY; JAKE SWEENEY, CITY OF SHAFTER; ARTHUR UNGER, KERN KAWEAH CHAPTER, SIERRA CLUB; MARTIN WILCOX; TOM FRANZ; AND CAROLINE FARRELL, CENTER ON RACE, POVERTY AND THE ENVIRONMENT

NOTE: SUPERVISOR MABEN WAS EXCUSED AT 4:45 P.M. PRIOR TO THE VOTE TO ATTEND THE LAFCO HEARING SCHEDULED FOR 5:00 P.M.

THE CHAIRMAN ALLOWED ADDITIONAL TESTIMONY FROM MARTIN WILCOX AND RICK VANDERHAM; MARY JANE WILSON, PRESIDENT, WZI, INC., HEARD; CLOSED HEARING

PER PLANNING DEPARTMENT RECOMMENDATION, CERTIFIED ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 FINDINGS AND SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2004-271 AND 2004-272 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED AND APPROVING CONDITIONAL USE PERMIT SUBJECT TO CONDITIONS; RECEIVED AND FILED DOCUMENTS  
**Watson-Parra: 3 Ayes; 1 No - McQuiston; 1 Absent - Maben**  
**MOTION CARRIED**

#### HEARINGS

##### RESOURCE MANAGEMENT AGENCY Planning Department

- \*4) **Request from Kern County Roads Department to vacate a one-foot-wide nonaccess strip along a portion of Patrick Lane, south of Hageman Road, Bakersfield (SD 4)**  
Specific Request:  
Nonsummary vacation of a one-foot-wide nonaccess strip along a portion of Patrick Lane, south of Hageman Road, Bakersfield (101-23 3 098; Streets and Highways)  
(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING;  
PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2004-273 APPROVING VACATION AS REQUESTED  
**Patrick-Watson: All Ayes**

#### DEPARTMENTAL REQUESTS

##### RESOURCE MANAGEMENT AGENCY Planning Department

##### Hearing

##### S.D. #2

- \*5) Request by Gloria Rodriguez for Determination of Public Convenience for the issuance of an off-sale beer and wine license at 9009 West Rosamond Boulevard, Rosamond, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2004-274  
**Patrick-Watson: All Ayes**



S.D. #1

- \*6) Proposed Williamson Act Land Use Contract No. 03-9 for 2005 Calendar Year with Jeffrey B. Johnson Living Trust, by Jeffrey B. Johnson, trustee, 2 miles north of the intersection of Sherwood Avenue and Highway 65, approximately 7 miles east of McFarland, Agricultural Preserve No. 14, 159.24 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Watson: All Ayes**

All S.D.'s

- \*7) Annual confirmation of the boundaries of Agricultural Preserves - ADOPTED RESOLUTIONS 2004-275 THROUGH 2004-294 CONFIRMING THE BOUNDARIES OF EACH OF THE 20 AGRICULTURAL PRESERVES; DIRECTED CLERK OF THE BOARD TO RECORD; DIRECTED CLERK OF THE BOARD TO TRANSMIT A COPY OF EACH RESOLUTION AND MAP TO THE STATE OF CALIFORNIA, DIRECTOR OF THE DEPARTMENT OF CONSERVATION

**Patrick-Watson: All Ayes**

- \*8) Proposed creation of an interest-bearing trust account to implement the General Plan Administration Surcharge Program - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ESTABLISH AN INTEREST-BEARING TRUST FUND ACCOUNT FOR THE GENERAL PLAN ADMINISTRATION SURCHARGE PROGRAM

**Patrick-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- \*9) Response to Board referral regarding review of design standards and funding sources for sumps - RECEIVED AND FILED

**Patrick-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

All S.D.'s

- \*10) Approval of Fiscal Year 2004-2005 Grant Agreements for the Community Development Block Grant Program in the amount of \$6,351,000, HOME Investment Partnerships Program in the amount of \$2,648,837, and Emergency Shelter Grant Program in the amount of \$237,437 - APPROVED COUNTY/HUD GRANT AGREEMENTS AND CERTIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 753-2004, 754-2004 AND 755-2004, CERTIFICATIONS, AND SPECIAL ASSURANCE; AUTHORIZED DIRECTOR TO TRANSMIT TO HUD

**Patrick-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #3

- \*11) Contract No. 03015, Notice of Completion of North Beardsley Street Improvements, Phase V - RECEIVED AND FILED

**Patrick-Watson: All Ayes**

S.D.'s #1, #3, #4 & #5

- \*12) Contract No. 04025, Final Plans, Specifications, and Notice to Contractors for the Curb Cut Improvements, east Bakersfield/Taft/Lake Isabella - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20150 OF PUBLIC CONTRACT CODE; BID OPENING DATE TO BE WEDNESDAY, SEPTEMBER 29, 2004, AT 11:00 A.M.  
**Patrick-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY

Roads Department

S.D. #3

- \*13) Contract No. 04003, Notice of Completion for construction on Mount Vernon Avenue and Bernard Street - RECEIVED AND FILED  
**Patrick-Watson: All Ayes**

S.D. #5

- \*14) Proposed Resolution to accept portions of offers of dedication, declaration as public highway and incorporation into the County road system as portions of Pioneer Drive - APPROVED; ADOPTED RESOLUTION 2004-295; DIRECTED CLERK OF THE BOARD TO RECORD  
**Patrick-Watson: All Ayes**

- \*15) Proposed Right-of-Way Contract and Easement Deed with Carl E. and Geraldine Reed for the purchase of approximately 1,588 square feet of property necessary for the improvement of Pioneer Drive at Ansol Lane, in the amount of \$5,700 plus escrow charges of approximately \$600 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 756-2004; ACCEPTED EASEMENT DEED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT  
**Patrick-Watson: All Ayes**

S.D.'s #3 & #5

- \*16) Contract No. 04019 with DOD Construction for a pedestrian path on Mt. Vernon Avenue between Niles Street and Bernard Street, in an amount not to exceed \$110,966.60 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 757-2004  
**Patrick-Watson: All Ayes**

WASTE MANAGEMENT

All S.D.'s

- \*17) Proposed Amendment No. 2 to Agreement 134-2002 with Roland Consulting, Inc., to provide professional consulting services, extending the term to September 30, 2005 with no increase in compensation - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 758-2004  
**Patrick-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- 18) Proposed Resolution regarding salary and benefit adjustments for elected officials, management, mid-management (excluding Sheriff's Commanders), and confidential employees - APPROVED; ADOPTED RESOLUTION 2004-296; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, COUNTY ADMINISTRATIVE OFFICER AND DIRECTOR OF PERSONNEL TO IMPLEMENT CHANGES

**Patrick-Parra: 3 Ayes; 1 No - McQuiston; 1 Absent - Maben**

Suggestion Award Committee

- \*19) Consideration of awards recommended by Employee Suggestion Award Committee: an intangible award in the amount of \$100 to Ingo Baum and a tangible award in the amount of \$2,455 to Rebecca J. Brownlee - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Patrick-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division  
S.D. #1

- \*20) Change Order No. 2 for the Kern River Valley Veterans/Senior Center reroof, an increase of \$4,743.91, for a new total of \$172,789.24 (1650.7119B) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Watson: All Ayes**

- \*21) Plans and Specifications for the Ridgecrest Administration Building reroof & HVAC replacement (1650.7131) - 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; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, SEPTEMBER 23, 2004, AT 11:00 A.M.

**Patrick-Watson: All Ayes**

- \*22) Change Order No. 2 for the Rathbun Library reroof, an increase of \$10,185, for a new total of \$189,363 (1650.7134) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Watson: All Ayes**

- \*23) Change Order No. 12 for the new Juvenile Treatment Facility, an increase of \$49,921.66, for a new total of \$17,301,046.21 (1960.8166) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Watson: All Ayes**

S.D. #3

- \*24) Proposed Amendment No. 1 to Agreement 551-2004 with Secor International Incorporated for consulting services for the former Frank Uhler Fire Training Facility site characterization, modifying scope of work to provide an alternate testing methodology, and decreasing the maximum amount payable by \$154 to \$340,469 (1650.7253) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 759-2004

**Patrick-Watson: All Ayes**

- \*25) Change Order No. 6 for the new airport terminal at Meadows Field, an increase of \$20,059.98, for a new total of \$19,851.497.56 (8215.8415) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Watson: All Ayes**

S.D. #4

- \*26) Proposed Agreement with BSK & Associates for geotechnical investigation services for the Buena Vista Aquatic Recreation Area (BVARA), in an amount not to exceed \$28,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 760-2004

**Patrick-Watson: All Ayes**

S.D. #5

- \*27) Change Order No. 1 for the tot lot improvements at Heritage, Casa Loma, Pioneer & Rexland Acres Parks, an increase of \$4,520, for a new total of \$143,020 (1960.8123) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Watson: All Ayes**

- \*28) Request to provide construction documents on the Superior Court construction project for addition of two new courtrooms and office support space (9410.7000L) - APPROVED

**Patrick-Watson: All Ayes**

- \*29) Change Order No. 1 for the Bakersfield Animal Shelter reroof, an increase of \$12,362 for a new total of \$136,065 (1650.7119A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Watson: All Ayes**

All S.D.'s

- \*30) Project list for the Job Order Contract - APPROVED

**Patrick-Watson: All Ayes**

- \*31) Proposed Request for Proposal for countywide agreement for cellular phones and services - APPROVED; AUTHORIZED PURCHASING AGENT TO DISTRIBUTE

**Patrick-Watson: All Ayes**

- \*32) Proposed participation in Governor Schwarzenegger's "Flex Your Power...at the Pump" fuel conservation program - APPROVED; AUTHORIZED ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES TO SIGN DECLARATION OF ACTION RESPONSE FORM

**Patrick-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

Information Technology Services

- \*33) Proposed retroactive Contract with Edwards Air Force Base to license their continued access to the Kern County Criminal Justice Information System and the State of California Law Enforcement Telecommunications System, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$4,800 (revenue to County) and retroactive Amendment No. 1 to delete inapplicable contract sections - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 761-2004 AND 762-2004

**Patrick-Watson: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON AUGUST 3, 2004

- \*34) Proposed Ordinance adding Subsection (166) to Section 10.16.041 of Chapter 10.16, Title 10, to the Kern County Ordinance Code concerning a no stopping zone along Fairview Road at the new parent drop-off area for Greenfield Union School District - ENACTED ORDINANCE G-7127

**Patrick-Watson: All Ayes**

- \*35) Proposed Ordinance adding Subsection (165) to Section 10.16.041 of Chapter 10.16, to the Kern County Ordinance Code concerning a no stopping zone along White Lane at Gordon Street, Bakersfield - ENACTED ORDINANCE G-7128

**Patrick-Watson: All Ayes**

- \*36) Proposed Amendment to the Kern County Ordinance Code Section 2.84 to allow Assistant County Administrative Officer for General Services to execute specific real property leases and licenses on behalf of the County - CONTINUED TO TUESDAY, SEPTEMBER 7, 2004, AT 2:00 P.M.

**Patrick-Watson: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*37) Budget Transfers - APPROVED NO. 1 AND NO. 2

**Patrick-Watson: All Ayes**

- \*38) Minutes for week of July 5, 2004 - APPROVED

**Patrick-Watson: All Ayes**

- \*39) Miscellaneous Letters and Documents - APPROVED

**Patrick-Watson: All Ayes**

- \*40) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Patrick-Watson: All Ayes**

- \*41) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Patrick-Watson: All Ayes**

ADJOURNED TO TUESDAY, AUGUST 31, 2004, AT 9:00 A.M.

**Parra-**

/s/ Denise Pennell  
Clerk of the Board

/s/ Jon McQuiston  
Chairman, Board of Supervisors

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

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

39) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Statement of Money in the County Treasury as of June 30, 2004 - RECEIVE AND FILE
- B) Status report on Excess Proceeds from Tax Deeded Land Sales - RECEIVE AND FILE

Clerk of the Board

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

- 1) Tract Map 5966, Unit 3           S.D. #4
- 2) Tract Map 6146, Unit 2           S.D. #4
- 3) Tract Map 6146, Unit 3           S.D. #4
- 4) Tract Map 6171, Phase 4        S.D. #1
- 5) Tract Map 6212                    S.D. #2
- 6) Tract Map 6215, Phase A        S.D. #2
- 7) Parcel Map 11088                S.D. #1

Community & Economic Development

- D) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Raymond F. Malena

Employers' Training Resource

- E) Modification No. 7 to Agreement R485279 with the State of California Employment Development Department to implement federal rescission of adult and dislocated worker funding

- F) Modification No. 8 to Agreement R485279 with the State of California Employment Development Department to incorporate \$23,735 of Workforce Investment Act 15% Incentive Funds into grant code 113

- G) Modification No. 1 to Agreement AC-13406-03-55 with the U.S. Department of Labor to change the program planning summary to redirect from emergency assistance to intensive training services and to realign the budget in accordance with the modification

- H) Modification No. 2 to Agreement AC-13406-03-55 with the U.S. Department of Labor to incorporate the plan and budget summary for Program Year (PY) 2004; to increase the grant by \$2,029,452 to \$4,076,499, to incorporate funding for PY 2004; and to extend the performance to June 30, 2005

Environmental Health Services

- I) Six (6) thank you letters to individuals for donations to the Bakersfield Animal Care center and the Mojave Animal Shelter

General Services

- J) Acceptance of Franchise and American Casualty Company Franchise of Reading Pennsylvania Bond No. 929274554, assumed by Western Surety Company, from Seneca Resources in compliance with Franchise Ordinance F-453

Local Agency Formation Commission

- K) Notice of Protest Hearing, Proceeding No. 1369, in the matter of City of Bakersfield, Annexation No. 449 (Union No. 11) (Copies to each Supervisor and CAO)
- L) Notice of Hearing, Proceeding No. 1382, in the matter of City of Bakersfield, Annexation No. 452 (Mohawk No. 1) (Copies to each Supervisor and CAO)

Planning

- M) Alphabetical list of current streets within Kern County

Roads

- N) Received, prepared Consent to Recordation and forwarded to Recorder for recordation an Irrevocable Offer of Dedication from Norris Road School District for additional right-of-way on Snow Road

Miscellaneous

- O) Letter from Chet Auckly, California Water Service Company, re notification of wells containing Boron in California Water Service Company Kernville Water System No. 1510033 (Copies to each Supervisor, CAO, Public Health and Environmental Health Services)
- P) Letter from Chet Auckly, California Water Service Company re notification of wells containing Boron in California Water Service Company Lower Bodfish Water System No. 1510056 (Copies to each Supervisor, CAO, Public Health and Environmental Health Services)
- Q) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re declaration by U.S. Small Business Administration (SBA) of primary county of Los Angeles and contiguous counties of Kern, Orange, San Bernardino and Ventura a disaster area resulting from damages caused by the Mountainview Venture Apartment Fire on July 18, 2004 (Copies to each Supervisor, CAO and Emergency Services)
- R) Letter from Dennis J. O'Bryant, State Department of Conservation, re Kern County's planned acquisition of land enrolled in Williamson Act Contracts adjacent to the Wasco Airport (Copies to each Supervisor, CAO, County Counsel and Property Management)
- S) Letter from Steven G. Ladd, First 5 Kern, re sponsorship of Safely Surrendered Babies Program (Copies to each Supervisor and CAO)
- T) Letter from David T. Edwards, Guy Chaddock & Co., re WARN Act compliance notice concerning cessation of business at Guy Chaddock & Co. (Copies to each Supervisor, CAO, Employers' Training Resource, Personnel and County Counsel)



- U) Letter from Alan Tandy, City of Bakersfield, re the Sphere of Influence Agreement between Kern County and the City of Bakersfield (Copies to each Supervisor, CAO and Planning)
- V) Letter from Cesar Augusto Tarquino re lawsuit against the Bakersfield Californian (Copies to each Supervisor, CAO and County Counsel)
- W) Letter from Amber L. Kier in opposition to proposed fees for the Kern Valley Senior Center (Copy to each Supervisor, CAO and Parks)
- X) Letter from Max H. Yuan, Federal Emergency Management Agency, re Letter of Map Revision (LOMR) of Flood Insurance Rate Map for Community No. 060075, Castle & Cooke, Kern River Levee (Copies to each Supervisor, CAO and Engineering & Survey Services)
- Y) Letter from Max H. Yuan, Federal Emergency Management Agency, re response to request to evaluate effect on the Flood Insurance Rate Map and Flood Insurance Study report from construction of Famoso Groundwater Project and diversion weir along Poso Creek (Copies to each Supervisor, CAO and Engineering & Survey Services)
- Z) Letter from Max H. Yuan, Federal Emergency Management Agency, re Letter of Map Revision (LOMR) revising Flood Insurance Study report, Flood Insurance Rate Map and Flood Boundary and Floodway Map for Community No. 060075, Poso Creek LOMR (Copies to each Supervisor, CAO and Engineering & Survey Services)
- AA) Letter from Karen L. Anderson re establishing time for ACCESS Committee to meet (Copies to each Supervisor, CAO and Environmental Health Services)
- BB) Letter from Ele Larson re suggestions for mosquito abatement, animal control and dairies (Copies to each Supervisor, CAO, Environmental Health-Animal Control, Planning, Resource Management Agency and Public Health)
- CC) Letter from Sal P. and Sandra H. Palumbo re concerns with paving of a portion of Bussell Road by TDH Land & Cattle, LLC (Copies to each Supervisor, CAO, Planning, Roads, Engineering & Survey Services and County Counsel)
- DD) E-mail from Ron Gagnon re curbside recycling (Copies to each Supervisor, CAO and Waste Management)
- EE) E-mail from Robert Lane re health issues caused by a horse manure compost facility in Oildale (Copies to each Supervisor, CAO, Environmental Health Services and Planning)
- FF) Seven (7) e-mail messages re the Bakersfield Californian's article, "Throw Away Animals" (Copies to each Supervisor, CAO and Environmental Health-Animal Control)

- GG) Notice from T.D. Service Company re Substitution of Trustee from Alta Real Estate Services, Inc., to Castlegate Holdings, Inc., Edward and Helena Aguirre, 1503 Tejon Street, Bakersfield (Copy to General Services-Property Management)
- HH) Notice from T.D. Service Company re Notice of Default and Election to Sell Under Deed of Trust, 1503 Tejon Street, Bakersfield, Loan No. 2052249444, Aguirre (Copy to General Services-Property Management)
- II) Notice from Pacific Gas and Electric Company re application for Energy Recovery Bonds financing (Copies to each Supervisor, CAO and General Services)
- JJ) Notice from Department of Alcoholic Beverage Control re Applications for Alcoholic Beverage Licenses: Country Corner Liquor, 301 Morning Drive, Bakersfield; Keene Store, 30256 Woodford Tehachapi Road, Keene; Tehvacan Market, 2011 Niles Street, Bakersfield; Muggs Pub & Eatery, 1302-08 Airport Drive, Bakersfield (Copies to each Supervisor, CAO and Planning)
- 40) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Michele M. Spencer re attempt to obtain copy of her birth certificate - REFERRED TO ASSESSOR-RECORDER (Copies to each Supervisor and CAO)
- B) Letter from Sheryl Barbich, Greater Bakersfield Vision 2020, re funding - REFERRED TO BUDGET FILE (Copies to each Supervisor, CAO and Resource Management Agency)
- C) Letter from Lynn Molina, Rag Gulch Water District, re Resolution 2004-7 establishing the 2005 Estimate of Obligations - REFERRED TO COUNTY COUNSEL
- D) Letter from Lynn Molina, Kern-Tulare Water District, re Resolution 2004-5 establishing the 2005 Estimate of Obligations - REFERRED TO COUNTY COUNSEL
- E) Letter from Ana Wescott, Independent Living Center of Kern County, re concerns relating to management of the agency - REFERRED TO MENTAL HEALTH (Copies to each Supervisor, CAO and County Counsel)
- F) Letter from Dennis Scott, Kern High School District, re Resolution 2004/2005-001 a general obligation bond election on Tuesday, November 2, 2004 - REFERRED TO ELECTIONS
- G) Letter from Kathleen H. Drummy and Robert K. Stewart, Jr., Davis Wright Tremaine LLP, re Henrietta Weill Memorial Child Guidance Clinic (HW) appeal of the Purchasing Agent's response to HW's protest to selection of Clinica Sierra Vista - REFERRED TO AUGUST 31, 2004, 9:00 A.M. BOARD MEETING (Copies to each Supervisor, CAO, Mental Health and Purchasing)

- H) Letter from Huntley A. Webb re release of information pertaining to work hours and temporary services of RN's and CNA's - REFERRED TO KERN MEDICAL CENTER AND COUNTY COUNSEL
- I) Notice from U.S. Environmental Protection Agency re public comment on a Draft Permit which would grant conditional approval to the National Cement Company of California, Lebec, to add tire derived fuel to the allowable fuels burned in the cement kiln - REFERRED TO PLANNING (Copies to each Supervisor, CAO and Planning)
- 41) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Richard W. Forkas vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Vanesa Inez Jackson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Harvey Hudson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Eurie Brim, III vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Faythe Blythe vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Jose Gutierrez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Ramon Mendoza, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Sukut Construction, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Saul Velasquez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Craig Moffett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Johnathan Cartier vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Jane Spear vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of Catherine Naughton vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Amy Regina Alexandria Cornejo Heredia vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- O) Claim in the matter of Alan Glover vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Late claim in the matter of Moises Medina, a Minor by and through his Guardian ad Litem; Elena Duque; Elena Duque and Moises Medina, Sr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Late claim in the matter of Roberto Pelayo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Amended claim in the matter of Michael Silva vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Amended claim in the matter of Southern California Edison vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Summons and complaint in the matter of Jerome Goddard vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- U) Summons and complaint in the matter of Rajinder Singh vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- V) Summons and complaint in the matter of Gloria De Vora vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- W) Summons and complaint in the matter of Karen Sue Lewis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- X) Letter from Martin Rivera, Department of Fair Employment & Housing, re transfer of complaint in the matter of Artesia Hayes vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
- Y) Letter from Martin Rivera, Department of Fair Employment & Housing, re transfer of complaint in the matter of Michael Berg vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)