

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, August 26, 2003

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent - McQuiston

SALUTE TO FLAG - Led by Supervisor Patrick

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.

NOTE: Supervisor McQuiston is testifying before a Senate Subcommittee in Sacramento on base retention.

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring and commending Cherlyn Sparks upon her retirement with 36 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO CHERLYN SPARKS; CHERLYN SPARKS HEARD

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- 2) Resolution honoring and commending Judson P. Brohmer, Jr. for his accomplishments in the advancement of aerospace in Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO ALESSANDRA BROHMER; ALESSANDRA BROHMER AND MARY BETH GARRISON HEARD

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

APPOINTMENTS

- *3) Appointment of Gloria Delgado as Second District Member to the Acquired Immune Deficiency Syndrome (AIDS) Advisory Board, term to expire August 16, 2004 - MADE APPOINTMENT

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *4) Reappointment of Max Bacerra as First District Member to the Housing Authority of the County of Kern, term to expire May 10, 2007 - MADE REAPPOINTMENT

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *5) Appointment of Bernice Hothersall as Second District Member and reappointments of William (Bill) Altmiller as Second District Member and Carol Davis and Nedrabeau Gilfillan as Third District Members to the Adult Day Health Care Board, terms to expire August 15, 2005 - MADE APPOINTMENT AND REAPPOINTMENTS

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *6) Reappointment of Dr. Cecil D. Briscoe as Second District Member to the Civil Service Commission, term to expire July 9, 2007 - MADE REAPPOINTMENT

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

PUBLIC PRESENTATIONS

- 7) 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! - JOE FORTT PRESENTED PETITIONS TO THE BOARD REGARDING THE USE OF CANNABIS, "MEDICAL MARIJUANA," FOR MEDICAL PURPOSES

REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL FOR REVIEW; RECEIVED AND FILED

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

DEBORAH GABLE REQUESTED ASSISTANCE FROM DISTRICT 3 REGARDING LOCAL UTILITIES AND THE BUILDING DEPARTMENT

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *9) Proposed retroactive Amendment No. 2 to Agreement 616-2001 with Greater Bakersfield Legal Assistance for legal services for seniors for Fiscal Year 2003-2004, to extend term one year to June 30, 2004, in an amount not to exceed \$99,698 (Federal Title III-B) (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 722-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *10) Proposed retroactive Agreement with Alzheimer's Disease Association of Kern County for adult day care services, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$45,000 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 723-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *11) Proposed retroactive Amendment No. 2 to Agreement 610-2001 with the City of Delano for Title III-C Nutrition Services, for Fiscal Year 2003-2004 in an amount not to exceed \$162,568, a decrease of \$5,430 in funding from Fiscal Year 2002-2003 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 724-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *12) Proposed retroactive Amendment No. 2 to Agreement 763-2001 with Homemaker Services of Indian Wells Valley for homemaker services, for Fiscal Year 2003-2004, in an amount not to exceed \$22,141, a \$15,320 decrease in funding from Fiscal Year 2002-2003 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 725-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *13) Proposed retroactive Agreement with Adventist Health for nutrition services, for Fiscal Year 2003-2004, in an amount not to exceed \$554,140 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 726-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *14) Proposed retroactive Amendment No. 2 to Agreement 761-2001 with Homemaker Services of Indian Wells Valley for information and referral services, for Fiscal Year 2003-2004, in an amount not to exceed \$20,069, a decrease of \$1,210 in funding from Fiscal Year 2002-2003 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 727-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *15) Proposed retroactive Amendment No. 2 to Agreement 762-2001 with Homemaker Services of Indian Wells Valley for adult day care/respite Services, for Fiscal Year 2003-2004, in an amount not to exceed \$7,036, a decrease of \$10,576 in funding from Fiscal Year 2002-2003 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 728-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *16) Proposed retroactive Amendment No. 2 to Agreement 764-2001 with Homemaker Services of Indian Wells Valley for case management services, for Fiscal Year 2003-2004, in an amount not to exceed \$5,276, a decrease of \$320 (6%) in funding from Fiscal Year 2002-2003 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 729-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *17) Proposed retroactive Amendment No. 2 to Agreement 612-2001 with Alzheimer's Disease Association of Kern County for adult day care/respice services, for Fiscal Year 2003-2004, in an amount not to exceed \$5,048, a decrease of \$80,574 in funding from Fiscal Year 2002-2003 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 730-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *18) Proposed retroactive Amendment No. 1 to Agreement 205-2002 with Alzheimer's Disease Association of Kern County for caregiver support services, for Fiscal Year 2003-2004, in an amount not to exceed \$95,253, an increase of \$36,349 in funding from Fiscal Year 2002-2003 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 731-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

AGRICULTURE AND MEASUREMENT STANDARDS

- *19) Proposed retroactive Agreement with California Department of Food and Agriculture for reimbursement for performing High Risk Inspection and Enforcement Activities within Kern County, for Fiscal Year 2003-2004, in an amount not to exceed \$162,470 (prior notification July 22, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 732-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *20) Proposed retroactive Agreement with California Cantaloupe Advisory Board for Cantaloupe Surveillance, from June 1, 2003 through October 31, 2003, in an amount not to exceed \$19,308 (prior notification July 22, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 733-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *21) Proposed retroactive Agreement with California Department of Food and Agriculture for Glassy-winged Sharpshooter Detection and Control in accordance with County Work Plan, for Fiscal Year 2003-2004, in an amount not to exceed \$201,354.41 (prior notification July 22, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 734-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

AIRPORTS

- *22) Proposed Grant Agreement with the Federal Aviation Administration and Offer of Grant Funds to acquire runway protection zone land at Wasco Airport, in the amount of \$350,000 - APPROVED; ACCEPTED OFFER OF FUNDS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 735-2003 SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *23) Proposed Grant Agreement with the Federal Aviation Administration and Offer of Grant Funds to complete a master plan update for Meadows Field Airport, in the amount of \$450,000 - APPROVED; ACCEPTED OFFER OF FUNDS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 736-2003 SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *24) Proposed Grant Agreement with the Federal Aviation Administration and Offer of Grant Funds to extend Runway 12R/30L and to construct the new terminal building at Meadows Field Airport, in the amount of \$4,100,640 - APPROVED; ACCEPTED OFFER OF FUNDS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 737-2003 SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM NO. 24A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE NOTIFICATION OF RECEIPT OF GRANT FUNDS WAS RECEIVED FROM THE FEDERAL AVIATION ADMINISTRATION ON FRIDAY, AUGUST 22, 2003 AFTER THE AGENDA WAS POSTED, AND REQUIRES A RESPONSE BY AUGUST 29, 2003, TO COMPLETE THE GRANT PROCESSING IN THIS FEDERAL FISCAL YEAR

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- 24A) Proposed Grant Agreement with the Federal Aviation Administration and Offer of Grant Funds (Contract No. DTFA08-01-C-21718) for completion of Meadows Field Airport Master Plan Update, in the amount of \$350,000 - APPROVED; ACCEPTED OFFER OF FUNDS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 738-2003 SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

AUDITOR-CONTROLLER-COUNTY CLERK

- *25) Proposed calculation of Proposition 4 Appropriations Limit for Fiscal Year 2003-2004 by selection of "the percentage change in assessed valuation which is attributable to non-residential new construction" in determining the Fiscal Year 2003-2004 appropriations limit and selection of "change in population within the incorporated area of the County" as the population factor and setting Proposition 4 Appropriations Limit for Fiscal Year 2003-2004 for Kern County at \$518,602,064 - APPROVED; ADOPTED RESOLUTION 2003-335

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *26) Proposed Resolution setting the 2003/2004 tax rates for all agencies included on the County Tax Roll - APPROVED; ADOPTED RESOLUTION 2003-336

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

BOARD OF SUPERVISORS

- 27) Proposed Resolution requested by Fourth District Supervisor Ray Watson requesting the California State Legislature to bring forward legislation requiring the purchase of power from biogeneration facilities - JESS FREDERICK, VICE PRESIDENT, WZI, INC., AND RANDY ABBOTT, ON BEHALF OF MILK PRODUCER'S COUNCIL, HEARD IN SUPPORT OF THE RESOLUTION; MICHAEL ROUW HEARD; APPROVED; ADOPTED RESOLUTION 2003-337

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

COUNTY COUNSEL

- *28) Resolution providing for the Authorization, Issuance and Sale of Bonds of School Facilities Improvement District No. 1 of the Mojave Unified School District in an aggregate principal amount not to exceed \$3,500,000 (Election of 2002, Series 2003) - ADOPTED RESOLUTION 2003-338

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *29) Request of Sheriff's Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *30) Request of Sheriff-Coroner's Department for destruction of records no longer necessary or required for County purposes and eligible for destruction -

WITHDRAWN

DISTRICT ATTORNEY

- *31) Proposed Resolution for authorization to apply for Spousal Abuser Prosecution Program from the California Department of Justice - APPROVED; ADOPTED RESOLUTION 2003-339

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *32) Proposed Resolution for authorization to apply for Career Criminal Prosecution Program from the Office of Criminal Justice Planning - APPROVED; ADOPTED RESOLUTION 2003-340

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *33) Request for approval of the Department of Justice and the Department of the Treasury Federal Annual Certification Report for the period July 1, 2002 through June 30, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

EMERGENCY MEDICAL SERVICES

- 34) Presentation of EMS System Review Process (Phase One) and proposal to (1) create Exclusive Operating Areas (EOA's) for ambulance service within Kern County and authorize Department to pursue implementation, (2) authorize EMS Department to negotiate a sole source professional services agreement for Board approval with Public Safety Associates, LLC, dba The Polaris Group for related consulting services to include assistance with implementation of EOA's, negotiation of interim contracts with existing providers and development of RFP process, (3) authorize EMS Department to develop an RFP process for Exclusive Operating Areas, in accordance with State Emergency Medical Services Authority Guidelines, (4) authorize EMS Department to negotiate interim performance contracts with existing ambulance providers for Board approval, (5) enact an urgency ordinance amending sections 8.12.040, 8.12.060, 8.12.130 and 8.12.260 regarding ambulance permits and extending moratorium on new permits and rates, and (6) establish ambulance rate categories and amounts for the Greater Bakersfield area, as defined in the Metropolitan

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Bakersfield 2010 General Plan - STEVE PEREZ, REPRESENTING THE RURAL AMBULANCE PROVIDERS; BARBARA EDSSEL AND JACQUALINE ATT, CONTROLLER, HALL AMBULANCE SERVICE, HEARD; STEVE PEREZ AND JACQUALINE ATT HEARD IN RESPONSE TO THE PROPOSED NEW LANGUAGE RELATIVE TO INTERIM CONTRACTS; RECEIVED AND FILED REPORT; APPROVED; WAIVED READING, ENACTED ORDINANCE G-7033 AS REVISED AMENDING SECTIONS 8.12.040, 8.12.060, 8.12.130, AND 8.12.260 REGARDING AMBULANCE PERMITS AND RATES AS AN URGENCY MEASURE; ADOPTED RESOLUTION 2003-341 ESTABLISHING AMBULANCE RATE CATEGORIES AND AMOUNTS FOR THE GREATER BAKERSFIELD AREA, AS DEFINED IN THE METROPOLITAN BAKERSFIELD 2010 GENERAL PLAN (ADOPTED OCTOBER 2002); REFERRED TO EMERGENCY MEDICAL SERVICES TO REPORT BACK ON TUESDAY, SEPTEMBER 9, 2003 AT 9:00 A.M. REGARDING EXTENDING THE RATES ESTABLISHED FOR THE GREATER BAKERSFIELD AREA THROUGHOUT ALL AMBULANCE SERVICE OPERATIONAL AREAS ASSIGNED TO HALL AMBULANCE SERVICE; RECEIVED AND FILED DOCUMENTS

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

EMPLOYERS' TRAINING RESOURCE

- *35) Notification of anticipated retroactive approval of agreements with various employers for the Nurse Workforce Initiative Grant Program, from July 1, 2003 through June 30, 2004 - RECEIVED AND FILED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *36) Proposed Resolution granting Golden Handshake retirement to Judy A. Linden, effective September 5, 2003 and deletion of one Technical Services Supervisor position, effective September 6, 2003 - APPROVED; ADOPTED RESOLUTION 2003-342; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *37) Proposed retroactive Agreement with ERISS Corporation for a regional labor market information project, from June 23, 2003 through June 30, 2004, in an amount not to exceed \$88,465 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 739-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

FIRE DEPARTMENT

- *38) Proposed Amendment No. 3 to Agreement 1162-2000 with Central Valley Occupational Medical Group for medical examinations and fitness assessments, to extend the term to December 31, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 740-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *39) Proposed Request for Proposals for Fire Department physicals and fitness assessments - APPROVED; AUTHORIZED DISTRIBUTION

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *40) Proposed Amendment No. 1 to Agreement 377-2003 with Robert Olson Associates, Inc., to add risk assessment and exercise components and to extend the term to June 30, 2004, and increase maximum amount payable from \$99,630 to \$155,523 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 741-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

HUMAN SERVICES

- *41) Request to accept grant from anonymous donor for purchase of lactation equipment for Department of Human Services Wellness Rooms, in the amount of \$5,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 742-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

KERN MEDICAL CENTER

- *42) Report regarding Parkinson's Disease Referral Update - RECEIVED AND FILED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *43) Request to hire retired County employee Mary Jo Thompson, Senior Office Services Specialist, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *44) Relief of accountability of patients' accounts - DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF 1,918 ACCOUNTS TOTALING \$1,365,789.66; AUTHORIZED ASSIGNING 1,918 ACCOUNTS TOTALING \$1,365,789.66 TO COLLECTION AGENCIES

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *45) Proposed changes in clinical privilege status for 12 members of Kern Medical Center's Medical Staff - APPROVED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *46) Proposed Amendment No. 4 to Agreement with Merritt, Hawkins & Associates for research, screening and candidate identification and preparation in the search for a trauma surgeon, general internist and orthopedic surgeon, for an amount not to exceed \$68,000, an increase of \$34,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 743-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *47) Proposed Amendment No. 4 to Agreement 350-2001 with Staff Care, Inc., for physician interim assignments in psychiatry and orthopedic surgery, reflecting a new rate schedule for orthopedic surgery - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 744-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *48) Proposed Agreement with Clinica Sierra Vista for services to WIC Program participants, from September 1, 2003 through August 31, 2006 (no compensation to contractor) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 745-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *49) Proposed Agreement with Certus Corporation for third-party reimbursement consulting services, from August 26, 2003 through August 25, 2005, in an amount not to exceed \$128,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 746-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *50) Proposed Agreement with Jose A. Perez, Jr., M.D., for services as faculty member, Internal Medicine Residency Director and Director of Medical Education, from September 6, 2003 through September 5, 2008, in an amount not to exceed \$861,570 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 747-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

MENTAL HEALTH SERVICES

- *51) Proposed Amendment No. 1 to Agreement 364-2003 with Trans-West Security Services, Inc., for security services at the Department's Crisis Stabilization Unit (CSU), for Fiscal Year 2003-2004, to increase services by five hours daily and increase maximum compensation to an amount not to exceed \$255,133 (an increase of \$23,478) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 748-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *52) Proposed Amendment No. 1 to Agreement 493-2003 with Richard Feldman, M.D., for psychiatric services for consumers residing in Kern County, for Fiscal Year 2003-2004, to update contractor's physical and mailing address and remove fiscal language not necessary in a set-rate contract (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 749-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *53) Proposed Agreement with Innerfocus, Inc., dba Cedar Center, for sober living environment housing services for County female offenders court-ordered to intensive outpatient treatment under the Felony Drug Court, from September 26, 2003 to June 30, 2004, in an amount not to exceed \$30,000 (Grant [Drug Court]; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 750-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *54) Proposed Agreement with Crestwood Behavioral Health, Inc., for residential treatment services to severely mentally ill clients residing in the Bakersfield area, from September 1, 2003 to June 30, 2004, in an amount not to exceed \$1,478,250 (State [Realignment]; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 751-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *55) Request for sole source Agreement with Virginia Randall for HIPAA Compliance/Privacy Officer services to the Mental Health System of Care, from September 1, 2003 to June 30, 2004, in an amount not to exceed \$10,800 (State; Discretionary/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 752-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

PARKS AND RECREATION DEPARTMENT

- *56) Proposed retroactive Agreement with Buena Vista Water Storage District to purchase water to replenish evaporation and percolation losses at Buena Vista Aquatic Recreation Area, in the amount of \$15,910.60 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 753-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

PUBLIC HEALTH SERVICES

- *57) Proposed retroactive Agreement with Neloufa Roshini Merrill, M.D., for routine and non-invasive physical assessments for children's physicals, from July 1, 2003, through June 30, 2004, in an amount not to exceed \$5,500 (prior notification June 24, 2003) and assumption of malpractice liability - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 754-2003; ADOPTED RESOLUTION 2003-343

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *58) Proposed Amendment No. 2 to Agreement 441-2001 with State Department of Health Services for Ryan White Care Act Title II Program, decreasing the allocation for Fiscal Year 2003-2004 to \$263,981, a decrease of \$12,199, for a total revised amount of \$818,036 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 755-2003, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *59) Proposed retroactive Agreement with Clinica Sierra Vista for Black Infant Health Program services, from July 1, 2003, through June 30, 2004, in an amount not to exceed \$134,000 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 756-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *60) Proposed retroactive Agreement with Ebony Counseling Center for Black Infant Health Program services, from July 1, 2003, through June 30, 2004, in an amount not to exceed \$134,000 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 757-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *61) Proposed retroactive Agreement with California State University, Bakersfield, for HIV/AIDS Alternate Test Site services, from July 1, 2003, through June 30, 2004, in an amount not to exceed \$4,000 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 758-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *62) Proposed retroactive Agreement with Vineland School District for Medi-Cal Administrative Activities, from July 1, 2003, through June 30, 2004, in an amount not to exceed \$50,000 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 759-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *63) Proposed deletion of one (1) Administrative Coordinator and addition of one (1) Program Specialist I/II positions in Budget Unit 4110A; and addition of five (5) Social Service Worker I/II/III/IV/V positions in Budget Unit 4110C, effective August 26, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

RETIREMENT ASSOCIATION

- *64) Notice of expiration of terms of office for second, seventh, and alternate members of the Board of Retirement - CALLED ELECTION TO FILL TERMS OF OFFICE ENDING DECEMBER 31, 2006, FOR SECOND, SEVENTH, AND ALTERNATE MEMBERS OF BOARD OF RETIREMENT TO BE HELD THIRD TUESDAY OF NOVEMBER; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO CONDUCT ELECTION

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *65) Request from Kern County Employees' Retirement Association (KCERA) Board of Retirement to adopt Government Code §31458.4 that permits an ex-spouse entitled to payments from a retirement system pursuant to a court order to designate a beneficiary to receive payments if the ex-spouse predeceases the member or the member's surviving spouse - RECEIVED AND FILED; ADOPTED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

SHERIFF

- *66) Annual certification of funds and property received and used for Fiscal Year 2002-2003 under the Federal Equitable Sharing Agreement - AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *67) Unusual travel request for Senior Deputy Stuart King and Deputies Jose Perez and Larry McCurtain to attend a two-week training course in Camp Pendleton, California, from October 26, 2003 to November 7, 2003, in an amount not to exceed \$2,432 each - APPROVED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *68) Unusual travel request for Deputy Jared Kadel and Probation Officer Dave Driskill to attend the Basic Narcotics Investigation Training in Sacramento, California, September 8, 2003 to September 19, 2003, in an amount not to exceed \$1,905 each - APPROVED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *69) Application to Hold a Parade - Buttonwillow Chamber of Commerce and Ag on September 20, 2003 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *70) Application to Hold a Parade - Boron Chamber of Commerce on October 4, 2003 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *71) Application to Hold a Parade - Mojave Chamber of Commerce on September 20, 2003 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- 72) Proposed expenditure of funds from Sheriff's Budget Unit 2210 to cover miscellaneous expenditures for non-county employees for Fiscal Year 2003-2004 - MICHAEL ROUW HEARD; APPROVED

Patrick-Maben: 4 Ayes; 1 Absent - McQuiston

- *73) Unusual travel request for Sergeant Chevy Garza to attend a Certified Examiners Course presented by National Institute for Truth Verification in San Diego, California, from September 7, 2003 through September 13, 2003, in an amount not to exceed \$2,639 - APPROVED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *74) Proposed retroactive Agreement with Beardsley School District for Truancy Prevention Services, from August 25, 2003 through June 30, 2004, in an amount not to exceed \$82,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 760-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *75) Proposed retroactive Agreement with Greenfield School District for law enforcement services, from August 25, 2003 through June 30, 2004, in an amount not to exceed \$82,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 761-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *76) Proposed retroactive Agreement with Greenfield School District for Truancy Prevention Services, from August 25, 2003 through June 30, 2004, in an amount not to exceed \$44,644 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 762-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *77) Proposed Agreement with Taft School District for Truancy Prevention Services, from August 25, 2003 through June 30, 2004, in an amount not to exceed \$82,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 763-2003

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

TREASURER-TAX COLLECTOR

- *78) Pooled Cash Portfolio Analysis for Month Ended July 2003 - RECEIVED AND FILED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *79) Cash Receipts and Disbursements for July 2003 - RECEIVED AND FILED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 80) Request for Closed Session regarding Meet and Confer, All Unions -

WITHDRAWN

COUNTY COUNSEL

- 81) Request for Closed Session regarding a lawsuit entitled Laura Louise Grant v. County of Kern, et al., United States District Court Case No. CIV-F-02-6504 OWW TAG (Government Code Section 54956.9(a)) -

- 82) Request for Closed Session regarding a lawsuit entitled Darrin Disney vs. County of Kern, Kern County Superior Court Case No. 247781 SPC (Government Code Section 54956.9(a)) -

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

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

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

Maben-Watson

/s/ Denise Pennell
Clerk of the Board

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, August 26, 2003

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent - McQuiston

NOTE: SUPERVISOR MCQUISTON IS IN SACRAMENTO TESTIFYING
BEFORE A SENATE SUBCOMMITTEE ON BASE RETENTION.

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 FOX HEARD REGARDING SPOTTED OWL AND BURROWING OWL LISTINGS ON THE ENDANGERED SPECIES LIST; REFERRED TO PLANNING DEPARTMENT

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

MILES MUZIO, CHANNEL 29, HEARD REGARDING HOMECOMING OF
HEROES PARADE TO BE HELD ON OCTOBER 10, 2003

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 Wade B. Moor to appeal the decision of the Planning Commission to allow a church facility for El Camino Pines Lutheran Church in a 20-acre residential district on property located at the northwest corner of Frazier Mountain Parkway and Lakewood Place, Frazier Park (SD 4)**

Specific Request:

An appeal to the decision of the Kern County Planning Commission to approve Conditional Use Permit 10, Map 238-33 (Resolution 87-03; approved May 22, 2003) to allow a church facility (Section 19.16.030.J) in an E (20) GH District (Appeal #1, Map #238-33)

(General Rule, Section 15061(b)(3); Published Mountain Enterprise) (from 7/29/2003) - RONNIE THOMPSON AND MARILYN JETER HEARD IN SUPPORT OF PROJECT; WADE MOOR, APPELLANT, HEARD IN OPPOSITION TO PROJECT; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2003-344 DISAPPROVING APPEAL AND UPHOLDING DECISION OF THE PLANNING COMMISSION WITH AN ADDED CONDITION TO ADDRESS REMOVAL OF STAR THISTLE PRIOR TO GRADING

Watson-Patrick: 4 Ayes; 1 Absent - McQuiston

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *4) **Request from John E. Doersam to vacate a portion of Burlando Road, west of the southerly extension of Rio Del Loma Street, north of Kernville (SD 1)**

Specific Request:

Nonsummary vacation of a portion of Burlando Road (17-9 3 098; Streets and Highways)

(General Rule, Section 15061(b)(3); Published Kern Valley Sun) - REFERRED BACK TO STAFF

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *5) **Request from Dale G. and Jan R. Scales by DeWalt Corporation to change the permitted uses from agriculture to 1/2-acre estate residential on 19.93 acres located on the southeast corner of Snow Road and Coffee Road, Rosedale area (SD 1)** Specific Request:

A change in zone classification from A to E (1/2) or a more restrictive district (ZCC #30, Map #102-9)

(Special Situation, Section 15183; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2003-345 AND ENACTED ORDINANCE G-7034 APPROVING ZONE CHANGE TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- 6) **Request from Daniel Ford and Albert Senseman by Robert G. Hogue, L.S. to vacate a portion of Johnson Court, west side of Highway 202, approximately 1/2 mile north of Cummings Valley Road, Tehachapi area (SD 2)**

Specific Request:

Nonsummary vacation of a portion of Johnson Court (165-213 098; Streets and Highways)

(General Rule, Section 15061(b)(3); Published Tehachapi News) - OPENED HEARING; JACKIE CHESS AND GARY JONES HEARD IN OPPOSITION TO PROJECT; ALBERT SENSEMAN AND DANIEL FORD HEARD IN SUPPORT OF PROJECT; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2003-346 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES, TO BE RECORDED UPON RECEIPT BY CLERK OF THE BOARD OF WRITTEN RECEIPT FROM KERN COUNTY PLANNING DEPARTMENT, THAT APPLICANTS HAVE DEDICATED APPROPRIATE ADDITIONAL RIGHT-OF-WAY FOR THE CUL-DE-SAC AT THE TERMINUS OF JOHNSON COURT

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *7) **Request from H.E. Aaron Properties by DeWalt Corporation to change the permitted uses from multifamily residential to single-family residential on 29 acres located on the east side of Morning Drive, 385 feet north of Rosewood Avenue, east Bakersfield (SD 3)**

Specific Request:

A change in zone classification from R-2 PD to R-1 or a more restrictive district (ZCC #28, Map #104-30)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2003-347 AND ENACTED ORDINANCE G-7035 APPROVING ZONE CHANGE TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *8) **Request from Brandt Homes by The Lusich Company to change the permitted uses from agriculture to residential on 15 acres located on the west side of Patrick Lane, approximately 360 feet south of Hageman Road, western Rosedale area (SD 4)**

Specific Request:

A change in zone classification from A to E (1/4) or a more restrictive district (ZCC #33, Map #101-23)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2003-348 AND ENACTED ORDINANCE G-7036 APPROVING ZONE CHANGE TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- 9) **Request from Floyd Hinesley by Porter-Robertson Engineering and Surveying, Inc., to appeal the decision of the Hearing Officer disapproving a development variation to allow deletion of Type A road improvements along Meacham Road at the parcel map boundary and the Hearing Officer's inclusion of a requirement for an expanded easement around the oil well and tank site on Parcel Map 10935 located on the northeast corner of Renfro Road and Meacham Road, Rosedale area (SD 4)**

Specific Request:

(a) An appeal to the decision of the Hearing Officer for the denial of a development variation to the Land Division Ordinance for Tentative Parcel Map 10935 (approved June 19, 2003) to allow deletion of Type A road improvements along Meacham Road on the parcel map boundary;

(b) An appeal to the decision of the Hearing Officer requiring an expanded easement around the existing oil well and tank site (TPM #10935) (Negative Declaration; Published Bakersfield Californian) - CONTINUED TO TUESDAY, SEPTEMBER 16, 2003, AT 2:00 P.M.

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *10) **Request from Carriage Homes by Frank Slinkard to change the permitted uses from multifamily residential to single-family residential with the addition of the floodplain combining district on 6 acres located on the north side of Panama Road, approximately 700 feet west of Weedpatch Highway, southeast Bakersfield (SD 5)**

Specific Request:

A change in zone classification from A (R-2 FPS in suspense) to R-1 FPS or a more restrictive district (ZCC #67, Map #124)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2003-349 AND ENACTED ORDINANCE G-7037 APPROVING ZONE CHANGE TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Streets and Highways

S.D. #2

- *11) **Request from Kern County Waste Management for a Summary Vacation of a 45-foot wide public access easement (Lone Butte Road) and a 30-foot wide public access easement (La Cita Street), both located within a public landfill boundary, south of Silver Queen Road, east of United Street, north of Laguna Avenue, southeast of Mojave, Zone Map 213 - ADOPTED RESOLUTION 2003-350 APPROVING SUMMARY VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES**

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *12) Request from Kern County Roads Department for a Summary Vacation of a portion of excess right-of-way, portions of River Boulevard and Bernard Street, east Bakersfield - ADOPTED RESOLUTION 2003-351 APPROVING SUMMARY VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

Miscellaneous

S.D. #3

- *13) Request by A. Ghazale Brothers, Inc., for Determination of Public Convenience for the issuance of an off-sale beer and wine license at 2800 River Boulevard, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2003-352

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *14) Annual confirmation of the boundaries of Agricultural Preserves - ADOPTED RESOLUTIONS 2003-353 THROUGH 2003-372 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

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- *15) Report regarding Kern Lake Basin Flood Projects Task Force Recommendations - APPROVED; REFERRED FLOODPLAIN MANAGEMENT PORTION TO ENGINEERING AND SURVEY SERVICES DEPARTMENT AND GENERAL PLAN POLICIES TO PLANNING DEPARTMENT FOR IMPLEMENTATION; RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #5

- *16) Proposed Request for Release of Funds (RROF) for Community Development Block Grant (CDBG) Activities No. 12.02.2 and No. 12.03.1, Arvin Street Reconstruction Improvements, Multi-Phase - APPROVED; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED DIRECTOR TO SUBMIT RROF AND CERTIFICATION TO HUD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *17) Proposed Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) for HOME Investment Partnership Program, Project No. 33.02.6, Ruben Blunt Housing Project, Phase II - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT RROF AND CERTIFICATION TO HUD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *18) Fiscal Year 2002-2003 Environmental Clearance and Certification and Request for Release of Funds (RROF) for Activity Nos. 33.02.1 and 33.02.2, Countywide Community Development Block Grant and HOME Housing Rehabilitation Programs, Multi-Year - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT RROF AND CERTIFICATION TO HUD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *19) Proposed Resolution regarding rescission of the Conflict of Interest Code of the Comprehensive Economic Development Strategy (CEDS) Committee of the County of Kern and Oath of Office requirement, Amendment of CEDS Committee Bylaws, and Affirmation of Advisory Role of CEDS Committee - APPROVED; ADOPTED RESOLUTION 2003-373

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #1

- *20) Parcel Map 10591, Phase 1, northwest corner Seventh Standard Road and State Highway 65, approval of completed street, drainage, water, landscaping and sewer improvements, reduction of Faithful Performance Security in Subdivision Improvement Agreement, and proposed Resolution for acceptance of street improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$706,990 TO \$70,699 FOR GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING AUGUST 26, 2003; REDUCED FAITHFUL PERFORMANCE BOND NO. 875633S, IN THE AMOUNT OF \$706,990, ISSUED BY DEVELOPERS INSURANCE COMPANY, TO \$70,699; ADOPTED RESOLUTION 2003-374 FOR ACCEPTANCE OF SEVENTH STANDARD ROAD, AS SHOWN ON PARCEL MAP 10591, PHASE 1, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #2

- *21) Tract 5842, Phase 1, south of Orange Street, west of 35th Street West, Rosamond, release of Monument Bond, Kaufman and Broad Land Company - RELEASED MONUMENT SECURITY BOND NO. 11119416391, UNDERWRITTEN BY FIREMAN'S FUND INSURANCE COMPANY, IN THE AMOUNT OF \$6,740

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *22) Contract No. 03026, Final Plans, Specifications, and Notice to Contractors for the Curb Cut Improvements, Mojave/Rosamond - 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 TO BE WEDNESDAY, OCTOBER 1, 2003 AT 11:00 A.M.

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #3

- *23) Tract 5910, Phase 1, west side Vineland Road, 1074 feet south of Breckenridge Road, release of Monument Security, Dennis W. DeWalt - RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$2,830 TO SUBDIVIDER, DENNIS W. DEWALT

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *24) Proposed Resolution of Intention to extend Zone of Benefit No. 2 and set hearing to consider levying assessments within County Service Area No. 60, Zone of Benefit Nos. 1 and 2, Oildale, east of Highway 99, south of Seventh Standard Road and west of Pegasus Road, Parcel Map 10859 - ADOPTED RESOLUTION 2003-375 OF INTENTION TO EXTEND ZONE OF BENEFIT NO. 2 AND SET HEARING TO CONSIDER LEVYING ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 60, ZONE OF BENEFIT NOS. 1 AND 2; SET PUBLIC HEARING FOR TUESDAY, OCTOBER 14, 2003, AT 2:00 P.M., TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; DIRECTED CLERK OF THE BOARD TO FILE A NOTICE OF EXEMPTION, PURSUANT TO CEQA GUIDELINES

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *25) Proposed Contract No. 03015 with Griffith Company, Inc., for construction of North Beardsley Street Improvements, Phase V, in the amount of \$436,991.50 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 764-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *26) Tract 5919, Unit A, release of Laborers and Materialmen Security, Eloy Renfrow - RELEASED SECURITY BOND NO. 1009080, UNDERWRITTEN BY REDLANDS INSURANCE COMPANY, IN THE AMOUNT OF \$108,004

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *27) Purchasing Agent Contract, Final Plans, Specifications, and Notice to Contractors for the Berkshire Water System Improvements, Water Well Abandonment, South Bakersfield - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED COMMUNITY AND ECONOMIC DEVELOPMENT TO PREPARE NECESSARY REQUISITION AND GENERAL SERVICES TO SOLICIT BIDS

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *28) Contract No. 03012, Notice of Completion for East Bakersfield Retaining Wall Improvements - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- *29) Proposed Amendment No. 1 to Agreement 944-2003 with California Water Resources Control Board, adding \$36,000 of additional funding, for a new not to exceed amount of \$143,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 765-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *30) Contract No. 02040, Notice of Completion for construction on Ward Avenue, Brady Street, Drummond Avenue, Las Flores Avenue, and Dolphin Avenue - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *31) Contract No. 03010, Notice of Completion for construction on Drummond Avenue between Campbell Street and Brady Street - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #2

- *32) Proposed no-stopping zone on White Lane - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF THE NECESSARY ORDINANCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *33) Proposed Resolution to declare a portion of Landfill Road as a public highway and incorporate into County Road System - ADOPTED RESOLUTION 2003-376; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *34) Contract No. 03020, Notice of Completion for construction on Mount Pinos Way - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *35) Proposed Resolution to establish a County road over a parcel of County property for public highway purposes and incorporate into County Road System - ADOPTED RESOLUTION 2003-377; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *36) Contract No. 03011, Notice of Completion for construction on Flower Street between Haley Street and Mt. Vernon Avenue - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D.'s #1 & #2

- *37) Contract No. 03030, Notice of Completion for manufacturing and delivery of asphalt concrete (windrow stockpile) at various locations in East Kern County - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *38) Contract No. 04002, identify apparent low bid of Asphalt Construction Company for asphalt concrete (stockpile) at various locations in East Kern County, in an amount not to exceed \$167,750 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D.'s #1, #2, #4 & #5

- *39) Contract No. 03029, Notice of Completion for manufacturing and delivery of asphalt concrete (windrow stockpile) at various locations in Kern County - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *40) Contract No. 04001, identify apparent low bid of Granite Construction Company for asphalt concrete (stockpile) at various locations in Kern County, in an amount not to exceed \$457,145 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- 41) Request to set hearing date for Monday, September 15, 2003, at 5:30 p.m. to consider proposed Transportation Impact Fee - LORRAINE UNGER, LOCAL CHAPTER OF THE SIERRA CLUB; ROGER MCINTOSH, BUILDING INDUSTRY ASSOCIATION; AND DEBORAH GABLE, HEARD; APPROVED; DESIGNATED COUNTY COUNSEL TO PREPARE A FAIR AND ADEQUATE SUMMARY; DIRECTED CLERK OF THE BOARD TO POST AND PUBLISH NOTICE AND SUMMARY

Patrick-Maben: 4 Ayes; 1 Absent - McQuiston

WASTE MANAGEMENT

All S.D.'s

- *42) Report concerning Household Hazardous Waste Strategy Update and proposed Resolution to authorize submission of an application to the California Integrated Waste Management Board for the Household Hazardous Waste Discretionary Grant Program for Fiscal Years 2003-2005, in an amount not to exceed \$300,000 - APPROVED; ADOPTED HOUSEHOLD HAZARDOUS WASTE STRATEGY AS PLANNING AND POLICY DOCUMENT; ADOPTED RESOLUTION 2003-378

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *43) Proposed Amendment No. 1 to the Agreements with S. A. Camp Pump Company (444-2000) and Bakersfield Well and Pump Company (443-2000) for providing monitoring point maintenance and repair services to extend the term to June 30, 2005, with no change in compensation - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 766-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE

- *44) Transfer of property tax entitlement related to City of Delano Annexation No. 31, Local Agency Formation Commission (LAFCO) Proceeding No. 1355 - ADOPTED RESOLUTION 2003-379 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO THE CITY OF DELANO COMMENCING FISCAL YEAR 2004-2005 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *45) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 444, Local Agency Formation Commission (LAFCO) Proceeding No. 1360 - ADOPTED RESOLUTION 2003-380 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO THE CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2004-2005 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *46) Proposed response to Grand Jury Final Reports entitled Agriculture and Measurement Standards Department, Board of Supervisors, Budget Enhancement, County Administrative Office Grants Research Unit, Coroner Division, District Attorney Crime Lab, Domestic Violence, Grant Program, James G. Bowles Juvenile Hall and Kern Crossroads, Kern Medical Center, and Victim Witness Program - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE TO SUPERIOR COURT PRESIDING JUDGE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *47) Request for appropriation of unanticipated revenue for participation in the Emergency Services Supplemental Payments Program - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$8,000,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO CONTRIBUTIONS TO MEDICAL CARE BUDGET UNIT 4204 IN THE AMOUNT OF \$8,000,000

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *48) Proposed designation of County Administrative Officer to serve as designee of Board of Supervisors for appeals filed pursuant to County Ordinance 2.02.020(D) - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *49) Proposed position vacancy screening program - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *50) Proposed position corrections to Department of Child Support Services and Department of Public Health - APPROVED
ADDITION OF ONE (1) FISCAL SUPPORT ASSISTANT POSITION TO BUDGET UNIT 2183 RETROACTIVE TO AUGUST 14, 2003; APPROVED ADDITION OF ONE (1) FULL TIME NURSE PRACTITIONER/PHYSICIAN'S ASSISTANT POSITION AND ONE (1) OFFICE SERVICES TECHNICIAN POSITION AND DELETION OF ONE (1) PART TIME NURSE PRACTITIONER/PHYSICIAN'S ASSISTANT POSITION TO BUDGET UNIT 4110 RETROACTIVE TO AUGUST 14, 2003; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

Legislative Matters

- 51) Proposed Resolution opposing SB 707 re dairy buffer zones - MICHAEL RUBIO, CAPITAL DIRECTOR FOR SENATOR DEAN FLOREZ; TOM FRANTZ; SUSIE RICHARDS; ARTHUR UNGER, SIERRA CLUB CALIFORNIA; RANDY ABBOTT, MILK PRODUCER'S COUNCIL; RICARDO BERUGORRIA; PETE BELLUOMINI, KERN COUNTY FARM BUREAU; AND JOHN ROMERO, HEARD; APPROVED; ADOPTED RESOLUTION 2003-381; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

NON-AGENDA ITEM

COUNTY ADMINISTRATIVE OFFICE

MOTION TO CONSIDER NON-AGENDA ITEM: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE AB 1531 WAS AMENDED BY THE AUTHOR TO REQUIRE THAT THE STATE OF CALIFORNIA PAY ALL EXPENSES INCURRED BY LOCAL ELECTIONS OFFICIALS IN PREPARING FOR AND CONDUCTING THE OCTOBER 7, 2003, SPECIAL ELECTION TO RECALL GOVERNOR DAVIS. ACTION TO SUPPORT AB 1531 AT THE AUGUST 26, 2003, MEETING IS CRITICAL FOR YOUR BOARD TO COMMUNICATE ITS POSITION TO THE LEGISLATURE IN TIME TO SECURE ENACTMENT OF THIS MEASURE PRIOR TO ADJOURNMENT OF THE LEGISLATURE

Patrick-Maben: 4 Ayes; 1 Absent - McQuiston

Legislative Matter

- 51A) AB 1531 (Longville) Reimbursement expenses for gubernatorial recall election - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Patrick: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #4

- *52) Proposed purchase of 2.20 acres of vacant land located in Lebec from California Department of Transportation for a purchase price of \$132,000 and \$800 for escrow and closing costs - CONTINUED TO TUESDAY, SEPTEMBER 16, 2003, AT 2:00 P.M.

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #1

- *53) Change Order No. 5 for the new Juvenile Treatment Facility, an increase of \$140,787.65 for a new total of \$16,830,335.09 (1960.8166) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *54) Change Order No. 1 for the new water tank at the Juvenile Treatment Facility, an increase of \$592.50 for a new total of \$425,090.50 (1960.8166) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #2

- *55) Request to object to sale of tax-defaulted property and proposed Resolution authorizing Roads Department and General Services Division to negotiate with Kern County Treasurer-Tax Collector to purchase property located just west of the centerline of 35th Street West, north of Rosamond Boulevard, and south of Stetson Avenue, in the unincorporated area of Rosamond, for an amount not to exceed \$2,000 -

WITHDRAWN

S.D. #3

- *56) Request to set hearing for granting of pipeline franchise to Oxy USA, Inc. - ADOPTED RESOLUTION 2003-382 SETTING HEARING FOR TUESDAY, SEPTEMBER 30, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *57) Change Order No. 2 for the landscape improvements at Panorama Park, an increase of \$11,858 for a new total of \$1,455,608 (1960.8245A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *58) Proposed Agreement with First Transit, Inc., for an office and vehicle parking space at 5834 Victor Street, Bakersfield for operation of transit services, from August 26, 2003, through June 30, 2004 (\$1,308 per month) - 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 767-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *59) Request to set hearing for amending pipeline Franchise F-452 for Baker Petrolite Corporation - ADOPTED RESOLUTION 2003-383 SETTING HEARING FOR TUESDAY, SEPTEMBER 30, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *60) Request to set hearing for granting of pipeline franchise to Plains Marketing, L.P. - ADOPTED RESOLUTION 2003-384 SETTING HEARING FOR TUESDAY, SEPTEMBER 30, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *61) Proposed License Agreement with California State University Bakersfield (CSUB) allowing CSUB to use classroom space at O. C. Sills Building at no cost to CSUB, to provide course in social work for County Human Services employees and others, from September 1, 2003, to June 30, 2004 - MADE FINDING PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 768-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

MATTERS FOR EXECUTIVE APPROVAL

- *62) Budget Transfers - APPROVED NO. 1

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *63) Minutes for week of June 30, 2003 - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *64) Miscellaneous Letters and Documents - FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

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

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

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

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO TUESDAY, SEPTEMBER 2, 2003, AT 9:00 A.M.

Watson

/s/ Denise Pennell
Clerk of the Board

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

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

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

64) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Assessor-Recorder

- A) Response to 2002-2003 Grand Jury recommendations (Copies to each Supervisor and CAO)

Auditor-Controller-County Clerk

- B) Status report on excess proceeds from tax deeded land sales
C) Audit Report of the Parks and Recreation Department for fiscal years ended June 30, 2002, 2001 and 2000
D) Audit report of the Treasurer-Tax Collector for fiscal years ended June 30, 2002, 2001 and 2000
E) Response to 2002-2003 Grand Jury recommendations (Copies to each Supervisor and CAO)

Clerk of the Board

- F) Letter from Deb Elrich re resignation from North Bakersfield Recreation and Park District (Copies to each Supervisor and CAO)

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

- | | |
|-----------------------------|---------|
| 1) Tract Map 5071, Phase B | S.D. #4 |
| 2) Tract Map 5071, Phase C | S.D. #4 |
| 3) Tract Map 5816, Phase 4 | S.D. #2 |
| 4) Tract Map 6032, Unit 2 | S.D. #4 |
| 5) Tract Map 6067 | S.D. #1 |
| 6) Tract Map 6082, Unit 6 | S.D. #4 |
| 7) Tract Map 6104, Phase 3 | S.D. #4 |
| 8) Tract Map 6104, Phase 7 | S.D. #4 |
| 9) Tract Map 6104, Phase 8 | S.D. #4 |
| 10) Tract Map 6129, Phase 1 | S.D. #3 |
| 11) Tract Map 6111, Unit 1 | S.D. #3 |
| 12) Tract Map 6111, Unit 2 | S.D. #3 |
| 13) Tract Map 6111, Unit 3 | S.D. #3 |
| 14) Tract Map 6117, Unit 1 | S.D. #4 |
| 15) Tract Map 6127, Unit 1 | S.D. #3 |
| 16) Tract Map 6127, Unit 2 | S.D. #3 |
| 17) Tract Map 6128, Unit 1 | S.D. #3 |
| 18) Tract Map 6128, Unit 2 | S.D. #3 |
| 19) Tract Map 6128, Unit 3 | S.D. #3 |
| 20) Tract Map 6128, Unit 4 | S.D. #3 |
| 21) Tract Map 6128, Unit 5 | S.D. #3 |
| 22) Tract Map 6128, Unit 6 | S.D. #3 |
| 23) Tract Map 6140, Phase 1 | S.D. #5 |
| 24) Tract Map 6146, Unit 1 | S.D. #3 |
| 25) Parcel Map 10603 | S.D. #2 |
| 26) Parcel Map 10622 | S.D. #2 |
| 27) Parcel Map 10816 | S.D. #4 |

- | | |
|----------------------|---------|
| 28) Parcel Map 10881 | S.D. #2 |
| 29) Parcel Map 10893 | S.D. #2 |
| 30) Parcel Map 10908 | S.D. #4 |
| 31) Parcel Map 10916 | S.D. #1 |

Employers' Training Resource

- H) WIA OJT Agreements:
- 1) Bakersfield Cold & Dry Storage dba BCD Storage, WIA Title 501/543, dated June 30, 2003;
 - 2) Controlco dba Controlco Automation Distributors, WIA Title 201, dated July 28, 2003;
 - 3) HPS Mechanical, Inc., WIA Title 201, dated July 14, 2003;
 - 4) Idleaire Technologies, Inc., WIA Title 501/543, dated July 17, 2003;
 - 5) Idleaire Technologies, Inc., WIA Title 201, dated August 5, 2003;
 - 6) Idleaire Technologies, Inc., WIA Title 201, dated August 5, 2003;
 - 7) Oasis Air Conditioning, Inc., WIA Title 201, dated August 4, 2003;
 - 8) Sears Logistics Services, Inc., WIA Title 201, dated July 22, 2003;
 - 9) Sears Logistics Services, Inc., WIA Title 201, dated August 5, 2003;
 - 10) Stier's Leisure Vehicles, Inc., WIA Title 201, dated July 30, 2003;
 - 11) Terry Weatherman dba Child Discovery Center, WIA Title 501/543, dated August 4, 2003
- I) Modification No. 9 to Agreement R380507 with the State of California Employment Development Department to replace various exhibits for the Nurse Workforce Initiative Grant Program
- J) Modification No. 10 to Agreement R380507 with the State of California Employment Development Department to add WIA 25% Rapid Response Bridge funding into Grant Code 541 and WIA 15% Incentive funding into Grant Code 113

Engineering & Survey Services

- K) Consent to Record Offers of Dedication from Beal Properties, Inc., re Parcel Map 10591, Phase 1, for Additional Road Dedication, Drainage Easement Dedications and Sump Access Easement Dedication

Environmental Health

- L) Four (4) thank you letters to individuals for donations to the Bakersfield and Mojave animal shelters

General Services

- M) Acceptance of Amendment to Franchise, Chevron Pipe Line Company, Ordinance F-457 (amending Ordinance F-382)

Local Agency Formation Commission

- N) Resolution 03-08, Proceeding No. 1347, in the matter of City of Shafter, Annexation No. 74
- O) Resolution 03-14, Proceeding No. 1347, in the matter of City of Shafter, Annexation No. 74

Planning

- P) Consent to Record Offer of Dedication from Dale and Gloria Falk re County Road No. 2460, Sierra Way

Sheriff

- Q) Response to 2002-2003 Grand Jury recommendations (Copies to each Supervisor and CAO)

Miscellaneous

- R) Letter from Catherine M. Wallis re custody of Kaytlin Hope Swoboda (Copies to each Supervisor, CAO, Human Services and Superior Court)
- S) Letter from William Canessa, Greater Bakersfield Separation of Grade District, re Morning Drive (State Route 184) Separation of Grade Project (Copies to each Supervisor, CAO, Roads and Resource Management Agency)
- T) Letter from Ray and Betty Morris re renaming Bakersfield Airport (Copies to each Supervisor and CAO)
- U) Letter from Jerry Leong, State Department of General Services, Real Estate Services Division, re California Department of Corrections (CDC) Delano II Correction Facility-Effluent Disposal, acquisition of land within Williamson Act Contract, Agricultural Preserve No. 7 (APN 047-140-26, 32, 35 and 36) (Copies to each Supervisor, CAO, Planning and County Counsel)
- V) Letter from Kody Kovachny re issues with Sacramento (Copies to each Supervisor and CAO)
- W) Letter from Doug Bellomo, Federal Emergency Management Agency, re Letter of Map Revision (LOMR) dated March 24, 2003, re proposed modified flood elevation determinations affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) for Caliente Creek from State Highway 99 to State Highway 58 (Copies to each Supervisor, CAO and Engineering & Survey Services)
- X) Letter from Doug Bellomo, Federal Emergency Management Agency, re Letter of Map Revision (LOMR) Determination Document (Removal), Caliente Creek (Copies to each Supervisor, CAO and Engineering & Survey Services)
- Y) Letter from Alex F. Lopez in opposition to subdivision project involving Tentative Parcel Map No. 10871, near Bear Mountain Boulevard (Copies to each Supervisor, CAO, Planning and County Counsel)

- Z) Letter from George V. Vinson, State Office of Homeland Security, re notification of application approval for Part II Critical Infrastructure Protection (Copies to each Supervisor and CAO)
- AA) Letter from George V. Vinson, State Office of Homeland Security, re notification of application approval for FY03 State Homeland Security Grant Program, Part II (Copies to each Supervisor and CAO)
- BB) Letter from Vern D. Moss, Chairman, Madera County Board of Supervisors, re opposition to Senate Bill 18 concerning Traditional Tribal Cultural Sites (Copies to each Supervisor and CAO)
- CC) Letter from Mattie A. Hakes in support of U.S. Borax (Copies to each Supervisor, CAO, Planning and County Counsel)
- DD) Letter from Paula J. Landis, State Department of Water Resources, re report entitled, "San Joaquin Valley Drainage Monitoring Program, 1999" (Copies to each Supervisor, CAO and Resource Management Agency)
- EE) Letter from Stephen L. Sanders, Kern County Network for Children, re copy of "Report Card: 2003" (Copies to each Supervisor, CAO and County Counsel)
- FF) Letter from D. E. Leach, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, August 7, 2003, Tehachapi/Willow Springs Road, north of Oak Creek Road (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- GG) Letter from David Geise Snyder, American Hemochromatosis Society, re FDA Guidance for Industry (Copies to each Supervisor, CAO, Public Health, Kern Medical Center, Emergency Medical Services and Emergency Services)
- HH) E-mail from Panfilo Fuentes re law enforcement training (Copies to each Supervisor and CAO)
- II) Memorandum from San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Records for meeting on Thursday, July 31, 2003 (Copies to each Supervisor, CAO and Clerk of the Board)
- JJ) Resolution 81203 from Mojave Unified School District re terms of bonds of its school facilities improvement District No. 1; requesting Board of Supervisors of Kern County to issue and sell bonds; approving forms of and authorizing execution and delivery of a first supplemental paying agent agreement, a bond purchase agreement, and a continuing disclosure certificate; approving the form of and authorizing the execution, delivery and distribution of an official statement; and authorizing execution of necessary certificates

- KK) Notice from Arthur L. Gaffrey, Sequoia National Forest, re upcoming completion of the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the Giant Sequoia National Monument (Copies to each Supervisor, CAO and Planning)
- LL) Notices from Alcoholic Beverage Control re Applications for Alcoholic Beverage Licenses: Total Food Service, 1142 South "P" Street, Bakersfield; Quick N Easy, 2805 Edison Highway, Bakersfield; My Place Lounge, 2763 Sierra Highway, Rosamond; Town Market, 14 Midway Road, Fellows; and Franzia/McFarland, 31795 Whisler Road, McFarland (Copies to each Supervisor, CAO and Planning)
- MM) Agenda of meeting from Kern County Child Care Council on Wednesday, August 6, 2003
- NN) Minutes of meeting from Kern County Child Care Council on Wednesday, June 4, 2003
- 65) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Lynn Molina, Kern-Tulare Water District, re Resolution 2003-12 establishing the 2004 Estimate of Obligations for the District - REFERRED TO COUNTY COUNSEL
- B) Letter from Lynn Molina, Rag Gulch Water District, re Resolution 2003-10 re establishing the 2004 Estimate of Obligations for the District - REFERRED TO COUNTY COUNSEL
- C) Letter from Milton M. Younger, Bakersfield Symphony Orchestra, re funding for "Concert for America" - REFERRED TO COUNTY ADMINISTRATIVE OFFICE-BUDGET FILE (Copies to each Supervisor and CAO)
- D) Letter from Rick Arbolante, Motion Industries, Inc., re access roads into industrial park on Standard Street - REFERRED TO ROADS (Copies to each Supervisor and CAO)
- E) Letter from Kent Little re boat registration with Parks and Recreation Department - REFERRED TO PARKS (Copies to each Supervisor and CAO)
- F) Letter from Debby Navarrette, Berrenda Mesa Water District, re appointments of Thomas D. Johnson and Joseph MacIlvanie to Berrenda Mesa Board of Directors - REFERRED TO ELECTIONS
- 66) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Pacific Bell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Juan Rios Cuella vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of David Rakisits vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- D) Claim in the matter of Patrick M. Maddox vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Stevens Transportation vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Denise and Martha Palacios vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Ventura Macias, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Tanya M. Creal vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Manuel Alcala Farias and Rosa Alcala vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Lamar Crook vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Matthew Keys, by and through his Guardian ad Litem, Debi Keys vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Abraham Rodriguez, Inez Muratalla and Uriel Muratalla vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of Carmen Mora vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Kendall Wright vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Amended claim in the matter of Kydan Clopton, a minor, by and through his Guardian ad Litem, Shawna Buckles, and Shawna Buckles, individually vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Release of claim in the matter of Safeco vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Summons and complaint in the matter of Thomas M. Hocking, Diane K. Hocking, Henry P. Leal and Leta Leal vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Summons and complaint in the matter of Miguel Jimenez, Gonzalo Quevedo, Jose Quevedo and Palemon Quevedo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Subrogation claim in the matter of Phillip Fisher by Allied Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- T) Notice of Case Closure in the matter of Luzmila Dahlson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)