

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, August 27, 2002

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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

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

BOARD ACTION SHOWN IN CAPS

PUBLIC REQUESTS

- 1) Request of Tammy Burns, Child Care Facilitator, Kern County Child Care Council, to address the Board regarding the Summary Report of Activities for April 1, 2002 to June 30, 2002 (continued from Tuesday, August 20, 2002) - GENEVA WOERTZ, IMMEDIATE PAST CHAIR, HEARD

APPOINTMENTS

- *2) Reappointment of Margarita Comer as Third District Member to the Commission on Aging, term to expire June 17, 2004 - MADE REAPPOINTMENT

Patrick-Parra - All Ayes

PUBLIC PRESENTATIONS

- 3) 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

- 4) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR PATRICK ANNOUNCED THAT SUPERVISOR PARRA HAS BEEN APPOINTED BY THE GOVERNOR TO THE CALIFORNIA WORKFORCE INVESTMENT BOARD WHICH OVERSEES FEDERAL EMPLOYMENT AND TRAINING PROGRAMS; SUPERVISOR PARRA HEARD; CHAIRMAN PEREZ EXTENDED HIS CONGRATULATIONS

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *5) Proposed retroactive Amendment No. 1 to Agreement 944-2001 with Valley Caregiver Resource Center for Homemaker Services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$10,801 (prior notification June 25, 2002)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 811-2002

Patrick-Parra - All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *6) Proposed Resolution setting the 2002/2003 tax rates for all agencies included on the County Tax Roll - APPROVED; ADOPTED RESOLUTION 2002-345

Patrick-Parra - All Ayes

CHILD SUPPORT SERVICES

- *7) Proposed Amendment No. 2 to Agreement 818-2000 with Laboratory Corporation of America Holdings to extend term of the agreement from September 4, 2002 to December 31, 2002, to allow for RFP and State approval process - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 812-2002

Patrick-Parra - All Ayes

CLERK OF THE BOARD

- *8) Request to employ retired County employee Kaaren Shatswell, Deputy Clerk II, Range 49.5, Step E, 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-Parra - All Ayes

- *9) Amended Conflict of Interest Code for the Kern County Air Pollution Control District - APPROVED

Patrick-Parra - All Ayes

COUNTY COUNSEL

- *10) Proposed deletion of one (1) Legal Stenographer position and addition of one (1) Legal Assistant I/II position, Budget Unit 1210, effective September 9, 2002 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENT POSITIONS AND SALARY SCHEDULE

Patrick-Parra - All Ayes

EMPLOYERS' TRAINING RESOURCE

- *11) Proposed retroactive Agreement with the Kern, Inyo and Mono Counties Building and Construction Trades Council for provision of training and employment activities for Workforce Investment Act-eligible individuals, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$90,000 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 813-2002

Patrick-Parra - All Ayes

FIRE DEPARTMENT

- *12) Proposed acceptance of donation from Kern Family Health Care in the amount of \$15,000 for purchase of a fire safety trailer - ACCEPTED DONATION; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$19,900 TO APPROPRIATIONS FOR CONTINGENCIES (\$4,900 from Trust Fund #24042); APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$19,900 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2415

Patrick-Parra - All Ayes

KERN MEDICAL CENTER

- *13) Proposed retroactive Amendment No. 2 to Agreement 350-2001 to Staff Care, Inc., for interim physician assignments in Departments of Psychiatry and Orthopedic Surgery, from May 8, 2001 through May 7, 2003, in an amount not to exceed \$250,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 814-2002

Patrick-Parra - All Ayes

- *14) Proposed Amendment No. 2 to Blue Shield of California Fee for Service Hospital Agreement regarding outpatient trauma reimbursement rates - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 815-2002

Patrick-Parra - All Ayes

- *15) Unusual travel request for James A. Sproul, M.D., for continuing medical education in Shell, Ecuador, from October 7, 2002 through October 18, 2002 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO ALLOW REGULAR PAY FOR THAT PERIOD

Patrick-Parra - All Ayes

- *16) Request for approval of Blanket Purchase Orders for medical products and services for the following vendors: Integra Lifesciences Corp., United States Surgical Corp., Arrow International, National Genetics Institute, Cyberonics, Novamatrix, Mobile Med Incorp., and Dornier Therapy - AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE BLANKET PURCHASE ORDERS

Patrick-Parra - All Ayes

- *17) Request to Donate surplus medical/hospital equipment to Luis Aguilar for distribution in Mexico - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT TO DONATE; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Patrick-Parra - All Ayes

- 18) Proposed retroactive cash advance in the amount of \$1,000,000 and an additional amount of \$8,500,000 as needed - ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION, HEARD; APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS

REFERRED TO COUNTY COUNSEL AND THE COUNTY ADMINISTRATIVE OFFICER TO EXPLORE THE COUNTY'S OPTIONS RELATIVE TO DELAYED PAYMENTS AND STATE ADMINISTRATIVE FEES REGARDING THE DISPROPORTIONATE SHARE PROGRAM

Patrick-Parra - All Ayes

- *19) Notification of anticipated retroactive Agreement with Comprehensive Physicians Services, Inc. for professional billing services for Department of Pathology, from September 1, 2002 through August 31, 2004 - RECEIVED AND FILED

Patrick-Parra - All Ayes

- *20) Request for authorization to expend HRSA Grant Award funds to purchase equipment and services on behalf of the Kern County Safety Net Provider Group to deploy the Epic information system to SNPG members and request authorization for Purchasing Agent to amend Personal/Professional Services Agreement (P/PSA) with Network Catalyst for configuring, testing, and implementing network and firewall equipment and software - AUTHORIZED KMC TO SPEND BALANCE (\$900,000) OF HRSA GRANT AWARD NO. 00-CAP0106; AUTHORIZED COUNTY PURCHASING DEPARTMENT TO EXECUTE AMENDMENT TO P/PSA FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$29,500

Patrick-Parra - All Ayes

MENTAL HEALTH SERVICES

- *21) Proposed Amendment No. 1 to Agreement 350-2002 with American Health Services, dba Bakersfield Medical and Mental Health Services, for methadone maintenance services to County clients residing in the Bakersfield area, to extend the required fiscal records retention period and change cost report terminology, for Fiscal Year 2002-2003 (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 816-2002

Patrick-Parra - All Ayes

- *22) Proposed Agreement with Crestwood Behavioral Health, Inc., for residential treatment services to County severely mentally ill clients residing in the Bakersfield area, from September 1, 2002 through August 31, 2003, in an amount not to exceed \$1,478,250 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 817-2002

Patrick-Parra - All Ayes

- *23) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention of mentally disordered individuals per Welfare and Institutions Code, Section 5150 - APPROVED

Patrick-Parra - All Ayes

PUBLIC HEALTH SERVICES

- *24) Proposed revision to schedule of Fees for Public Health Services -

WITHDRAWN

- *25) Proposed Contract with Kern County Network for Children for participation in the "2002 Children's Policy Summit" on September 19, 2002, in the amount of \$150 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 818-2002

Patrick-Parra - All Ayes

- *26) Proposed Children's Medical Services Plan and budgets for Child Health and Disability Prevention and California Children Services for Fiscal Year 2002-2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra - All Ayes

- *27) Report on status of West Nile Virus and proposed formation of a Taskforce to address potential impacts in Kern County - RECEIVED AND FILED

Patrick-Parra - All Ayes

RETIREMENT ASSOCIATION

- *28) Report from Kern County Employees' Retirement Association (KCERA) regarding approval of Amendment No. 1 to Agreement for At-Will Contract Employee providing the equivalent of a one-step salary increase for current contract employees providing services related to Settlement Agreement implementation in the case of Kern Law Enforcement Association et al. v. Board of Retirement, Kern County Employees' Retirement Association - RECEIVED AND FILED AMENDMENT; APPROVED ADDITION OF ACCOUNT CLERK I - CONTRACT POSITION PAYING \$934.10 BI-WEEKLY; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Parra - All Ayes

SHERIFF

- *29) Application to hold a parade - Boron Chamber of Commerce on October 5, 2002 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra - All Ayes

- *30) Application to hold a running competition - Foothill Cross Country on November 9, 2002 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE EVENT 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 EVENTS PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE EVENT; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra - All Ayes

- *31) Unusual travel request for Owen Forbes to attend the Backster School of Lie Detection Course in San Diego, California, from September 15, 2002 through November 8, 2002, in the amount of \$13,217 - APPROVED

Patrick-Parra - All Ayes

- *32) Request to set hearing to consider establishment of jail booking fees for Fiscal Year 2002-2003; fee proposed to be set at \$124.07 - SET PUBLIC HEARING FOR TUESDAY, SEPTEMBER 10, 2002, AT 9:00 A.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Patrick-Parra - All Ayes

TREASURER-TAX COLLECTOR

- *33) Notice of Intention to Sell Tax-Defaulted Property Subject to the Power of Sale - APPROVED; ADOPTED RESOLUTION 2002-346

Patrick-Parra - All Ayes

- *34) Treasurer's Pooled Cash Monthly Portfolio Reporting for Month Ended July 31, 2002 - RECEIVED AND FILED

Patrick-Parra - All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 35) Request for Closed Session regarding Meet and Confer, CCAPE, KCFFU, KLEA -
- 36) Request for Closed Session regarding public employee performance evaluation - Title: Director of Airports -
- 37) Request for Closed Session regarding public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center -

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

McQuiston-Parra

/s/ Denise Pennell
Clerk of the Board

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

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BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

McQuiston-Parra - All Ayes

KERN SANITATION AUTHORITY

- #1) Proposed Special Provisions for sewer pipeline repairs within Kern Sanitation Authority's service area at Magnolia Avenue and North Baker Street (Requisition #000087) - APPROVED; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(b); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; DIRECTED WASTE MANAGEMENT TO PREPARE REQUISITION AND PURCHASING TO SOLICIT BIDS

Parra-Patrick - All Ayes

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

Patrick-Parra - All Ayes

PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 3) 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]) - CHAIRMAN PEREZ ANNOUNCED HE AND SUPERVISOR MCQUISTON WILL BE TRAVELING TO SACRAMENTO TO MEET WITH CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) REPRESENTATIVES AND GENERAL JEFFERS REGARDING BASE REALIGNMENT AND CLOSURES.

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *4) **Request from John E. Doersam to vacate public access rights of 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 public access rights of a portion of Burlando Road; if approved, the vacation action would abandon all rights of the general public to use that portion of the road (17-9 3 098; Streets and Highways) (General Rule, Section 15061(b)(3); Published Kern Valley Sun) - CONTINUED TO TUESDAY, SEPTEMBER 10, 2002, AT 2:00 P.M.
Patrick-Parra - All Ayes

- 5) **An appeal by Dick Crockett of the June 27, 2002, decision of the Planning Commission, which approved Brian and Karen Cain's request for an equestrian establishment in a Limited Agriculture - Mobilehome Combining District on 9.66 acres located at 29835 Highway 178, Canebrake area, approximately 16 miles east of Lake Isabella (SD 1)**

Specific Request:

An appeal of the decision of the Planning Commission for the approval of Conditional Use Permit 5, Map 20-29 (Resolution 87-02, approved June 27, 2002) to allow an equestrian establishment (Section 19.14.030.C) in an A-1 MH (Limited Agriculture - Mobilehome Combining) District (Appeal #1, Map #20-29)

(Categorically Exempt, Section 15323; Published Kern Valley Sun) - OPENED HEARING; RICK CROCKETT AND DICK CROCKETT, APPELLANT, HEARD; HEARD IN SUPPORT OF PROJECT: TONY CAIN; DEANNA STEINHOFF; SHANNON SMITH; BOB HUNTINGTON; TERRY HARRIS; LIZ IMBELLONI; BONNIE BARNETT; TONY CAIN; JOHN VALDEZ; STACY MOORE; BOB BARNES HEARD IN SUPPORT; DENNIS FOX HEARD REGARDING DUST CONTROL; SANDY PRITCHITT AND SUSAN IMBELLONI HEARD IN SUPPORT OF THE APPLICANT; DICK CROCKETT HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2002-347 DISAPPROVING THE APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION SUBJECT TO THE RECOMMENDED CONDITIONS, WITH CHANGES TO THE FOLLOWING: CONDITION (3)(C) IS AMENDED TO RELAX RESTRICTIONS ON THE USE OF THE PUBLIC ADDRESS SYSTEM; AND CONDITION (3)(E) IS AMENDED TO LIMIT THE NUMBER OF EVENING EVENTS TO TWELVE (12) PER CALENDAR YEAR, REGARDLESS OF THE NUMBER OF PARTICIPANTS

McQuiston-Patrick - All Ayes

- *6) **Request from Coram, Inc., by Barnhill Consulting, Inc., to change the permitted uses from Limited Agriculture to Exclusive Agriculture with Wind Energy Combining on 23.39 acres and from 20-acre Residential to Exclusive Agriculture with Wind Energy Combining on 160 acres; and a Zone Variance to allow a reduction in setbacks for two wind turbines on property located on the east side of Cameron Canyon Road, 1.5 miles north of Oak Creek Road, approximately 6.5 miles west of Mojave (SD 2)**

Specific Request:

(a) A change in zone classification from A-1 (Limited Agriculture) to A WE (Exclusive Agriculture - Wind Energy) or a more restrictive district (ZCC #37, Map #197)

(b) A Zone Variance to allow a reduction in setbacks for two wind machines with a maximum tower height of 328.8 feet (Section 19.64.140) in an A WE (Exclusive Agriculture-Wind Energy) District (ZV #14, Map #197)

(c) A change in zone classification from E (20) RS (Estate - 20 acres - Residential Suburban Combining) to A WE (Exclusive Agriculture - Wind Energy) or a more restrictive district (ZCC #56, Map #198)

(Negative Declaration; Published Mojave Desert News and Tehachapi News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2002-348, 2002-349 AND 2002-350 AND ENACTED ORDINANCES G-6900 AND G-6901 APPROVING ZONE CHANGE AS REQUESTED AND APPROVING ZONE VARIANCE SUBJECT TO CONDITIONS

Patrick-Parra - All Ayes

- *7) **Request from Donald and Marilou Burlingame by Patrick and Henderson, Inc., to change the permitted uses from 1/2-acre Residential to 6,000-square-foot residential, located at 2611 and 2615 Radiance Drive, Bakersfield (SD 2)**

Specific Request:

A change in zone classification from E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining) to R-1 (Low-density Residential) or a more restrictive district (ZCC #74, Map #123-1)

(Categorically Exempt, Section 15303; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2002-351 AND ENACTED ORDINANCE G-6902 APPROVING ZONE CHANGE AS REQUESTED

Patrick-Parra - All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning

Miscellaneous

S.D. #4

- *8) Request by Love's Country Stores of California, by Rendi Crosby, for Determination of Public Convenience for the issuance of an Off-Sale Beer and Wine License at 21948 Highway 46, Lost Hills, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2002-352

Patrick-Parra - All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #1

- *9) Proposed Resolution of Intention to extend Zones of Benefit Nos. 3, 5, 7 and 8 in County Service No. 71, Lot Line Adjustment (LLA) #113-01, northwest Bakersfield, north of Snow Road and east of Calloway Drive - ADOPTED RESOLUTION 2002-353 OF INTENTION TO EXTEND ZONES OF BENEFIT NOS. 3, 5, 7 AND 8 IN COUNTY SERVICE AREA NO. 71; SET PUBLIC HEARING FOR TUESDAY, OCTOBER 22, 2002, AT 2:00 P.M. TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING AND SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE SOLE PROPERTY OWNER AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, PURSUANT TO CEQA GUIDELINES

Patrick-Parra - All Ayes

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

- *10) Request for approval to issue Request for Proposal for Master Sewer Plan, CSA No. 71 - APPROVED; AUTHORIZED ENGINEERING AND SURVEY SERVICES TO SOLICIT PROPOSALS

Patrick-Parra - All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #3

- *11) Contract No. 02037, Notice of Completion for construction on Holland Street, Glenn Street and Verdugo Lane - RECEIVED AND FILED

Patrick-Parra - All Ayes

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

- *12) Proposed Amendment No. 1 to Agreement 951-2000 with Ruetters & Schuler Civil Engineers for engineering services increasing Consultant's compensation rates for a total amount not to exceed \$150,000, an increase of \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 819-2002

Patrick-Parra - All Ayes

WASTE MANAGEMENT

S.D.'s #1 & #2

- *13) Proposed Plans, Special Provisions and Notice to Contractors to construct access road water pipeline slip lining at Bakersfield Metropolitan (Bena) Sanitary Landfill (Contract No. 03003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED WASTE MANAGEMENT TO PUBLISH NOTICE TO CONTRACTORS; BID OPENING TO BE WEDNESDAY, SEPTEMBER 25, 2002, AT 11:00 A.M.

Patrick-Parra - All Ayes

All S.D.'s

- *14) Proposed revisions to Conflict of Interest Code for the Waste Management Department - APPROVED

Patrick-Parra - All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *15) Proposed response to 2001-2002 Grand Jury Final Report regarding Return to Work Program - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE TO SUPERIOR COURT PRESIDING JUDGE

Patrick-Parra - All Ayes

Legislative Matters

- *16) Proposed Resolution supporting emission credits for crops that absorb ozone - APPROVED; ADOPTED RESOLUTION 2002-354; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE

Patrick-Parra - All Ayes

- *17) SB 1828: Mandatory finding of significant environmental impact for projects within twenty miles of Native American sacred sites - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE

Patrick-Parra - All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *18) Request for subcontractor substitution for Job Order Contract Phase III project, Ridgecrest Library Reroof (1650.7121) - FOUND THAT TOWN AND COUNTRY ROOFING FAILED TO EXECUTE A WRITTEN CONTRACT WITH S. C. ANDERSON, INC.; APPROVED SUBSTITUTION OF GARCIA ROOFING AND SOUTHERN AIR TO COMPLETE ROOFING AND SHEET METAL PORTIONS OF PROJECT

Patrick-Parra - All Ayes

S.D. #4

- *19) Proposed Agreement with Ms. Elida Aguayo for month-to-month lease of vacant County property located at the corner of Highway 46 and Woodland Avenue, Lost Hills, California, for the purpose of operating a food sales business (\$150 monthly rent) -

WITHDRAWN

- *20) Proposed Agreement with Consummes Professional Buildings for lease of 1012 - 6th Street, Taft, for use by Employers' Training Resource as a "One Stop" office, from date of acceptance through September 30, 2005 (\$1,005 monthly rent from date of acceptance, increasing to \$1,032 on October 1, 2003) - 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 820-2002 UPON FINAL APPROVAL BY COUNTY COUNSEL

Patrick-Parra - All Ayes

S.D. #5

- *21) Proposed Resolution to dispense with bidding requirements for change orders in excess of ten percent (10%) of contract amount for the Kern Medical Center Seismic Upgrade project and approval of Change Order No. 10, an increase of \$78,632, in excess of the ten percent (10%) limit, for a total project cost not to exceed \$2,952,356 (8212.8358) - RECEIVED AND FILED REPORT; APPROVED; ADOPTED RESOLUTION 2002-355; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra - All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED ON AUGUST 20, 2002

- *22) Proposed Ordinance amending Ordinance G-5940 and repealing Section 5 of Ordinance G-6406 relating to the collection and payment of bin fees by franchise haulers - ENACTED ORDINANCE G-6903

Patrick-Parra - All Ayes

- *23) Proposed Ordinance correcting Ordinance G-5400, changing Chapter Number to 2.49 and re-enacting the Kern County Human Relations Commission - ENACTED ORDINANCE G-6904

Patrick-Parra - All Ayes

- *24) Proposed Ordinance rescinding subparagraph (9) of Section 10.16.100 and adding subparagraphs (10), (11) and (12) to Section 10.16.100 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no stopping zones on Industrial Parkway Drive, Tejon Ranch area - ENACTED ORDINANCE G-6905

Patrick-Parra - All Ayes

- *25) Proposed Ordinance amending Chapter 14.08 of the Kern County Ordinance Code concerning water supply systems - ENACTED ORDINANCE G-6906

Patrick-Parra - All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *26) Budget Transfers - APPROVED #3 THROUGH #8

Patrick-Parra - All Ayes

- *27) Minutes for Week of July 22, 2002 - APPROVED WITH CORRECTION TO ITEM NOS. 45, 46, 47 AND 48, 2:00 P.M., ADDING THE CONSENT AGENDA VOTE, "**Parra-McQuiston - All Ayes**"

Patrick-Parra - All Ayes

- *28) Miscellaneous Letters and Documents - FILED

Patrick-Parra - All Ayes

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

Patrick-Parra - All Ayes

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

Patrick-Parra - All Ayes

ADJOURNED TO TUESDAY, SEPTEMBER 3, 2002, AT 9:00 A.M.

Parra-

/s/ Denise Pennell
Clerk of the Board

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

28) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Certification of the Results of the Special Recall Election held Tuesday, August 13, 2002
- B) Letter re text of Ordinance Measure "K" to be on the ballot of the General Election on Tuesday, November 5, 2002 (Copies to each Supervisor, CAO and County Counsel)

Board of Supervisors

- C) Letters to State legislators re impact of the proposed 20% cutback in State funds to administer the CalWORKs program (Copies to each Supervisor)

Clerk of the Board

- D) Letter to Fred Skidmore re his intention to resign from the West Side Recreation and Park District (Copies to each Supervisor and CAO)

Community Development

- E) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Evelyn Pearl Thomasson
- F) County Loan Agreement, HOME Investment Partnerships Program, Owner Reconstruction Program, with Mable Edna Smith

Employers' Training Resource

- G) WIA/WtW Agreements:
 - 1. Ofelia Fuller dba Jo's Restaurant, WtW Title 70%, dated August 1, 2002
 - 2. PNA Construction Technologies, Inc., WIA Title 501, dated August 12, 2002
- H) Modification No. 5 to Agreement R275841 with the State of California to add \$122,895 in 'Bridge' funding and deobligate \$764,750 from Dislocated Worker funding for rescission

Local Agency Formation Commission

- I) Notice of Hearing (second notice), Proceeding No. 1334, in the matter of County Service Area No. 27, Annexation No. 8 (Copies to each Supervisor and CAO)

Planning

- J) Consent to Recordation re Easement for Drainage Purposes, Love's Country Stores of California, Inc., PD No. 13, Map No. 29, Permit K2002-2819

Miscellaneous

- K) Letter from Jack Patterson, Kern Off Highway Vehicle Association (KOHVA), in opposition to California Wild Heritage Wilderness Act proposed by Senator Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)

- L) Letter from Dick Taylor, California Off Road Vehicle Association, Inc. (CORVA), in opposition to Wild Heritage Wilderness Act proposed by Senator Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)
- M) Correspondence from M. L. Williams, Wasco (Copies to each Supervisor and CAO)
- N) Letter from Jack Hardisty, City of Bakersfield, re report of charrette held in April, 2002, sponsored by the City of Bakersfield and the Golden Empire Chapter of the American Institute of Architects (Copies to each Supervisor and CAO)
- O) Letter from Bruce Thiesen, State Department of Veterans Affairs, re accomplishments of the County Veterans Services Office (CVSO) (Copies to each Supervisor, CAO and Veterans' Services)
- P) Letter from E. R. Molina, California Highway Patrol, re report of illegal discharge of hazardous waste on Wednesday, July 17, 2002, on westbound State Route 58 at General Beale (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- Q) Letter from William and Judy Beirne in opposition to proposed zone change to Recreation-Forestry in the Tehachapi area (GPA No. 3, Map No. 184, ZCC No. 17; Map No. 184, CUP No. 184; PD Plan No. 15, Map No. 184) (Copies to each Supervisor, CAO, Planning and County Counsel)
- R) E-mail from Frazier Park Property Owners Association (FPPOA) re Friday, September 6, 2002, Fact-Finding Committee Meeting and their July, 2002, Newsletter (Copies to each Supervisor, CAO, Roads, Planning, County Counsel and Parks)
- S) E-mail from Eileen and Jerry L. England in opposition to the Wild and Scenic River bill (Copies to each Supervisor, CAO and Planning)
- T) Memorandum from San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Record for meeting on Tuesday, August 6, 2002 (Copies to each Supervisor, CAO and City Selection Committee)
- U) Notice of meeting from State Wildlife Conservation Board on Thursday, August 22, 2002 (Copies to each Supervisor and CAO)
- V) Notice from Alcoholic Beverage Control Board re Application for Alcoholic Beverage License: Mariscos Las Islitas No. 2, 1301 Chamberlain Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- W) Minority Construction News Bulletin, August 12, 2002, Volume 9, Issue 67 (Copies to each Supervisor and CAO)
- X) Agenda of meeting from State Fish and Game Commission on Thursday, August 29, 2002 (Copies to each Supervisor and CAO)

- Y) Agenda of meeting from Tehachapi City Council, Tehachapi Redevelopment Agency and Tehachapi Public Financing Authority on Monday, August 19, 2002
- Z) Minutes of meeting from Tehachapi City Council, Tehachapi Redevelopment Agency and Tehachapi Public Financing Authority on Monday, August 5, 2002
- 29) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from David Chalupa, Kern High School District, re Resolution No. 01/02-017 requesting issuance of Tax and Revenue Anticipation Notes in the name of the Kern High School District - REFERRED TO COUNTY COUNSEL
- B) Letter from Olive Siler and Mary Siler re vacation of pedestrian walkway easement running from Belle Terrace to Wood Lane - REFERRED TO PLANNING (Copies to each Supervisor, CAO, Roads and County Counsel)
- C) Prospectus from RBC Dain Rauscher, Inc., re Tehachapi Unified School District, General Obligation Bonds, 1999 Election, Series C - REFERRED TO COUNTY COUNSEL
- 30) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Albert Madrigal vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Colleen P. McFarland vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of James Patrick vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Torres Lee Vaughn Dawson, Sr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Arneil Miranda vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Summons and complaint in the matter of Darrin Disney vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Summons and complaint in the matter of Rosamond Community Services District, a public entity, on behalf of 1988 Assessment District No. 1, a California assessment District vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Subrogation claim in the matter of Gary Diaz by Allied Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

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