

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, August 3, 2004

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Patrick

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming August 1-7, 2004 as World Breastfeeding Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ENID PHILLIPS, CLINICA SIERRA VISTA; ENID PHILLIPS HEARD

Patrick-Maben: All Ayes

PUBLIC REQUESTS

- 2) Request from Lynn Donohue, Director, The Willows Drug and Alcohol Residential Recovery Center, to address the Board to appeal the decision of the Purchasing Department which resulted in The Willows' exclusion from contracting with Kern County Mental Health Systems of Care in Fiscal Year 2004-2005 -

WITHDRAWN AT REQUEST OF APPLICANT

- 3) Request from Trudy Unger to address the Board regarding mental health services and senior services - TRUDY UNGER HEARD REGARDING MENTAL HEALTH SERVICES

REFERRED TO MENTAL HEALTH, KERN MEDICAL CENTER, AND COUNTY COUNSEL TO PROVIDE A CONFIDENTIAL REPORT TO THE BOARD REGARDING THIS MATTER

Patrick-Watson: All Ayes

APPOINTMENTS

- *4) Appointments of Philip Halpin, Phil Gaskill, Jim Clement, Debra Moreno, Chester Moland, and Brad Ziker as Business Members, Don Carter as Education Member and Raymond Morris as Labor Member and reappointments of Les Clark, Sharon Girod, Allen Lyda, Mary Jo Pasek, Mary Vasinda, Patricia Werner and Mary Jane Wilson as Business Members, Danny Kane as Labor Member, Sandra Serrano as Education Member, Fred Drew as Community Based Organization Member, and Verna Lewis, Magda Menendez, and Norma Rojas-Mora as One-Stop Partner Members to the Workforce Investment Board (WIB), all terms to expire June 30, 2007, except Jim Clement and Don Carter whose terms expire December 31, 2005 - MADE APPOINTMENTS AND REAPPOINTMENTS

Patrick-Parra: All Ayes

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *7) Proposed retroactive Amendment No. 2 to Agreement 690-2002 with Greater Bakersfield Legal Assistance to provide Title III-E National Caregiver Support Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$39,395 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 657-2004

Patrick-Parra: All Ayes

- *8) Proposed retroactive Amendment No. 3 to Agreement 616-2001 with Greater Bakersfield Legal Assistance to provide Legal Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$99,698 for Fiscal Year 2004-2005 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 658-2004

Patrick-Parra: All Ayes

- *9) Proposed retroactive Amendment No. 4 to Agreement 617-2001 with Greater Bakersfield Legal Assistance to provide Ombudsman Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$128,574 for Fiscal Year 2004-2005 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 659-2004

Patrick-Parra: All Ayes

- *10) Proposed Amendment No. 2 to Agreement 784-2003 with California Department of Aging (FY 2003-2004 State Agreement FF-0304-33) for Nutrition, Ombudsman, In-Home Services, Supportive Services, Preventive Health, and Elder Abuse Prevention services, to make funding adjustments between various programs - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 660-2004

Patrick-Parra: All Ayes

- *11) Proposed retroactive Amendment No. 1 to Agreement 726-2003 with Adventist Health to provide Nutritional Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$554,140 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 661-2004

Patrick-Parra: All Ayes

- *12) Proposed Amendment No. 1 to Agreement 359-2004 with Alzheimer's Disease Association to provide Adult Day Care, from July 1, 2004 through June 30, 2005, to increase the contractual amount by \$60,000 for a total amount not to exceed \$105,000 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 662-2004

Patrick-Parra: All Ayes

- *13) Proposed retroactive Amendment No. 3 to Agreement 763-2001 with Homemaker Services of Indian Wells Valley to provide Homemaker Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$22,141 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 663-2004

Patrick-Parra: All Ayes

- *14) Proposed retroactive Amendment No. 2 to Agreement 209-2002 with Valley Caregiver Resource Center to provide Caregiver Support Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$40,645 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 664-2004

Patrick-Parra: All Ayes

- *15) Proposed retroactive Amendment No. 3 to Agreement 762-2001 with Homemaker Services of Indian Wells Valley to provide Adult Day Care/Respite to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$7,036 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 665-2004

Patrick-Parra: All Ayes

- *16) Proposed retroactive Amendment No. 3 to Agreement 761-2001 with Homemaker Services of Indian Wells Valley to provide Information & Referral Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$20,069 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 666-2004

Patrick-Parra: All Ayes

- *17) Proposed retroactive Amendment No. 3 to Agreement 944-2001 with Valley Caregiver Resource Center to provide Homemaker Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$10,801 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 667-2004

Patrick-Parra: All Ayes

- *18) Proposed retroactive Amendment No. 2 to Agreement 207-2002 with Homemaker Services of Indian Wells Valley to provide Caregiver Support Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$11,579 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 668-2004

Patrick-Parra: All Ayes

- *19) Proposed retroactive Amendment No. 3 to Agreement 764-2001 with Homemaker Services of Indian Wells Valley to provide Case Management Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$5,276 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 669-2004

Patrick-Parra: All Ayes

- *20) Proposed retroactive Agreement with California Department of Aging (State Agreement No. HI-0405-33) to provide Health Insurance Counseling and Advocacy Programs, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$147,651 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 670-2004; AUTHORIZED AGING AND ADULT SERVICES DEPARTMENT DIRECTOR TO SIGN RELATED TRANSMITTAL DOCUMENTS

Patrick-Parra: All Ayes

- *21) Proposed retroactive Amendment No. 3 to Agreement 610-2001 with the City of Delano to provide Nutrition Services to extend term through June 30, 2005, update Scope of Work and adjust compensation payable to an amount not to exceed \$168,291 for Fiscal Year 2004-2005 (prior notification June 15, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 671-2004

Patrick-Parra: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- *22) Notification of anticipated retroactive Agreement with U.S.D.A. Animal and Plant Health Inspection Services for control of predatory animals - RECEIVED AND FILED

Patrick-Parra: All Ayes

- *23) Notification of anticipated retroactive Agreements with California Department of Food and Agriculture and Department of Pesticide Regulation for various programs for Fiscal Year 2004-2005 - RECEIVED AND FILED

Patrick-Parra: All Ayes

- *24) Proposed retroactive Agreement with Willard B. Christiansen, M.D., for medical services and supervision as required by California Department of Pesticide Regulations for County employees who handle certain pesticides, from July 1, 2004 through June 30, 2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 672-2004

Patrick-Parra: All Ayes

- *25) Proposed retroactive Agreement with U.S.D.A., APHIS, Wildlife Services for Wildlife Damage Management on properties within the County of Kern for Fiscal Year 2004-2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 673-2004

Patrick-Parra: All Ayes

- *26) Proposed retroactive Agreement with California Department of Food and Agriculture to reimburse Kern County for providing the Standardization Program, Experimental Container Permit Audits for Fiscal Year 2004-2005, in an amount not to exceed \$5,372.54 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 674-2004

Patrick-Parra: All Ayes

- *27) Proposed retroactive Agreement with California Department of Food and Agriculture to reimburse Kern County for Citrus Maturity Inspection on all Navel and Valencia oranges produced in Kern County for Fiscal Year 2004-2005, in an amount not to exceed \$97,152.19 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 675-2004

Patrick-Parra: All Ayes

- *28) Proposed retroactive Agreement with California Department of Food and Agriculture to reimburse Kern County for High Risk Inspection and Enforcement Activities within Kern County for Fiscal Year 2004-2005, in an amount not to exceed \$28,903.72 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 676-2004

Patrick-Parra: All Ayes

- *29) Proposed retroactive Agreement with California Department of Food and Agriculture to reimburse Kern County for Fruit and Vegetable Standardization Inspections conducted within Kern County when requested by the State of California for Fiscal Year 2004-2005, in an amount not to exceed \$44,136 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 677-2004

Patrick-Parra: All Ayes

- *30) Proposed retroactive Agreement with California Department of Food and Agriculture to reimburse Kern County for GWSS/Pierce's Disease Area Wide Program activities and enforcement within Kern County for Fiscal Year 2004-2005, in an amount not to exceed \$691,627.45 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 678-2004

Patrick-Parra: All Ayes

- *31) Proposed retroactive Agreement with California Department of Food and Agriculture to reimburse Kern County for GWSS/Pierce's Disease Control Program enforcement and activities for Fiscal Year 2004-2005, in an amount not to exceed \$201,316.49 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 679-2004

Patrick-Parra: All Ayes

- *32) Request for advance or reimbursement from United States Department of Agriculture for area wide management of glassy-winged sharpshooter and request for authority to sign future requests for advance or reimbursement - APPROVED REQUEST FOR ADVANCE OR REIMBURSEMENT; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED AGRICULTURAL COMMISSIONER/SEALER TO SIGN FUTURE REQUESTS FOR ADVANCE OR REIMBURSEMENT PERTAINING TO THE GLASSY-WINGED SHARPSHOOTER PROGRAM

Patrick-Parra: All Ayes

AIRPORTS

- *33) Report of RFP bid results for a "Fixed Base Operation" at Taft Airport, and authorization for the Department of Airports and the General Services Division to enter into lease negotiations with Mr. Chrouch for operation of a "Fixed Base Operation" and management of day-to-day operations at Taft Airport - RECEIVED AND FILED; AUTHORIZED AIRPORTS DEPARTMENT AND GENERAL SERVICES TO ENTER NEGOTIATIONS

Patrick-Parra: All Ayes

- *34) Proposed Grant Offer and Agreement with Federal Aviation Administration, in the amount of \$6,233,752 for runway extension and airfield improvements at Meadows Field; County matching funds required in the amount of \$311,688 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 680-2004

Patrick-Parra: All Ayes

- *35) Proposed Lease Agreement with the Federal Aviation Administration (FAA) for Remote Transmitter/Receiver Site at Meadows Field Airport from August 30, 2004 through September 30, 2017, at no cost to the FAA - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE A COPY OF THE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 681-2004

Patrick-Parra: All Ayes

- *36) Proposed month-to-month Hangar Lease with Kent Greer to rent Hangar #13 at Meadows Field, Bakersfield, at a monthly rate of \$130, to be reviewed annually - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE A COPY OF THE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 682-2004

Patrick-Parra: All Ayes

- *37) Proposed month-to-month Hangar Lease with Glen Arnold to rent Hangar #15 at Meadows Field, Bakersfield, at a monthly rate of \$130, to be reviewed annually - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE A COPY OF THE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 683-2004

Patrick-Parra: All Ayes

- *38) Proposed month-to-month Hangar Lease with Bernard Heimos for Hangar #9 at Taft Airport, at a monthly rate of \$77, to be reviewed annually - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE A COPY OF THE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 684-2004

Patrick-Parra: All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *39) Proposed Amendment No. 2 to Agreement 327-2004 with Brown Armstrong Accountancy Corporation to provide additional audit for the State of California Board of Corrections Kern Juvenile Treatment Facility Construction Project grant from September 19, 1999 to July 15, 2004, in an amount not to exceed \$4,400 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 685-2004

Patrick-Parra: All Ayes

- *40) Proposed calculation of Proposition 4 Appropriations Limit for Fiscal Year 2004-2005 by selection of "the percentage change in assessed valuation which is attributable to non-residential new construction" in determining the FY 2004-2005 appropriations limit and selection of "change in population within the incorporated area of the County" as the population factor - ESTABLISHED TUESDAY, AUGUST 31, 2004, AT 9:00 A.M. AS THE TIME AND DATE FOR CONSIDERATION OF SELECTION OF PROPOSED FACTORS FOR CALCULATION OF APPROPRIATIONS LIMIT FOR FY 2004-2005

Patrick-Parra: All Ayes

- *41) Resolution from the City of Tehachapi requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *42) Resolution from the City of Wasco requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *43) Resolution from the City of Taft requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *44) Resolution from the City of Shafter requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

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

Patrick-Parra: All Ayes

- *46) Resolution from the City of Maricopa requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

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

Patrick-Parra: All Ayes

- *48) Resolution from the City of California City requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *49) Resolution from the City of Bakersfield requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *50) Resolution from the City of Arvin requesting the Elections Official to conduct their Municipal election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *51) Resolution from the North Kern/South Tulare Hospital District requesting the Elections Official to conduct their District election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *52) Resolution from the City of Wasco requesting the Elections Official to conduct their Special Election to be held November 2, 2004 - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Patrick-Parra: All Ayes

- *53) Proposed Amendment No. 2 to Agreement No. 551-87 with DFM Associates for voter registration software services, to extend term for three (3) years to June 30, 2007, at a fixed monthly cost of \$10,617 plus tax - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 686-2004

Patrick-Parra: All Ayes

BOARD OF SUPERVISORS

- *54) Request of Fourth District Supervisor Raymond A. Watson to hire retired County employee Mary Garner as part-time Office Services Assistant, Step C, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12 months following date of employment - APPROVED

Patrick-Parra: All Ayes

CLERK OF THE BOARD

- *55) Amended Conflict of Interest Code for the Housing Authority of the County of Kern - APPROVED AS REVISED

Patrick-Parra: All Ayes

COUNTY COUNSEL

- *56) Proposed Amendment No. 1 to Agreement No. 722-2002 with the Law Firm of Hanson, Bridget, Marcus, Vlahos & Rudy, LLP, to perform legal services relating to Internal Revenue Code Section 415 and the County's Replacement Benefits Plan and extend the term to December 31, 2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 687-2004

Patrick-Parra: All Ayes

- *57) Request of the Sheriff-Coroner's Department for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

- *58) Proposed Ordinance adding Subsection (166) to Section 10.16.041 of Chapter 10.16, Title 10 concerning a no stopping zone along Fairview Road at the new parent drop-off area for Greenfield Union School District - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Parra: All Ayes

- *59) Proposed Ordinance adding Subsection (165) to Section 10.16,041 of Chapter 10.16 concerning a no stopping zone along White Lane at Gordon Street in Bakersfield - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Parra: All Ayes

DISTRICT ATTORNEY

- *60) Proposed Resolution authorizing grant application for the Department of Insurance, Worker's Compensation Insurance Fraud Program in the amount of \$383,449.12 - APPROVED; ADOPTED RESOLUTION 2004-234

Patrick-Parra: All Ayes

EMERGENCY MEDICAL SERVICES

- *61) Proposed retroactive Agreement with Robert Barnes, M.D., for medical director services, from July 1, 2004 to June 30, 2005, in an amount not to exceed \$33,600 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 688-2004

Patrick-Parra: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *62) Notification of anticipated retroactive Agreement with San Joaquin Valley College to provide employment and training services - RECEIVED AND FILED

Patrick-Parra: All Ayes

- *63) Proposed retroactive Agreement with the Mexican American Opportunity Foundation for a Migrant and Seasonal Farmworker (MSFW) Temporary Housing Assistance Program to provide temporary housing supportive services to eligible MSFWs in central and southern Kern County, from February 10, 2004 through February 9, 2005, in an amount not to exceed \$71,236 (prior notification April 20, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 689-2004

Patrick-Parra: All Ayes

- *64) Proposed retroactive Agreement with Proteus, Inc. for a Migrant and Seasonal Farmworker (MSFW) Temporary Housing Assistance Program to provide temporary housing supportive services to eligible MSFWs in northern Kern County, from February 10, 2004 through February 9, 2005, in an amount not to exceed \$20,680 (prior notification April 20, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 690-2004

Patrick-Parra: All Ayes

FIRE DEPARTMENT

- *65) Request for retroactive approval of unusual travel for attendance by ECC Manager Walt Moulton at the Intergraph Public Safety Group Conference in Montreal, Canada, August 2-8, 2004, at an estimated cost of \$1,865 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Patrick-Parra: All Ayes

- *66) Quarterly report of overtime expenditures - RECEIVED AND FILED

Patrick-Parra: All Ayes

HUMAN SERVICES

- *67) Proposed Agreement with California State University, Bakersfield, for use of housing facilities during the Independent Living Foster Youth Summer Residential Program, from August 9, 2004 through August 11, 2004, in an amount not to exceed \$660 (no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 691-2004

Patrick-Parra: All Ayes

KERN MEDICAL CENTER

- *68) Notification of retroactive Agreement with Able Nurses, Inc., for temporary nurse staffing - RECEIVED AND FILED

Patrick-Parra: All Ayes

- *69) Proposed Amendment No. 1 to Agreement 143-2004 with Anna A. Chan, M.D., for professional radiology services, from March 15, 2004 through March 14, 2005, increasing the not to exceed amount by \$50,000, from \$50,000 to \$100,000 over the one-year term of the Agreement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 692-2004

Patrick-Parra: All Ayes

- *70) Proposed Agreement with Hansa M. Patel, M.D., for obstetrics and gynecology services, from August 3, 2004 through August 2, 2006, in an amount not to exceed \$469,591.50 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 693-2004

Patrick-Parra: All Ayes

- *71) Proposed Agreement with Adam R. Klang, M.D., for psychiatric services, from August 5, 2004 through August 4, 2006, in an amount not to exceed \$130,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 694-2004

Patrick-Parra: All Ayes

- *72) Proposed Agreement with Todd Farrer, M.D., Inc., for psychiatric services, from August 5, 2004 through August 4, 2006, in an amount not to exceed \$70,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 695-2004

Patrick-Parra: All Ayes

- *73) Proposed retroactive Agreement with AMN Healthcare, Inc./O'Grady-Peyton International (USA), Inc., for temporary nurse staffing, from July 1, 2004 through June 30, 2007, in an amount not to exceed \$7,725,000 (prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 696-2004

Patrick-Parra: All Ayes

- *74) Proposed retroactive Agreement with Vedior North America, LLC, doing business as Clinical One, for temporary nurse staffing, from June 1, 2004 through May 31, 2006, in an amount not to exceed \$310,000 (prior notification May 18, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 697-2004

Patrick-Parra: All Ayes

MENTAL HEALTH SERVICES

- *75) Proposed Agreement with Carolyn R. Wicks, for mental health services provided in accordance with the Association of Psychology Postdoctoral and Internship Center/Kern County Psychology Internship Consortium, from August 3, 2004 through July 29, 2005, in an amount not to exceed \$25,045 (Realignment, State, Discretionary/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 698-2004

Patrick-Parra: All Ayes

- *76) Proposed Memorandum of Understanding between Kern Community College District and Kern County Mental Health Department, to provide support and advocacy services for clients with psychiatric disabilities matriculated at Bakersfield College, from August 3, 2004 through August 3, 2005 (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 699-2004

Patrick-Parra: All Ayes

- *77) Request approval for Mental Health Department to bill at the FY 2004-2005 Drug Medi-Cal Rates for services provided to individuals who are eligible under Federal Medicaid (California Medi-Cal) regulations, effective September 1, 2004 - APPROVED; AUTHORIZED DEPARTMENT TO BILL AT THE NEW 2004-2005 DRUG MEDI-CAL RATES EFFECTIVE AUGUST 3, 2004

Patrick-Parra: All Ayes

PARKS AND RECREATION DEPARTMENT

- *78) Establish public hearing date for proposed revisions to and addition of certain fees relating to facility use and recreational activities - SET PUBLIC HEARING FOR TUESDAY, AUGUST 31, 2004, AT 9:00 A.M.; DESIGNATED COUNTY COUNSEL AS THE OFFICIAL TO PREPARE A FAIR AND ADEQUATE SUMMARY OF THE PROPOSED ORDINANCE; DIRECTED CLERK OF THE BOARD TO PUBLISH PURSUANT TO GOVERNMENT CODE SECTIONS 66018 AND 6062(a) AND POST PURSUANT TO GOVERNMENT CODE SECTION 25124(b)(1)

Patrick-Parra: All Ayes

- *79) Proposed retroactive Agreement with Buena Vista Water Storage District and Henry Miller Water District to exchange county purchased groundwater for like amount of Henry Miller Water District State Water up to 2,000 acre feet, in an amount not to exceed \$12,000, from July 1, 2004 through December 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 700-2004

Patrick-Parra: All Ayes

PERSONNEL

- *80) Classification of positions recommended by Civil Service Commission effective August 7, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Parra: All Ayes

PROBATION

- *81) Proposed retroactive three-year Agreement with California Employment Development Department to receive wage and employer address data, from July 1, 2004 through June 30, 2007, in an amount not to exceed \$1,968.75 - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO SIGN

Patrick-Parra: All Ayes

- *82) Request authorization to submit grant application to the Governor's Office of Emergency Services for the Victim Witness Assistance Program, in the amount of \$452,468 -

WITHDRAWN

PUBLIC HEALTH SERVICES

- *83) Proposed retroactive Agreement with the County of Tulare for shared epidemiological services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$10,000 (revenue to County)(prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 701-2004

Patrick-Parra: All Ayes

- *84) Proposed retroactive Agreement with the State Department of Health Services for Chlamydia Awareness and Prevention Projects, from July 1, 2004 through June 30, 2009, in an amount not to exceed \$119,535 (prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 702-2004

Patrick-Parra: All Ayes

- *85) Proposed retroactive Agreement with the State Department of Health Services for Immunization Subvention Funds, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$787,241 (prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 703-2004 AND RELATED DOCUMENTS, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-Parra: All Ayes

- *86) Proposed retroactive Agreement with the State Department of Health Services for Public Health Preparedness and Response to Bioterrorism, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$1,084,551 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 704-2004

Patrick-Parra: All Ayes

- *87) Proposed retroactive Agreement with the State Department of Health Services for AIDS Drug Assistance Program, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$5,684 (prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 705-2004

Patrick-Parra: All Ayes

- *88) Proposed retroactive Agreement with California State University, Bakersfield Foundation, for Tobacco Education Program Evaluation Consultant Services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$18,500 (prior notification June 29, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 706-2004

Patrick-Parra: All Ayes

- *89) Notification of retroactive Agreement with State Department of Health Services for the California Infertility Prevention Project - RECEIVED AND FILED

Patrick-Parra: All Ayes

RETIREMENT ASSOCIATION

- *90) Revised Election Procedures for Elected Position on Board of Retirement, Kern County Employees' Retirement Association relating to special elections - APPROVED

Patrick-Parra: All Ayes

SHERIFF

- *91) Proposed Amendment No. 2 to Agreement No. 366-2003 with Swanson Commissary Services to provide Swanson access to and use of County's High Speed Internet Access System - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 707-2004

Patrick-Parra: All Ayes

- *92) Proposed expenditure of funds from Sheriff's Budget Unit 2210 to cover miscellaneous expenditures for non-County employees for Fiscal Year 2004-2005 - APPROVED

Patrick-Parra: All Ayes

- *93) Renew 5-year permit with the United States Department of the Interior to allow Kern County Sheriff's Department, Search and Rescue divers, to train and practice rescue/recovery techniques in the Friant-Kern Canal - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

- *94) Proposed Agreement with the 15th District Agricultural Association and the Kern County Sheriff's Reserves for law enforcement services at the 2004 Kern County Fair, from September 22, 2004 through October 3, 2004, in an amount not to exceed \$37,800 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 708-2004

Patrick-Parra: All Ayes

- *95) Proposed Agreement with the 15th District Agricultural Association for law enforcement services (Deputy Sheriffs) at the 2004 Kern County Fair, from September 22, 2004 through October 3, 2004, in an amount not to exceed \$84,601.11 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 709-2004

Patrick-Parra: All Ayes

- *96) Application to hold parade - Frazier Park Mountain Memories 39th Annual Fiesta Days, on August 7, 2004, in Frazier Park, California - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

- *97) Fiscal Year 2003-2004 Certification Report to Department of Justice on Federal Equitable Sharing Agreement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

- *98) Proposed Resolution and retroactive authorization to apply for Grant Funding from the California Department of Parks and Recreation to continue off-highway vehicle enforcement program in East Kern County, in the amount of \$541,212; no County match required - APPROVED; ADOPTED RESOLUTION 2004-235

Patrick-Parra: All Ayes

- *99) Proposed Resolution and authorization to accept grant funding from the State of California, Department of Alcohol Beverage Control, for the purpose of reducing alcohol-related crime in Kern County, in the amount of \$50,000 - APPROVED; ADOPTED RESOLUTION 2004-236; AUTHORIZED SHERIFF TO EXECUTE GRANT AWARD AGREEMENT

Patrick-Parra: All Ayes

- *100) Proposed retroactive approval of annual financial and operating plans pursuant to a cooperative agreement with U.S. Department of Agriculture Forest Service for law enforcement support - 1) APPROVED THE 2004 OPERATING AND FINANCIAL PLAN FOR VEHICULAR PATROL ON FOREST SERVICE LANDS FROM OCTOBER 1, 2003 TO SEPTEMBER 30, 2004, IN AN AMOUNT NOT TO EXCEED \$20,000; 2) APPROVED THE 2004 OPERATING AND FINANCIAL PLAN FOR CONTROLLED SUBSTANCES FROM OCTOBER 1, 2003 TO SEPTEMBER 30, 2004, IN AN AMOUNT NOT TO EXCEED \$10,000; AND 3) AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

TREASURER-TAX COLLECTOR

- *101) Cash Receipts and Disbursements for June 2004 - RECEIVED AND FILED

Patrick-Parra: All Ayes

- *102) Pooled Cash Portfolio Analysis for the Month Ended June 2004 - RECEIVED AND FILED

Patrick-Parra: All Ayes

VETERANS' SERVICE DEPARTMENT

- *103) Fiscal Year 2004-2005 County Subvention Program Certificate of Compliance and Medi-Cal Certificate of Compliance with California Department of Veterans Affairs - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Parra: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 104) Request for Closed Session regarding Meet and Confer, KCPA and KCSCA -
- 105) Request for Closed Session regarding public employee recruitment - Title: Executive Director Board of Trade -
- 106) Request for Closed Session regarding public employee evaluation - Title: Fire Chief -

COUNTY COUNSEL

- 107) Request for closed session regarding a lawsuit entitled Gerry Salum vs. County of Kern, et al., Kern County Superior Court Case No. 252258 RJA (Government Code Section 54956.9(a)) -

(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.

Parra-Maben

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, August 3, 2004

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

PUBLIC REQUESTS

- 1) Request from Pauline Larwood, Executive Director of Smart Growth Coalition of Kern County, to address the Board regarding benefit from annually assessing growth indicators
- PAULINE LARWOOD AND MARIE TAPP HEARD

PUBLIC PRESENTATIONS

- 2) 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

- 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]) - NO ONE HEARD

CONTINUED HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

- 4) **Request from Jack Ratliff to appeal the decision of the Kern County Planning Commission disapproving Conditional Use Permit 7, Map 83, to allow a paintball facility on 58 acres located on the east side of Round Mountain Road, approximately 15 miles northeast of Bakersfield (SD #1)**
Specific Request:
An appeal to the decision of the Kern County Planning Commission disapproving Conditional Use Permit 7, Map 83 (Resolution 70-04; disapproved May 13, 2004) to allow a paintball facility (Section 19.12.030) in an A (Exclusive Agriculture) District (Appeal #1, Map #83)
(Negative Declaration; Published Bakersfield Californian) (from 7/6/2004) - OPENED HEARING; HEARD IN OPPOSITION TO STAFF RECOMMENDATION: BRET COOPER; JACK DRAPER, ATTORNEY ON BEHALF OF MR. COOPER AND JACK RATLIFF, APPELLANT AND APPLICANT; LOUISE SMOOT; AND TOM LADD, GEOLOGIST; HEARD IN SUPPORT OF STAFF RECOMMENDATION: MARK ATKINS, KLEIN, DENATALE, GOLDNER, FOR MCPHERSON OIL COMPANY; CLOSED HEARING; CONTINUED TO TUESDAY, AUGUST 31, 2004, AT 2:00 P.M.
Maben-Parra: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *5) **Request from Henry Corcoran to change the permitted uses from limited agriculture to exclusive agriculture on 38.47 acres located on both sides of Burlando Road and the Kern River, approximately 1,300 feet south of Kernville Road, Kernville (SD #1)**
Specific Request:
A change in zone classification from A-1, A-1 D , and E (20) to A or a more restrictive district (ZCC #20, Map #17-15) (General Rule, Section 15061(b)(3); Published Kern Valley Sun) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2004-237 AND ENACTED ORDINANCE G-7120 APPROVING ZONE CHANGE WITH THE ADDITION OF THE MORE RESTRICTIVE FP (FLOODPLAIN COMBINING) DISTRICT
Watson-Parra: All Ayes
- *6) **Request from Brian and Sharon Blackwell to change the permitted uses from natural resource to exclusive agriculture on 9.22 acres located at 34788 Lucadia Avenue, Bakersfield (SD #1)**
Specific Request:
A change in zone classification from NR (5) H to A or a more restrictive district (ZCC #79, Map #81) (General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2004-238 AND ENACTED ORDINANCE G-7121 APPROVING ZONE CHANGE AS REQUESTED
Watson-Parra: All Ayes

- *7) **Request from Robert Waters (original applicant - Tommy Thompson) to appeal the decision of the Planning Commission approving Conditional Use Permit 41, Map 100 to allow an equestrian facility and on-site employee housing on five acres located on Snow Road, east of Enos Lane, Bakersfield (SD #1)**

Specific Request:

An appeal to the decision of the Kern County Planning Commission approving Conditional Use Permit 41, Map 100 (Resolution 77-04; approved May 27, 2004) to allow an equestrian establishment (Section 19.46.030.C) and on-site employee housing (Section 19.46.030.A) in an NR (5) District (Appeal #8, Map #100)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - CONTINUED TO TUESDAY, AUGUST 31, 2004, AT 2:00 P.M.

Watson-Parra: All Ayes

- *8) **Request from Annie Irene Brown by Delmarter and Deifel to cancel a 2.19-acre (net) portion of an approximate 53-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.62 acres located on the north side of Rosedale Highway, 3/4 mile west of Nord Avenue, Rosedale area (SD #4)**

Specific Request:

Cancellation of a 2.19-acre (net) portion of an approximate 53-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.62 acres (Cancellation #04-4, Map #101)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2004-239 APPROVING CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE; DIRECTED CLERK OF THE BOARD TO RECORD CONTRACT AMENDING LAND USE CONTRACT; DIRECTED CLERK OF THE BOARD TO ISSUE A TENTATIVE CERTIFICATE OF CANCELLATION AND ISSUE A CERTIFICATE OF CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE AND COMPLIANCE WITH ALL OTHER CONDITIONS CONTAINED IN THE TENTATIVE CERTIFICATE OF CANCELLATION

Watson-Parra: All Ayes

- *9) **Request from Juan Figueroa by Damaris Castillo to change the permitted uses from estate residential to medium industrial for a tire sales and service shop on 0.3 acre located at 2653 Weedpatch Highway (State Route 184), Mayfair area (SD #5)**

Specific Request:

(a) A change in zone classification from E (1/2) RS to M-2 PD or a more restrictive district (ZCC #16, Map #125-7)

(b) A Precise Development Plan for a tire sales and service shop in an M-2 PD District (PD Plan #5, Map #125-7)

(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 RESOLUTIONS 2004-240 AND 2004-241 AND ENACTED ORDINANCE G-7122 APPROVING MORE RESTRICTIVE M-1 PD (LIGHT INDUSTRIAL - PRECISE DEVELOPMENT COMBINING) DISTRICT AND APPROVING PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS

Watson-Parra: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Hearing

All S.D.'s

- 10) Proposed Resolution to establish a General Plan Administrative Surcharge in the amount of 9.1 cents per square foot, to be applied to certain building permit categories - OPENED HEARING; LEE JAMESON, JACO OIL COMPANY, HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2004-242

Watson-Maben: All Ayes

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

- 11) Report on proposed expansion of the Sphere of Influence (SOI) for the Cities of Shafter and Bakersfield and proposed Agreement with the City of Bakersfield involving SOI boundaries, development standards and zoning - HEARD IN SUPPORT OF STAFF RECOMMENDATION: DAVID COUCH, VICE MAYOR, CITY OF BAKERSFIELD AND ALAN TANDY, CITY MANAGER, CITY OF BAKERSFIELD

PAULINE LARWOOD HEARD

HEARD IN OPPOSITION TO STAFF RECOMMENDATION: LEE JAMESON, JACO OIL COMPANY; BARBARA FOWLER; ARNOLD CATTANI; JEFF HILDEBRAND; TOM DEE, LENNAR HOMES; BRUCE SPIRETTA; PAULA DE SOUZA, BEST, BEST & KRIEGER, REPRESENTING THE CITY OF SHAFTER; AND JOHN GUINN, CITY MANAGER, CITY OF SHAFTER; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 710-2004; RECEIVED AND FILED REPORT AND DOCUMENT

Maben-Patrick: 4 Ayes; 1 No - McQuiston

RECESSED AT 5:11 P.M.; RECONVENED WITH ALL MEMBERS PRESENT

THE BOARD APPROVED CHANGING THE TIME OF THE AUGUST 24, 2004 PUBLIC HEARING TO CONSIDER AN INTERIM URGENCY ORDINANCE RELATING TO DAIRIES, DAIRY CALF FEEDLOTS AND ENVIRONMENTAL IMPACT REPORT REQUIREMENTS FROM 2:00 P.M. TO 9:00 A.M. TO ALLOW SUFFICIENT TIME FOR PUBLIC TESTIMONY

Maben-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

Hearings

S.D. #1

- 12) Proposed Resolution ordering the extension of Zone of Benefit Nos. 3, 5, 7 and 8 in County Service Area No. 71, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundaries extended herein, Tract 6162, northwest Bakersfield, located north of Norris Road and west of Coffee Road - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS;

(Continued on Page 23)

(Continued from Page 22)

CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7123 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2004-243 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$85 PER PARCEL FOR STREET LIGHT MAINTENANCE, \$140 PER PARCEL FOR SEWER SERVICE, \$12 PER PARCEL FOR STREET SWEEPING, \$25 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE, \$300 PER PARCEL FOR LANDSCAPE AND WALL MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARIES EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NOS. 3, 5, 7 AND 8 IN COUNTY SERVICE AREA NO. 71

Maben-Patrick: All Ayes

S.D. #2

- 13) Proposed Resolution ordering the extension of Zone of Benefit No. 3 in County Service Area No. 63 and establishing an assessment for Zone of Benefit No. 3 in County Service Area No. 63, determining to adopt and accept an Ordinance enacting an assessment for the area included within the boundary extended herein, Parcel Map 10946, Rosamond, south of Rosamond Boulevard and east of 60th Street West - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENT; ENACTED ORDINANCE G-7124 ESTABLISHING ASSESSMENT; ADOPTED RESOLUTION 2004-244 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$60 PER PARCEL FOR STREET SWEEPING-LARGE LOT; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENT FOR THE AREA INCLUDED WITHIN THE BOUNDARY EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NO. 3 IN COUNTY SERVICE AREA NO. 63

Maben-Parra: All Ayes

S.D. #4

- *14) Hearing regarding proposed formation of the Fort Tejon State Historic Park Underground Utility District - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2004-245; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED, AND NOTIFY AFFECTED PROPERTY OWNERS

Watson-Parra: All Ayes

S.D. #5

- 15) Proposed Resolution ordering the extension of Zone of Benefit No. 5 in County Service Area No. 18 and establishing assessments in County Service Area No. 18, Zone of Benefit Nos. 5, 6 and 7, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundaries herein, Tracts 6123 and 5469, Virginia Colony, south of Virginia Avenue and west of Oswell Street - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7125 ESTABLISHING ASSESSMENTS IN TRACTS 6123 AND 5469; ADOPTED RESOLUTION 2004-246 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENTS FOR TRACT 6123 NOT TO EXCEED \$45 PER PARCEL FOR STREET LIGHT MAINTENANCE, \$10 PER PARCEL FOR STREET SWEEPING-RESIDENTIAL, \$35 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE, \$135 PER PARCEL FOR LOCAL PARK, LANDSCAPE AND WALL MAINTENANCE, AND FOR TRACT 5469, AN ASSESSMENT NOT TO EXCEED \$135 PER PARCEL FOR LOCAL PARK, LANDSCAPE AND WALL MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARIES HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NO. 5 IN COUNTY SERVICE AREA NO. 18

Parra-Watson: All Ayes

All S.D.'s

- 16) Hearing on Fiscal Year 2004-2005 service charges for all County Service Areas - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED ASSESSMENTS AND FEES; ADOPTED RESOLUTION 2004-247 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT TO SET FEES FOR FISCAL YEAR 2004-2005; ENACTED ORDINANCE G-7126 ESTABLISHING COUNTY SERVICE AREA FEES FOR FISCAL YEAR 2004-2005

Parra-Patrick: All Ayes

S.D. #1

- *17) Request to set public hearing to consider levying assessments for Zone of Benefit Nos. 3, 5, 7 and 8 in County Service Area No. 71 and proposed Resolution of Intention to Extend Zone of Benefit Nos. 3, 5, 7 and 8 in County Service Area No. 71, Tracts 6097 and 6143, northwest Bakersfield, located north of Snow Road and east of Calloway Drive - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(B)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, SEPTEMBER 21, 2004, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2004-248

Watson-Parra: All Ayes

- *18) Request to approve final map for Tract 6171, Phase 4, north Bakersfield area, DeWalt Corporation for Denela, LLC - APPROVED; ADOPTED RESOLUTION 2004-249 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF THE LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE), ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY SLOPE, AND FLOWAGE EASEMENTS AND RESTORATION OF INGRESS AND EGRESS ACROSS LOTS "A" IN TRACT NO. 6171, PHASE 2; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED IRREVOCABLE OFFER OF DEDICATION FOR MOON MEADOW DRIVE; AUTHORIZED CLERK OF THE BOARD TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFER OF DEDICATION FOR OFF-SITE TEMPORARY FLOWAGE EASEMENT; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Watson-Parra: All Ayes

S.D. #4

- *19) Request for release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5919, Unit "A," west of Renfro Road, south of Meacham Road, west Bakersfield area - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. 1009080, UNDERWRITTEN BY REDLAND INSURANCE COMPANY, IN THE AMOUNT OF \$26,042

Watson-Parra: All Ayes

- *20) Request for approval of completed street, drainage, water, landscaping and sewer improvements; reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 5919, Unit "B," 460 feet south of Meacham Road and 1400 feet west of Renfro Road, Rosedale area; and proposed Resolution for acceptance of Rudd Avenue for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$337,198 TO \$33,720, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING AUGUST 3, 2004; REDUCED FAITHFUL PERFORMANCE BOND NO. 834067P, IN THE AMOUNT OF \$337,198, ISSUED BY INDEMNITY COMPANY OF CALIFORNIA, TO \$33,720; ADOPTED RESOLUTION 2004-250 FOR ACCEPTANCE OF THAT PORTION OF RUDD AVENUE (COUNTY ROAD NO. 835) WITHIN TRACT 5919, UNIT "B", INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Watson-Parra: All Ayes

- *21) Request for approval of completed street, drainage, water, landscaping and sewer improvements; reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 5919, Unit "C," on Meacham Road between Renfro Road and Rudd Avenue, Rosedale area; and proposed Resolution for acceptance of Rudd Avenue and Meacham Road for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$446,468 TO \$44,647, FOR THE GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING AUGUST 3, 2004; REDUCED FAITHFUL PERFORMANCE BOND NO. 834493S, IN THE AMOUNT OF \$446,468, ISSUED BY INDEMNITY COMPANY OF CALIFORNIA, TO \$44,647; ADOPTED RESOLUTION 2004-251 FOR ACCEPTANCE OF RUDD AVENUE (COUNTY ROAD NO. 835) AND MEACHAM ROAD (COUNTY ROAD NO. 825), AS SHOWN ON TRACT 5919, UNIT "C", INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Watson-Parra: All Ayes

- *22) Request to set public hearing to consider levying assessments for Zone of Benefit Nos. 3, 5, 7, 8 and 10 in County Service Area No. 71 and proposed Resolution of Intention to Extend Zone of Benefit Nos. 3, 5, 7, 8 and 10 in County Service Area No. 71, Tract 6208, west Bakersfield, located south of Palm Avenue and east of Nord Avenue - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(B)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, SEPTEMBER 21, 2004, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2004-252

Watson-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY

Environmental Health Services

All S.D.'s

- *23) Request to accept an in-kind donation of \$13,617.29 from Camping World, Inc., in the form of assorted pet products - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Watson-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY

Roads Department

S.D. #1

- *24) Contract No. 04009, Notice of Completion for construction on Kimberlina Road between State Route 99 and Zerker Road - RECEIVED AND FILED

Watson-Parra: All Ayes

- *25) Proposed Contract No. 04023 with Granite Construction Company for construction on Famoso Road and Zerker Road, in an amount not to exceed \$535,423 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 711-2004

Watson-Parra: All Ayes

S.D. #2

- *26) Contract No. 04026, Plans, Specifications, and Notice to Contractors for construction on Westwood Boulevard-Golden Hills Boulevard to Woodford-Tehachapi Road - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM THE REQUIREMENTS OF CEQA, PER SECTION 15301(C) OF CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, AUGUST 25, 2004, AT 11:00 A.M.

Watson-Parra: All Ayes

S.D. #3

- *27) Proposed Contract No. 04014 with Griffith Company for Olive Drive median modification and signal interconnect from Coffee Road to Knudsen Drive, in an amount not to exceed \$1,110,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 712-2004

Watson-Parra: All Ayes

- *28) Contract No. 04024, Plans, Specifications, and Notice to Contractors for the construction of a pedestrian path on Eucalyptus Drive from Morning Drive to Vineland - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM THE REQUIREMENTS OF CEQA, PER SECTION 15301(C) OF CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, SEPTEMBER 1, 2004, AT 11:00 A.M.

Watson-Parra: All Ayes

S.D. #4

- *29) Proposed Contract No. 04016 with Griffith Company for construction on Brown Material Road, in an amount not to exceed \$532,999 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 713-2004

Watson-Parra: All Ayes

- 30) Proposed Agreement with Delfino Bakersfield, LLC, for property acquisition for the West Beltway near Rosedale Highway, in an amount not to exceed \$764,817 - ROBERT P. LUSICH, REPRESENTING DELFINO BAKERSFIELD, LLC, HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 714-2004; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY PURCHASE PRICE PLUS ESCROW FEES

Watson-Patrick: All Ayes

S.D. #5

- *31) Proposed one-hour parking zone along the north side of East California Avenue - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF THE NECESSARY ORDINANCE

Watson-Parra: All Ayes

- *32) Proposed Contract No. 04021 with Granite Construction Company for construction on Tejon Highway and Comanche Drive, in an amount not to exceed \$613,947 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 715-2004

Watson-Parra: All Ayes

- *33) Proposed no-parking zone on the north side of Shirley Lane between the hours of 7:00 a.m. to 4:00 p.m. - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF THE NECESSARY ORDINANCE

Watson-Parra: All Ayes

S.D.'s #1 & #2

- *34) Contract No. 04013, Notice of Completion for asphalt concrete (stockpile) at various locations in East Kern County - RECEIVED AND FILED

Watson-Parra: All Ayes

S.D.'s #3 & #5

- *35) Contract No. 04019, identify apparent low bid by DOD Construction for construction of a Pedestrian Path on Mount Vernon Avenue between Niles and Bernard Streets, in an amount not to exceed \$110,966.60 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Watson-Parra: All Ayes

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

- *36) Proposed Contract No. 04020 with Vulcan Materials for asphalt concrete (Windrow Stockpile) at various locations in Kern County, in an amount not to exceed \$1,219,319 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 716-2004

Watson-Parra: All Ayes

All S.D.'s

- *37) Quarterly report on contract change orders - RECEIVED AND FILED

Watson-Parra: All Ayes

- *38) Proposed Federal Apportionment Exchange Program and State Match Program Agreement with Caltrans in an amount not to exceed \$405,044 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 717-2004

Watson-Parra: All Ayes

- *39) Proposed sponsorship of Kern Transportation Foundation's Forum 2004, "Transportation Issues in Kern County", in an amount not to exceed \$500 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

Watson-Parra: All Ayes

WASTE MANAGEMENT

S.D. #1

- *40) Proposed termination of Agreement 567-92 with Thomas Refuse, Inc., to allow acceptance of waste from U. S. Forest Service and Army Corps of Engineers' land in Kern and Tulare Counties for disposal at the Kern Valley Sanitary Landfill - APPROVED; AUTHORIZED DIRECTOR TO EXECUTE AND ISSUE LETTER OF TERMINATION

Watson-Parra: All Ayes

All S.D.'s

- *41) Proposed Agreement with Community Clean Sweep to provide public education services from August 3, 2004 through June 30, 2005, in an amount not to exceed \$43,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 718-2004

Watson-Parra: All Ayes

- *42) Proposed revisions to the Conflict of Interest Code for the Waste Management Department - APPROVED; RECEIVED AND FILED

Watson-Parra: All Ayes

- *43) Annual report concerning the Waste Management Department's 2004-2005 Strategic Goals and Status of 2003-2004 Goals - RECEIVED AND FILED

Watson-Parra: All Ayes

- *44) Proposed Resolution to set a Public Hearing for Tuesday, September 7, 2004, at 2:00 p.m. to consider text revisions to the Countywide Siting Element and the Incorporated Cities Integrated Waste Management Plan to provide conformance with the Kern County General Plan - ADOPTED RESOLUTION 2004-253; DIRECTED CLERK OF THE BOARD TO PUBLISH HEARING NOTICE

Watson-Parra: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *45) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 454, Local Agency Formation Commission (LAFCO) Proceeding No. 1390 - ADOPTED RESOLUTION 2004-254 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2005-2006 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Watson-Parra: All Ayes

- *46) Transfer of property tax entitlement related to City of Delano Annexation No. 36, Local Agency Formation Commission (LAFCO) Proceeding No. 1388 - ADOPTED RESOLUTION 2004-255 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF DELANO COMMENCING FISCAL YEAR 2005-2006 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Watson-Parra: All Ayes

- *47) Transfer of property tax entitlement related to City of Delano Annexation No. 39, Local Agency Formation Commission (LAFCO) Proceeding No. 1392 - ADOPTED RESOLUTION 2004-256 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF DELANO COMMENCING FY 2005-2006 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Watson-Parra: All Ayes

- *48) Proposed response to Grand Jury report entitled County Clerk Elections Division, Electronic Voting - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

Watson-Parra: All Ayes

- *49) Proposed assignment of Agreement with David M. McCleerey to Eric J. Barthel for County Employee Health Benefits Consulting Services effective September 1, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 719-2004

Watson-Parra: All Ayes

- *50) Proposed application for Local Law Enforcement Block Grant Program funding from the United State Department of Justice, in the amount of \$162,242 (local match requirement of \$18,027) - APPROVED; AUTHORIZED COUNTY ADMINISTRATIVE OFFICE TO SUBMIT APPLICATION

Watson-Parra: All Ayes

- *51) Report on results of Fiscal Year 2003-2004 Budget Savings Incentive Program - REFERRED TO FISCAL YEAR 2004-2005 BUDGET FILE; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO MAKE APPROPRIATE ADJUSTMENTS TO DEPARTMENTAL OPERATING BUDGETS FOR APPROVAL AT FISCAL YEAR 2004-2005 BUDGET HEARINGS

Watson-Parra: All Ayes

- *52) Proposed endorsement of appointment of Fred Starrh to California Bay-Delta Authority - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Parra: All Ayes

- *53) Review of establishment of second division of the Public Defender's Office - RECEIVED AND FILED

Watson-Parra: All Ayes

- *54) Report on impact of limited child care availability on participants in County employment and Human Service Programs - RECEIVED AND FILED

Watson-Parra: All Ayes

- *55) Report on results of Request for Proposals process for provision of health care services at County jail and juvenile detention facilities - RECEIVED AND FILED

Watson-Parra: All Ayes

- *56) Fiscal Year 2004-2005 Recommended Budget documents for the County of Kern and special districts governed by the Board of Supervisors - RECEIVED AND FILED

Watson-Parra: All Ayes

- 57) Report on Fiscal Year 2004-2005 State Budget agreement relative to Local Government Compromise Package - RECEIVED AND FILED

Watson-Patrick: All Ayes

- 58) Proposed Memorandum of Understanding with the Central California Association of Public Employees for Bargaining Units 1 through 6 for a four-year agreement effective July 1, 2003 through June 30, 2007, to provide a 2% salary increase, effective January 8, 2005, enhanced retirement benefit (3% at age 60 tier), effective January 1, 2005, changes in specified employees' retirement contributions, increase in Retiree Health Premium Supplement Program (RHPS) employee contribution rate, effective August 7, 2004, and changes in health and prescription drug plans, effective September 1, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 720-2004; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, DIRECTOR OF PERSONNEL AND COUNTY ADMINISTRATIVE OFFICER TO IMPLEMENT PROVISIONS OF MEMORANDUM OF UNDERSTANDING

Parra-Patrick: 4 Ayes; 1 No - McQuiston

- 59) Legislative Matter

Senate Constitutional Amendment 4 (SCA 4), protection of local government revenues - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division
Hearings
S.D. #3

- *60) Request to accept highest bid of \$958,650 from 14037 Poway Road LLC, or assigned designee, in the sale of surplus property located on Olive Drive and Victor Street - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15312; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2004-257 APPROVING SALE; ACCEPTED BID; AUTHORIZED GENERAL SERVICES TO OPEN ESCROW WITH FIRST AMERICAN TITLE COMPANY; AUTHORIZED CHAIRMAN TO SIGN QUITCLAIM DEED, ESCROW INSTRUCTIONS AND OTHER DOCUMENTS REQUIRED FOR TRANSFER, UPON FINAL REVIEW BY COUNTY COUNSEL

Watson-Parra: All Ayes

- *61) Request to accept highest bid of \$460,000 from Jack Haddad, or assigned designee, in the sale of surplus property located at 1600 Norris Road - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15312; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2004-258 APPROVING SALE; ACCEPTED BID; AUTHORIZED GENERAL SERVICES TO OPEN ESCROW WITH TICOR TITLE COMPANY OF CALIFORNIA; AUTHORIZED CHAIRMAN TO SIGN QUITCLAIM DEED, ESCROW INSTRUCTIONS AND OTHER DOCUMENTS REQUIRED FOR TRANSFER, UPON FINAL REVIEW BY COUNTY COUNSEL

Watson-Parra: All Ayes

S.D. #1

- *62) Change Order No. 1 for the Rathbun Library reroof, an increase of \$6,178, for a new total of \$179,178 (1650.7134) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Parra: All Ayes

- *63) Change Order No. 1 for the Kern River Valley Veterans/Senior Center reroof, an increase of \$6,445.33, for a new total of \$168,045.33 (1650.7119B) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Parra: All Ayes

- *64) Proposed retroactive License Agreement with the Shafter Recreation and Park District for use of space in the W. C. Walker Senior Center for the Senior Nutrition Program, from August 2, 2004 until terminated by either party, rent in the amount of \$1,363 per month (prior notification on July 13, 2004) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 721-2004

Watson-Parra: All Ayes

S.D. #2

- *65) Request to set hearing for purchase of 2.37 acres of land at 35th Street West and Stetson Avenue, Rosamond, from the Rosamond Community Services District for a fire station site and future sheriff's substation, in the amount of \$64,000 for the land plus \$105,409.57 for offsite development costs and \$875 for escrow, closing costs and title insurance - ADOPTED RESOLUTION 2004-259 SETTING HEARING FOR TUESDAY, SEPTEMBER 7, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING

Watson-Parra: All Ayes

S.D. #3

- *66) Change Order No. 5 for the new airport terminal at Meadows Field, an increase of \$87,371.04, for a new total of \$19,831,437.58 (8215.8415) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Parra: All Ayes

- *67) Change Order No. 1 for the reroof of Buildings A and B at the Sheriff's Norris Road facility, an increase of \$4,875, for a new total of \$538,875 (1650.7118 & 1650.7132) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Parra: All Ayes

S.D. #4

- *68) Change Order No. 1 for the Buena Vista Aquatic Recreation Area (BVARA) restroom reroofs, to provide for an additional 53 working days (1650.7159) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Parra: All Ayes

- *69) Proposed Grant of Easement on 80 acres of land located south of the Shafter/Wasco Landfill, approved for purchase from Ballengee Brothers Farms on June 1, 2004, to clarify water well easement rights - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; AUTHORIZED CHAIRMAN TO SIGN, UPON FINAL APPROVAL BY COUNTY COUNSEL

Watson-Parra: All Ayes

All S.D.'s

- *70) Request for authorization for unusual travel to Motorola Training Facility in Schaumburg, Illinois, for various General Services Communications staff - APPROVED

Watson-Parra: All Ayes

- *71) Proposed Amendment to Kern County Ordinance Code Section 2.84 to allow Assistant County Administrative Officer for General Services to execute specified real property leases and licenses on behalf of the County - WAIVED READING AND INTRODUCED ORDINANCE

Watson-Parra: All Ayes

- *72) Proposed Agreement with Tehachapi-Cummings County Water District for radio service and maintenance and repair of equipment for the period from August 3, 2004 through December 31, 2016 (minimum of \$200 a month revenue to County) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 722-2004

Watson-Parra: All Ayes

COUNTY ADMINISTRATIVE OFFICE

Information Technology Services

- *73) Proposed retroactive Addendum No. 2 to Agreement 321-2001 with Verizon Select Services to renew long distance voice communications contract, with a minimum annual commitment of \$84,000, from July 1, 2004 through June 30, 2007, - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 723-2004

Watson-Parra: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *74) Minutes for week of June 28, 2004 - APPROVED
Watson-Parra: All Ayes
- *75) Correction to Minutes for week of May 17, 2004 - APPROVED
CORRECTION TO PREVIOUSLY APPROVED SUMMARY OF PROCEEDINGS
DATED MAY 18, 2004, ITEM NO. 12, WHICH WERE APPROVED BY THE
BOARD ON JUNE 15, 2004 TO AMEND RESOLUTION NO. 2004-153 AND
THE SUMMARY OF PROCEEDINGS TO REFLECT A 4-1 VOTE WITH
SUPERVISOR MCQUISTON CASTING THE OPPOSING VOTE
Watson-Parra: All Ayes
- *76) Miscellaneous Letters and Documents - APPROVED
Watson-Parra: All Ayes
- *77) Miscellaneous Departmental Referrals by Clerk of the Board -
APPROVED AND FILED
Watson-Parra: All Ayes
- *78) Claims and Lawsuits filed with and referred by Clerk of the
Board - APPROVED AND FILED
Watson-Parra: All Ayes

ADJOURNED TO MONDAY, AUGUST 9, 2004, AT 7:00 P.M.

Patrick-

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

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

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

76) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) 2003-04 Fund Balances available for financing 2004-05 Budget
- B) Report of activity in County Revolving Funds, Cash Difference Funds, Cash Overage Funds and Replenishment of Shortages in County Funds for the period of July 1, 2003 through June 30, 2004
- C) Report on Refunds (Government Code Section 26906) of Erroneous Deposits pursuant to Board Resolution 71-4
- D) Report on Transactions of the Supplemental Law Enforcement Services Fund
- E) Audit report of the Unemployment Internal Service Fund for Fiscal Year 2003-2004
- F) Audit report of the Ford City-Taft Heights Sanitation District
- G) Audit report of the Kern Sanitation Authority

Clerk of the Board

- H) Received, certified and transmitted to Recorder for recordation as follows:
 - 1) Tract Map 5696 S.D. #3
 - 2) Tract Map 6000, Phase 3 S.D. #1
 - 3) Tract Map 6028 S.D. #4
 - 4) Tract Map 6140, Phase 3 S.D. #5
 - 5) Tract Map 6160 S.D. #1
 - 6) Tract Map 6192, Unit 1 S.D. #5
 - 7) Parcel Map 10869 S.D. #1
 - 8) Parcel Map 10964 S.D. #2
 - 9) Parcel Map 11017 S.D. #1
 - 10) Parcel Map 11047 S.D. #5
 - 11) Parcel Map 11067 S.D. #4
 - 12) Parcel Map 11071 S.D. #4

Community & Economic Development

- I) County Loan Agreement, First Time Home Buyer Assistance Program, with Countrywide Home Loans, Inc.
- J) Two (2) letters to David Stricker, Shafter Recreation & Park District, re transfer of title of vehicles purchased by Community Development Block Grant funds and used by District for the terminated senior nutrition services program

Employers' Training Resource

- K) WIA OJT Agreements:
- 1) Larry M. Cho, M. D., Inc. dba The Industrial Medical Group, WIA Title 201, dated June 25, 2004
 - 2) Larry M. Cho, M. D., Inc. dba The Industrial Medical Group, WIA Title 167, dated July 2, 2004
 - 3) Golden Empire Mortgage, Inc., WIA Title 501, dated June 17, 2004
 - 4) Kendra Construction Services, Inc., WIA Title 501, dated June 25, 2004
 - 5) South Kern Machinery, Inc., WIA Title 501, dated June 25, 2004
 - 6) Terry Weatherman dba Child Discovery Center, WIA Title 201, dated June 17, 2004
 - 7) West Kern Machinery, Inc., WIA Title 501, dated June 16, 2004

Environmental Health Services

- L) Eight (8) thank you letters to individuals for donations to the Mojave Animal Shelter and the Bakersfield Animal Care Center

Fire

- M) 2004 Operating Plan - Kern County Fire Department, U.S. Forest Service and Bureau of Land Management
- N) 2004 Operating Plan - Kern County Fire Department and California Department of Forestry and Fire Protection

Local Agency Formation Commission

- O) Report and Recommendation, Proceeding No. 1380, in the matter of Pond-Shafter-Wasco, Buena Vista and Western Kern RCD: Consolidation (Copies to each Supervisor and CAO)
- P) Report and Recommendation, Proceeding No. 1381, in the matter of Kern-Tulare Water District: Detachment R (Copies to each Supervisor and CAO)
- Q) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1390, Jewetta No. 4, Annexation No. 454 (Copies to each Supervisor and CAO)

Roads

- R) Received, executed and forwarded to Recorder an Irrevocable Offer of Dedication from Greenfield Union School District for additional right-of-way on Fairview Road, Sparks Street and Malibar Avenue to accommodate wheelchair ramps
- S) Received, executed and forwarded to Recorder an Irrevocable Offer of Dedication from Corporation for Better Housing for additional right-of-way on Cottonwood Road

Sheriff

- T) Audit of internal controls and financial records of the Sheriff-Coroner Department for Fiscal Year 2003-2004

Miscellaneous

- U) Letter from Albert C. Herron re support of funding for the Veterans' Service office (Copies to each Supervisor, CAO and Veterans' Services)
- V) Letter from Assemblyman Steve Samuelian re meeting on Thursday, July 15, 2004, to discuss movement to change Highway 99 to a Federal Interstate (Copies to each Supervisor, CAO, Resource Management Agency and Roads)
- W) Letter from Carola Rupert Enriquez, Kern County Museum, to Judy Dietrichson, Rand Desert Museum, re transfer of the Rand Desert Museum (Copies to each Supervisor and CAO)
- X) Letter from Adrian Maaskant, Nueva High School, re Nueva Continuation High School's graffiti removal team (Copies to each Supervisor, CAO and Parks)
- Y) Letter from Garen J. Wintemute, University of California, Davis, re study from the Violence Prevention Research Program (Copies to each Supervisor, CAO, Sheriff and District Attorney)
- Z) Letter from Judy Patterson re eliminating issuance of fireworks permits (Copies to each Supervisor, CAO, Fire, Resource Management Agency and County Counsel)
- AA) Letter from Xavier M. Espinosa, Orange County Mental Health Board, re funding equity to counties based upon population and number of residents living in poverty (Copies to each Supervisor, CAO and Mental Health)
- BB) Letter from Stephen E. Coombs re issues with the election package of the Mil Potrero Mutual Water Company, Pine Mountain Club (Copies to each Supervisor, CAO and County Counsel)
- CC) Letter from Marilyn L. Mettler, Antelope Valley-East Kern Water Agency re Resolution No. R-04-05 concerning 2004-2005 tax levies in Los Angeles, Kern and Ventura Counties (Copies to each Supervisor, CAO, Auditor-Controller-County Clerk and County Counsel)
- DD) Letter from Ronn Dominici, San Joaquin Valley Regional Association of California Counties, re opposition to Assembly Bill 1983, which would change the mission of the State Reclamation Board (Copies to each Supervisor, CAO, Engineering and Survey Services and Resource Management Agency)
- EE) Letter from Assemblyman Bill Maze re letter to Governor Schwarzenegger concerning the spread of the West Nile Virus (Copies to each Supervisor, CAO and Public Health)
- FF) Notice from U.S. Fish and Wildlife Service re invitation for public involvement in developing an Environmental Assessment on Raven Management to protect the Federally and State-listed threatened desert tortoise in California (Copies to each Supervisor, CAO, Planning and County Counsel)

- GG) Notice from U.S. Fish and Wildlife Service re Schedule of Proposed Action (SOPA), Los Padres National Forest (Copies to each Supervisor, CAO and Planning)
- HH) Notice from Alcoholic Beverage Control re applications for alcoholic beverage licenses from: 33 E Street Market, 22721 E Street, McKittrick; K Station, 356 Emmons Street, Tupman; Golden Trout Baking Company, 13423 Sierra Way, Kernville; Bear Patch Farmers Market, 8114 Bear Mountain Boulevard, Bakersfield; V&P Market & Shell, 3818 Niles Street, Bakersfield; Melodrama Dinner Theater, 206 China Grade Loop, Bakersfield; Gloria Rodriguez, 3045 - 90th Street West, Rosamond (Copies to each Supervisor, CAO and Planning)
- II) Notice from Pacific Gas and Electric Company re Proceeding Updated Notice of Application 00-07-013, Electric Restructuring Costs Account (ERCA) (Copies to each Supervisor, CAO and General Services)
- JJ) Notice from Department of the Youth Authority re proposed regulatory action and public hearing on Wednesday, September 1, 2004 (Copies to each Supervisor, CAO and Probation)
- KK) Agenda of meeting from State Fish and Game Commission on Thursday, August 5, 2004
- 77) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Darryl Harvey re change in property value and failed attempts for clarification and resolution - REFERRED TO ASSESSOR (Copies to each Supervisor and CAO)
- B) Letter from Carola Rupert Enriquez, Kern County Museum, re funding for the 2004-2005 budget year - REFERRED TO COUNTY ADMINISTRATIVE OFFICE - BUDGET FILE
- C) Letter from Natividad Guerra re demolition of structure at 909 Cannon Avenue, Bakersfield - REFERRED TO ENGINEERING & SURVEY SERVICES (Copies to each Supervisor and CAO)
- D) Letter from Preston L. Johns re traffic problems at intersection of Pioneer Drive and Royal Way - REFERRED TO ROADS (Copies to each Supervisor and CAO)
- E) E-mail from Robert Lane re operation of a compost facility adjoining the Kern River and a residential neighborhood - REFERRED TO ENVIRONMENTAL HEALTH (Copies to each Supervisor, CAO and Planning)
- F) Resolution No. 12-04 from the Tehachapi-Cummings County Water District re election of governing board members for the district on November 2, 2004 - REFERRED TO ELECTIONS
- 78) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Margaret Scarrone vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- B) Claim in the matter of David L. Bennett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Patricia A. Castaneda vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Clarise Wyatt vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Martin Matthew Matias by his Guardian Susanna Sanchez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Gabriel Nuno vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Robert Young vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Erin M. Kearns vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Robert P. Borjon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Estella Mary Mata vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Solomon Joseph Terry vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Carlos Padijan and Dana Renaud vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of Michael Silva vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Anthony Carpenter vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Claim in the matter of Paula M. Carpenter vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Claim in the matter of Vashna H. Carpenter vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Claim in the matter of Michael Helms vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Claim in the matter of Margaret Scarrone vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Claim in the matter of Frank Richards vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Claim in the matter of Mattie Hooven vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- U) Claim in the matter of Roberto Pelayo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- V) Summons and complaint in the matter of Maria N. Avilez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- W) Summons and complaint in the matter of Kevin Davenport vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- X) Summons and complaint in the matter of Cassius C. Whitehead vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Y) Discrimination complaint in the matter of Michael Berg vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)