

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, August 5, 2003

9:00 A.M.

#### BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, 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

#### RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring and commending Pete Gianopulos for accomplishments in preserving the history of the Taft community - ADOPTED RESOLUTION; MADE PRESENTATION TO PETE GIANOPULOS; PETE GIANOPULOS HEARD; FAMILY AND FRIENDS WERE INTRODUCED

**Watson-McQuiston: All Ayes**

- 2) Proclamation proclaiming August 1-7, 2003 as World Breastfeeding Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ENID PHILLIPS, CLINICA SIERRA VISTA; ENID PHILLIPS HEARD

**Patrick-Maben: All Ayes**

- 3) Certificate of Recognition honoring Ray Bishop, Director of Airports, for being selected as Airport Executive of the Year by the Southwest Chapter of the American Association of Airport Executives - MADE PRESENTATION TO RAY BISHOP; RAY BISHOP HEARD; AIRPORTS STAFF AND FAMILY MEMBERS INTRODUCED

- \*4) Resolution honoring and commending John "Phil" Brady for his service to Kern County and the State of California - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Patrick: All Ayes**

- \*5) Proclamation proclaiming August and September 2003 as Cigarette Litter Prevention Months in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Maben-Patrick: All Ayes**

- \*6) Proclamation proclaiming August 2003 as Child Support Awareness Month in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Maben-Patrick: All Ayes**

APPOINTMENTS

- \*7) Appointment of Glenda Faye Willie to the East Kern Cemetery District, term to expire March 11, 2004 - MADE APPOINTMENT

**Maben-Patrick: All Ayes**

- \*8) Appointment of Marion (Blue) Monroe O'Connor as Third District Representative to the Commission on Aging, term to expire June 17, 2004 - MADE APPOINTMENT

**Maben-Patrick: All Ayes**

PUBLIC PRESENTATIONS

- 9) 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! - ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION, ADDRESSED THE BOARD REGARDING RAY BISHOP'S FAMILY

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 10) 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

- 11) Proposed Agreement with KGET-TV17 for sponsorship of booth space at Health Fair 2003, in an amount not to exceed \$1,750 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 692-2003

**McQuiston-Maben: 4 Ayes; 1 Abstained - Watson**

- \*12) Proposed Agreement with Jelita Macanas, R.D., for nutritionist services, from August 5, 2003 through June 30, 2004, in an amount not to exceed 424 hours of services at a cost of \$14,840 and travel reimbursement not to exceed \$3,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 693-2003

**Maben-Patrick: All Ayes**

- \*13) Proposed retroactive Amendment No. 1 to Agreement 690-2002 with Greater Bakersfield Legal Assistance for Title III-E National Caregiver Support Services to extend term one year to June 30, 2004, update scope of services and decrease maximum amount of contract to \$46,108, a decrease of \$1,299 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 694-2003

**Maben-Patrick: All Ayes**

- \*14) Proposed retroactive Amendment No. 1 to Agreement 208-2002 with Kern Around the Clock Foundation for Title III-E Caregiver Support Services for Fiscal Year 2003-2004, to extend term one year to June 30, 2004 and update scope of services (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 695-2003

**Maben-Patrick: All Ayes**

- \*15) Proposed retroactive Amendment No. 2 to Agreement 604-2001 with Kern Around the Clock Foundation for Homemaker Services, for Fiscal Year 2003-2004, to extend term one year to June 30, 2004, update scope of services and decrease maximum amount of contract to \$21,150, a decrease of \$20,000 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 696-2003

**Maben-Patrick: All Ayes**

- \*16) Proposed retroactive Amendment No. 2 to Agreement 617-2001 with Greater Bakersfield Legal Assistance for Ombudsman Services, for Fiscal Year 2003-2004, to extend term one year to June 30, 2004, update scope of services and decrease maximum amount of contract to \$101,977, a decrease of \$24,936 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 697-2003

**Maben-Patrick: All Ayes**

- \*17) Proposed retroactive Amendment No. 2 to Agreement 475-2001 with Richard Prado Senior Center to provide Nutrition Services, for Fiscal Year 2003-2004, to extend term one year to June 30, 2004, update scope of services and decrease maximum amount of contract to \$243,581, a decrease of \$10,463 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 698-2003

**Maben-Patrick: All Ayes**

NON-AGENDA ITEM

AIRPORTS

MOTION TO CONSIDER NON-AGENDA ITEM NO. 17A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE NOTIFICATION OF RECEIPT OF GRANT FUNDS WAS RECEIVED FROM THE FEDERAL AVIATION ADMINISTRATION ON THURSDAY, JULY 31, 2003 AFTER THE AGENDA WAS POSTED, AND REQUIRES A RESPONSE BY AUGUST 29, 2003, TO COMPLETE THE GRANT PROCESSING IN THIS FEDERAL FISCAL YEAR

**Watson-Maben: All Ayes**

- 17A) Proposed Grant Agreement with the Federal Aviation Administration and Offer of Grant Funds (Contract No. DTFA08-03-C-21673) for construction of an aircraft parking apron at Kern Valley Airport - APPROVED; ACCEPTED OFFER OF FUNDS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 699-2003 SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

**Patrick-McQuiston: All Ayes**

BOARD OF SUPERVISORS

- \*18) Request of Fourth District Supervisor Raymond Watson to hire retired County employee Mary Garner as part-time Office Services Assistant for the Fourth Supervisorial District, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment - APPROVED

**Maben-Patrick: All Ayes**

COUNTY COUNSEL

- \*19) Request of Waste Management/Solid Waste Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

**Maben-Patrick: All Ayes**

- \*20) Request of Sheriff's Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

**Maben-Patrick: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*21) Proposed Amendment No. 1 Agreement 215-2003 with Kern High School District for the Migrant and Seasonal Farmworker Youth Program, to extend the term through September 30, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 700-2003

**Maben-Patrick: All Ayes**

- \*22) Proposed Amendment No. 1 to Agreement 126-2003 with Proteus, Inc., for the Migrant and Seasonal Farmworker Youth Program, to extend the term through September 30, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 701-2003

**Maben-Patrick: All Ayes**

HUMAN SERVICES

- \*23) Proposed Agreement with California State University, Bakersfield for use of housing facilities during the Independent Living Foster Youth Summer Residential Program, in an amount not to exceed \$630 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 702-2003

**Maben-Patrick: All Ayes**

KERN MEDICAL CENTER

- \*24) Proposed Amendment No. 4 to Agreement 796-99 with Cejka & Company to assist in physician recruitment, extending the term by one year through January 31, 2005, in an amount not to exceed \$72,000, an increase of \$14,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 703-2003

**Maben-Patrick: All Ayes**

- \*25) Proposed Amendment No. 1 to Agreement 605-2003 with J&C Nationwide, modifying rate schedule for orthopedic surgery services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 704-2003

**Maben-Patrick: All Ayes**

- \*26) Unusual travel request for Thomas Purcell, M.D., to attend the Second Mediterranean Emergency Medicine Congress in Barcelona, Spain, from September 12, 2003 through September 18, 2003, in an amount not to exceed \$2,500 - APPROVED

**Maben-Patrick: All Ayes**

MENTAL HEALTH SERVICES

- \*27) Proposed Agreement with Henrietta Weill Memorial Child Guidance Clinic, Inc., for mental health services for children and adolescents residing in the North Bakersfield area, from August 5, 2003 through June 30, 2004, in an amount not to exceed \$1,792,084 (Federal Medicaid, State EPSDT, Realignment, Healthy Families Funds; Mandated, Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 705-2003

**Maben-Patrick: All Ayes**

- \*28) Proposed Agreement with Nankil Enterprises, Inc., dba Vista Gardens, for temporary room and board services for homeless mentally ill consumers located in the Bakersfield area, from August 5, 2003 through June 30, 2004, in an amount not to exceed \$15,000 (Realignment and Grant Funds; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 706-2003

**Maben-Patrick: All Ayes**

PUBLIC HEALTH SERVICES

- \*29) Proposed retroactive Agreement with Interim Healthcare for AIDS Nursing Case Management Program, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$14,660 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 707-2003

**Maben-Patrick: All Ayes**

- \*30) Proposed Agreement with County of Kings for epidemiology services provided by Kern County Public Health Department, from August 6, 2003, through August 31, 2003, in the amount of \$7,000, revenue to County - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 708-2003

**Maben-Patrick: All Ayes**

- \*31) Request for revisions as required by the State to Amendment No. 3 (568-2003) to Agreement 653-2000 with State Department of Corrections to decrease the award by \$75,104 to a total of \$8,377,466 through June 30, 2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

- \*32) Proposed Golden Handshake retirements for: one (1) Public Health Nurse III, one (1) Public Health Aide, one (1) Public Health Nurse II, and one (1) Office Services Technician; and deletion of positions: one (1) Public Health Nurse III, effective September 1, 2003; one (1) Public Health Aide, effective October 3, 2003; one (1) Public Health Nurse II, effective December 31, 2003; and one (1) Office Services Technician, effective October 31, 2003 - APPROVED; ADOPTED RESOLUTION 2003-315 OFFERING GOVERNMENT CODE SECTION 31641.04 GOLDEN HANDSHAKE RETIREMENTS; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Patrick: All Ayes**

SHERIFF

- \*33) Proposed Amendment No. 1 to Agreement 626-2002 with Hillcrest Memorial Park for interment of indigent dead, to increase document filing fees by \$6.00 per cremation - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 709-2003

**Maben-Patrick: All Ayes**

TREASURER-TAX COLLECTOR

- \*34) Treasurer's Pooled Cash Quarterly Portfolio Reporting for Quarter Ended June 30, 2003 - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

- \*35) Request to repeal Resolution 2003-082, adopt new Resolution delegating authority to cancel tax penalties, and approve revised Administrative Procedures for same - REPEALED RESOLUTION 2003-082; ADOPTED RESOLUTION 2003-316 DELEGATING AUTHORITY TO CANCEL TAX PENALTIES; APPROVED REVISED ADMINISTRATIVE PROCEDURES

**Maben-Patrick: All Ayes**

ADJOURNED TO CLOSED SESSION

**McQuiston**

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 36) Request for Closed Session regarding public employee interviews - Title: Director of Employers' Training Resource -
- 36A) Results of Closed Session regarding interviews for Director of Employers' Training Resource - APPOINTED VERNA LEWIS AS DIRECTOR OF EMPLOYERS' TRAINING RESOURCE, EFFECTIVE AUGUST 5, 2003 (SEE ITEM 1A, 2:00 P.M.)
- 37) Request for Closed Session regarding Meet and Confer, All Unions -

COUNTY COUNSEL

- 38) Request for Closed Session regarding a lawsuit entitled Golden Empire Medical Transportation vs. County of Kern, et al., USDC(E) CIV-F-01-5194(Government Code Section 54956.9(a)) -
- 39) Request for Closed Session regarding a lawsuit entitled County of San Bernardino, et al. v. State Department of Health Services, et al., Los Angeles County Superior Court, Case No. C753 710, and part of Judicial Council Coordination Proceeding No. 2833 (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.

**Maben-Watson**

/s/ Denise Pennell  
Clerk of the Board

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

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

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Regular Meeting  
Tuesday, August 5, 2003

2:00 P.M.

BOARD RECONVENED

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

- 1A) Results of Closed Session from Tuesday, August 5, 2003, at 9:00 a.m., Item No. 36A, regarding Director of Employers' Training Resource - CHAIRMAN PARRA ANNOUNCED THE APPOINTMENT OF VERNA LEWIS AS DIRECTOR OF EMPLOYERS' TRAINING RESOURCE, EFFECTIVE AUGUST 5, 2003; VERNA LEWIS HEARD

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#### BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Land Use

S.D. #2

- \*3) Notice of Nonrenewal Petition 03-15 by Tejon Ranchcorp, for 624.28 acres within Agricultural Preserve No. 19 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*4) Notice of Nonrenewal Petition 03-16 by Tejon Ranchcorp, for 1,925 acres within Agricultural Preserve No. 19 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*5) Notice of Nonrenewal Petition 03-17 by Tejon Ranchcorp, for 640.29 acres within Agricultural Preserve No. 19 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*6) Notice of Nonrenewal Petition 03-18 by Tejon Ranchcorp, for 2,271.09 acres within Agricultural Preserve No. 19 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*7) Notice of Nonrenewal Petition 03-19 by Tejon Ranchcorp, for 299 acres within Agricultural Preserve No. 19 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

S.D. #4

- \*8) Notice of Nonrenewal Petition 03-14 by John G. Romanini and Christine Romanini, for 330.68 acres within Agricultural Preserves No. 9 and 10 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*9) Notice of Nonrenewal Petition 03-22 by Berry and Associates, on behalf of Norman and Marlene Blackwell, for 2.50 acres within Agricultural Preserve No. 7 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

S.D.'s #2 & #4

- \*10) Notice of Nonrenewal Petition 03-20 by Tejon Ranchcorp, for 816.05 acres within Agricultural Preserve No. 19 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*11) Notice of Nonrenewal Petition 03-21 by Tejon Ranchcorp, for 480 acres within Agricultural Preserve No. 19 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

Miscellaneous

All S.D.'s

- 12) Response to Board of Supervisors' referral to evaluate the Development and Implementation of a Noise Ordinance - MARILYN STEWART, ALPHA CANINE SANCTUARY, HEARD; RECEIVED AND FILED; REFERRED BACK TO STAFF

**Watson-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

S.D. #1

- \*13) Proposed Agreement with the City of Shafter to provide \$39,120 in Community Development Block Grant funds for design of Westside Park (Activity No. 18.02.3) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 710-2003

**Maben-Watson: All Ayes**

S.D. #4

- \*14) Proposed Amendment No. 1 to Agreement 228-2003 with the City of Wasco to revise specific funded components of the Alley Reconstruction portion of the projects covered in the Agreement (Activity Nos. 21.02.2 and 21.02.3) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 711-2003

**Maben-Watson: All Ayes**

- \*15) S.D. #5

Proposed Amendment No. 1 to Agreement 350-99 with the Bakersfield Senior Center to add flooring improvements to the Community Development Block Grant funded Bakersfield Senior Center Facility Improvements (Activity No. 7.98.1) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 712-2003

**Maben-Watson: All Ayes**

All S.D.'s

- \*16) Approval of Fiscal Year 2003-2004 Grant Agreements for the Community Development Block Grant Program in the amount of \$6,491,000, HOME Investment Partnerships Program in the amount of \$2,464,298, and Emergency Shelter Grant Program in the amount of \$216,000 - APPROVED AGREEMENTS AND CERTIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 713-2003, 714-2003 AND 715-2003; AUTHORIZED DIRECTOR TO TRANSMIT TO HUD

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearings

S.D. #2

- \*17) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 27157 Nudgent Street, Boron, APN 231-324-17, \$6,912.50 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-317 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Maben-Watson: All Ayes**

- \*18) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at APN 254-402-01, Rosamond, \$6,875 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-318 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Maben-Watson: All Ayes**

S.D. #3

- \*19) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 1309 & 1309-1/2 Shasta Drive, Bakersfield, APN 113-073-12, \$2,657.75 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-319 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Maben-Watson: All Ayes**

S.D. #4

- \*20) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 2211 Terrace Way, Bakersfield, APN 147-341-02, \$737 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-320 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Maben-Watson: All Ayes**

- \*21) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 4232 Willow Trail, Frazier Park, APN 259-122-04, \$1,675 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-321 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Maben-Watson: All Ayes**

- \*22) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 23313 Cloud Avenue, Derby Acres, APN 183-090-18, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-322 DECLARING THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF DEMOLITION CONTRACT

**Maben-Watson: All Ayes**

- \*23) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 310 General Petroleum Avenue, Taft, APN 039-291-10, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-323 DECLARING THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF DEMOLITION CONTRACT

**Maben-Watson: All Ayes**

S.D. #5

- \*24) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 2006 Quincy Street, Bakersfield, APN 138-021-13, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-324 DECLARING THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF DEMOLITION CONTRACT

**Maben-Watson: All Ayes**

S.D. #1

- \*25) Tract 5772, Phase 1, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. S500217 IN THE AMOUNT OF \$303,000

**Maben-Watson: All Ayes**

- \*26) Tract 5772, Phase 2, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. S500866 IN THE AMOUNT OF \$333,015

**Maben-Watson: All Ayes**

- \*27) Tract 5772, Phase 3, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY LETTER OF CREDIT NO. 09-99-007 AND RETURNED TO ISSUING BANK, BANK OF THE SIERRA

**Maben-Watson: All Ayes**

- \*28) Tract 5772, Phase 4, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY LETTER OF CREDIT NO. 09-99-009 AND RETURNED TO ISSUING BANK, BANK OF THE SIERRA

**Maben-Watson: All Ayes**

- \*29) Tract 5772, Phase 5, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. S502899 IN THE AMOUNT OF \$278,550

**Maben-Watson: All Ayes**

- \*30) Tract 5772, Phase 6, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. S503067 IN THE AMOUNT OF \$98,679

**Maben-Watson: All Ayes**

S.D. #2

- \*31) Tract 5201, Unit A, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 11141478302 IN THE AMOUNT OF \$1,042,029

**Maben-Watson: All Ayes**

S.D. #3

- \*32) Contract No. 03015, identify apparent low bid of Griffith Company, for construction of North Beardsley Street Improvements-Phase V, in an amount not to exceed \$436,991.50 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

**Maben-Watson: All Ayes**

S.D. #4

- \*33) Proposed Request for Proposals for Feasibility Study of Cuddy Creek Restoration - APPROVED; AUTHORIZED DISTRIBUTION

**Maben-Watson: All Ayes**

- \*34) Tract 5448, Unit 1, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 502957 IN THE AMOUNT OF \$395,633

**Maben-Watson: All Ayes**

- \*35) Tract 5448, Unit 2, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. S503573 IN THE AMOUNT OF \$468,916

**Maben-Watson: All Ayes**

- \*36) Tract 5557, Unit A, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 857499S IN THE AMOUNT OF \$364,361

**Maben-Watson: All Ayes**

- \*37) Parcel Map 10502, release of Laborers and Materialmen Security - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 5959712 IN THE AMOUNT OF \$592,922

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #2

- \*38) Proposed Resolution to declare portions of Twenty Mule Team Road at Wesley Street, and Twenty Mule Team Road at Gardiner Street as a public highway and incorporate into County Road System - APPROVED; ADOPTED RESOLUTION 2003-325; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

All S.D.'s

- \*39) Report on Disadvantaged Business Enterprise (DBE) Program Goal for Federal Fiscal Year 2003-2004 - RECEIVED AND FILED; SET TUESDAY, SEPTEMBER 30, 2003, AT 2:00 P.M., AS THE DATE TO ESTABLISH THE 2003-2004 DBE GOAL

**Maben-Watson: All Ayes**

WASTE MANAGEMENT

S.D. #1

- \*40) Proposed Amendment No. 3 to Agreement 168-97 with Sierra Waste Transfer, Inc., for operation of the Kern Valley Transfer Station to amend the compensation, effective September 1, 2003, to \$24,500 per month and \$16.00 per ton (approximate annual savings of \$75,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 716-2003

**Maben-Watson: All Ayes**

All S.D.'s

- \*41) Proposed Agreement with Community Clean Sweep to provide public education services from August 5, 2003, through June 30, 2004, in an amount not to exceed \$39,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 717-2003

**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*42) Request for authorization to apply for grant funding from the United States Department of Justice, Local Law Enforcement Block Grant Program in the amount of \$374,803 - APPROVED

**Maben-Watson: All Ayes**

- \*43) Proposed Resolution designating the County as an HIPAA Hybrid Entity and naming Rick Benson, Deputy County Administrative Officer, as the County HIPAA Privacy Officer - APPROVED; ADOPTED RESOLUTION 2003-326

**Maben-Watson: All Ayes**

- \*44) Proposed Administrative Services Agreement with Catalyst Rx for prescription drug benefit administration for three years, effective September 1, 2003, for an administrative fee of \$.35 per prescription filled and other economic and non-economic terms - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 718-2003

**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- \*45) Proposed Amendment No. 2 to Agreement 049-2000 with Chester Avenue Properties for a portion of 2525 North Chester Avenue, Suite A for the Mental Health Department, to provide additional space (\$26,496.98 monthly rent) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 719-2003

**Maben-Watson: All Ayes**

- \*46) Proposed Space Use Permit with the State of California Employment Development Department (EDD) permitting EDD to use County-leased space at 5640 Lake Isabella Boulevard, Nos. A3 and A4, Lake Isabella (no rent) and proposed Premises Use Permit with EDD permitting Employers' Training Resource to use EDD leased space at 1400 North Norma Street, Ridgecrest, (no rent) both for staff to provide job search or training services to CalWorks Program Participants from June 1, 2003, to April 5, 2005 - MADE FINDING THAT PROJECTS ARE EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 720-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

**Maben-Watson: All Ayes**

S.D. #5

- \*47) Proposed Agreement with Bakersfield Lung and Sleep Medical Center, Inc. (BLSMC) for sublease of space at 2203 - 17th Street, Suite A, Bakersfield, BLSMC to pay \$1,651.21 monthly rent and for all building expenses; term is concurrent with Master Lease term of Kern County Agreement 554-97 - 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 721-2003

**Maben-Watson: All Ayes**

- \*48) Public Contract Code Section 4107(a)(1) - Request for subcontractor substitution for the Superior Court Juvenile Justice Center J1 Remodel - FOUND THAT ELAM WOODS CONSTRUCTION COMPANY, INC., REQUESTED THAT RODRIGUEZ PLASTERING BE REPLACED AFTER THEIR REFUSAL TO PERFORM WORK; APPROVED SUBSTITUTION OF BURNS DRYWALL & PLASTERING, INC., TO COMPLETE THE METAL STUD, DRYWALL AND PLASTERING PORTION OF THIS PROJECT

**Maben-Watson: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON JULY 29, 2003

- \*49) Proposed Ordinance amending Sections to Chapters 17.08, 17.20 and 17.32, and adding a new Chapter 17.34 to Title 17 of the Kern County Ordinance Code, which includes relevant portions of the following Model Codes: Uniform Plumbing Code, Uniform Fire Code, and Urban Wildland Interface Code, to provide for a modified Code of Building Regulations - ENACTED ORDINANCE G-7031

**Maben-Watson: All Ayes**

- \*50) Proposed Ordinance amending Section 10.50.020 relating to citations for failure to display disabled placard - ENACTED ORDINANCE G-7032

**Maben-Watson: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*51) Minutes for week of June 23, 2003 - APPROVED

**Maben-Watson: All Ayes**

\*52) Miscellaneous Letters and Documents - FILED

**Maben-Watson: All Ayes**

\*53) Miscellaneous Departmental Referrals by Clerk of the Board  
- APPROVED AND FILED

**Maben-Watson: All Ayes**

\*54) Claims and Lawsuits filed with and referred by Clerk of the  
Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

ADJOURNED TO MONDAY, AUGUST 11, 2003, AT 7:00 P.M.

**Watson-**

/s/ Denise Pennell  
Clerk of the Board

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

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

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

52) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Statement of Money in the County Treasury as of June 30, 2003
- B) Report on audit activity by the County Auditor-Controller-County Clerk during the fiscal year ended June 30, 2003
- C) Audit Report of the Human Services Department for the fiscal years ended June 30, 2001 and 2002

Environmental Health

- D) Five (5) thank you letters to individuals and companies for donations to the Bakersfield and Mojave animal shelters

Local Agency Formation Commission

- E) Resolution No. 03-13, Proceeding No. 1354, in the matter of Cawelo Water District, Reorganization No. 1

Retirement

- F) Memorandum concerning the appointment of Anne M. Holdren to the position of Assistant Executive Director of the Kern County Employees' Retirement Association

Miscellaneous

- G) Letter from Christine L. Nota, U.S. Department of Agriculture, Forest Service, re elections to receive Federal Forest Reserve Payments (Copies to each Supervisor and CAO)
- H) Letter from Helen Dennis, City of California City, re recorded document No. 0202204461 entitled "Descriptions of Land within the Areas added by Second Amendment to the California City Redevelopment Plan and Statement that Redevelopment Plan has been Amended and Redevelopment Proceedings have been Instituted and are Continuing"; a copy of Ordinance 03-607 of the City of California City, adopting the Third Amendment to the Redevelopment Plan; and maps showing boundary of the project area (Copies to each Supervisor, CAO, County Counsel, Auditor-Controller-County Clerk, Treasurer-Tax Collector and Assessor-Recorder)
- I) Memorandum from Nancy Quan, State Water Resources, re petition for temporary change of place of use-year 2003 transfer of State Water Project water from Kern County Water Agency to Del Puerto Water District, Panoche Water District, San Luis Water District and Tranquility Irrigation District in the U.S. Bureau of Reclamation's service area
- J) Notice from Mediacom California, LLC, re Opposition to Must-Carry Complaint of KVMD Licensee Co., LLC, against Mediacom (CSR 6204-M) (Copies to General Services and County Counsel)
- K) Notice from Lieutenant Governor Cruz M. Bustamante re Special Election Proclamation setting Tuesday, October 7, 2003, for special election to determine if Governor Gray Davis shall be recalled (Copies to each Supervisor and CAO)

- L) Notices from State Department of Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses: Larson's, 720 Wible Road, Bakersfield; Super Romelia, 2105 Edison Highway, Suite 109-111, Bakersfield; Greenacres Country Store, 17905 Rosedale Highway, Bakersfield; and Cuarto Vientos, 4236-4240 Cannon Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- M) Agenda of meeting from State Fish and Game Commission on Friday, August 1, 2003
- 53) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Letter from State Department of Alcoholic Beverage Control re petition from Armando Melendres to modify conditions on his alcoholic beverage license at Rigos Taco No. 9, 2199-1/2 Edison Highway, Bakersfield - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
  - B) Notice of Preparation from Castaic Lake Water Agency (CLWA) re preparation of a Draft Environmental Impact Report for Castaic Lake Water Agency 16,000 acre-foot proposed transfer of State Water Project Table A amount from Kern County Water Agency through an agreement with Berrenda Mesa Water District, and including proposed annexations to CLWA - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
- 54) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Rosa Montoya vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Andrea Gotcher vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Lamar Crook vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Joseph Ferguson and Lisa Arterberry vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Adolph Luis Gonzales, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Claim in the matter of Clara Elizalde vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - G) Claim in the matter of Kellie Branch vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - H) Amended claim in the matter of Kydan Clopton, a minor, by and through his Guardian ad Litem, Shawna Buckles, and Shawna Buckles, individually vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- I) Late claim in the matter of Eric Bjorlin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Subrogation claim in the matter of Hope Gonzales-Burke by Safeco Property & Casualty Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Subrogation claim in the matter of Norma Chavez by Civil Service Employees Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Discrimination complaint in the matter of Andra L. Medl vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
- M) Discrimination complaint in the matter of Daryl A. Breese vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)