

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, September 12, 2000

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Peterson, Parra
ROLL CALL: 4 Present; 1 Absent: Supervisor Patrick

NOTE: Chairman Peterson announced Supervisor Patrick will be absent today as she is participating as a panelist at a joint hearing of the Senate Ag and Water Resources and Assembly Ag Committees relating to issues surrounding the siting of dairies.

SALUTE TO FLAG - Led by Supervisor Parra

NOTE: Mc, Pz, Pa, Pe, Pr are abbreviations for Supervisors McQuiston, Perez, Patrick, Peterson, and Parra, respectively. For example, Pa-Pe denotes Supervisor Patrick made the motion and Supervisor Peterson seconded it. The abbreviation (Ab) means absent, and (Abd) abstained.

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

Pr-Pz
4 Ayes
1 Ab/Pa

1) Proclamation proclaiming Kern County Fair Days from September 20, through October 1, 2000 - PROCLAIMED; MADE PRESENTATION TO GREG GALLION, KERN COUNTY FAIR BOARD OF DIRECTORS, AND K.C. THE BULL; GREG GALLION HEARD

PUBLIC REQUESTS

2) Request from David Leifer, Leifer Capital, to address the Board regarding Quarterly Update of Municipal Financing Consultant Activities - DAVID LEIFER HEARD

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 4) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2(a)) - SUPERVISOR PEREZ ANNOUNCED SENATE BILL 1637 AND PROPOSED BUDGET ALLOCATIONS FOR LOCAL GOVERNMENT STILL AWAIT THE GOVERNOR'S SIGNATURE AND URGED CITIZENS TO CONVEY THEIR SUPPORT TO THE GOVERNOR REGARDING STATE BUDGET ALLOCATIONS AND SB 1637

SUPERVISOR PARRA ALSO COMMENTED ON THIS ISSUE

DEPARTMENTAL REQUESTS

AGRICULTURAL COMMISSIONER

- Pz-Mc
4 Ayes
1 Ab/Pa
- *5) Proposed retroactive Amendment No. I to Agreement #99-0792 with California Department of Food and Agriculture to reimburse Kern County for detection and surveillance of Glassy-winged Sharpshooter, in an amount not to exceed \$255,522.97, Fiscal Year 2000/2001 (prior notification June 6, 2000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 900-2000

- Pz-Mc
4 Ayes
1 Ab/Pa
- *6) Proposed designation of Kern County Agricultural Commissioner as the local public entity for the Pierce's Disease Control Program under Section 6046(f) of the California Food & Agricultural Code, Fiscal Year 2000/2001 - APPROVED

ASSESSOR-RECORDER

- Pz-Mc
4 Ayes
1 Ab/Pa
- *7) Proposed Resolution granting golden handshake to Booth V. Lee, effective October 7, 2000, and proposed deletion of one (1) Telephone Receptionist position in Recorder's Office, effective October 7, 2000 - APPROVED; ADOPTED RESOLUTION 2000-327; REFERRED TO PERSONNEL DEPARTMENT TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

COUNTY COUNSEL

- Pz-Mc
4 Ayes
1 Ab/Pa
- *8) Report on Board referral of July 25, 2000 regarding the request of Mr. Wesley Crawford Muhammad relating to conflict of interest laws - RECEIVED AND FILED

EMPLOYERS' TRAINING RESOURCE

- Pz-Mc *9) Proposed Workforce Investment Act Five-Year Plan
4 Ayes Amendment and Local Workforce Investment Area Grant
1 Ab/Pa Recipient Listing designating Employers' Training
Resource as the grant subrecipient, fiscal agent and
local area administrator for the Kern, Inyo and Mono
Workforce Investment Area - APPROVED; AUTHORIZED CHAIRMAN
TO SIGN
- Pz-Mc *10) Proposed retroactive Agreement with Wasco Union High
4 Ayes School District to provide activities to improve basic,
1 Ab/Pa occupational, and/or work readiness skills to youth
between the ages of 14 and 21 eligible under the
Workforce Investment Act, from April 1, 2000 through June
30, 2001, in an amount not to exceed \$129,978 (prior
notification on May 9, 2000) - APPROVED; AUTHORIZED
CHAIRMAN TO SIGN AGREEMENT 901-2000
- Pz-Mc *11) Proposed retroactive Agreement with Kern River Valley
4 Ayes Youth Center to provide activities to improve basic,
1 Ab/Pa occupational, and/or work readiness skills to youth
between the ages of 14 and 21 eligible under the
Workforce Investment Act, from April 1, 2000 through June
30, 2001, in an amount not to exceed \$79,300 (prior
notification on May 9, 2000) - APPROVED; AUTHORIZED
CHAIRMAN TO SIGN AGREEMENT 902-2000

HUMAN SERVICES

- Pz-Mc *12) Request approval to allow 15 foster parents to attend the
4 Ayes California State Foster Parent Association Training
1 Ab/Pa Conference in Sacramento, California from October 12
through October 15, 2000, and for payment of travel
expenses in an amount not to exceed \$10,541
(State/Federal funds) - APPROVED

KERN MEDICAL CENTER

- Pr-Mc 13) Proposed retroactive unusual travel request for Richard
4 Ayes F. Busch, M.D., to attend Pacific Coast Oto-
1 Ab/Pa Ophthalmological Society 84th Annual Meeting in Baja
California, Mexico, from June 17 to June 22, 2000, in an
amount not to exceed \$986.60 - APPROVED
- Pz-Pr 14) Proposed retroactive Agreement with Anthony Levin, M.D.,
4 Ayes for orthopedic medical services, from August 11, 2000 to
1 Ab/Pa August 10, 2002, in an amount not to exceed \$50,000
annually - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 903-2000
- Pz-Mc *15) Relief of accountability of patients accounts -
4 Ayes DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF
1 Ab/Pa 2224 ACCOUNTS TOTALING \$1,830,381.34 AND AUTHORIZED
ASSIGNING 2213 ACCOUNTS TOTALING \$1,797,217.09 TO
COLLECTION AGENCIES
- Pz-Mc *16) Recommendation for eleven (11) physician appointments of
4 Ayes Medical Staff Membership - APPROVED
1 Ab/Pa
- Pz-Mc *17) Proposed recommendation of John Paul Miller, M.D., and
4 Ayes Karen Siemens, Psy. D., for Medical Staff Membership from
1 Ab/Pa provisional staff to active staff - APPROVED

- Pz-Mc
4 Ayes
1 Ab/Pa
- *18) Request to authorize payment of retroactive salary beyond one year - AUTHORIZED BACK PAY TO TWO KERN MEDICAL CENTER EMPLOYEES AS RECOMMENDED; DIRECTED THE AUDITOR CONTROLLER TO PAY THE AMOUNTS DUE

MENTAL HEALTH SERVICES

- Pz-Mc
4 Ayes
1 Ab/Pa
- *19) Proposed approval of Relief of Accountability of patient's accounts - APPROVED THE DISCHARGE FROM ACCOUNTABILITY OF 35 ACCOUNTS TOTALING \$8,588.36

- Pz-Mc
4 Ayes
1 Ab/Pa
- *20) Request to accept a grant award from the U.S. Department of Justice, Office of Justice Programs, for evaluation of the Drug Courts in Bakersfield, Shafter, and Delano, in an amount not to exceed \$24,000 - APPROVED

PROBATION DEPARTMENT

- Pz-Mc
4 Ayes
1 Ab/Pa
- *21) Proposed Agreement with Greenfield Union School District and Kern County Superintendent of Schools Substance Abuse Prevention Education Partnership for Delinquency Prevention/Truancy Reduction Services, from September 15, 2000 through September 14, 2001, in an amount not to exceed \$67,600 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 904-2000

- Pz-Mc
4 Ayes
1 Ab/Pa
- *22) Proposed Agreement with Kern County Superintendent of Schools Substance Abuse Prevention Education Partnership for Delinquency Prevention/Truancy Reduction Services, from September 15, 2000 through September 14, 2001, in an amount not to exceed \$140,820 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 905-2000

- Pz-Mc
4 Ayes
1 Ab/Pa
- *23) Request for Relief of Accountability of 521 delinquent Kern County Juvenile Traffic Court accounts totaling \$215,087.00 - APPROVED

PUBLIC HEALTH SERVICES

- Pz-Mc
4 Ayes
1 Ab/Pa
- *24) Proposed retroactive Agreement with Beardsley School District for Medi-Cal Administrative Activities, from July 1, 2000 through June 30, 2001, in an amount not to exceed \$150,000 (prior notification June 27, 2000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 906-2000

- Pz-Mc
4 Ayes
1 Ab/Pa
- *25) Proposed addition of one full-time Permanent Senior Health Educator and one full-time Health Education Assistant I/II/III in Budget Unit 4110-F, effective September 12, 2000 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

SHERIFF

- Pz-Mc
4 Ayes
1 Ab/Pa
- *26) Application to hold a race, Taft Oildorado, Incorporated, "Oildorado Supercross" on October 13 and 14, 2000 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE RACE 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 RACES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE RACE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

- Pz-Mc
4 Ayes
1 Ab/Pa
- *27) Proposed Agreement with Greenfield School District for law enforcement services, from September 12, 2000 through June 30, 2001, in an amount not to exceed \$85,000; proposed addition of a Deputy Sheriff position effective September 12, 2000; appropriation of unanticipated revenue - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 907-2000; APPROVED ADDITION OF ONE (1) DEPUTY SHERIFF POSITION TO BUDGET UNIT 2210, ITEM #4496, EFFECTIVE SEPTEMBER 12, 2000; REFERRED TO PERSONNEL DEPARTMENT TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$85,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO THE KERN COUNTY SHERIFF'S DEPARTMENT, BUDGET UNIT 2210 IN THE AMOUNT OF \$85,000
- Pz-Mc
4 Ayes
1 Ab/Pa
- *28) Unusual travel request for S.W.A.T. team members, Senior Deputy Mike Dunham, Fire Captain Gus Bryant and Firefighter Kain Linville, to attend the Tactical Operational Medical Support Course in Spring, Texas, from October 8, 2000 to October 16, 2000, in an amount not to exceed \$1,076 - APPROVED

CLOSED SESSIONS

COUNTY COUNSEL

- Mc-
4 Ayes
1 Ab/Pa
- 29) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9 (b) (1)) -

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

/s/ Denise Pennell
Clerk of the Board

/s/ Kenneth W. Peterson
Chairman, Board of Supervisors

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Bakersfield, California

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ROLL CALL: 4 Present; 1 Absent: Supervisor Patrick

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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

Hearing

Pr-Mc
4 Ayes
1 Ab/Pa

- 1) Proposed Update of Capital Improvement Plans for park development fees established within the area of North Bakersfield Recreation & Park District for Fiscal Years 1999-2000 and 2000-2001 - OPENED HEARING; COLON BYWATER, NORTH BAKERSFIELD RECREATION & PARK DISTRICT, HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2000-328; RECEIVED AND FILED REPORT

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! - BOB CAMPBELL HEARD REGARDING CITIES ATTEMPTS TO RECEIVE TOBACCO SETTLEMENT ALLOCATIONS, AND TRAFFIC LIGHT ENFORCEMENT DISCUSSIONS HELD AT THE JOINT CITY/COUNTY MEETING

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

GENERAL PLAN AMENDMENT HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

Amendment of the Land Use, Open Space and Conservation Element, Maximum Allowed Land Use Density Table of the Kern County General Plan, the Metropolitan Bakersfield 2010 General Plan, the Western Rosedale Specific Plan, the Mayfair Specific Plan, Metropolitan Bakersfield 2010 General Plan Circulation Element; Alteration of Agricultural Preserves 10, 11, and 13; Other Items as Cited Which Include Amendments of Certain Zoning Maps and Applications and Proceedings

Mc-Pz
4 Ayes
1 Ab/Pa

- 4) **Request from Dennis Gonzales and Manuel Rodriguez by Delmarter and Deifel to change the permitted uses from agricultural to 2-1/2-acre minimum lot size residential on 19.54 acres, located at northwest corner of Rio Mesa Drive and Round Mountain Road, north of Hart Park, northeast Bakersfield (SD 1)**

Specific Request:

Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) R-EA (Extensive Agriculture) to Map Code(s) RR (Rural Residential - Minimum 2-1/2 Gross Acres/Unit) or a more restrictive map code designation (GPA #1, Map #82-36) (General Rule, Section 15061(b) (3); Published Bakersfield Californian) - DORY TRAGOCIAN HEARD; CONTINUED TO TUESDAY, SEPTEMBER 26, 2000, AT 2:00 P.M.

Pr-Pz
4 Ayes
1 Ab/Pa

- *5) **Request from Bob and Carol Grayson by R. L. Abbott and Associates to change the permitted uses from Exclusive Agriculture to 2-1/2-acre residential and exclusion from the boundaries of an Agricultural Preserve and a conditional use permit to allow three additional single-family residences on 20 acres located on the east side of Gosford Road, 5/8 mile north of Bear Mountain Boulevard, approximately four miles southeast of the community of Old River (SD 2)**

Specific Request:

(a) Amend the Metropolitan Bakersfield 2010 General Plan from Map Code(s) R-IA (Intensive Agriculture) to Map Code(s) RR (Rural Residential - Minimum 2-1/2 Gross Acres/Unit) or a more restrictive map code designation (GPA #13, Map #142)

(Continued on Page 8)

(Continued from Page 7)

(b) A change in zone classification from A (Exclusive Agriculture) to E (2-1/2) RS (Estate - 2-1/2 acres - Residential Suburban Combining) or more restrictive district (ZCC #55, Map #142)

(c) Exclusion of approximately 20 acres from the boundaries of an Agricultural Preserve (Ag Pres #10 - Exclusion)

(d) A Conditional Use Permit to allow the retention of three single-family residences as additional dwelling units (Section 19.16.030.B) in an E (2-1/2) RS (Estate - 2-1/2 acres - Residential Suburban Combining) District (CUP #52, Map #142)

(Negative Declaration; Published Bakersfield Californian)
- OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED NEGATIVE DECLARATION; ADOPTED RESOLUTIONS 2000-329 THROUGH 2000-332 AND ENACTED ORDINANCE G-6717 APPROVING GENERAL PLAN AMENDMENT, ZONE CHANGE, EXCLUSION, AND CONDITIONAL USE PERMIT SUBJECT TO CONDITIONS

Pr-Pz
4 Ayes
1 Ab/Pa

- *6) **Request from Delta Power Systems by Delmarter and Deifel to change the permitted uses from Exclusive Agriculture to Natural Resources and the exclusion of 19.34 acres from the boundaries of an Agricultural Preserve for property located on the east side of Enos Lane, 1/8 mile north of Rosedale Highway, Calder's Corner (SD 3)**

Specific Request:

(a) Amend the Western Rosedale Specific Plan from Map Code(s) R-IA (Intensive Agriculture) to Map Code(s) R-MP (Mineral Petroleum) or a more restrictive map code designation (GPA #22, Map #100)

(b) A change in zone classification from A (Exclusive Agriculture) to NR (5) (Natural Resource - 5 acres) or a more restrictive district (ZCC #44, Map #100)

(c) Exclusion of approximately 19.34 acres from the boundaries of an Agricultural Preserve (Ag Pres #11 - Excl)

(Negative Declaration; Published Bakersfield Californian)
- CONTINUED TO TUESDAY, OCTOBER 3, 2000, AT 2:00 P.M.

Pr-Pz
4 Ayes
1 Ab/Pa

- *7) **Request from Ridgeline Oil and Asphalt Company by Helt Engineering to remove a portion of a future secondary roadway alignment and to vacate a 1,122.23-foot portion of Progress Road located south of Panama Lane, southwest Bakersfield (SD 4)**

Specific Request:

(a) Amend the Circulation Element of the Metropolitan Bakersfield 2010 General Plan to remove a future secondary road alignment along the north-south midsection line of the N/2 of Section 29, T30S, R27E, MDB&M (GPA #6, Map #123)

(b) A nonsummary vacation of the 1,122.23-foot portion of Progress Road located south of the southern right-of-way of Panama Lane (123-29 3 098 - Streets and Highways) (Negative Declaration; Published Bakersfield Californian)
- CONTINUED TO TUESDAY, NOVEMBER 21, 2000, AT 2:00 P.M.

Pr-Pz
4 Ayes
1 Ab/Pa

- *8) **Request from John Minney by R. L. Abbott and Associates to delete the Shallow Groundwater designation on 640 acres located on the north side of Sherwood Avenue, one mile west of Gun Club Road, eight miles northeast of Lost Hills (SD 4)** Specific Request:
Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 8.1/2.3 (Intensive Agriculture - Shallow Groundwater) to Map Code(s) 8.1 (Intensive Agriculture) or a more restrictive map code designation (GPA #1, Map #31)
(Categorically Exempt, Section 15305; Published Delano Record) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2000-329 APPROVING GENERAL PLAN AMENDMENT, WITH THE ADDITION OF THE 2.5 (FLOOD HAZARD) MAP CODE

Pr-Pz
4 Ayes
1 Ab/Pa

- *9) **Request from Porter-Robertson Engineering and Surveying to change the permitted uses on a 20-acre parcel from agricultural to estate residential and to remove that parcel from the boundaries of an Agricultural Preserve, located at the southwest corner of Muller Road and Fairfax Road, southeast Bakersfield (SD 5)**
Specific Request:
(a) Amend the Mayfair Specific Plan from Map Code(s) 6.2 (General Commercial) to Map Code(s) 5.6 (Residential - Minimum 2-1/2 Gross Acres/Unit) or a more restrictive map code designation and to amend the Maximum Allowed Land Use Density Table for the Kern County General Plan (GPA #16, Map #124)
(b) A change in zone classification from A (Exclusive Agriculture) to E (2-1/2) RS (Estate - 2-1/2 acres - Residential Suburban Combining) or a more restrictive district (ZCC #63, Map #124)
(c) Exclusion of approximately 20 acres from the boundaries of an Agricultural Preserve (Ag Pres #13 - Excl)
(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTIONS 2000-329, 2000-333 AND 2000-334 AND ENACTED ORDINANCE G-6718 APPROVING GENERAL PLAN AMENDMENT, ZONE CHANGE WITH THE ADDITION OF THE PE (PETROLEUM EXTRACTION COMBINING) DISTRICT, AND EXCLUSION

HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

Pr-Pz
4 Ayes
1 Ab/Pa

- *10) **Request from Tejon Ranchcorp by Dennis Mullins to cancel an approximate 30-acre portion of a Land Use Contract located approximately one mile north of Edmonston Pumping Plant Road, five miles east of Interstate 5, Grapevine area of Rancho El Tejon (SD 2)**
Specific Request:
Cancellation of an approximate 30-acre portion of Land Use Contracts (Cancellation #00-4 Map #218R) (Statutorily Exempt, Section 15271; Published Mountain Enterprise) - CONTINUED TO TUESDAY, SEPTEMBER 19, 2000, AT 2:00 P.M.

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Streets & Highways

S.D. #4

- Pr-Pz *11) Request from Kern County Waste Management for a Summary
4 Ayes Vacation of a portion of Landfill Road, approximately 1/2
1 Ab/Pa mile north and west of Lebec Road, Lebec, Map No. 237-34
 - ADOPTED NEGATIVE DECLARATION; ADOPTED RESOLUTION
 2000-335 APPROVING VACATION, RESERVING AND EXCEPTING A
 PUBLIC UTILITY EASEMENT FOR ANY EXISTING UTILITIES

Miscellaneous

S.D. #2

- Pr-Pz *12) Request by Karen Aroutunian for Determination of Public
4 Ayes Convenience for the Issuance of an Off-Sale Beer and Wine
1 Ab/Pa License at 16825 Highway 14, Mojave, pursuant to the
 Alcohol Beverage Control Act, Section 23958 of the
 Business and Professions Code - APPROVED; ADOPTED
 RESOLUTION 2000-336

S.D. #4

- Pr-Pz 13) Request by George and James Borba to approve two (2)
3 Ayes proposed Agreements assuring the July 25, 2000,
1 No/Pe conditions of approval and mitigation measures for GPA #3
1 Ab/Pa and CUP #12 and #13, Map #141, as clarified, are
 implemented as recorded environmental restrictions on the
 two related dairy sites located on the south side of Taft
 Highway, west of Buena Vista Road, generally southwest of
 Bakersfield - JORGEN BERGLAND; MELANIE DEMKE; JERRY
 MARKEY; AND BOB CAMPBELL HEARD IN OPPOSITION; MARY K.
 SHELL, REPRESENTING GEORGE AND JAMES BORBA, HEARD IN
 SUPPORT; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS
 908-2000 AND 909-2000 SUBJECT TO APPROVAL AS TO FORM BY
 COUNTY COUNSEL; DIRECTED CLERK OF THE BOARD TO RECORD

RESOURCE MANAGEMENT AGENCY

Community Development Program

Hearing

All S.D.'s

- Pr-Pz *14) Review of Kern County's performance during implementation
4 Ayes of the Federal Community Development Block Grant (CDGB)
1 Ab/Pa Program, the HOME Investment Partnerships (HOME) Program,
 and the Emergency Shelter Grant (ESG) Program during
 Fiscal Year 1999-2000; review of County's Consolidated
 Annual Performance and Evaluation Report (CAPER) for
 Fiscal Year 1999-2000 and Certifications; and submission
 to HUD - OPENED HEARING; NO ONE HEARD; CLOSED HEARING;
 FORMALLY RECOGNIZED HUD-REQUIRED FORM 4949.1
 CERTIFICATIONS; APPROVED CONSOLIDATED ANNUAL PERFORMANCE
 AND EVALUATION REPORT DOCUMENT OF ANY PUBLIC COMMENT;
 AUTHORIZED CHAIRMAN TO SIGN FORM 4949.1; AUTHORIZED
 COMMUNITY DEVELOPMENT TO SUBMIT COMPLETED DOCUMENT TO HUD

- Pr-Pz *15) Re-authorization to obligate up to \$6,000 in HOME Program
4 Ayes funds to execute agreements to obtain special and
1 Ab/Pa professional services in connection with the analysis of
potential HOME-funded housing projects - AUTHORIZED
COMMUNITY DEVELOPMENT TO CONTRACT FOR SERVICES, IN A FORM
SUBJECT TO REVIEW AND APPROVAL BY COUNTY COUNSEL, IN AN
AMOUNT NOT TO EXCEED \$6,000 OF HOME PROGRAM FUNDS;
AUTHORIZED AUDITOR-CONTROLLER TO PAY FOR SUCH SERVICES
FOR THE FISCAL YEAR ENDING JUNE 30, 2001

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #1

- Pr-Pz *16) Proposed Resolution ordering the establishment of Zone of
4 Ayes Benefit No. 1 in County Service Area No. 23, determining
1 Ab/Pa to adopt and accept an Ordinance enacting assessments for
the area included within the boundary established herein,
Mexican Colony, Shafter, located south of Burbank Avenue
and east of Mannel Avenue - OPENED HEARING; NO ONE HEARD;
CLOSED HEARING; TALLIED BALLOTS; CONFIRMED THAT THE
BALLOTS WERE SUBMITTED IN FAVOR OF THE ASSESSMENTS;
ENACTED ORDINANCE G-6719 ESTABLISHING THE ASSESSMENTS AND
ADOPTED RESOLUTION 2000-337: A) CONFIRMING THE
ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S
REPORT; B) APPROVING AN ANNUAL ASSESSMENT NOT TO EXCEED
\$30 PER PARCEL FOR STREET LIGHTS; C) DETERMINING TO
ACCEPT AND ADOPT AN ORDINANCE ENACTING ASSESSMENTS FOR
THE AREA INCLUDED WITHIN THE BOUNDARIES HEREIN; D)
ORDERING THE ESTABLISHMENT OF ZONE OF BENEFIT NO. 1
WITHIN COUNTY SERVICE AREA NO. 23

- Pr-Pz *17) Hearing regarding proposed Inyokern Road Underground
4 Ayes Utility District - OPENED HEARING; NO ONE HEARD; CLOSED
1 Ab/Pa HEARING; APPROVED FORMATION OF THE DISTRICT AND ADOPTED
RESOLUTION 2000-338 ESTABLISHING SAID DISTRICT;
INSTRUCTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION
AND TO NOTIFY THE AFFECTED PROPERTY OWNERS AS DIRECTED IN
THE RESOLUTION

- Pr-Pz *18) Tract 5772, Phase 1, north side of Universe Avenue
4 Ayes between North Chester Avenue and McCray Street, north
1 Ab/Pa Bakersfield area, release of Monument Bond, The DeWalt
Corporation - RELEASED MONUMENT SECURITY BOND NO.
S500217, UNDERWRITTEN BY FINANCIAL PACIFIC INSURANCE
COMPANY, IN THE AMOUNT OF \$3,700

- Pr-Pz *19) Tract 5772, Phase 2, north side of Universe Avenue
4 Ayes between North Chester Avenue and McCray Street, north
1 Ab/Pa Bakersfield area, release of Monument Bond, The DeWalt
Corporation - RELEASED MONUMENT SECURITY BOND NO.
S500868, UNDERWRITTEN BY FINANCIAL PACIFIC INSURANCE
COMPANY, IN THE AMOUNT OF \$4,880

Pr-Pz *20) Tract 5772, Phase 3, north side of Universe Avenue
4 Ayes between North Chester Avenue and McCray Street, north
1 Ab/Pa Bakersfield area, release of Monument Bond, The DeWalt
Corporation - RELEASED MONUMENT SECURITY (CASH DEPOSIT);
AUTHORIZED AUDITOR-CONTROLLER TO ISSUE A WARRANT IN THE
AMOUNT OF \$1,970 TO THE SUBDIVIDER, THE DEWALT
CORPORATION

Pr-Pz *21) Tract 5772, Phase 4, north side of Universe Avenue
4 Ayes between North Chester Avenue and McCray Street, north
1 Ab/Pa Bakersfield area, release of Monument Bond, The DeWalt
Corporation - RELEASED MONUMENT SECURITY (CASH DEPOSIT);
AUTHORIZED AUDITOR-CONTROLLER TO ISSUE A WARRANT IN THE
AMOUNT OF \$1,865 TO THE SUBDIVIDER, THE DEWALT
CORPORATION

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #2

Pr-Pz *22) Proposed Contract No. 20022, with Granite Construction
4 Ayes Company, for construction on Oak Creek Road from one mile
1 Ab/Pa east of Tehachapi Willow Springs Road to 10.35 miles east
of Tehachapi Willow Springs Road, in an amount not to
exceed \$1,817,649 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 910-2000

WASTE MANAGEMENT

Hearing

All S.D.'s

Pz-Mc 23) Public hearing to consider Annual Review of Garbage
4 Ayes Franchises and establish the schedule of Refuse Service
1 Ab/Pa Rates for Fiscal Years 2000-2003 - OPENED HEARING; BOB
CAMPBELL HEARD; CLOSED HEARING; ADOPTED RESOLUTION
2000-339

S.D. #1

Mc-Pz 24) Proposed termination of Agreement No. 168-97 with Sierra
4 Ayes Waste Transfer, Inc., for operational services at Kern
1 Ab/Pa Valley Waste Diversion/Transfer Site (from 8/29/2000) -
MIKE THOMAS, SIERRA WASTE TRANSFER, INC.; RALPH WEGIS, ON
BEHALF OF MIKE THOMAS; AND TRICE HARVEY, HEARD; CONTINUED
TO TUESDAY, OCTOBER 3, 2000, AT 2:00 P.M.

S.D. #4

Pr-Pz *25) Contract No. 01001, accept low bid by Marathon
4 Ayes Construction Corporation to construct Transfer Station
1 Ab/Pa improvements at the Lebec Sanitary Landfill, in an amount
not to exceed \$89,016.60 - ACCEPTED LOW BID; AUTHORIZED
ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE
ALL OTHER BID GUARANTEES

All S.D.'s

- Pr-Pz *26) Proposed Agreement with Community Clean Sweep to
4 Ayes coordinate the Telephone Book Recycling program for
1 Ab/Pa Fiscal Years 2000-2005, in an amount not to exceed
\$38,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT
911-2000
- Pr-Pz *27) Proposed Amendment No. 1 to Agreement 740-98 with Safety-
4 Ayes Kleen to amend the scope of Household Hazardous Waste
1 Ab/Pa Collection services, no fiscal impact - APPROVED;
AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 912-2000

COUNTY ADMINISTRATIVE OFFICE

- Pr-Pz *28) Proposed Agreement with Court Appointed Special Advocates
4 Ayes of Kern for Fiscal Year 2000-2001, in an amount not to
1 Ab/Pa exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 913-2000
- Pr-Pz *29) Proposed Agreement with Bakersfield Symphony Orchestra
4 Ayes for Fiscal Year 2000-2001, in an amount not to exceed
1 Ab/Pa \$35,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT
914-2000
- Pr-Pz *30) Application for California Healthcare for Indigents
4 Ayes (CHIP) Funds for Fiscal Year 2000-2001 - APPROVED;
1 Ab/Pa AUTHORIZED CHAIRMAN TO SIGN
- Pr-Pz 31) Appointment of alternate members to Kern County Museum
4 Ayes Authority Board - APPOINTED SUPERVISORS PEREZ AND
1 Ab/Pa MCQUISTON AS ALTERNATE MEMBERS TO MUSEUM AUTHORITY BOARD;
AUTHORIZED CHAIRMAN TO SIGN NOTICE OF DESIGNATION
- Pr-Pz *32) Designation of United Way County Campaign Coordinator for
4 Ayes 2000-2001 - DESIGNATED NANCY EWERT AS COUNTY COORDINATOR
1 Ab/Pa OF 2000-2001 UNITED WAY FUND RAISING CAMPAIGN

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- Pr-Pz *33) Proposed Acceptance of Patent from the Bureau of Land
4 Ayes Management to convey ownership of the Ridgecrest Landfill
1 Ab/Pa to the County of Kern - MADE FINDING THAT PROJECT IS
EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL
SERVICES TO FILE NOTICE OF EXEMPTION; ACCEPTED PATENT
FROM THE UNITED STATES GOVERNMENT FOR THE RIDGECREST
LANDFILL; RECEIVED AND FILED ORIGINAL PATENT AND RETURNED
COPY TO PROPERTY MANAGEMENT

All S.D.'s

Pr-Pz *34) Proposed Resolution authorizing renewal of County of
4 Ayes Kern's eligibility as a participant in the Federal
1 Ab/Pa Surplus Property Program - APPROVED; ADOPTED RESOLUTION
 2000-340

MATTERS FOR EXECUTIVE APPROVAL

Pr-Pz *35) Budget Transfer - APPROVED #21
4 Ayes
1 Ab/Pa

Pr-Pz *36) Minutes for week of August 14, 2000 - APPROVED
4 Ayes
1 Ab/Pa

Pr-Pz *37) Miscellaneous Letters and Documents - FILED
4 Ayes
1 Ab/Pa

Pr-Pz *38) Miscellaneous Departmental Referrals by Clerk of the
4 Ayes Board - APPROVED AND FILED
1 Ab/Pa

Pr-Pz *39) Claims and Lawsuits filed with and referred by Clerk of
4 Ayes the Board - APPROVED AND FILED
1 Ab/Pa

Pz-Pr ADJOURNED TO TUESDAY, SEPTEMBER 19, 2000, AT 9:00 A.M.

/s/ Denise Pennell
Clerk of the Board

/s/ Kenneth W. Peterson
Chairman, Board of Supervisors

37) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Received, certified and forwarded to Recorder for recordation as follows:
- 1) Tract Map 5293 (S.D. #4)
 - 2) Tract Map 5430, Phase B (S.D. #4)
 - 3) Tract Map 5430, Phase F (S.D. #4)
 - 4) Tract Map 5430, Phase G (S.D. #4)
 - 5) Tract Map 5658, Unit 8 (S.D. #3)
 - 6) Tract Map 5816, Phase 1 & 2 (S.D. #2)
 - 7) Tract Map 5890, Phase 4 (S.D. #4)
 - 8) Tract Map 5943 (S.D. #3)
 - 9) Tract Map 5948, Phase B (S.D. #5)
 - 10) Tract Map 5951, Unit 2 (S.D. #4)
 - 11) Tract Map 5951, Unit 3 (S.D. #4)
 - 12) Parcel Map 10628 (S.D. #2)
 - 13) Parcel Map 10633 (S.D. #1)
 - 14) Parcel Map 10648 (S.D. #1)
 - 15) Parcel Map 10662 (S.D. #2)

Local Agency Formation Commission

- B) Proceeding No. 1286 in the matter of City of Bakersfield, Annexation No. 412 (Rosedale No. 8), Resolution No. 0018, Minute Book 47 (Copies to each Supervisor and CAO)

Planning Department

- C) Request from Sally Peterson to name an unnamed street, Jacks Creek Road, in the Walker Pass area (Copies to each Supervisor and CAO)

Resource Management Agency

- D) Response to letter from Dale R. Brogan, Delano-Earlimart Irrigation District, re the Westlands Water District attempt to obtain Area of Origin rights to San Joaquin river water (Copies to each Supervisor and CAO)

Miscellaneous

- E) Letter from David Saint-Amand re consideration of appointment to the East Kern County Resource Conservation District (Copies to each Supervisor, CAO, County Counsel, Elections and East Kern Resource Conservation District)
- F) Letter from Richard Dole, City of Bakersfield Development Services Department, re notice of public hearing and draft negative declaration, General Plan Amendment/Zone Change P00-0477, Castle & Cooke California, Inc. (Copies to each Supervisor, CAO, Planning and County Counsel)
- G) Letter from Bruce Kelsey, Kern County Citrus Pest Control District, re Doug Carman's interest in joining the District's Board of Directors (Copies to each Supervisor, CAO, Agricultural Department and County Counsel)
- H) Letter from David Montano requesting assistance with vehicle repairs (Copies to each Supervisor and CAO)
- I) Letter from Stanley P. Thurston, San Joaquin Valley Rail Committee, re Kern County's attendance at their meetings (Copies to each Supervisor, CAO and Kern COG)

- J) Bulletin from The California Rifle and Pistol Association, Inc., The Firing Line, September 2000, Issue No. 849 (Copies to each Supervisor, CAO and County Counsel)
- K) Bulletin from American Land Rights Association, National Inholders Association (Copies to each Supervisor and CAO)
- L) Memorandum from California State Association of Counties re draft recovery plan for the California Red-Legged Frog (Copies to each Supervisor, CAO, Planning and County Counsel)
- M) Notice from California State Water Resources Control Board re temporary change involving the transfer of 25,000 acre-feet of water for use by U.S. Bureau of Reclamation's Central Valley Project Improvement Act, Water Acquisition Program, under Merced Irrigation District's License 11395 (Application 16186) (Copies to each Supervisor, CAO and Resource Management Agency)
- 38) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Applications for alcohol beverage licenses: El Charro, 1863 Highway 58, Mojave; Studio 55, 6701 Niles Street, Bakersfield; La Casita Restaurant, 142 Bear Mountain Boulevard, Arvin - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
 - B) Letter from Florence Petersen re residence on southwest corner of Dorothy Street and Pioneer Drive - REFERRED TO RESOURCE MANAGEMENT AGENCY (Copies to each Supervisor and CAO)
 - C) Notice from Patrick Gallagher, Attorney for Petitioner Sierra Club, re Sierra Club joining the Center on Race, Poverty & the Environment in the Notice to Prepare the Record of Proceedings served on Kern County, Friday, August 25, 2000, relating to the Borba dairy - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor, CAO, Planning and Environmental Health)
- 39) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Theresa E. Reed vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of John Hasney, Linda Cranfill and the Estate of Michael Joseph Hasney, deceased vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Santos Gonzalez vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Hermelinda Guerro vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Angel Williams, a minor, by and through her guardian ad litem, Samantha Williams vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- F) Notice of Discrimination Complaint in the matter of Lynn Finley vs. Kern County - REFERRED TO COUNTY COUNSEL AND PERSONNEL (Copy to Risk Management)
- G) Notice of Discrimination Complaint in the matter of David Dyas vs. Kern County - REFERRED TO COUNTY COUNSEL AND PERSONNEL (Copy to Risk Management)