

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, September 16, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Watson

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 Louann Nickerson upon her retirement after 36 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO LOUANN NICKERSON; DIANE DUQUETTE, DIRECTOR OF LIBRARIES, AND LOUANN NICKERSON HEARD; LIBRARY MANAGEMENT TEAM RECOGNIZED

Patrick-McQuiston: All Ayes

- 2) Proclamation proclaiming October 2003 as Celebration of the Centennial of Powered Flight Month in Kern County - PROCLAIMED; MADE PRESENTATION TO COL. JACK GREGORY, VICE COMMANDER, AIR FORCE FLIGHT TEST CENTER, EDWARDS AIR FORCE BASE, AND PAT FARRIS, INDIAN WELLS VALLEY COMMUNITY FOUNDATION AND KERN COUNTY AIR SHOW; BARRY ZOELLER, DIRECTOR OF BOARD OF TRADE; PAT FARRIS; JIM KIDRICK, KERN COUNTY AIR SHOW COORDINATOR; CATHY JACOBSON, QUOIN INTERNATIONAL; AND COL. JACK GREGORY HEARD

McQuiston-Maben: All Ayes

- *3) Resolution honoring and commending Sally Rockholt upon her retirement after 33 years of service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Patrick-Watson: All Ayes

- *4) Resolution honoring and commending Patricia J. Holt upon her retirement after 25 years of service to Kern County - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Patrick-Watson: 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! - DR. B. A. JINADU, DIRECTOR OF PUBLIC HEALTH, INTRODUCED JEAN STOLL, DIRECTOR OF HEALTH PROMOTION AND PUBLIC INFORMATION; JEAN STOLL 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]) - SUPERVISOR McQUISTON DISCUSSED CONCERNS REGARDING SB 1049 CONCERNING FEES FOR STATE FIRE PROTECTION AREAS AND THE IMPACT ON RESIDENTS OF KERN COUNTY WHO RESIDE IN STATE RESPONSIBILITY AREAS; QUESTIONS WERE RAISED AND DISCUSSED

REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD WITH POSITION LETTER ON TUESDAY, SEPTEMBER 16, 2003 AT 2:00 P.M.; REFERRED TO COUNTY COUNSEL TO REVIEW LEGAL REMEDIES, IDENTIFY POTENTIAL NUMBER OF PARCELS AFFECTED, AND THE AMOUNT OF MONEY BEING PAID/REIMBURSED

McQuiston-Maben: All Ayes

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *7) Proposed retroactive Agreement with College Health IPA for Senior Adult Outreach Program in Kern River Valley, for Fiscal Year 2003-2004, in an amount not to exceed \$34,000 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 805-2003

Patrick-Watson: All Ayes

- *8) Proposed retroactive Amendment No. 1 to Agreement 209-2002 with Valley Caregiver Resource Center to provide Caregiver Support Services, for Fiscal Year 2003-2004, to extend term through June 30, 2004, to update scope of work and to increase maximum compensation to an amount not to exceed \$29,492 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 806-2003

Patrick-Watson: All Ayes

- *9) Proposed retroactive Amendment No. 2 to Agreement 944-2001 with Valley Caregiver Resource Center to provide Homemaker Services, for Fiscal Year 2003-2004, to extend term through June 30, 2004, to update scope of work and to increase maximum compensation to an amount not to exceed \$10,801 (prior notification June 17, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 807-2003

Patrick-Watson: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- *10) Proposed approval of revision to cooperative Agreement with United States Department of Agriculture, adding an additional \$522,257.76, for area wide management of Glassy-winged Sharpshooter in Kern County in a total amount not to exceed \$3,636,824, approval of Application for Federal Assistance and approval of Request for Advance or Reimbursement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN COOPERATIVE AGREEMENT 808-2003, APPLICATION FOR FEDERAL ASSISTANCE AND REQUEST FOR ADVANCE OR REIMBURSEMENT IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-Watson: All Ayes

AIRPORTS

- *11) Request for Department of Airports to develop Agreement with Coffman Associates for services to complete an FAR 150 Airport Noise Compatibility Study update for Meadows Field Airport - APPROVED

Patrick-Watson: All Ayes

COUNTY COUNSEL

- *12) Proposed deletion of one (1) Supervising Workers' Compensation Adjuster position, and addition of one (1) Workers' Compensation Claims Adjuster I/II/III and one (1) Office Services Assistant positions, effective September 20, 2003, Budget Unit 1910 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Watson: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *13) Proposed retroactive Agreement with Greater Bakersfield Chamber of Commerce to participate in the Youth Leadership Bakersfield program, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$10,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 809-2003

Patrick-Watson: All Ayes

- *14) Proposed retroactive Agreement with Proteus, Inc., for employment and training services to Workforce Investment Act-eligible customers, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$309,340 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 810-2003

Patrick-Watson: All Ayes

- *15) Proposed retroactive Agreement with Mexican American Opportunity Foundation for work readiness and occupational skills training for customers eligible under the Workforce Investment Act, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$1,421,703 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 811-2003

Patrick-Watson: All Ayes

- *16) Proposed retroactive Agreement with City of Ridgecrest for comprehensive educational and employment readiness activities for in-school and out-of-school youth eligible under the Workforce Investment Act, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$61,200 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 812-2003

Patrick-Watson: All Ayes

- *17) Proposed retroactive Agreement with Kern County Superintendent of Schools for comprehensive educational and employment readiness activities for out-of-school, court-involved and charter school youth eligible under the Workforce Investment Act, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$256,004 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 813-2003

Patrick-Watson: All Ayes

HUMAN SERVICES

- *18) Proposed Agreement with Trustees of California State University for placing Masters of Social Work interns in County facilities for graduate social work experience, from September 16, 2003 to June 30, 2005 (no cost to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 814-2003

Patrick-Watson: All Ayes

- *19) Proposed Agreement with Urban Institute and U.S. Department of Health and Human Services for research project to evaluate Independent Living Program Employment Services in Kern County, from September 16, 2003 to June 30, 2006, in an amount not to exceed \$15,000 (revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 815-2003

Patrick-Watson: All Ayes

KERN MEDICAL CENTER

- *20) Request to create classification for Per Diem Pre-Licensed Pharmacist Interns, to be compensated at \$22.55 per hour (continued from September 9, 2003) - CONTINUED TO TUESDAY, SEPTEMBER 23, 2003 AT 9:00 A.M.

Patrick-Watson: All Ayes

- *21) Request to hire retired County employee Sandra Boxley, Per Diem Nurse II, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Patrick-Watson: All Ayes

- *22) Proposed deletion of one (1) full-time HHC Pharmacist position, and addition of one (1) full-time Senior Pharmacist position, effective September 16, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Watson: All Ayes

- *23) Proposed changes in clinical privilege status for ten (10) members of Kern Medical Center's Medical Staff - APPROVED

Patrick-Watson: All Ayes

- *24) Proposed Amendment No. 2 to sole source Agreement with Kenneth Newcomb, for in-depth consultation and technical review in all areas of charging and charge master compliance, to extend term to March 26, 2004, and increase maximum amount payable from \$91,000 to \$150,000, an increase of \$59,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 816-2003

Patrick-Watson: All Ayes

- *25) Proposed Amendment No. 1 to Agreement 899-2002 with Marvin Karno, M.D., to assist with development of psychiatry residency program, to extend term to September 23, 2004, and increase maximum amount payable from \$75,000 to \$150,000, an increase of \$75,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 817-2003

Patrick-Watson: All Ayes

- *26) Proposed Agreement with Group Administrative Practice Strategies, Inc., for management services for bariatric surgery program, from September 16, 2003 through September 15, 2006, in an amount not to exceed \$204,200 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 818-2003

Patrick-Watson: All Ayes

PUBLIC HEALTH SERVICES

- *27) Proposed retroactive Speaker/Trainer Services Agreement with Bakersfield College for Decontamination Trainings held on July 16, July 18, and July 30, 2003, in the amount of \$2,300 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 819-2003

Patrick-Watson: All Ayes

SHERIFF

- *28) Request to transfer \$75,000 from Sheriff's Trust Account 22143 to Expenditure Key 7714 SDE/Citizen Service Unit; No fiscal impact on General Fund - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM SHERIFF'S TRUST ACCOUNT 22143 IN THE AMOUNT OF \$75,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$75,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO SHERIFF'S BUDGET UNIT 2210, EXPENDITURE CODE 7714, SDE/CITIZEN SERVICE UNIT/SEARCH AND RESCUE UNIT

Patrick-Watson: All Ayes

TREASURER-TAX COLLECTOR

- *29) Cash Receipts and Disbursements for August 2003 - RECEIVED AND FILED

Patrick-Watson: All Ayes

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IHSS
PUBLIC AUTHORITY

Watson-Patrick

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSIONS

IHSS PUBLIC AUTHORITY

- 30) IHSS Request for Closed Session regarding Meet and Confer,
UDWA -

RECONVENED FROM CLOSED SESSION; ADJOURNED AS IHSS PUBLIC
AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

Maben-Watson

ADJOURNED TO CLOSED SESSION

Watson

COUNTY ADMINISTRATIVE OFFICE

- 31) Request for Closed Session regarding Meet and Confer, All
Unions -
- 32) Request for Closed Session regarding public employee
recruitment - Title: Director of Emergency Medical
Services -
- 32A) Results of Closed Session regarding public employee
recruitment - Title: Director of Emergency Medical
Services - APPOINTED ROSS ELLIOTT AS INTERIM DIRECTOR OF
EMERGENCY MEDICAL SERVICES EFFECTIVE SEPTEMBER 29, 2003

COUNTY COUNSEL

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

McQuiston-Maben

/s/ Tracey E. Cody
Administrative Coordinator

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, September 16, 2003

2:00 P.M.

BOARD RECONVENED

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

NOTE: Result of Closed Session regarding public employee recruitment - Title: Director of Emergency Medical Services - CHAIRMAN PARRA ANNOUNCED THE APPOINTMENT OF ROSS ELLIOTT AS INTERIM DIRECTOR OF EMERGENCY MEDICAL SERVICES, EFFECTIVE SEPTEMBER 29, 2003; ROSS ELLIOTT HEARD

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

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

McQuiston-Maben: All Ayes

FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

- #1) Report concerning proposed use of reserve funds for Ford City-Taft Heights Sanitation District - RECEIVED AND FILED

Watson-Maben: All Ayes

ADJOURNED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT;
RECONVENED AS BOARD OF SUPERVISORS

Watson-Maben: All Ayes

PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

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

Specific Request:

- (a) An appeal to the decision of the Hearing Officer for the denial of a development variation to the Land Division Ordinance for Tentative Parcel Map 10935 (approved June 19, 2003) to allow deletion of Type A road improvements along Meacham Road on the parcel map boundary
- (b) An appeal to the decision of the Hearing Officer requiring an expanded easement around the existing oil well and tank site (TPM #10935)

(Negative Declaration; Published Bakersfield Californian) (from 8/26/2003) - OPENED HEARING; FRED PORTER, REPRESENTING APPLICANT; GORDON DOLE, OILFIELD OPERATOR; JOSEPH A. AUSTIN, OIL AND GAS ENGINEER WITH CALIFORNIA DEPARTMENT OF CONSERVATION/DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES, HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2003-421 DENYING APPEAL AND UPHOLDING DECISION OF THE HEARING OFFICER AND APPROVING PARCEL MAP 10935 WITH DELETION OF CONDITION NO. 12 RELATING TO OBSTRUCTION REMOVAL REQUIREMENTS, REVISION OF CONDITION NOS. 17, 18 AND 34 AND ADDITION OF CONDITION NO. 47 ALL RELATING TO OIL FACILITY ACCESS EASEMENTS AND ROAD CONSTRUCTION

Watson-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

All S.D.'s

- *5) Proposed Resolution to endorse Comprehensive Economic Development Strategy Annual Update for the U.S. Economic Development Administration - APPROVED; ADOPTED RESOLUTION 2003-422

Watson-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #2

- *6) Tract 5195, Phase 2, release of Laborers and Materialmen Security, Kaufman and Broad Land Company - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NOS. 700773343 (AMCAS) AND 11119238654 (AIC), UNDERWRITTEN BY AMERICAN CASUALTY INSURANCE COMPANY OF READING, PA, AND AMERICAN INSURANCE COMPANY, IN THE AMOUNT OF \$1,480,403

Watson-McQuiston: All Ayes

- *7) Tract 5842, Phase 2, release of Laborers and Materialmen Security, Kaufman and Broad Land Company - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 11127392519, UNDERWRITTEN BY FIREMAN'S FUND INSURANCE CO., IN THE AMOUNT OF \$503,636

Watson-McQuiston: All Ayes

S.D. #4

- *8) Proposed Agreement with Questa Engineering Corp., for engineering services for the feasibility analysis for stream restoration of Cuddy Creek, in an amount not to exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 820-2003

Watson-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY

Roads Department

S.D. #3

- *9) Contract No. 04003, Plans, Specifications, and Notice to Contractors for drainage improvements at Mt. Vernon Avenue and Bernard Street - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF THE PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, OCTOBER 15, 2003, AT 11:00 A.M.

Watson-McQuiston: All Ayes

S.D.'s #1 & #2

- *10) Proposed Contract No. 04002 with Asphalt Construction Company for asphalt concrete (stockpile) at various locations in East Kern County, in an amount not to exceed \$167,750 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 821-2003

Watson-McQuiston: All Ayes

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

- *11) Proposed Contract No. 04001 with Granite Construction Company for asphalt concrete (stockpile) at various locations in Kern County, in an amount not to exceed \$457,145 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 822-2003

Watson-McQuiston: All Ayes

S.D.'s #3 & #5

- *12) Contract No. 02043, Notice of Completion for construction on Niles Street Median and Signal Interconnection (Virginia Street to Morning Drive) - RECEIVED AND FILED

Watson-McQuiston: All Ayes

WASTE MANAGEMENT

S.D.'s #1 & #2

- *13) Contract 02031, Change Order No. 1, for construction of Phase 2A, Module 1 liner at the Bakersfield Metropolitan (Bena) Sanitary Landfill, an increase of \$190,539.24, for a new total of \$3,745,715.21 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-McQuiston: All Ayes

All S.D.'s

- 14) Proposed addition of one (1) full-time Office Services Technician position, one (1) full-time Waste Management Specialist I/II/III position and one (1) full-time Groundskeeper I/II position to Budget Unit 8999, and concurrent deletion of one (1) full-time Office Services Assistant position, one (1) full-time Disposal Site Gate Attendant position and one (1) part-time Disposal Site Gate Attendant from Budget Unit 8999, effective September 20, 2003 - ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Watson: All Ayes

- *15) Report concerning 2003 Monitoring and Reporting Element, Financial Assurance for Corrective Action update and proposed Resolution and Agreement with California Integrated Waste Management Board concerning Financial Assurance for Groundwater Corrective Action - RECEIVED AND FILED; APPROVED REPORT; ADOPTED RESOLUTION 2003-423; APPROVED AGREEMENT; AUTHORIZE CHAIRMAN TO SIGN AGREEMENT 823-2003

Watson-McQuiston: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *16) Proposed Agreement with IWV 2000 for military base retention efforts for Fiscal Year 2003-2004 in an amount not to exceed \$60,000 -APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 824-2003

Watson-McQuiston: All Ayes

NON-AGENDA ITEM

COUNTY ADMINISTRATIVE OFFICE

MOTION TO CONSIDER NON-AGENDA ITEM NO. 16A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE THE LEGISLATURE APPROVED AND SENT TO THE GOVERNOR SB 1049, BUDGET TRAILER LEGISLATION IMPOSING A NEW PARCEL FEE ON PROPERTY OWNERS WITHIN STATE FIRE PROTECTION AREAS TO PAY FOR FIRE PROTECTION SERVICES. IN KERN COUNTY, THESE SERVICES ARE PROVIDED BY THE COUNTY FIRE DEPARTMENT THROUGH A CONTRACT WITH THE STATE DEPARTMENT OF FORESTRY AND FIRE PROTECTION. IF ENACTED, THE FEE WILL BE \$70 PER PARCEL IN THE FIRST YEAR AND \$35 PER YEAR AFTER THAT. IN ORDER TO COMMUNICATE OPPOSITION TO THE PROPOSED FEES AND TO ANY LOWERING OF STATE PAYMENTS TO THE COUNTY FOR FIRE PROTECTION IN A TIMELY MANNER, ACTION AT THE SEPTEMBER 16 MEETING IS NEEDED

McQuiston-Maben: All Ayes

Legislative Matter

- 16A) SB 1049 (Senate Budget and Fiscal Review Committee), fees for State fire protection areas - ADOPTED POSITION IN OPPOSITION TO FEES AND IN OPPOSITION TO ANY LOWERING OF STATE PAYMENTS TO COUNTY FIRE DEPARTMENT FOR FIRE PROTECTION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

McQuiston-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #4

- *17) Proposed purchase of 2.20 acres of vacant land located in Lebec from California Department of Transportation (Caltrans) for a purchase price of \$132,000 and \$800 for escrow and closing costs - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-424; ACCEPTED DIRECTOR'S DEED; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS

Watson-McQuiston: All Ayes

S.D. #2

- *18) Proposed Lease Agreement with the Hansen Family Limited Partnership for communication site on Thumb Mountain from date of execution through June 7, 2020 (\$3,000 a year) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT TO SUSAN H. HANSEN IN THE AMOUNT OF \$3,000; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 825-2003

Watson-McQuiston: All Ayes

All S.D.'s

- *19) Proposed Request for Proposal (RFP) for countywide agreement for security guard services, and proposed Amendment No. 3 to Agreement 925-99 with Trans-West Security Services to extend term of current agreement until December 31, 2003 - APPROVED; AUTHORIZED PURCHASING AGENT TO DISTRIBUTE RFP; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 826-2003

Watson-McQuiston: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *20) Budget Transfers - APPROVED NO. 13 THROUGH NO. 18

Watson-McQuiston: All Ayes

- *21) Minutes for week of August 4, 2003 - APPROVED WITH CORRECTION TO ITEM NO. 46, 2:00 P.M., TO DELETE "**AGREEMENT 720-2003**"

Watson-McQuiston: All Ayes

- *22) Miscellaneous Letters and Documents - FILED

Watson-McQuiston: All Ayes

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

Watson-McQuiston: All Ayes

ADJOURNED TO TUESDAY, SEPTEMBER 23, 2003, AT 9:00 A.M.

Watson-

/s/ Tracey E. Cody
Administrative Coordinator

/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.

22) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Board of Supervisors

- A) Letter from David Baumstark, re his resignation as Director of Emergency Medical Services, effective September 27, 2003

Clerk of the Board

- B) Received, certified and submitted to Recorder for recordation as follows:

- | | |
|----------------------------|---------|
| 1) Tract Map 6077, Unit 5 | S.D. #3 |
| 2) Tract Map 6077, Unit 6 | S.D. #3 |
| 3) Tract Map 6121, Phase 1 | S.D. #3 |

Employers' Training Resource

- C) Modification 1 to Agreement R485279 with the State of California Employment Development Department to incorporate Workforce Investment Act Formula Adult and Dislocated Worker funding into Agreement for Program Year 2003-04

Environmental Health

- D) Six (6) thank you letters to individuals for donations to the Mojave and Bakersfield animal shelters

Local Agency Formation Commission

- E) Resolution No. 03-15, Proceeding No. 1356, in the matter of NOR Sanitary District No. 1, Annexation No. 56

Planning

- F) Certificate of Acceptance re Grant of Avigation Easement from National Health Services, Incorporated, portion of APN 114-200-03-00-7

Miscellaneous

- G) Letter from Thomas Shrader in opposition to Palvinder Singh's proposal re Tentative Parcel Map 10871, Shafter Road (Copies to each Supervisor, CAO, Planning and County Counsel)
- H) Letter from Manoochehr Paymanian re traffic citation No. 60588RN (Copies to each Supervisor and CAO)
- I) Letter from Marie Halliburton, Verizon Wireless, re Bear Valley cell site, 23840 El Rancho Road, Tehachapi, APN 344-371-07 (Copies to Planning and General Services)
- J) Letter from Marie Halliburton, Verizon Wireless, re Downtown Mojave cell site, 1426 Highway 58, Mojave, APN 236-360-558 (Copies to Planning and General Services)
- K) Notices from Alcoholic Beverage Control re Applications for alcoholic beverage licenses: Sportsman Inn, 11123 Kernville Road, Kernville; Shell Oil Products, 5300 Olive Drive, Bakersfield; Shell Oil Products, 6439 Rosedale Highway, Bakersfield; Bernardino's Restaurant, 6601 Inyokern Road, Inyokern; Nuevo Oasis Restaurant, 2805 Taft Highway, Bakersfield and Lamont Union 76 & Food Mart, 9701 Main Street, Lamont (Copies to each Supervisor, CAO and Planning)

- L) Notice from State Water Resources Control Board re application to appropriate water by permit, Application 31336, by James and Ranee Bloom to divert water from five (5) unnamed streams tributary to McDowell Creek in Mendocino County (Copies to each Supervisor, CAO and Engineering & Survey Services)
- 23) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Miguel Gonzalez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Dorothy Nadine Barnes vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Roy Washington vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Diane Lynn Jeffords vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Ebmeyer Charter and Tour, Bruce W. Ebmeyer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Jose Alfredo Heredia, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) 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)
- H) Summons and complaint in the matter of Tina Antak, Michael Clark, Sr., and La-Na A. Sandy-Clark vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)