

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, September 17, 2002

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Vacant, Parra
ROLL CALL: 3 Present; 1 Absent, Supervisor McQuiston

NOTE: Chairman Perez announced the death of Assistant District Attorney Stephen A. Tauzer and asked that he be remembered during the moment of silence. The Chairman further announced that all County flags would be flown at half-staff in his honor.

NOTE: Supervisor Mc Quiston was excused from today's Board meeting.

SALUTE TO FLAG - Led by Supervisor Parra

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) Proclamation proclaiming September 23, 2002 as Family Day in Kern County - PROCLAIMED; MADE PRESENTATION TO TONY LOPEZ, CLINICA SIERRA VISTA; TONY LOPEZ HEARD
Parra-Patrick - 3 Ayes; 1 Absent - McQuiston
- 2) Proclamation proclaiming October 2002 as Paint the Town Pink Month in Kern County - PROCLAIMED; MADE PRESENTATION TO JEANNETTE CLEVELAND, PRESIDENT OF LINK TO LIFE; JANICE FARMER HEARD AND INTRODUCED LINK TO LIFE BOARD MEMBERS PAT ROWE, VIRGINIA FERRARI, CARMEN LANGFIELD, AND JENNIFER HENRY
Patrick-Parra - 3 Ayes; 1 Absent - McQuiston

- 3) Proclamation proclaiming the week of September 22, 2002 as "Cool in the Shade Week" in Kern County - PROCLAIMED; MADE PRESENTATION TO DANA KARCHER, DIRECTOR OF THE TREE FOUNDATION OF KERN; DANA KARCHER HEARD; PAUL GRAHAM, URBAN FORESTER FOR CITY OF BAKERSFIELD, AND MATT PONTES, FORESTER FOR COUNTY OF KERN, INTRODUCED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- 4) Proclamation proclaiming September 22-28, 2002 as National 5 a Day Week in Kern County - PROCLAIMED; MADE PRESENTATION TO JOHN KARLIK, ACTING DIRECTOR, FARM AND HOME ADVISOR; JOHN KARLIK HEARD

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

- 5) Proclamation proclaiming October 2002 as "Reading the Grapes of Wrath" Month in Kern County - PROCLAIMED; MADE PRESENTATION TO DIANE DUQUETTE, DIRECTOR OF LIBRARIES; DIANE DUQUETTE AND JERRY STANLEY, AUTHOR OF CHILDREN OF THE DUST BOWL, HEARD; KRISTIE COONS INTRODUCED

Patrick-Parra - 3 Ayes; 1 Absent - McQuiston

- 6) Resolutions honoring Senior Deputy Lawrence Thatcher, Deputy James Stratton, Deputy and Tactical Flight Officer Michael Patrick, Chief Pilot Etelberto Penaloza and Animal Control Officer Bonnie Hernandez for bravery and exceptional performance in the line of duty - ADOPTED RESOLUTIONS; MADE PRESENTATIONS TO SENIOR DEPUTY LAWRENCE THATCHER, DEPUTY JAMES STRATTON, ANIMAL CONTROL OFFICER BONNIE HERNANDEZ, CHIEF PILOT ETELBERTO PENALOZA AND DEPUTY AND TACTICAL FLIGHT OFFICER MICHAEL PATRICK; SHERIFF CARL SPARKS AND DAVE PRICE, DIRECTOR OF RESOURCE MANAGEMENT AGENCY, HEARD

Patrick-Parra - 3 Ayes; 1 Absent - McQuiston

APPOINTMENTS

- *7) Appointment of Beverly Beasley Knight as Department of Social Services Member to the Kern County Juvenile Justice Coordinating Council, term to expire at the pleasure of the Board - MADE APPOINTMENT

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

PUBLIC PRESENTATIONS

- 8) 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

- 9) 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

AGRICULTURE AND MEASUREMENT STANDARDS

- 10) Proposed recognition of a local drought disaster for the grazing and rangeland portions of Kern County, and authorize the Chairman of the Board to sign a letter addressed to the State Office of Emergency Services Director requesting that the United States Department of Agriculture (USDA) declare a USDA Secretarial Declaration of Agriculture disaster for Kern County and implement the Emergency Loan Program - KEN TWISSELMAN, RANCHER, AND LORON HODGE, EXECUTIVE DIRECTOR, KERN COUNTY FARM BUREAU, HEARD; RECEIVED AND FILED DOCUMENTS; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *11) Proposed retroactive Amendment No. 2 to Agreement 785-99 with California Department of Food and Agriculture (99-0283) to decrease the dollar amount of the agreement by \$8,325, effective February 1, 2002, for a new amount not to exceed \$92,775 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 850-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *12) Proposed retroactive Agreement with California Cantaloupe Advisory Board for cantaloupe surveillance, from June 1, 2002 through October 31, 2002, in an amount not to exceed \$18,153 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 851-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *13) Proposed retroactive Agreement with California Department of Food and Agriculture to provide reimbursement to enforce the Organic Food Act for Fiscal Year 2002/2003, in an amount not to exceed \$1,700 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 852-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *14) Proposed retroactive Agreement with California Department of Food and Agriculture to provide reimbursement for supervision and enforcement of the Nematode Program during Fiscal Year 2002/2003, in an amount not to exceed \$1,400 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 853-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *15) Proposed retroactive Agreement with California Department of Food and Agriculture for reimbursement of Fruit and Vegetable Standardization Inspections during Fiscal Year 2002/2003 conducted within Kern County when requested by the California Department of Food and Agriculture, in an amount not to exceed \$48,270 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 854-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *16) Proposed retroactive Agreement with California Department of Food and Agriculture to reimburse for Red Imported Fire Ant survey work conducted within Kern County, from May 1, 2002 through September 30, 2002, in an amount not to exceed \$40,000 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 855-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *17) Proposed retroactive Agreement with California Department of Food and Agriculture for reimbursement on High Risk Trapping within Kern County, for Fiscal Year 2002/2003, in an amount not to exceed \$21,787 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 856-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *18) Proposed retroactive Agreement with Willard B. Christiansen, M.D., for medical services and supervision as required by California Department of Pesticide Regulations for County employees who handle pesticides in Toxicity Category I or II containing phosphates or carbamates, for Fiscal Year 2002/2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 857-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

BOARD OF TRADE

- *19) Request for authorization to proceed with implementation of Tourism Promotion Grant Program - APPROVED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

EMPLOYERS' TRAINING RESOURCE

- *20) Proposed Workforce Investment Act (WIA) Five-Year Local Plan Modification - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *21) Proposed retroactive Agreement with Southern Kern Unified School District for training and employment activities for Workforce Investment Act eligible youth, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$19,200 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 858-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *22) Proposed retroactive Agreement with Delano Joint Union High School District for training and employment activities for Workforce Investment Act and/or Welfare-to-Work eligible individuals, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$77,000 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 859-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *23) Proposed retroactive Agreement with City of Ridgecrest for training and employment activities for Workforce Investment Act eligible youth, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$72,000 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 860-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *24) Proposed retroactive Agreement with Delano Joint Union High School District for the provision of training and employment activities for Workforce Investment Act eligible youth, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$197,761 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 861-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

FIRE DEPARTMENT

- *25) Request to donate surplus fire equipment to the State of Michoacan, Mexico - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *26) Request for authorization for Auditor-Controller to pay Claim for Payment in the amount of \$1,275.11 to Carmel Fire Protection Associates for staff training - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO PAY

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

HUMAN SERVICES

- *27) Proposed Amendment No. 1 to Agreement 584-2002 with the Regents of the University of California for annual training program for foster parents, modifying paragraphs relating to indemnification, insurance, notifications and confidentiality - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 862-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *28) Proposed Amendment No. 1 to Agreement 585-2002 with the Regents of the University of California for annual training program for county personnel who provide eligibility services, modifying paragraphs relating to indemnification, insurance, notifications and confidentiality - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 863-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

KERN MEDICAL CENTER

- *29) Proposed changes in clinical privilege status for 20 members of Kern Medical Center's Medical Staff - APPROVED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *30) Relief of accountability of patients' accounts - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 9:00 A.M.

- *31) Proposed retroactive Amendment No. 3 to Agreement 776-99 with Joseph Mansour, M.D., for obstetrical and gynecological services, extending the term through November 1, 2002, and increasing the amount not to exceed by \$200,770, making the contractual not to exceed amount \$916,924 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 864-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *32) Proposed retroactive Agreement with Mansoor Gilani, D.D.S., for dental services at Lerdo Correctional Facility, from June 1, 2002 through May 31, 2004, in an amount not to exceed \$180,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 865-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *33) Notification of intent to seek retroactive approval of Agreement with John R. Martell, M.D., for orthopedic services - RECEIVED AND FILED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *34) Notification of intent to seek retroactive approval of Agreement with Supratim Banerjee, M.D., for cardiology services in Department of Medicine - RECEIVED AND FILED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

MENTAL HEALTH SERVICES

- *35) Proposed retroactive Agreement with Tulare County Superintendent of Schools for the Friday Night Live Mentoring Program in Kern County, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$27,500 (funding to the County) (State; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 866-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *36) Proposed Amendment No. 1 to Agreement 351-2002 with Clinica Sierra Vista, Inc., for Substance Abuse Prevention Services to increase the required fiscal records retention period and define the contractor's consolidated schedule of functional expenses report preparation options, from July 1, 2002 to June 30, 2003, no fiscal impact - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 867-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *37) Proposed relief from accountability of 76 patient accounts in the amount of \$24,744.47 - APPROVED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

PARKS AND RECREATION DEPARTMENT

- *38) Appropriation of unanticipated revenue in the amount of \$125,000 from Proposition 12 for purchase and installation of restroom at Pioneer Park - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 9:00 A.M.

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *39) Appropriation of unanticipated revenue in the amount of \$125,000 from Proposition 12 for purchase and installation of restroom at Rexland Acres Park - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 9:00 A.M.

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *40) Appropriation of unanticipated revenue in the amount of \$10,000 from Kern County Air Pollution Control District for paving of Randsburg Park parking lot - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 9:00 A.M.

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

PROBATION

- *41) Request for relief from accountability of delinquent Kern County Juvenile Traffic Court accounts, totaling \$88,837 - APPROVED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *42) Request to hire retired County employees, James P. Webdell, as a Probation Supervisor, Range 53.5, Step A, and Sarah L. Webb, as an Administrative Aide I, Range 44.0, Step A, 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

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *43) Proposed Agreement with NCS Healthcare to provide pharmaceutical products and services to juveniles in custody, from October 1, 2002 through June 30, 2003, in an amount not to exceed \$160,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 868-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *44) Request to donate surplus paint to Luis Aguilar for distribution in Mexico - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *45) Proposed Agreement with South Fork Union School District for delinquency prevention services, from September 17, 2002 through August 31, 2003, in an amount not to exceed \$70,926 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 869-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *46) Proposed Resolution authorizing execution of State Contract with State Board of Corrections and providing assurances regarding County compliance with conditions of the grant award for construction of new juvenile detention facility - APPROVED; ADOPTED RESOLUTION 2002-387; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 879-2002 SUBJECT TO APPROVAL BY COUNTY COUNSEL AS TO FORM

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

PUBLIC HEALTH SERVICES

- *47) Proposed retroactive Agreement with Bakersfield AIDS Foundation for professional services for Housing Opportunities for Persons with AIDS funds, from July 1, 2002, through June 30, 2003, in an amount not to exceed \$20,000 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 870-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

SHERIFF

- *48) Expenditure of funds from Sheriff's Budget Unit 2210 to cover miscellaneous expenditures for non-county employees for Fiscal Year 2002-2003 - APPROVED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *49) Appropriation of unanticipated revenue in the amount of \$72,540 and approval of sole source purchase order to Geospatial Technologies for the purchase of crime map software, in an amount not to exceed \$24,828 - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 9:00 A.M.

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *50) Request to donate unsaleable surplus law enforcement equipment to Baja California State Law Enforcement, Mexicali, Baja California - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- *51) Proposed retroactive Agreement with Greenfield School District for law enforcement services, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$85,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 871-2002

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

TREASURER-TAX COLLECTOR

- *52) Cash Receipts and Disbursements for August 2002 - RECEIVED AND FILED

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 53) Request for Closed Session regarding Meet and Confer, CCAPE, KCFU, KLEA -

WITHDRAWN

COUNTY COUNSEL

- 54) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9(b)(1)(3)) - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 9:00 A.M.

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

- 55) Request for Closed Session regarding a determination whether the County will initiate or intervene in litigation or join as amicus curiae in a lawsuit (two cases) (Government Code Section 54956.9(c)) - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 9:00 A.M.

Parra-Patrick - 3 Ayes, 1 Absent - McQuiston

RECESSED TO 2:00 P.M.

Parra-Patrick

/s/ Tracey E. Cody
Administrative Coordinator

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

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BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting

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2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Vacant, Parra
ROLL CALL: 3 Present; 1 Absent - McQuiston

NOTE: Supervisor McQuiston was excused from today's board meeting.

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 KERN SANITATION AUTHORITY

Patrick-Parra - 3 Ayes; 1 Absent - McQuiston

KERN SANITATION AUTHORITY

- #1) Proposed grading improvements by tenant-farmer, Progressive Associates Group, to Reservoir No. 1 of the Kern Sanitation Authority and reimbursement by lease credit, in an amount not to exceed \$1,000 - APPROVED; AUTHORIZED REIMBURSEMENT BY CREDIT TO LEASE PAYMENT

Patrick-Parra - 3 Ayes; 1 Absent - McQuiston

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

- #2) Report concerning Ford City-Taft Heights Sanitation District's proposed use of reserve funds - RECEIVED AND FILED

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

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

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

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]) - **NO ONE HEARD**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Miscellaneous

S.D. #4

- *5) Request by Pilot Travel Centers, LLC, for Determination of Public Convenience for the issuance of an off-sale beer and wine license at 14808 Warren Street, Lost Hills, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - **APPROVED; ADOPTED RESOLUTION 2002-388**

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

- *6) Request by Shiralian Enterprises, Inc., for Determination of Public Convenience for the issuance of an off-sale beer and wine license at 20662 Tracy Avenue, Buttonwillow, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - **APPROVED; ADOPTED RESOLUTION 2002-389**

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- *7) Proposed Memorandum of Understanding with Kern County Air Pollution Control District for telephone and information systems services - **APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 872-2002**

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Community Development Program Department

Hearings

S.D. #1

- *8) Public Hearing to amend the County of Kern's Fiscal Year 2001-2002 and Fiscal Year 2002-2003 Annual Action Plans to cancel Community Development (CD) activities #18.01.1 and 18.02.1, Shafter Skate Park, and cancellation of the project Agreement with the City of Shafter - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 2:00 P.M.

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

All S.D.'s

- *9) Public Hearing for proposed amendment to the County of Kern's Fiscal Year 2002-2003 Annual Action Plan to create and provide \$227,000 in County HOME Program funds for project #33.02.5, El Mirage Apartments - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 2:00 P.M.

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

- *10) Public Hearing to review the County of Kern's performance during implementation of the Federal Community Development Block Grant (CDBG) Program, the HOME Investment Partnerships (HOME) Program, and the Emergency Shelter Grant (ESG) Program during Fiscal Year 2001-2002; and review of the County's Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2001-2002, prior to submission to HUD - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED CAPER FOR FISCAL YEAR 2001-2002, INCLUDING DOCUMENTATION OF ANY PUBLIC COMMENT; AUTHORIZED SUBMISSION OF COMPLETED DOCUMENT TO HUD

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #1

- *11) Tract 5772, Phase 5, north side of Universe Avenue between North Chester Avenue and McCray Street, north Bakersfield, approval of Completed Street, Drainage, Water and Sewer Improvements, reduction of Faithful Performance Security in Subdivision Improvement Agreement, and proposed Resolution for Acceptance of Street and Drainage Improvements for Maintenance - APPROVED COMPLETED STREET, WATER, DRAINAGE AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY PERFORMANCE BOND #S502899, IN THE AMOUNT OF \$567,286, ISSUED BY FINANCIAL PACIFIC INSURANCE COMPANY, TO \$67,941 FOR GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING SEPTEMBER 17, 2002; ADOPTED RESOLUTION 2002-390 FOR ACCEPTANCE OF THE ROADS WITHIN TRACT 5772, PHASE 5, INTO THE COUNTY ROAD SYSTEM AND ACCEPTANCE OF STREET AND DRAINAGE IMPROVEMENTS FOR MAINTENANCE

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

- *12) Tract 5772, Phase 6, north side of Universe Avenue between North Chester Avenue and McCray Street, north Bakersfield, approval of Completed Street, Drainage, Water and Sewer Improvements, reduction of Faithful Performance Security in Subdivision Improvement Agreement, and proposed Resolution for Acceptance of Street and Drainage Improvements for Maintenance - APPROVED COMPLETED STREET, WATER, DRAINAGE AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY PERFORMANCE BOND #S503067, IN THE AMOUNT OF \$198,542, ISSUED BY FINANCIAL PACIFIC INSURANCE COMPANY, TO \$21,156 FOR GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING SEPTEMBER 17, 2002; ADOPTED RESOLUTION 2002-391 FOR ACCEPTANCE OF THE ROADS WITHIN TRACT 5772, PHASE 6, INTO THE COUNTY ROAD SYSTEM AND ACCEPTANCE OF STREET AND DRAINAGE IMPROVEMENTS FOR MAINTENANCE

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

S.D. #3

- *13) Proposed Resolution initiating proceedings for fees following Annexation No. 11 to County Service Area No. 17, extension of Zone of Benefit Nos. 1 and 2 and establishment of Zone of Benefit No. 3, Tract 5990, east Bakersfield, and proposed Indemnification Agreement with Local Agency Formation Commission (LAFCO) - ADOPTED RESOLUTION 2002-392 INITIATING PROCEEDINGS FOR FEES FOLLOWING ANNEXATION NO. 11 TO COUNTY SERVICE AREA NO. 17, EXTENSION OF ZONES OF BENEFIT NOS. 1 AND 2 AND ESTABLISHMENT OF ZONE OF BENEFIT NO. 3; APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 873-2002; SET PUBLIC HEARING FOR TUESDAY, NOVEMBER 5, 2002, AT 2:00 P.M., TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS TO ALL PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC MEETING IN COMPLIANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

S.D. #4

- *14) Proposed Resolution initiating proceedings for fees following formation of County Service Area No. 94 and establishment of Zone of Benefit No. 1, Tract 5773, Buena Vista Estates, Taft, and proposed Indemnification Agreement with Local Agency Formation Commission (LAFCO) - ADOPTED RESOLUTION 2002-393 INITIATING PROCEEDINGS FOR FEES FOLLOWING FORMATION OF COUNTY SERVICE AREA NO. 94 AND ESTABLISHMENT OF ZONE OF BENEFIT NO. 1; APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 874-2002; SET PUBLIC HEARING FOR TUESDAY, NOVEMBER 5, 2002, AT 2:00 P.M., TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS TO ALL PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC MEETING IN COMPLIANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

- *15) Contract No. 02018, Change Order No. 2 for construction of Allen Road Trunk Sewer, a reduction of \$4,175.41, for a new total of \$470,824.59 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

All S.D.'s

- *16) Proposed Amendment to No. 2 to Agreement 855-99 for plan review services with T. J. Cross Engineers revising fees schedule - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 875-2002

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #4

- *17) Proposed Regional Impact Fee Program Credit Agreement with Carriage Homes, for developer constructed improvements, in an amount not to exceed \$184,665.81 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 876-2002

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

S.D. #5

- *18) Contract No. 02001, Notice of Completion for construction on Lamont Landscape Improvements Project - RECEIVED AND FILED

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

WASTE MANAGEMENT

S.D. #4

- *19) Proposed Contract with Gilliam and Sons, Inc., to provide operational services at the Taft Sanitary Landfill, from September 26, 2002, through September 25, 2007, in an amount not to exceed \$18,000 per month plus \$11.50 per ton (No. 20-02) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 877-2002

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE

- *20) Proposed Agreement with Clinica Sierra Vista to provide \$82,068 to assist with the design of the Frazier Park Community Health Care Clinic - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 878-2002

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

- *21) Proposed Amendment No. 02-07 to Administrative Policy and Procedures Manual regarding process for new job classification approval - APPROVED

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

- *22) Proposed Ordinance authorizing the Community Redevelopment Agency of the City of California City to add 18,778 acres of adjacent unincorporated territory to its redevelopment project area - WAIVED READING; INTRODUCED ORDINANCE

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #4

- *23) Proposed Resolution and Ordinance granting pipeline franchise to Baker Petrolite Corporation - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 21080.21; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2002-394 AND ENACTED ORDINANCE F-452

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

S.D. #1

- *24) Proposed Resolution consenting to the conversion of the business organization of Stocker Resources L.P., grantee of Franchise Ordinance F-424, to Plains Exploration & Production Company, a Delaware corporation - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; ADOPTED RESOLUTION 2002-395

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

S.D. #4

- *25) Request to set hearing for granting of pipeline franchise to Seneca Resources Corporation - ADOPTED RESOLUTION 2002-396 SETTING HEARING FOR TUESDAY, OCTOBER 22, 2002, AT 2:00 P.M.; DIRECTED CLERK OF BOARD TO PUBLISH NOTICE

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

S.D. #5

- 26) Identify apparent low bid from Magnum Enterprises, Inc., for handicap accessibility and other improvements at the Sheriff's Department Property Room, in an amount not to exceed \$381,999 (1650.7262) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

- *27) Appropriation of unanticipated revenue in the amount of \$12,000 from the California Technology, Trade and Commerce Agency grant for implementation of several initiatives that were identified in the Connecting Kern County project - CONTINUED TO TUESDAY, SEPTEMBER 24, 2002, AT 2:00 P.M.

Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

MATTERS FOR EXECUTIVE APPROVAL

- *28) Budget Transfers -
WITHDRAWN
- *29) Minutes for Week of August 19, 2002 - APPROVED WITH
CORRECTION TO ITEM NO. 48, 2:00 P.M., TO CHANGE BUDGET
TRANSFER NUMBERS TO **#1 AND #2**
Parra-Patrick - 3 Ayes; 1 Absent - McQuiston
- *30) Miscellaneous Letters and Documents - FILED
Parra-Patrick - 3 Ayes; 1 Absent - McQuiston
- *31) Miscellaneous Departmental Referrals by Clerk of the Board
- APPROVED AND FILED
Parra-Patrick - 3 Ayes; 1 Absent - McQuiston
- *32) Claims and Lawsuits filed with and referred by Clerk of the
Board - APPROVED AND FILED
Parra-Patrick - 3 Ayes; 1 Absent - McQuiston

ADJOURNED TO TUESDAY, SEPTEMBER 24, 2002 AT 9:00 A.M.

Parra-

/s/ Tracey E. Cody
Administrative Coordinator

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

30) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Aging & Adult Services

- A) Minutes of In-Home Supportive Services Advisory Committee meeting on Thursday, July 11, 2002
- B) Agenda of In-Home Supportive Services Advisory Committee meeting on Thursday, September 12, 2002

Auditor-Controller-County Clerk

- C) Audit report of Veterans' Services Department for fiscal years ended June 30, 2002 and June 30, 2001

Employers' Training Resource

D) WIA Agreements:

- 1) Advanced Mechanical Systems, Inc., WIA Title 201, dated August 30, 2002;
- 2) Kyle Atchley dba Farmers Insurance, WIA Title 201, dated August 29, 2002;
- 3) Berchtold Equipment Co., WIA Title 501, dated August, 22, 2002;
- 4) Daisytek International, WIA Title 201, dated August 19, 2002;
- 5) Derrick Dickerson dba DOD Construction, WIA Title 201, dated August 29, 2002;
- 6) Ofelia Fuller dba Jo's Restaurant, WIA Title 201, dated August 22, 2002;
- 7) Kendra Construction Services, Inc., WIA Title 501, dated August 26, 2002;
- 8) The Noodle Vendor, WIA Title 201, dated August 26, 2002;
- 9) Daniel Rodriguez dba Rodriguez and Associates, Attorneys, WIA Title 201, dated August 22, 2002;
- 10) Judy-May Russell & Douglas Fay Wright dba Buyer's Source, Realtors, WIA Title 201, dated August 26, 2002;
- 11) Judy-May Russell & Douglas Fay Wright dba Buyer's Source, Realtors, WIA Title 201, dated August 26, 2002

Local Agency Formation Commission

- E) Notice of Hearing, Proceeding No. 1338, in the matter of County Service Area No. 67, Annexation No. 1 (Copies to each Supervisor and CAO)
- F) Resolution No. 02-32, Proceeding No. 1334, in the matter of County Service Area No. 27, Annexation No. 8 (Copies to each Supervisor and CAO)
- G) Resolution No. 02-33, Proceeding No. 1337, in the matter of County Service Area No. 17, Annexation No. 11 (Copies to each Supervisor and CAO)
- H) Resolution No. 02-34, Proceeding No. 1339, in the matter of City of Bakersfield, Annexation No. 433 (Reina No. 4) (Quincy Street) (Copies to each Supervisor and CAO)

Planning

- I) Certificate of Acceptance for Flowage Easement from Bidart Family Partnership LP, Building Permit No. K 2002-3417
- J) Consent to Recordation for Irrevocable Offer of Dedication from Grealish Investments, Precise Development Plan 57, Map No. 102, Dedication of Right-of-Way, Fruitvale Avenue

Miscellaneous

- K) Letter from Beverly Hobbs in opposition to Workers' Compensation Claim filed by Ken Peterson's family (Copies to each Supervisor, CAO and County Counsel)
- L) Letter from Ron and Dianna Anderson in support of the walkway closure between Millie Munsey School and Curran Junior High (Copies to each Supervisor, CAO and Planning)
- M) Letter from Dennis Fox in opposition to the Wilderness Bill proposed by Senator Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)
- N) Letter from Charles (Toby) Horst, California Equestrian Trails and Lands Coalition, in opposition to the California Wild Heritage Wilderness Act of 2002 (Copies to each Supervisor, CAO, Planning and County Counsel)
- O) Letter from Jeanne M. (Cook) Lake in opposition to the Wilderness Bill proposed by Senator Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)
- P) Letter from Senator Wm. J. "Pete" Knight re his opposition to SB 1521, which would require the Governor's Office of Policy and Research to develop model planning practices and policies (Copies to each Supervisor, CAO and Planning)
- Q) Thank you letter from Senator Barbara Boxer re Kern County's comments concerning S. 1278, the U.S. Independent Film and Television Production Incentive Act of 2001 (Copies to each Supervisor, CAO and Board of Trade)
- R) Letter from Page Dougherty, International Fire Code Institute, re presentation of the Robert W. Gain Award to Battalion Chief/Fire Marshall Kevin H. Scott (Copies to each Supervisor and CAO)
- S) Letter from Joann Barbee in support of the Wilderness Bill proposed by Senator Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)
- T) Letter from Patricia Jacobson in support of the Wilderness Bill proposed by Senator Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)
- U) Letter from Joe Schoenstein, Time Warner Cable, re transfer of Cable Franchises to Time Warner Entertainment-Advance/Newhouse Partnership (TWE-A/N) Subsidiary, LLC (Copies to each Supervisor, CAO and County Counsel)

- V) E-mail from the Atchison family in opposition to the Wilderness Bill proposed by Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)
- W) E-mail from David E. Hurst in opposition to the Wilderness Bill proposed by Senator Barbara Boxer (Copies to each Supervisor, CAO, Planning and County Counsel)
- X) Memorandum from the San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Records for meeting on Tuesday, September 3, 2002 (Copies to each Supervisor, CAO and City Selection Committee)
- Y) Minority Construction News Bulletin, Volume 10, Issue 2, September 3, 2002 (Copies to each Supervisor and CAO)
- Z) Agenda of meeting from CALFED Bay-Delta Program, CALFED Working Landscapes Subcommittee, Bay-Delta Public Advisory Committee, on Thursday, September 5, 2002 (Copies to each Supervisor and CAO)
- AA) Agenda of meeting from CALFED Bay-Delta Program, Bay-Delta Public Advisory Committee, CALFED Water Use Efficiency (WUE) Program, Water Use Efficiency Subcommittee on Wednesday, September 11, 2002 (Copies to each Supervisor and CAO)
- BB) Agenda of meeting from CALFED Bay-Delta Program, CALFED Bay-Delta Public Advisory Committee, Water Supply Subcommittee, on Wednesday, September 11, 2002 (Copies to each Supervisor and CAO)
- CC) Agenda of meeting from CALFED Bay-Delta Program, California Bay-Delta Public Advisory Committee, on Wednesday, September 18, 2002 (Copies to each Supervisor and CAO)
- 31) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Wayne Hall re exception to code to allow a travel trailer to provide employee living quarters on 5-acre parcel south of Houghton Road - REFERRED TO ENGINEERING & SURVEY SERVICES (Copies to each Supervisor and CAO)
- 32) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Eric Alfonso vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Michael Alan Lanier vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Rosei Lee McGill vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Complaint in the matter of John Medeiros, Sr., Jason William Medeiros, Katelynn Ashely Medeiros and Gloria Jean Anderson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- E) Withdrawal of claim in the matter of Nadia Bryant vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- F) Summons and complaint in the matter of Michael A. Guy, a minor by and through his Guardian ad Litem Raymond A. Sykes vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)