

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, September 18, 2001

9:00 A.M.

BOARD RECONVENED

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

NOTE: SUPERVISOR PEREZ IS PARTICIPATING IN CONTINUING EDUCATION
AND WILL BE ABSENT FROM TODAY'S MEETING

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

Pe-Mc
4 Ayes
1 Ab/Pz

- 1) Proclamation proclaiming October 2001 as Paint the Town Pink Month
in Kern County - PROCLAIMED; MADE PRESENTATION
TO MARY ANNE WALZ, CHAIRPERSON, PAINT THE TOWN PINK; MARY ANNE WALZ
HEARD; JANICE VARNER, DARLENE PHILLIPS, SHARON WOODS AND RUTH
SIMONSON INTRODUCED

PUBLIC REQUESTS

- 2) Request from United Way of Kern County, to address the Board
regarding upcoming fundraising campaign and presentation of awards
to County department representatives for outstanding achievement
during the most recent County of Kern employee campaign - JENNIFER
ENDES HEARD; PRESENTATIONS MADE TO STEPHANIE LYNCH, THIRD
SUPERVISORIAL DISTRICT; MARTI OVERFIELD, SECOND SUPERVISORIAL
DISTRICT; ALLAN KRAUTER, COUNTY ADMINISTRATIVE OFFICE; JANETTE PELL,
INFORMATION TECHNOLOGY SERVICES; MATT CONSTANTINE, WASTE MANAGEMENT
DEPARTMENT; KAREN KITCHEN, COUNTY COUNSEL; DENNIS THOMPSON, FIRE
DEPARTMENT; LISA CLARK, DISTRICT ATTORNEY; AND DEBRA POLSON,
DEPARTMENT OF HUMAN SERVICES; NANCY EWERT, UNITED WAY COORDINATOR,
RECOGNIZED

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! - KEN BLANTON, KERN COUNTY FIRE FIGHTERS, SPOKE ON BEHALF OF NEW YORK FIRE FIGHTERS AND EXPRESSED APPRECIATION TO THE CITIZENS OF KERN COUNTY FOR THEIR SUPPORT FOLLOWING THE TERRORIST ATTACK ON AMERICA

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]) - CHAIRMAN PATRICK ANNOUNCED THERE IS A COALITION OF COUNTY EMPLOYEES PREPARED TO ACCEPT DONATIONS TO BE SENT TO THE RELIEF EFFORT IN NEW YORK CITY AND WASHINGTON D.C. SHE FURTHER REQUESTED KGOV TO RE-BROADCAST THE COMMUNITY EVENT HELD AT THE CIVIC CENTER ON SUNDAY EVENING

DEPARTMENTAL REQUESTS

BOARD OF SUPERVISORS

Pr-Pe
4 Ayes
1 Ab/Pz

- 5) Resolution condemning acts of terrorism committed on September 11, 2001, expressing sympathy for victims and their families and supporting efforts of the President and the Governor to protect and defend the United States and California - ADOPTED RESOLUTION 2001-353; AUTHORIZED BOARD MEMBERS TO SIGN CORRESPONDENCE; RECEIVED AND FILED DOCUMENT

Pe-Pr
4 Ayes
1 Ab/Pz

- *6) Request of Supervisor Perez for a letter of support from the Board on behalf of the City of California City for a \$90,000 grant from the California State Parks and Recreation, Division of Off-Highway Vehicle Recreation, for the developmental upgrade of Borax Bill Park - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

COUNTY COUNSEL

Pe-Mc
4 Ayes
1 Ab/Pz

- 7) Claim of Mt. Poso Cogeneration Co., L.P., for refund of \$17,605.41 delinquent tax penalty - ROGER ALLRED, FINANCIAL MANAGER, MT. POSO COGENERATION CO., HEARD; REJECTED CLAIM; DIRECTED COUNTY COUNSEL TO NOTIFY MT. POSO COGENERATION OF REJECTION OF ITS CLAIM; REFERRED TO COUNTY STAFF TO PURSUE LEGISLATION TO PROVIDE TAX RELIEF TO COMPANIES WHO EXPERIENCE UNUSUAL CIRCUMSTANCES

DISTRICT ATTORNEY

- Pe-Pr *8) Proposed Form Contract Agreement with 15th Agricultural Association, Kern County Fair, for an exhibitor's booth, September 26 through October 7, 2001 - APPROVED; AUTHORIZED DISTRICT ATTORNEY TO SIGN
4 Ayes
1 Ab/Pz

EMPLOYERS' TRAINING RESOURCE

- Pe-Pr *9) Proposed retroactive Agreement with Mojave Unified School District to provide training, work readiness, and employment activities in the Year-Round Youth Employment Program to Workforce Investment Act eligible youth, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$136,408 (prior notification on June 19, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 888-2001
4 Ayes
1 Ab/Pz

- Pe-Pr *10) Proposed retroactive Agreement with California State University, Bakersfield, to provide training, work readiness, and employment activities in the Career Beginnings Program to Workforce Investment Act eligible youth, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$362,766 (prior notification on June 19, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 889-2001
4 Ayes
1 Ab/Pz

- Pe-Pr *11) Proposed retroactive Agreement with the Taft Union High School District to provide training, work readiness, and employment activities to Workforce Investment Act eligible youth, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$64,183 (prior notification on June 19, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 890-2001
4 Ayes
1 Ab/Pz

- Pe-Pr *12) Proposed retroactive Agreement with the Maricopa Unified School District to provide training, work readiness, and employment activities to Workforce Investment Act eligible youth, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$104,871 (prior notification on June 19, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 891-2001
4 Ayes
1 Ab/Pz

- Pe-Pr *13) Proposed retroactive Agreement with Delano Joint Union High School District to provide training, work readiness, and employment activities to Workforce Investment Act eligible individuals, from July 1, 2001 through June 30, 2002, in an amount not to exceed \$128,000 (prior notification on June 19, 2001) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 892-2001
4 Ayes
1 Ab/Pz

FIRE DEPARTMENT

- Pr-Mc 14) Request for sole source procurement of Automated Staff Scheduling Software by Principal Decision Systems International (TeleStaff) - KEN BLANTON, KERN COUNTY FIRE FIGHTERS UNION LOCAL 1301, AND ROY WEYGAND, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; REFERRED BACK TO FIRE DEPARTMENT FOR FURTHER REVIEW
4 Ayes
1 Ab/Pz

HUMAN SERVICES

- Pe-Pr *15) Proposed Amendment No. 3 to Agreement No. 777-97 with Monetary
4 Ayes Management of California, Inc., for provision of food stamp coupon
1 Ab/Pz issuance to allow flexibility to adapt service locations and hours
of operation; no County cost - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 893-2001

KERN MEDICAL CENTER

- Pe-Pr *16) Proposed 12-month extension of the provisional period for twenty two
4 Ayes (22) practitioners to complete privilege review process - APPROVED
1 Ab/Pz

- Pe-Pr *17) Proposed appointment of twelve (12) practitioners for medical staff
4 Ayes membership - APPROVED
1 Ab/Pz

- Pe-Pr *18) Proposed approval of additional privileges with proctoring for three
4 Ayes (3) practitioners - APPROVED
1 Ab/Pz

- Pe-Pr *19) Proposed reappointment of three (3) practitioners to medical staff
4 Ayes membership - APPROVED
1 Ab/Pz

- Pe-Pr *20) Proposed release of proctoring requirement for seven (7)
4 Ayes practitioners - APPROVED
1 Ab/Pz

- Pe-Pr *21) Proposed Agreement with Manish Amin, M.D. for Professional Services,
4 Ayes for professional medical service at KMC's Urgent Care Southwest
1 Ab/Pz facility, from September 18, 2001 to September 17, 2002, in an
amount not to exceed \$98,800 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 894-2001

- Pe-Pr *22) Proposed Agreement with Eduardo Godoy, M.D. for Professional
4 Ayes Services, for professional medical services at KMC's Urgent Care
1 Ab/Pz Southwest facility, from September 18, 2001 to September 17, 2002,
in an amount not to exceed \$98,800 - APPROVED; AUTHORIZED CHAIRMAN
TO SIGN AGREEMENT 895-2001

- Pe-Pr *23) Proposed Agreement with Johannes Haar, M.D., for Professional
4 Ayes Services, for professional medical services at KMC's Urgent Care
1 Ab/Pz Southwest facility, from September 18, 2002 to September 17, 2002,
in an amount not to exceed \$98,800 - APPROVED; AUTHORIZED CHAIRMAN
TO SIGN AGREEMENT 896-2001

- Pe-Pr *24) Proposed Amendment No. 1 to Agreement with Zachary Cosgrove, M.D.
4 Ayes for professional medical services at KMC's Urgent Care Southwest
1 Ab/Pz facility, to extend term of Agreement to September 2, 2003, increase
compensation rate to \$70 per hour and increase maximum amount
payable to \$175,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
AGREEMENT 897-2001

LIBRARY

- Pe-Pr *25) Request for relief from accountability of 45,810 patron accounts for
4 Ayes a total of \$1,781,785.96 - APPROVED
1 Ab/Pz

- Pe-Pr *26) Proposed Agreement with CSUB University-Community Partnership
4 Ayes Agreement to allow placement of student interns at the Library -
1 Ab/Pz APPROVED; AUTHORIZED DIRECTOR OF LIBRARIES TO SIGN LETTER OF
AGREEMENT WITH CSUB FOR THE UNIVERSITY-COMMUNITY PARTNERSHIP

MENTAL HEALTH SERVICES

- Pe-Pr *27) Proposed Amendment No. 1 to Agreement No. 491-2001 with North
4 Ayes Bakersfield Recreation and Parks District, Inc., to change the basis
1 Ab/Pz of compensation from a flat monthly rate to an hourly rate for
substance abuse prevention services to County children and
adolescents residing in the North and West Bakersfield areas, for
Fiscal Year 2001-2002 (no fiscal impact) - APPROVED; AUTHORIZED
CHAIRMAN TO SIGN AGREEMENT 898-2001

- Pe-Pr *28) Proposed Agreement with Iyengar Malini, M.D., and Sakrepatna
4 Ayes Manohara, M.D., dba Truxtun Psychiatric Medical Group, L.P., for
1 Ab/Pz inpatient psychiatric services, from September 18, 2001 through June
30, 2002, in an amount not to exceed \$58,000 (Medi-Cal, State;
Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT
899-2001

PARKS AND RECREATION
Hearing

- Pe-Pr 29) Public Hearing regarding proposed rate increases at County-owned
4 Ayes Golf Courses - OPENED HEARING; SHERL PUGH; STEVE BELLUE, SYCAMORE
1 Ab/Pz PUBLIC GOLF COURSE, ARVIN; LEON MATA, VALLE GRANDE GOLF COURSE; AND
ROY WEYGAND, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; CLOSED
HEARING; ADOPTED RESOLUTION 2001-354 REVISING THE SCHEDULE OF FEES
FOR THE COUNTY OWNED GOLF COURSES OF KERN RIVER, NORTH KERN AND
BUENA VISTA; REFERRED TO PARKS DEPARTMENT TO ESTABLISH BIENNIAL
SUPPLEMENTAL REVIEW OF THE MASTER PLAN BY THE PARKS AND RECREATION
COMMISSION TO EVALUATE THE POSSIBILITY OF EXPANDING GOLF COURSE
FACILITIES TO OTHER AREAS OF KERN COUNTY

PERSONNEL

- Pe-Pr *30) Classifications of positions recommended by the Civil Service
4 Ayes Commission effective September 22, 2001 - APPROVED; REFERRED TO
1 Ab/Pz PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

PROBATION

- Pe-Pr *31) Request for relief from accountability of 61 delinquent Kern County
4 Ayes Juvenile Traffic Court accounts, totaling \$35,849.00 - APPROVED
1 Ab/Pz

- Pe-Pr *32) Request to employ retired County employees, James P. Webdell, as a
4 Ayes Probation Supervisor, Range 53.5, Step A, and Sarah L. Webb, as an
1 Ab/Pz 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

PUBLIC HEALTH SERVICES

- Pe-Pr *33) Notification of retroactive Agreement with the Department of Health
4 Ayes Services, State of California for State Children's Health Insurance
1 Ab/Pz Program (SCHIP), from July 1, 2001 through December 31, 2001, in an
amount not to exceed \$95,000 - RECEIVED AND FILED

SHERIFF

- Pe-Pr *34) Application to hold a parade, Antelope Valley Chamber of Commerce,
4 Ayes Lancaster/Rosamond on September 22, 2001 - FOUND THAT THE SHERIFF
1 Ab/Pz HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT
RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF
TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO
BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR
UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY
GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY
SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

- Pe-Pr *35) Application to hold an event, Mountain and River Adventures Retreat,
4 Ayes Kernville Fat Tire Festival on October 19, 20, 21, 2001 - FOUND THAT
1 Ab/Pz THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE EVENT
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 EVENTS PREVIOUSLY
GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY
SUPERVISE THE EVENT; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

- Pe-Pr *36) Unusual travel request for Senior Deputy Jeff Hunt to attend
4 Ayes training in Carson City, Nevada, from September 30 to October 6,
1 Ab/Pz 2001, in an amount not to exceed \$2,287.00 - APPROVED

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- Pe- 37) Request for Closed Session regarding Meet and Confer, CCAPE -
4 Ayes
1 Ab/Pz

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

/s/ Denise Pennell
Clerk of the Board

/s/ Barbara Patrick
Chairman, Board of Supervisors

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

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PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) 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 PARRA ANNOUNCED THE STATE CHILDREN & FAMILIES COMMISSION WILL MEET IN THE BOARD CHAMBERS ON THURSDAY, SEPTEMBER 20, 2001, FROM 8:30 A.M. UNTIL 3:30 P.M. THE COMMISSION WILL BE CONSIDERING ADDITIONAL STATE FUNDING FOR CHILDREN'S SERVICES TO SEVERAL VALLEY COUNTIES.

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

Pe-Mc
4 Ayes
1 Ab/Pz

- 3) **Request from Water Resorts, Inc., by Cornerstone Engineering, Inc., to change the required conditions on 49.37 acres located on the north and south sides of Douglas Avenue, approximately 500 feet west of Koch Street, Mojave (SD 2)**

Specific Request:

(a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 4.1 (Douglas Limited Specific Plan) to Map Code(s) 5.3/2.5 (GPA #12, Map #196-7)

(b) A change in zone classification from A-1 [R-1 FPS in suspense] to retain A-1 [R-1 FPS in suspense] (ZCC #10, Map #196-7)

(Negative Declaration; Published Mojave Desert News) (from 9/11/2001)

- ZONE CHANGE REQUEST WITHDRAWN; OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2001-355 APPROVING GENERAL PLAN AMENDMENT, NOT TO BECOME EFFECTIVE UNLESS, PRIOR TO TUESDAY, OCTOBER 9, 2001, THE PROPERTY OWNER(S) SIGNS AND FILES WITH THE PLANNING DEPARTMENT AN AVIGATION EASEMENT, WITH DEED NOTIFICATION LANGUAGE FOR MOJAVE AIRPORT AND EDWARDS AIR FORCE BASE, APPROVED BY COUNTY COUNSEL; AND ADOPTED THE SUGGESTED FINDINGS AS SET FORTH IN THE DRAFT RESOLUTION

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

Pr-Pe
4 Ayes
1 Ab/Pz

- *4) **Request from Scott A. and Tani M. McMillan by Cornerstone Engineering, Inc. to cancel a 2.54-acre portion of an approximate 39-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.51 acres located on the northeast corner of Magnolia Avenue and Prospect Avenue, southwest of Wasco (SD 4)** Specific Request:

Cancellation of a 2.54-acre portion of an approximate 39-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 17.51 acres (Cancellation #01-4, Map #55)

(General Rule, Section 15061(b)(3); Published Wasco Tribune) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2001-356 APPROVING CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE; DIRECTED CLERK OF THE BOARD TO RECORD CONTRACT AMENDING LAND USE CONTRACT; DIRECTED CLERK OF THE BOARD TO ISSUE A TENTATIVE CERTIFICATE OF CANCELLATION AND ISSUE A CERTIFICATE OF CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE AND COMPLIANCE WITH ALL OTHER CONDITIONS CONTAINED IN THE TENTATIVE CERTIFICATE OF CANCELLATION, PER PLANNING DEPARTMENT RECOMMENDATION

Pr-Pe
4 Ayes
1 Ab/Pz

- *5) **Request from David and Bonnie Bloemhof to cancel a 1.06-acre portion of an approximate 77-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 18.95 acres located at 17849 Leonard Avenue, Shafter (SD 1)**

Specific Request:

Cancellation of a 1.06-acre portion of an approximate 77-acre parcel of a Land Use Contract and approval of a Contract Amending Land Use Contract on 18.95 acres (Cancellation #01-6, Map #78) (General Rule, Section 15061(b)(3); Published Shafter Press) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2001-357 APPROVING CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE; DIRECTED CLERK OF THE BOARD TO RECORD CONTRACT AMENDING LAND USE CONTRACT; DIRECTED CLERK OF THE BOARD TO ISSUE A TENTATIVE CERTIFICATE OF CANCELLATION AND ISSUE A CERTIFICATE OF CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE AND COMPLIANCE WITH ALL OTHER CONDITIONS CONTAINED IN THE TENTATIVE CERTIFICATE OF CANCELLATION, PER PLANNING DEPARTMENT RECOMMENDATION

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Community Development Program

Hearing

S.D. #3

Pe-Mc
4 Ayes
1 Ab/Pz

- 6) Public Hearing for Proposed Amendment to the County of Kern's Fiscal Year 1992-1993 HOME Investment Partnerships (HOME) Program to revise the Living Connections, Inc./Elmwood Place project description by changing the class of beneficiaries - OPENED HEARING; ELAINE JAMESON; BETTY KYKER; SID HERNANDEZ, JR.; PAUL CLIFFORD; DON POLLARD; ROBERTA POLLARD, HEARD IN OPPOSITION; NICK DAMIAN, KERN VISTA, LLC, HEARD IN SUPPORT OF THE PROJECT; TED JAMES, DIRECTOR OF PLANNING; BONITA COYLE, PRESIDENT, LIVING CONNECTIONS; MITCH VAN WYK, GENERAL SERVICES PROPERTY MANAGEMENT, HEARD; CONTINUED TO TUESDAY, OCTOBER 16, 2001, AT 2:00 P.M.

S.D. #1

Pr-Pe
4 Ayes
1 Ab/Pz

- *7) Proposed Agreement with the City of Shafter to provide \$37,351 of Community Development Block Grant (CDBG) funding for the Shafter Skate Park Improvements, Phase I - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 900-2001; AUTHORIZED DIRECTOR TO TRANSMIT EXECUTED ACTIVITY AGREEMENT TO CITY OF SHAFTER FOR IMPLEMENTATION

S.D. #4

Pr-Pe
4 Ayes
1 Ab/Pz

- *8) Change Order No. 3 for construction related to Maricopa Senior Center Improvements, an addition of \$837.20, for a new total of \$162,092.16 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

S.D. #5

- Pr-Pe *9) Change Order No. 2 for construction related to Bakersfield Police
4 Ayes Activities League, Restroom Improvements, an addition of \$4,981.80,
1 Ab/Pz for a new total of \$86,226.80 - APPROVED; AUTHORIZED CHAIRMAN TO
SIGN

All S.D.'s

- Pr-Pe *10) Proposed Float Loan Agreement with the Housing Authority of the
4 Ayes County of Kern to loan \$4,100,000 in Community Development Block
1 Ab/Pz Grant (CDBG) funds to construct an Administrative Center - AMENDED
THE ECONOMIC DEVELOPMENT REVOLVING LOAN TRUST FUND BUDGET FOR FISCAL
YEAR 1994 AND 1995, TRANSFERRING \$500,295.19 FROM DEPARTMENT 8921,
FUND 29085, TO DEPARTMENT 8920, FUND 29080; AUTHORIZED NECESSARY HUD
AND COUNTY BUDGET ADJUSTMENTS; APPROVED FLOAT LOAN AGREEMENT TO
OBLIGATE \$4,100,000 IN CDBG FUNDS FOR THE HOUSING AUTHORITY OF THE
COUNTY OF KERN ADMINISTRATIVE CENTER PROJECT; AUTHORIZED CHAIRMAN TO
SIGN AGREEMENT 901-2001; AUTHORIZED DIRECTOR TO ADMINISTER PROJECT,
TO APPROVE FINAL CONSTRUCTION PLANS, BUDGET, AND THE LOAN DOCUMENTS
DESCRIBED IN EXHIBITS TO THE CONSTRUCTION LOAN AGREEMENT IN A FORM
TO BE APPROVED BY COUNTY COUNSEL, AND TO EXECUTE DOCUMENTS,
INCLUDING ASSIGNMENT AGREEMENT WITH WESTAMERICA BANK AND THE
AUTHORITY, ASSIGNMENT OF LEASE AGREEMENTS, ACCEPTANCE OF ASSIGNMENT
OF VARIOUS CONSTRUCTION-RELATED AGREEMENTS, ESCROW INSTRUCTIONS, AND
OTHER REQUIRED DOCUMENTS AND AGREEMENTS, IN A FORM TO BE APPROVED BY
COUNTY COUNSEL

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #3

- Pr-Pe *11) Parcel Map 9873, approval of completed street and drainage
4 Ayes improvements and proposed Resolution for declaration of Core Mark
1 Ab/Pz Court and Brundage Lane as County Roads - APPROVED COMPLETED STREET
AND DRAINAGE IMPROVEMENTS; ADOPTED RESOLUTION 2001-358 FOR
ACCEPTANCE OF CORE MARK COURT AND BRUNDAGE LANE INTO THE COUNTY ROAD
SYSTEM; DIRECTED CLERK OF THE BOARD TO RECORD

S.D. #4

- Pr-Pe *12) Proposed Resolution of intention to extend Zones of Benefit Nos. 3,
4 Ayes 5, 7 and 8 in County Service Area No. 71 (Tract 6035, west
1 Ab/Pz Bakersfield), south of Hageman Road and west of Jenkins Road -
ADOPTED RESOLUTION 2001-359 OF INTENTION TO EXTEND ZONES OF BENEFIT
NOS. 3, 5, 7 AND NO. 8 IN COUNTY SERVICE AREA NO. 71; SET PUBLIC
HEARING FOR TUESDAY, NOVEMBER 6, 2001, AT 2:00 P.M., TO RECEIVE
PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY
SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S
REPORT, TO THE SOLE PROPERTY OWNER AFFECTED, AND TO CONDUCT A PUBLIC
INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIII D OF THE
CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH
NOTICE OF HEARING; DIRECTED CLERK OF THE BOARD TO FILE A NOTICE OF
EXEMPTION, PURSUANT TO SECTION 15061(b)(3) OF STATE CEQA GUIDELINES

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- Pr-Pe *13) Contract No. 01024, Notice of Completion for construction on Alfred Harrell Highway Frontage Road from Alfred Harrell Highway to Fairfax Road - RECEIVED AND FILED
4 Ayes
1 Ab/Pz

S.D. #3

- Pr-Pe *14) Contract No. 01025, Notice of Completion for construction of various streets, Bakersfield Country Club area - RECEIVED AND FILED
4 Ayes
1 Ab/Pz

- Pr-Pe *15) Contract No. 01040, Notice of Completion for construction of East Bakersfield High School area streets - RECEIVED AND FILED
4 Ayes
1 Ab/Pz

WASTE MANAGEMENT

S.D. #2

- Pr-Pe *16) Identify apparent low bid of Havens Grading to provide operational services at Boron Sanitary Landfill, in an amount not to exceed \$10,498 per month - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE THE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES
4 Ayes
1 Ab/Pz

All S.D.'s

- Pr-Pe *17) Proposed Amendment No. 2 to Agreement with Safety-Kleen to amend the scope of services and the amount of compensation to provide Household Hazardous Waste collection services, in an amount not to exceed \$550,000 (an increase of \$100,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 902-2001
4 Ayes
1 Ab/Pz

COUNTY ADMINISTRATIVE OFFICE

- Pr-Pe *18) Proposed deletion of one (1) Sheriff's Communications Specialist I/II position in Budget Unit 2210 and addition of one (1) Supervising Fire Dispatcher position in Budget Unit 2415, effective September 18, 2001 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE
4 Ayes
1 Ab/Pz

- Pr-Pe *19) Proposed allowable exclusions to Fiscal Year 2001-2002 Appropriations Limit (Gann Limit) - APPROVED
4 Ayes
1 Ab/Pz

Legislative Matter

- WITH- *20) SB 1018 (Perata), Mandatory safety retirement for attorneys employed by the District Attorney, Public Defender, and Family Support Agency
DRAWN -

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #2

- Pr-Pe *21) Proposed License Agreement with Union Pacific Railroad Company
4 Ayes permitting the use of County's communications site on Government
1 Ab/Pz Peak, commencing October 1, 2001, and expiring September 30, 2015
 (\$225 monthly rent) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA
 PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF
 EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 903-2001

S.D. #5

- Pr-Pe *22) Request for subcontractor substitution for Job Order Contract Phase
4 Ayes I project, repair of the Public Services Building parking lot
1 Ab/Pz (1650.7052) - FOUND THAT STURGEON & SON, INC., FAILED TO EXECUTE A
 WRITTEN CONTRACT WITH WESTCOAST NIELSEN; APPROVED SUBSTITUTION OF
 KERN ASPHALT TO COMPLETE PAVING PORTION OF PROJECT

- Pr-Pe *23) Request for subcontractor substitution for Job Order Contract Phase
4 Ayes I project, repair of the Heritage Park parking lot (1650.7056) -
1 Ab/Pz FOUND THAT STURGEON & SON FAILED TO EXECUTE A WRITTEN CONTRACT WITH
 WESTCOAST NIELSEN; APPROVED SUBSTITUTION OF KERN ASPHALT TO COMPLETE
 PAVING PORTION OF PROJECT

- Pr-Pe *24) Plans and Specifications for remodel of the Sheriff's Coroner
4 Ayes facility (1960.8178) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA
1 Ab/Pz PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF
 EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL
 SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE 20125; BID
 OPENING TO BE THURSDAY, OCTOBER 18, 2001, AT 11:00 A.M.

- Pr-Pe *25) Change Order No. 5 for Department of Public Health facility,
4 Ayes providing for additional time and an increase of \$51,560, for a new
1 Ab/Pz total of \$10,261,610.66 (1969.8198) (from 9/11/2001) - APPROVED;
 AUTHORIZED CHAIRMAN TO SIGN

S.D. #3

- Pr-Pe *26) Acceptance of Overflight Easements from North of the River
4 Ayes Sanitation District No. 1 for Tract 6003 Phase 1, Lots 1-46, and
1 Ab/Pz from Kyle Carter Homes, Inc., for Tract 6013 Phase I, Lots 1-62,
 granting certain rights in regard to Meadows Field Airport, as
 required by the City of Bakersfield's 1996 Airport Land Use
 Compatibility Plan - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA
 PER SECTION 15061(B)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE
 OF EXEMPTION; DIRECTED CLERK OF THE BOARD TO ACCEPT AND RECORD

S.D. #5

- Pr-Pe *27) Proposed Ground Lease Agreement with City of Bakersfield permitting
4 Ayes installation of a sign/monument on County land bordered by Highway
1 Ab/Pz 99, McKee Road, and South H Street known as Kern Delta Park, lease
commencing on September 18, 2001, and expiring June 30, 2021 (one-
time fee of \$20) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER
SECTION 15061(B)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF
EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 904-2001

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

- Pr-Pe *28) Request to set hearing for Cable TV franchise biennial meeting and
4 Ayes progress report for F-333, Cox Cable Bakersfield, Inc.; F-342, DDD
1 Ab/Pz Cablevision Ltd.; F-406, F-405, and F-404, Time Warner Cable
Bakersfield, Taft and Tehachapi systems - SET HEARING FOR TUESDAY,
OCTOBER 9, 2001, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO
PUBLISH NOTICE

All S.D.'s

- Pr-Pe *29) Proposed Agreements (7) with Community Connection for Child Care
4 Ayes (CCCC) for sublease of space in Employers' Training Resource's
1 Ab/Pz Career Services Center One Stops located at 5121 Stockdale Highway,
Suite 210, Bakersfield; 1816 Cecil Avenue, Delano; 10215 Stobaugh
Street, Lamont; 5640 Lake Isabella Boulevard, Lake Isabella; 2300
Highway 58, Mojave; 115 Santa Fe Way, Shafter; and 29 Emmons Park
Drive, Taft, CCCC to pay proportionate share of monthly rent, tenant
improvement expenses and office expenses; term is concurrent with
Master Lease term - REFERRED 1816 CECIL AVENUE, DELANO, BACK TO
STAFF; MADE FINDING THAT PROJECTS ARE EXEMPT FROM CEQA PER SECTION
15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION;
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 905-2001 THROUGH
910-2001

CONSIDERATION OF ORDINANCES INTRODUCED ON SEPTEMBER 11, 2001

- Pr-Pe *30) Proposed Ordinance amending Section 10.04.495 of Chapter 10.04,
4 Ayes Title 10, of the Kern County Ordinance Code concerning 40-mile speed
1 Ab/Pz limit on Victor Street - ENACTED ORDINANCE G-6830
- Pr-Pe *31) Proposed Ordinance adding subparagraphs (7), (8), and (9) to Section
4 Ayes 10.16.100 of Chapter 10.16, Title 10, of the Kern County Ordinance
1 Ab/Pz Code concerning no stopping zones on Laval Road, Tejon Industrial
Road and Industrial Parkway - ENACTED ORDINANCE G-6831
- Pr-Pe *32) Proposed Ordinance adding subparagraph (1) and Section 10.16.059 to
4 Ayes Chapter 10.16 of the Kern County Ordinance Code concerning a no
1 Ab/Pz stopping zone on the north side of Butte Avenue in Randsburg -
ENACTED ORDINANCE G-6832

MATTERS FOR EXECUTIVE APPROVAL

Pr-Pe
4 Ayes
1 Ab/Pz

*33) Budget Transfers - APPROVED #8 THROUGH #14

Pr-Pe
4 Ayes
1 Ab/Pz

*34) Minutes for week of August 13, 2001 - APPROVED

Pr-Pe
4 Ayes
1 Ab/Pz

*35) Miscellaneous Letters and Documents - FILED

Pr-Pe
4 Ayes
1 Ab/Pz

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

Pr-Pe
4 Ayes
1 Ab/Pz

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

Pe- ADJOURNED TO TUESDAY, SEPTEMBER 25, 2001, AT 9:00 A.M.

/s/ Denise Pennell
Clerk of the Board

/s/ Barbara Patrick
Chairman, Board of Supervisors

35) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Community Development

- A) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Darlene Fay Silva
- B) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Mabel I. Umbel
- C) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Vera Tinoco
- D) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Marie Phillips

General Services

- E) Response to referral, letter from Barbara H. Bates re fencing along the west side of the court house (Copies to each Supervisor and CAO)

Local Agency Formation Commission

- F) Proceeding No. 1303 in the matter of Tejon Castac Water District, Annexation No. 2, Resolution No. 01-18 (Copies to each Supervisor and CAO)
- G) Proceeding No. 1305 in the matter of City of Bakersfield, Annexation No. 419, Brimhall No. 7 (Copies to each Supervisor and CAO)
- H) Proceeding No. 1302 in the matter of City of Bakersfield, Annexation No. 418, Meacham No. 2 (Copies to each Supervisor and CAO)

Planning

- I) Draft Supplemental Environmental Impact Report, Borba Dairies (Copies to each Supervisor, CAO, County Counsel and Environmental Health Services)

Resource Management Agency

- J) Response to referral, e-mail from Tina Gerber re future plans for sewers in the northwest area (Copies to each Supervisor, CAO and Resource Management Agency)

Roads

- K) Letter to R. F. Ziegler re petitioning the development and paving of road extension of Schultz Road (Copies to each Supervisor and CAO)

Miscellaneous

- L) Thirty-four (34) letters from individuals in opposition to proposed federal fees at the recreation areas around Lake Isabella in the Kern River Valley of Central California (Copies to each Supervisor and CAO)
- M) Petition signed by nineteen (19) individuals in opposition to proposed federal fees on lakeside campgrounds and shore areas (Copies to each Supervisor and CAO)

- N) Letters from Janet and Marshall Fennell in opposition to splitting up the First and Second Districts (Copies to each Supervisor and CAO)
- O) Letter from L. Joanne Campbell re trash collection in Ford City (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- P) Thank you letter from Representative Ken Calvert re support for HR 1985, the Western Water Enhancement Security Act (Copies to each Supervisor and CAO)
- Q) Letter from D. L. Green, California Highway Patrol, re Hazardous Materials Incident Report on Wednesday, August 15, 2001, on I-5 southbound (Copies to each Supervisor, CAO, Fire and Haz Mat)
- R) Letter from D. E. Leach, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, September 6, 2001, on State Route 58, west of Gephart Road (Copies to each Supervisor, CAO, Fire and Haz Mat)
- S) Letter from Shelly Neace, AT&T, re new Hageman and Coffee (CL53) cell site, 700 Meany Avenue, Bakersfield, APN 452-120-03 (Copies to each Supervisor, CAO and Planning)
- T) Letter from Shelly Neace, AT&T, re co-location Edison Highway (CL59) cell site, 355 Vineland Road, Bakersfield, APN 177-110-32 (Copies to each Supervisor, CAO and Planning)
- U) Letter from Council member Jacquie Sullivan to residents of Hampton Court re health concerns (Copies to each Supervisor, CAO, Public Health and Environmental Health)
- V) Memorandum from San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Records for meeting of Tuesday, September 4, 2001 (Copies to each Supervisor, CAO and Clerk of the Board)
- W) Notice from Alcohol Beverage Control (ABC) of prospective alcohol license issuance: Christopher's Diner, 813 N. Chester Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- X) Notice from Citizens for Keeping Lake Isabella Campgrounds Free re protest rally on Saturday, September 15, 2001 (Copies to each Supervisor and CAO)
- Y) Bulletin from U.S. Department of Justice, Office of Justice Programs, OVC Bulletin, July 2001 (Copies to each Supervisor and CAO)
- Z) Bulletin from CALFED Bay-Delta Program, September 2001 (Copies to each Supervisor, CAO and Resource Management Agency)
- AA) Bulletin from California Rifle and Pistol Association, Inc., The Firing Line, September 2001, Issue 861 (Copies to each Supervisor, CAO and County Counsel)
- BB) Bulletin from U.S. Department of Justice, Office of Justice Programs, The NIJ Research Review, Volume 2, Issue 2, July 2001 (Copies to each Supervisor and CAO)
- CC) Bulletin from U.S. Department of Justice, Office of Justice Programs, OJJDP Juvenile Justice Bulletin, July 2001 (Copies to each Supervisor and CAO)

- DD) Brochure from California State Association of Counties (CSAC) re 107th Annual Meeting, Tuesday, November 27 through Friday, November 30, 2001 (Copies to each Supervisor and CAO)
- EE) News release from Citizens for Keeping Lake Isabella Campgrounds Free re Recreation Free Demonstration Program and Protest Rally on Saturday, September 15, 2001 (Copies to each Supervisor and CAO)
- FF) News release from United Domestic Workers of America re San Diego County home care workers petition seeking representation by United Domestic Workers of America/AFSCME, AFL-CIO (Copies to each Supervisor, CAO and Aging and Adult Services)
- GG) Agenda of meeting from Human Relations Commission on Tuesday, September 11, 2001 (Copies to each Supervisor and CAO)
- HH) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, September 13, 2001
- II) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, July 12, 2001
- 36) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Audrey Martinson re rezoning request of Britz Agricultural Finance Company, northwest corner of Jumper Avenue and Merced Avenue - REFERRED TO PLANNING (Copies to each Supervisor and CAO)
- 37) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Keith Forthman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Louis W. Seletos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Mario Melendez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Brenda Magorian vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Larry D. and Violet M. Thure vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of Janet and Allen Nicholson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Claim in the matter of Chyrise Anderson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - H) Late claim in the matter of Nick Hill, III vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - I) Discrimination complaint in the matter of Margaret Morin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)