

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, September 24, 2002

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Vacant, Parra  
ROLL CALL: All Present

SALUTE TO FLAG - Led by Supervisor Patrick

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

#### APPOINTMENTS

- \*1) Appointment of Lara S. Roma as at-large member to the Tehachapi Valley Recreation and Park District, replacing Fred Schmidt, for the term expiring February 3, 2005 - MADE APPOINTMENT

**Parra-Patrick - All Ayes**

#### PUBLIC PRESENTATIONS

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

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*4) Proposed retroactive Agreement with College Health IPA for a Senior Adult Outreach Program in Kern River Valley, from July 1, 2002 through June 30, 2003, in an amount not exceed \$34,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 880-2002

**Parra-Patrick - All Ayes**

- \*5) Proposed request to increase United States Department of Agriculture payment to Richard Prado Senior Center Agreement 475-2001, for Fiscal Year 2001-2002, in an amount not to exceed \$1,325, and Adventist Health Agreement 611-2001 for Fiscal Year 2001-2002, in an amount not to exceed \$5,300, to pay the full amount of actual USDA entitlement for FY 2001-2002 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER TO INCREASE RICHARD PRADO SENIOR CENTER AGREEMENT 475-2001 BY \$1,325 AND INCREASE ADVENTIST HEALTH AGREEMENT 611-2001 BY \$5,300 FOR A TOTAL ADJUSTMENT OF \$6,625

**Parra-Patrick - All Ayes**

NON-AGENDA ITEM

AIRPORTS

MOTION TO CONSIDER NON-AGENDA ITEM 5A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE INFORMATION REGARDING GRANT FROM THE AVIATION ADMINISTRATION WAS RECEIVED BY THE DEPARTMENT OF AIRPORTS ON SEPTEMBER 20, 2002, AFTER THE AGENDA WAS POSTED, AND BOARD APPROVAL IS REQUIRED BY SEPTEMBER 30, 2002

**Patrick-Parra - All Ayes**

- 5A) Proposed grant acceptance of Federal Aviation Administration Grant Offer for AIP Project No. 3-06-0017-22 in the amount of \$3,000,000 to extend Runway 12R/30L at Meadows Field Airport, and authorize the Chairman to sign Contract No. DTFA08-02-C-21556 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 881-2002 SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

**Patrick-McQuiston - All Ayes**

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 5B: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE INFORMATION REGARDING GRANT FROM THE AVIATION ADMINISTRATION WAS RECEIVED BY THE DEPARTMENT OF AIRPORTS ON SEPTEMBER 18, 2002, AFTER THE AGENDA WAS POSTED, AND BOARD APPROVAL IS REQUIRED BY SEPTEMBER 30, 2002

**Patrick-Parra - All Ayes**

- 5B) Proposed grant acceptance of Federal Aviation Administration Grant Offer for AIP Project No. 3-06-0017-023-2002 in the amount of \$270,000 to complete a Federal Aviation Regulation Part 150 Noise Compatibility Study at Meadows Field Airport, and authorize the Chairman to sign Contract No. DTFA08-02-C-21560 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 882-2002

**Patrick-McQuiston - All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*6) Proposed policy establishing Volunteer Election Program to encourage County employee participation - APPROVED; REFERRED TO AUDITOR-CONTROLLER-COUNTY CLERK

**Parra-Patrick - All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*7) Notification of anticipated retroactive approval of Agreement with La Cooperativa Campesina de California for the Migrant and Seasonal Farmworker Housing Assistance Program - RECEIVED AND FILED

**Parra-Patrick - All Ayes**

- \*8) Proposed Amendment No. 1 to Agreement 054-2002 with La Cooperativa Campesina de California for the Dislocated Agriculture Worker Program to extend the term through November 15, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 883-2002

**Parra-Patrick - All Ayes**

- \*9) Proposed Amendment No. 1 to Agreement 189-2002 with Proteus, Inc., for the Dislocated Agriculture Worker Program to extend the term through November 15, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 884-2002

**Parra-Patrick - All Ayes**

- \*10) Proposed retroactive Agreement with the Kern Community College District to provide training, work readiness and employment activities to Workforce Investment Act-eligible youth, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$104,936 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 885-2002

**Parra-Patrick - All Ayes**

- \*11) Proposed retroactive Agreement with the Kern Community College District-Bakersfield College to provide training to eligible individuals, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$30,000 (prior notification on July 23, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 886-2002

**Parra-Patrick - All Ayes**

- \*12) Proposed retroactive Agreement with the Kern Community College District - Weill Institute to provide training to eligible individuals, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$5,000 (prior notification on July 23, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 887-2002

**Parra-Patrick - All Ayes**

- \*13) Proposed Agreement with Hall Ambulance Service, Inc., to provide Emergency Medical Technician training to Workforce Investment Act-eligible individuals, effective September 24, 2002 (no cost to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 888-2002

**Parra-Patrick - All Ayes**

- \*14) Proposed retroactive Agreement with the Kern County Superintendent of Schools-Community Connection for Child Care to provide referral services and payment for child care providers for Workforce Investment Act-eligible individuals, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$300,000 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 889-2002

**Parra-Patrick - All Ayes**

- \*15) Proposed retroactive Agreement with Goodwill Industries of South Central California to provide training and employment services for Workforce Investment Act-eligible individuals, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$259,945 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 890-2002

**Parra-Patrick - All Ayes**

- \*16) Proposed retroactive Agreement with Henkels and McCoy, Inc., - Training Services to provide training and employment services to Workforce Investment Act-eligible youth, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$114,466 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 891-2002

**Parra-Patrick - All Ayes**

- \*17) Proposed retroactive Agreement with the Mexican American Opportunity Foundation to provide training and employment services to Workforce Investment Act and Welfare-to-Work-eligible youth, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$1,646,840 (prior notification on June 18, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 892-2002

**Parra-Patrick - All Ayes**

FIRE DEPARTMENT

- \*18) Request to hire retired County employee Mary Jo Thompson, Senior Secretary, Range 47.0, Step E, 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 -

**WITHDRAWN**

HUMAN SERVICES

- \*19) Proposed Agreement with the Kern County Superintendent of Schools Office, as Administrative Agent for the Kern County Child and Family Services Agency, for promoting Safe and Stable Families program, from October 1, 2002 to September 30, 2003, in an amount not to exceed \$759,066 (State/Federal; no County cost) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 893-2002

**Parra-Patrick - All Ayes**

KERN MEDICAL CENTER

- \*20) Notification of anticipated retroactive approval of Agreement with Randolph Fok, M.D. for obstetrics and gynecological services in Department of OB/GYN - RECEIVED AND FILED

**Parra-Patrick - All Ayes**

- \*21) Notification of anticipated retroactive approval of Agreement with Donald V. Jagger, M.D. for orthopedic services in Department of Surgery - RECEIVED AND FILED

**Parra-Patrick - All Ayes**

- 22) Proposed retroactive Amendment No. 1 to Agreement with David F. Jadwin, D.O., for pathology services to extend term of interim agreement to October 5, 2002, provide a one-time payment of \$25,000 for additional services and to increase the maximum amount payable under the interim agreement from \$277,788.74 to \$444,336 - CONTINUED TO TUESDAY, OCTOBER 8, 2002 AT 9:00 A.M.

**McQuiston-Parra - All Ayes**

- \*23) Proposed retroactive Agreement with Kern County Neurological Medical Group, Inc., for neurological interpretation of Electroencephalograms, from June 20, 2002 through June 19, 2004, in an amount not to exceed \$20,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 894-2002

**Parra-Patrick - All Ayes**

- \*24) Proposed retroactive Agreement with Daniel J. Burke for psychotherapeutic and psychosocial services, from September 9, 2002 through September 8, 2003, in an amount not to exceed \$39,532 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 895-2002

**Parra-Patrick - All Ayes**

- \*25) Proposed Agreement with Central California Foundation for Health, dba Delano Regional Medical Center, for KMC to provide pathology services to Delano Regional Medical Center, from September 24, 2002 through September 23, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 896-2002

**Parra-Patrick - All Ayes**

- \*26) Proposed Agreement with Deng Fa Fong, M.D., for obstetrics and gynecological services, from October 1, 2002 through September 30, 2004, in an amount not to exceed \$248,901 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 897-2002

**Parra-Patrick - All Ayes**

- \*27) Proposed Agreement with Murray A. Brown, M.D., to assist with the development of a psychiatric residency program, from September 24, 2002 through September 23, 2003, in an amount not to exceed \$75,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 898-2002

**Parra-Patrick - All Ayes**

- \*28) Proposed Agreement with Marvin Karno, M.D., to assist with the development of a psychiatric residency program, from September 24, 2002 through September 23, 2003, in an amount not to exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 899-2002

**Parra-Patrick - All Ayes**

- \*29) Proposed retroactive Agreement with John R. Martell, M.D., for orthopedic services, from September 9, 2002 through September 8, 2007, in an amount not to exceed \$550,000 (prior notification September 17, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 900-2002

**Parra-Patrick - All Ayes**

- 30) Proposed Amendment No. 2 to Agreement 276-99 with McKesson for the purchase of McKesson's Electronic Commerce system (EC2000), in an amount not to exceed \$178,696, and for on-going annual support and processing charges in an amount not to exceed \$88,080 -

MOTION TO CONTINUE TO TUESDAY, OCTOBER 1, 2002 AT 9:00 A.M.

**McQuiston-Parra**

MOTION WITHDRAWN

APPROVED; DIRECTED KERN COUNTY PURCHASING TO ISSUE PURCHASE ORDER; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 901-2002

**Parra-Patrick - 3 Ayes; 1 No - McQuiston**

- \*31) Relief of accountability of patients' accounts (from 9/17/2002) - DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF 2,648 ACCOUNTS TOTALING \$899,162.81; AUTHORIZED ASSIGNING 2,648 ACCOUNTS TOTALING \$899,162.81 TO COLLECTION AGENCIES

**Parra-Patrick - All Ayes**

LIBRARY

- \*32) Request for approval of Internet Use Policy for Library Patrons - APPROVED

**Parra-Patrick - All Ayes**

MENTAL HEALTH SERVICES

- \*33) Proposed Amendment No. 1 to Agreement 308-2002 with Trans-West Security Services, Inc., to include transportation services for mentally ill clients residing in the Bakersfield area, in an amount not to exceed \$101,430 (an increase of \$40,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 902-2002

**Parra-Patrick - All Ayes**

- \*34) Proposed Amendment No. 1 to Agreement 606-2002 with Child and Family Psychology Clinic, Inc., for psychological services for adolescent clients residing in Bakersfield, to extend the term from July 1, 2002 to December 30, 2002 and increase compensation to an amount not to exceed \$72,500 (an increase of \$36,250) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 903-2002

**Parra-Patrick - All Ayes**

- \*35) Proposed Substance Abuse Mental Health Services Agency (SAMHSA) Renewal Application for funding services for seriously mentally ill adults, seriously and emotionally disturbed children and dually diagnosed adults, for FY 2002-2003, in an amount not to exceed \$1,088,803 (State funded) - APPROVED

**Parra-Patrick - All Ayes**

- \*36) Proposed approval of the Mental Health Department's Conflict of Interest Code - APPROVED

**Parra-Patrick - All Ayes**

PARKS AND RECREATION DEPARTMENT

- \*37) Appropriation of unanticipated revenue in the amount of \$125,000 from Proposition 12 for purchase and installation of restroom at Pioneer Park (from 9/17/2002) - APPROVED  
APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$125,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$125,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 7100

**Parra-Patrick - All Ayes**

- \*38) Appropriation of unanticipated revenue in the amount of \$125,000 from Proposition 12 for purchase and installation of restroom at Rexland Acres Park (from 9/17/2002)- APPROVED  
APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$125,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$125,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 7100

**Parra-Patrick - All Ayes**

- \*39) Appropriation of unanticipated revenue in the amount of \$10,000 from Kern County Air Pollution Control District for paving of Randsburg Park parking lot (from 9/17/2002) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$10,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$10,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 7100

**Parra-Patrick - All Ayes**

PUBLIC HEALTH SERVICES

- \*40) Notification of anticipated retroactive Agreement with Chumash Council of Bakersfield for Public Health Nurse Services, from September 30, 2002, through September 29, 2003 - RECEIVED AND FILED

**Parra-Patrick - All Ayes**

SHERIFF

- \*41) Request for sole source purchase with NEC Solutions (America), Inc., for an Automated Fingerprint Identification System (AFIS) 21 Work Station, in an amount not to exceed \$110,000, to be funded by the Automated Fingerprint Fund - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$110,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210, IN THE AMOUNT OF \$110,000; AUTHORIZED THE PURCHASING AGENT TO ISSUE A SOLE SOURCE PURCHASE ORDER

**Parra-Patrick - All Ayes**

- \*42) Proposed retroactive Agreement with agencies participating in the Southern Tri-County/Central Valley, California High Intensity Drug Trafficking area (HIDTA) Task Force, from January 1, 2002 to December 31, 2004 - APPROVED; AUTHORIZED SHERIFF TO SIGN

**Parra-Patrick - All Ayes**

- \*43) 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 (from 9/17/2002) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$72,540 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$72,540 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210; AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE PURCHASE ORDER

**Parra-Patrick - All Ayes**

TREASURER-TAX COLLECTOR

- \*44) Pooled Cash Portfolio Analysis for Month Ended August 2002 - RECEIVED AND FILED

**Parra-Patrick - All Ayes**

ADJOURNED TO CLOSED SESSION

**Parra**



CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 45) Request for Closed Session regarding Meet and Confer, CCAPE, KCFFU, KLEA -

COUNTY COUNSEL

- 46) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9(b)(1)(3)) (from 9/17/2002) -
- 47) 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)) (from 9/17/2002) -

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

**McQuiston-Patrick**

/s/ Denise Pennell  
Clerk of the Board

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

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting

Tuesday, September 24, 2002

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Perez, Patrick, Vacant, Parra  
ROLL CALL: All Present

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH AN ASTERISK (\*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

#### PUBLIC PRESENTATIONS

- 1) 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

- 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]) - NO ONE HEARD

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 3) **Request from South Kern Industrial Center, LLC, by Porter-Robertson Engineering and Surveying, Inc., to amend development policies in the South Kern Industrial Center Specific Plan; to change the planned alignment for Santiago Road within the South Kern Industrial Center Specific Plan; to approve a conditional use permit to allow a 100-acre organic waste recycling facility within the South Kern Industrial Center Plan located approximately 18 miles southwest of Bakersfield, southeast side of South Lake Road, two miles west of Hill Road (SD 4)**

Specific Request:

(a) Amend the text of the South Kern Industrial Center Specific Plan (adopted by Ordinance G-5849) which established the development policies and policy implementation measures governing properties within the South Kern Industrial Center Specific Plan; text amendments include changes to a number of development policies and policy implementation measures governing allowable uses, conditionally permitted uses, development standards, and requirements for development (GPA #4, Map #158)

(b) Elimination of the current Specific Plan Line for Santiago Road and adoption of a new Specific Plan Line reflecting a new alignment (Santiago Road Specific Plan Line)

(c) A Conditional Use Permit to allow an organic waste recycling facility on 100 acres of a 252.14-acre parcel within the 744-acre South Kern Industrial Center Specific Plan area (CUP #2, Map #158)

(Environmental Impact Report; Published Daily Midway Driller)(from 9/10/02) - CONTINUED TO TUESDAY, OCTOBER 22, 2002, AT 2:00 P.M.

**Patrick-Parra - All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Land Use

S.D. #1

- \*4) Notice of Nonrenewal of Contract No. 02-3 by J. Hodge Black and Mary Alice Black for 14.36 acres within Agricultural Preserve No. 13 - DIRECTED CLERK OF THE BOARD TO RECORD AND TRANSMIT COPY TO PLANNING

**Parra-Patrick - All Ayes**

Miscellaneous

All S.D.'s

- \*5) Report on referral to the Planning Department to revise by-right dairy siting criteria in the Zoning Ordinance and to prepare an Environmental Impact Report or proposed Ordinance requiring Conditional Use Permit for all dairies (from 7/23/2002) - CONTINUED TO TUESDAY, OCTOBER 8, 2002, AT 2:00 P.M.

**Parra-Patrick - All Ayes**

- 6) Request to adopt Resolution expressing specific concerns on the proposed wilderness designations, and opposition to the designation of the Lower Kern as Wild and Scenic in S. 2535, The California Wild Heritage Act of 2002 and H.R. 4947, Southern California Wild Heritage Wilderness Act (from 7/30/2002 and 9/10/2002) - HEARD IN OPPOSITION TO STAFF RECOMMENDATION: LOIS WATSON; ANN WILLIAMS; JOE FONTAINE; BUGS FONTAINE; MARGARITA NICHOL VOICED OPPOSITION TO THE LEGISLATION; MARK CHRISTOPHER, FRIENDS OF THE RIVER; BILL SCHOOK; ARTHUR UNGER; MARTY HARPER; MARIANNE LOCKHART, THE CONDOR GROUP; PAUL GIPE; LORRAINE UNGER; LESLIE LIPTON; REVEREND RICHARD DALE WATTS; CLAYTON YURI; GORDON NIPP; AND TIM ALLAN, CALIFORNIA WILD HERITAGE CAMPAIGN AND THE SIERRA CLUB; HEARD IN SUPPORT OF STAFF RECOMMENDATION: DALE ARMSTRONG; GENE YOUNG; HAROLD SPRAYBERRY, SOUTHERN SIERRA FAT TIRE ASSOCIATION; DICK TAYLOR, KERN OFF-HIGHWAY VEHICLE ASSOCIATION; BRUCE HAFENFELD; JUDY DECKER; TOM FINCH; JANET THOMPSON; CAROL ORDIWAY; RICHARD GAUTHIER; NATE SCIACQUA; DAVE MATTHEWS; JIM MALOUF; BILL BUCHROEDER; RON SCHILLER, HIGH DESERT MULTIPLE USE COALITION; LORON HODGE, EXECUTIVE DIRECTOR, KERN COUNTY FARM BUREAU; ED WALDHEIM, PRESIDENT, CALIFORNIA OFF-ROAD VEHICLE ASSOCIATION AND FRIENDS OF JAWBONE; SEAN MCNULTY; TIM LUKEN; WAYNE TODD; JIM MCNEELEY, RIDGECREST; DENNIS FOX; AND GUY WILSON

APPROVE; ADOPT RESOLUTION AS REVISED TO INCLUDE A REQUEST TO LEGISLATIVE AUTHORS TO CONSIDER INCLUSION OF LANGUAGE TO ALLOW THE U.S. FOREST SERVICE TO CONDUCT FORMAL WILDERNESS STUDIES AND INCLUDE FEDERAL APPROPRIATIONS FOR THAT PURPOSE

**McQuiston-Parra - 3 Ayes; 1 No - Patrick**

**MOTION FAILED DUE TO UNANIMOUS VOTE POLICY ON LEGISLATIVE POSITIONS**

AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE TO LEGISLATIVE AUTHORS CONVEYING CONCERNS EXPRESSED BY THE BOARD AND KERN COUNTY CITIZENS, FURTHER TO ENCOURAGE THE U.S. FOREST SERVICE TO CONDUCT FORMAL WILDERNESS STUDIES, AND THAT THE BILL BE AMENDED TO PROVIDE APPROPRIATIONS FOR SUCH STUDIES; RECEIVED AND FILED DOCUMENTS

**McQuiston-Patrick - All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community Development Program Department  
Hearings  
S.D. #1

- \*7) 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 (from 9/17/2002) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED CANCELLATION OF AGREEMENT 900-2001 WITH CITY OF SHAFTER; APPROVED AMENDMENT OF COUNTY'S FISCAL YEAR 2001-2002 ANNUAL ACTION PLAN TO CANCEL CD ACTIVITY #18.01.1; APPROVED AMENDMENT OF COUNTY'S FISCAL YEAR 2002-2003 ANNUAL ACTION PLAN TO CANCEL CD ACTIVITY #18.02.1; APPROVED TRANSFER OF \$297,890.62 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO COMMUNITY DEVELOPMENT PROGRAM DEPARTMENT (CDPD) UNPROGRAMMED FUNDS ACCOUNT; AUTHORIZED INTERIM DIRECTOR TO SUBMIT ALL DOCUMENTATION RELATED TO AMENDMENT TO HUD

**Parra-Patrick - All Ayes**

All S.D.'s

- \*8) 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 (from 9/17/2002) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENT TO COUNTY'S FISCAL YEAR 2002-2003 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT (CD) PROGRAMS BY CREATING HOME PROJECT #33.02.5, EL MIRAGE APARTMENTS; APPROVED TRANSFER OF \$227,000: A) \$663.70 FROM FISCAL YEAR 1998-1999; B) \$16,713.80 FROM FISCAL YEAR 1999-2000; AND C) \$209,622.50 FROM FISCAL YEAR 2001-2002; CERTIFIED WASCO'S MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA; AUTHORIZED NECESSARY COUNTY AND HUD BUDGET ADJUSTMENTS AND TRANSFERS; AUTHORIZED INTERIM DIRECTOR TO SUBMIT ALL DOCUMENTATION TO HUD

**Parra-Patrick - All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #4

- \*9) Resolution of intention to extend Zone of Benefit Nos. 3, 5, 7, 8 and 10 in County Service Area No. 71, Tracts 6024, 6025, 6026, 6027, 6028 and adjacent 80 acres to the south, Probuilt, west Bakersfield, located south of Palm Avenue and east of Heath Road - ADOPTED RESOLUTION 2002-397 OF INTENTION TO EXTEND ZONE OF BENEFIT NOS. 3, 5, 7, 8 AND 10 IN COUNTY SERVICE AREA NO. 71; SET PUBLIC HEARING FOR TUESDAY, NOVEMBER 12, 2002, 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 PROPERTY OWNERS 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 AND TO FILE A NOTICE OF EXEMPTION, PURSUANT TO CEQA GUIDELINES

**Parra-Patrick - All Ayes**

S.D. #5

- 10) Proposed Contract No. 02038 with Gilliam & Sons, Inc., for construction of Lamont Drainfield, Phase VII, in an amount not to exceed \$994,797.55 - DENNIS FOX HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 904-2002

**McQuiston-Parra - All Ayes**

- \*11) Contract No. 02039, Final Plans, Specifications, and Notice to Contractors for the Berkshire Neighborhood Water System Improvements, south Bakersfield - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20150 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, OCTOBER 30, 2002, AT 11:00 A.M.

**Parra-Patrick - All Ayes**

All S.D.'s

- \*12) Annual Recertification in the Community Rating System (CRS) Program of the National Flood Insurance Program (NFIP) - AUTHORIZED CHAIRMAN TO SIGN

**Parra-Patrick - All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*13) Contract No. 02040, Plans, Specifications, and Notice to Contractors for construction on Ward Avenue, Brady Street, Drummond Avenue, Las Flores Avenue, and Dolphin Avenue - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTIONS 15301(c) AND 15302; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, OCTOBER 23, 2002, AT 11:00 A.M.

**Parra-Patrick - All Ayes**

S.D.'s #1 & #2

- \*14) Contract No. 03002, identify apparent low bid of Granite Construction Company for asphalt concrete (stockpile) at various locations in east Kern County, in an amount not to exceed \$179,470 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Parra-Patrick - All Ayes**

S.D.'s #3 & #5

- \*15) Contract No. 02043, Plans, Specifications, and Notice to Contractors for Construction on Niles Street Median and Signal Interconnection - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTIONS 15301(c) AND 15302 (c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, OCTOBER 23, 2002, AT 11:00 A.M.

**Parra-Patrick - All Ayes**

All S.D.'s

- \*16) Contract No. 03001, identify apparent low bid of Granite Construction Company for asphalt concrete (stockpile) at various locations in Kern County, in an amount not to exceed \$352,550 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Parra-Patrick - All Ayes**

COUNTY ADMINISTRATIVE OFFICE

Hearing

- \*17) Public hearing for use of United States Department of Justice Local Law Enforcement Block Grant Program funds - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED ALLOCATING \$424,608 OF GRANT FUNDS AND \$47,178 OF COUNTY GENERAL FUND RESOURCES TO SHERIFF'S DEPARTMENT FOR OVERTIME EXPENDITURES; APPROVED ALLOCATING \$70,000 OF GRANT FUNDS AND \$7,778 OF COUNTY GENERAL FUND RESOURCES TO DISTRICT ATTORNEY FOR PROSECUTION OF VIOLENT CRIME

**Parra-Patrick - All Ayes**

- \*18) Proposed retroactive Amendment No. 15 to Administrative Services Agreement with Vision Service Plan extending the term of the agreement to December 31, 2003, and decreasing the administrative fee from \$1.10 to \$1.00 per employee per month effective July 1, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 905-2002

**Parra-Patrick - All Ayes**

- \*19) Proposed response to Grand Jury Final Report regarding Kern County Foster Care Program - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Parra-Patrick - All Ayes**

Legislative Matters

- \*20) Report on fiscal and program impacts of State Budget - RECEIVED AND FILED

**Parra-Patrick - All Ayes**

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #3

- \*21) Request for sole source purchase of a used modular classroom from William Scotsman, Inc., to provide additional classroom space for the Sheriff's Department, in an amount not to exceed \$59,016.16 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Parra-Patrick - All Ayes**

S.D. #4

- \*22) Request for authorization to terminate Agreement 225-2000 with Cal Stock Partnership for lease of 5121 Stockdale Highway, Suite 210, Bakersfield, effective March 31, 2003, and to pay unamortized balance on tenant improvements, payment to be made within sixty days of last day of County's occupancy in an amount not to exceed \$41,768.85 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; AUTHORIZED GENERAL SERVICES TO NOTIFY LESSOR OF INTENT TO TERMINATE LEASE; AUTHORIZED AUDITOR-CONTROLLER TO PAY

**Parra-Patrick - All Ayes**

S.D. #5

- \*23) Proposed Agreement with Magnum Enterprises, Inc., for improvements at the Sheriff's Department Property Room, in an amount not to exceed \$381,999, and proposed transfer from Appropriations for Contingencies in the amount of \$150,000 to Budget Unit 1650 to correct budget shortfall due to higher than expected bids (1650.7262) - APPROVED AGREEMENT AND BUDGET TRANSFER; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 906-2002

**Parra-Patrick - All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
Information Technology Services

- \*24) 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 (from 9/17/2002) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$12,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$12,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 1160

**Parra-Patrick - All Ayes**

CONSIDERATION OF ORDINANCE INTRODUCED ON SEPTEMBER 17, 2002

- \*25) 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 - ENACTED ORDINANCE G-6913

**Parra-Patrick - All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*26) Budget Transfers - APPROVED #15 THROUGH #28

**Parra-Patrick - All Ayes**

- \*27) Minutes for Week of August 26, 2002 - APPROVED

**Parra-Patrick - All Ayes**

- \*28) Miscellaneous Letters and Documents - FILED

**Parra-Patrick - All Ayes**

- \*29) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Parra-Patrick - All Ayes**



- \*30) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Parra-Patrick - All Ayes**

ADJOURNED TO TUESDAY, OCTOBER 1, 2002, AT 9:00 A.M.

**Patrick-**

/s/ Denise Pennell  
Clerk of the Board

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

28) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

A) Received, certified and forwarded to Recorder for recordation as follows:

- 1) Tract Map 5829, Unit 3 (S.D. #1)
- 2) Tract Map 5831, Unit 4 (S.D. #3)
- 3) Tract Map 5968, Unit 1 (S.D. #1)
- 4) Tract Map 5968, Unit 2 (S.D. #1)
- 5) Tract Map 6050, Phase 1 (S.D. #3)
- 6) Tract Map 6053, Phase 1 (S.D. #1)
- 7) Tract Map 6053, Phase 2 (S.D. #1)
- 8) Tract Map 6053, Phase 3 (S.D. #1)
- 9) Tract Map 6063, Phase 1 (S.D. #1)
- 10) Tract Map 6066, Unit 1 (S.D. #2)
- 11) Tract Map 6092, Phase 1 (S.D. #5)
- 12) Parcel Map 10141 (S.D. #2)
- 13) Parcel Map 10643 (S.D. #2)
- 14) Parcel Map 10663, Phase C (S.D. #2)
- 15) Parcel Map 10667 (S.D. #4)
- 16) Parcel Map 10731 (S.D. #1)
- 17) Parcel Map 10763 (S.D. #3)
- 18) Parcel Map 10819 (S.D. #1)
- 19) Parcel Map 10824 (S.D. #2)
- 20) Parcel Map 10863 (S.D. #1)
- 21) Parcel Map 10884 (S.D. #1)

Miscellaneous

- B) Letter from Bob Waterston, Chairman of Fresno County Board of Supervisors, re invitation to attend San Joaquin Valley Air Pollution Control District Board meeting in Fresno on Thursday, September 19, 2002 (Copies to each Supervisor and CAO)
- C) Letter from Mehdi Morshed, California High-Speed Rail Authority, re Senate Bills 1856 and 796 concerning California high-speed rail system (Copies to each Supervisor, CAO and Resource Management Agency)
- D) Letter from Edward H. Waldheim, California Off Road Vehicle Association, Inc. (CORVA) in opposition to Wilderness Bill S.2535 (Copies to each Supervisor, CAO, Planning and County Counsel)
- E) Letter from David Cohn, Bakersfield Museum of Art, re availability of programs available due to funds received from Kern County (Copies to each Supervisor and CAO)
- F) Letter from Dallas Jones, Governor's Office of Emergency Services, re declaration of Tulare County and contiguous counties of Fresno, Inyo, Kern and Kings, a disaster area as a result of the McNally fire (Copies to each Supervisor, CAO, General Services and Office of Emergency Services)
- G) Letter from Senator Charles S. Poochigian re Senate Bill 1714 concerning land acquisition and financial impacts to counties (Copies to each Supervisor and CAO)

- H) Letter from E. R. Molina, California Highway Patrol, re Hazardous Materials Incident Report on Tuesday, August 27, 2002, on State Route 178, one mile west of Kern Canyon Road (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- I) Letter from Matthew B. Miller, Federal Emergency Management Agency, re new Base Flood Elevations and Flood Insurance Rate Map for the unincorporated areas of Kern County (Copies to each Supervisor, CAO and Engineering and Survey Services)
- J) Letter from Bill Burke, Employment Development Department, re Program Year 2001-2002 reallocation of Workforce Investment Area, Title I dislocated worker formula funds (Copies to each Supervisor and CAO)
- K) Letter from Jack Stewart, City of California City, re a joint meeting with the City Council and the Redevelopment Agency concerning the California City Redevelopment Project on Tuesday, October 15, 2002 (Copies to each Supervisor, CAO, Auditor-Controller and County Counsel)
- L) Bulletin from The California Rifle and Pistol Association, Inc., The Firing Line, September 2002, Issue No. 873 (Copies to each Supervisor, CAO and County Counsel)
- M) Memorandum from Ken Seaton-Msemaji, United Domestic Workers of America, re State budget approval of \$1.00 increase in the State's share of wages for In Home Supportive Services Public Authority workers (Copies to each Supervisor, CAO and Aging and Adult Services)
- N) Notices from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: Raguels Mexican Food Restaurant, 1858 Rosamond Boulevard, Rosamond; California Market, 701 East California Avenue, Bakersfield; 33 & "E" Street Market, 22721 "E" Street, McKittrick; Leo's Market, 1324 Flower Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- O) Notice from U.S. Environmental Protection Agency, re request for public comment on a draft permit modification to change conditions of an approval to Sunrise Power Company for construction and operation of a power generation facility located approximately 35 miles southwest of Bakersfield (Copies to each Supervisor, CAO, Planning and County Counsel)
- P) Agenda of meeting from CALFED Bay-Delta Program, Drinking Water Subcommittee, California Bay-Delta Public Advisory Committee, Southern California Water Dialogue, on Wednesday, September 18, 2002 (Copies to each Supervisor and CAO)

- 29) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Jon Rodgers re change in hours of operation of the Frazier Park Library - REFERRED TO LIBRARY (Copies to each Supervisor and CAO)
  - B) E-Mail from Robert K. Hutchins re disturbance involving his daughter at the Beale Library - REFERRED TO LIBRARY (Copies to each Supervisor, CAO and County Counsel)
- 30) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Brandon Gladden and Candace Gladden vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Leyda Lugo and Justo R. Lugo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Manuel Gaitan, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Monetary Management of California, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of West Kern Oil Museum, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Summons and complaint in the matter of Jeanne Martin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)