

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, January 11, 2005

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: The vote is displayed in bold below each item. For example, Patrick-Maben denotes Supervisor Patrick made the motion and Supervisor Maben 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 January 13, 2005 as Crime Lab Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Maben-Patrick: All Ayes**

APPOINTMENTS

- \*2) Appointment of William Perry as Education Member to the Workforce Investment Board (WIB), and appointments of Brad Ziker and Phil Gaskill as Business Members, Verna Lewis as Public Agency Member and Gary Chaffin as Parent Member to the Workforce Investment Board, Youth Council, terms to expire June 30, 2007 - MADE APPOINTMENTS

**Maben-Patrick: All Ayes**

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 4) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR RUBIO NOTED THE PASSING OF A KERN COUNTY CITIZEN, WILLIAM "PINKY" PINKARD AND CONVEYED SYMPATHY TO THE FAMILY

HE FURTHER EXPRESSED GRATITUDE TO CHUCK LACKEY, DIRECTOR OF ENGINEERING AND SURVEY SERVICES, FOR KEEPING THE SUPERVISOR INFORMED OF FLOOD CONDITIONS IN LAMONT DURING THE RECENT STORM, AND COMMENDED THE ENGINEERING AND SURVEY SERVICES DEPARTMENT FOR THEIR HARD WORK AND EFFORTS

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

- 5) Request for approval of Automated Point of Sale Pilot Project and appropriation of unanticipated revenue for a 15 month period beginning February 1, 2005 through April 30, 2006 (Fiscal Impact: \$46,070; Appropriations for Contingencies; Not Budgeted; Discretionary) -

MOTION TO APPROVE STAFF RECOMMENDATION

**Patrick-Maben: 2 Ayes; 3 Noes - McQuiston, Watson, Rubio**

**MOTION FAILED**

REFERRED TO STAFF FOR REPORT BACK TO THE BOARD

**McQuiston-Maben: All Ayes**

DISTRICT ATTORNEY

- \*6) Proposed addition of one (1) Office Services Technician position and deletion of one (1) Office Services Specialist position, effective January 11, 2005 (Fiscal Impact: Savings of \$4,510) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Patrick: All Ayes**

FIRE DEPARTMENT

- \*7) Request for approval of unusual travel for Deputy Chief Robert Klinoff to attend Advanced Incident Management course in Tucson, Arizona, January 29, 2005 through February 12, 2005 (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

NON-AGENDA ITEM #7A

MOTION TO CONSIDER NON-AGENDA ITEM NO. 7A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER AGENDA WAS POSTED BECAUSE RECENT STORMS HAD IMPACTED KERN COUNTY IN THE LAST WEEK, CAUSING FLOODING IN A NUMBER OF AREAS. THE FLOODING THAT OCCURRED BEGINNING YESTERDAY, JANUARY 10, 2005 AT APPROXIMATELY 10:00 A.M., RESULTED IN EXTRAORDINARY RESPONSE AND MITIGATION EFFORTS BY A NUMBER OF COUNTY DEPARTMENTS, AS WELL AS PROPERTY DAMAGE TO RESIDENCES IN THE ROSAMOND AREA.

IN ACCORDANCE WITH GOVERNMENT CODE SECTION 8630 AND CHAPTER 2.66 OF THE KERN COUNTY ORDINANCE CODE, THE DIRECTOR OF EMERGENCY SERVICES, IN CONSULTATION WITH COUNTY COUNSEL, RECOMMENDED TO THE COUNTY ADMINISTRATIVE OFFICER SCOTT JONES THAT THESE CONDITIONS MET THE CRITERIA FOR THE PROCLAMATION OF A LOCAL EMERGENCY. THE NEXT STEP IN THE DISASTER DECLARATION PROCESS REQUIRES THAT YOUR BOARD REVIEW AND CONFIRM THE ACTIONS TAKEN BY THE DIRECTOR OF EMERGENCY SERVICES AND THE COUNTY ADMINISTRATIVE OFFICE

**Maben-Rubio: All Ayes**

- 7A) Request for Resolution ratifying January 10, 2005 County Administrative Officer's proclamation that a flood disaster and state of emergency exists within the County of Kern and requesting Gubernatorial and Presidential Disaster Declarations (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-016

**Patrick-McQuiston: All Ayes**

MENTAL HEALTH SERVICES

- \*8) Proposed retroactive Agreement with Nankil Enterprises, Inc., to provide Board and Care Housing services for dually diagnosed homeless adults in the Bakersfield area, from January 1, 2005 to June 30, 2005, in an amount not to exceed \$44,950 (Fiscal Impact: \$44,950; Grant - Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 034-2005

**Maben-Patrick: All Ayes**

- \*9) Proposed retroactive Agreement with the California Department of Mental Health (State Agreement 04-74157-000), for professional and inpatient hospital services for County severely mentally ill clients who require inpatient treatment at Atascadero, Metropolitan, Napa, or Patton State Hospitals, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$815,578 (Fiscal Impact: \$815,578; Realignment) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 035-2005

**Maben-Patrick: All Ayes**

- \*10) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention of mentally disordered individuals per Welfare and Institutions Code Section 5150 (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

PARKS AND RECREATION DEPARTMENT

- \*11) Proposed Resolution authorizing application to State of California, Department of Parks and Recreation, Youth Soccer and Recreation Development Program grant for rehabilitation of Metropolitan Park ballfields (prior approval October 26, 2004) (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-017

**Maben-Patrick: All Ayes**

- \*12) Request for approval of confirming order for body work performed by City Body Works (Fiscal Impact: \$4,126.56) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE PAYMENT IN THE AMOUNT OF \$4,126.56

**Maben-Patrick: All Ayes**

PUBLIC HEALTH SERVICES

- \*13) Proposed retroactive Agreement with Arnold Chun, M. D., for medical services for the Medical Therapy Program of California Children Services, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$15,000 (prior notification June 29, 2004) (Fiscal Impact: \$15,000; 50% State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 036-2005; ADOPTED RESOLUTION 2005-018 ASSUMING LIABILITY FOR PROFESSIONAL MEDICAL MALPRACTICE IN CONNECTION WITH SERVICES PROVIDED TO THE COUNTY

**Maben-Patrick: All Ayes**

- \*14) Proposed retroactive Agreement with Kern County Children and Families Commission for professional services by the Child Health and Disability Prevention Program, Treatment Program - Dental Component, from November 1, 2004 through June 30, 2007, in an amount not to exceed \$2.6 million (prior notification November 9, 2004) (Fiscal Impact: \$2.6 million - Current Year \$604,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 037-2005

**Maben-Patrick: All Ayes**

- \*15) Proposed Amendment No. 1 to Agreement 090-2004 with the California State Department of Health Services for the California Infertility Prevention Project, from July 1, 2004 through June 30, 2005, to increase compensation by \$15,000 for a total amount not to exceed \$102,000 (Fiscal Impact: \$15,000; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 038-2005

**Maben-Patrick: All Ayes**

TREASURER-TAX COLLECTOR

- \*16) Pooled Cash Portfolio Analysis for month ended November 2004 (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IHSS PUBLIC AUTHORITY

**Patrick-Rubio: All Ayes**

ADJOURNED TO CLOSED SESSION

**Patrick-Rubio**

CLOSED SESSION

IHSS PUBLIC AUTHORITY

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

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

**Maben-Patrick**

ADJOURNED TO CLOSED SESSION

**Maben-Patrick**

CLOSED SESSION

COUNTY COUNSEL

- 18) Request for Closed Session regarding a lawsuit entitled Chedva Federman, et al. vs. County of Kern, et al., United States District Court Case No. CIV-99-5533-AWI-TAG (Government Code Section 54956.9(a)) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)
- 19) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. S-1500-CV254074 RJA and related Commander cases (Government Code Section 54956.9 (a)) (from January 4, 2005) -

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

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

**Rubio-Maben**

/s/ Denise Pennell  
Clerk of the Board

/s/ Ray Watson  
Chairman, Board of Supervisors

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, January 11, 2005

2:00 P.M.

#### BOARD RECONVENED

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

#### RESULTS OF CLOSED SESSION

Request for Closed Session regarding a lawsuit entitled Chedva Federman, et al. vs. County of Kern, et al., United States District Court Case No. CIV-99-5533-AWI-TAG (Government Code Section 54956.9(a)) - CHAIRMAN WATSON REPORTED ON RESULTS OF CLOSED SESSION, AGENDA ITEM NO. 18 FROM THE 9:00 A.M. SESSION, WHERE, BY UNANIMOUS VOTE, THE BOARD APPROVED SETTLEMENT OF THE LAWSUIT ENTITLED CHEDVA FEDERMAN, ET AL VS. COUNTY OF KERN, ET AL, IN THE AMOUNT OF \$1 MILLION; SHERIFF MACK WIMBISH HEARD

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

#### BOARD ACTION SHOWN IN CAPS

NOTE: AGENDA ITEM NO. 1 WAS RECONSIDERED AT THE CLOSE OF THE MEETING BY UNANIMOUS VOTE

#### 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! - JAMES BANN ADDRESSED THE BOARD REGARDING POSSIBLE VIOLATION OF THE U.S. CONSTITUTION RELATING TO DISPLAY OF THE U.S. FLAG WITH GOLD FRINGE IN A GOVERNMENT BUILDING.

REFERRED TO COUNTY COUNSEL TO REPORT BACK REGARDING THIS MATTER; RECEIVED AND FILED DOCUMENT

**Maben-McQuiston: All Ayes**

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 RUBIO REQUESTED THE ROADS DEPARTMENT INVESTIGATE TRAFFIC FLOWS AND POTENTIAL STOP SIGNS AT PACHECO AND SPARKS STREETS AND BERNARD STREET WEST OF MT. VERNON AND EAST OF HALEY STREET

DEPARTMENTAL REQUESTS

COUNTY COUNSEL

Hearing

- 3) Hearing regarding proposed Resolution of Necessity to condemn Parcel APN 145-040-09 (1,347 square feet) on the south side of Pioneer Drive between Fairfax Road and Morning Drive for a "Safe Route to Schools Project" - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2005-019

**Patrick-Rubio: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Planning Department

Streets and Highways

S.D. #5

- \*4) Request from Roy Obar for the Summary Vacation of a portion of Mayfair Court, 1072.69 feet east of Marion Drive and west of the East Side Canal, approximately 1/8 mile north of Redbank Road in southwest Bakersfield, Map No. 124-1 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-020 APPROVING VACATION, RESERVING AND EXCEPTING AN EASEMENT FOR EXISTING UTILITIES

**McQuiston-Rubio: All Ayes**

Miscellaneous

S.D. #4

- \*5) Request from Ravinder K. Rai for determination of public convenience for the issuance of an off-sale general liquor license at 27736 Route 58, Buttonwillow, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) -

**WITHDRAWN**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #2

- \*6) Contract No. 04022, identify apparent low bid of ANM Construction for construction of the Mojave Drainage Improvements, Phase VIII, in an amount not to exceed \$499,424 (Fiscal Impact: \$499,424; CEDD; Budgeted) - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

**McQuiston-Rubio: All Ayes**

S.D. #3

- \*7) Contract No. 04007, Change Order Report and Notice of Completion for North Beardsley Street Improvements, Phase VI (Fiscal Impact: \$18,809.92; CEDD) - RECEIVED AND FILED

**McQuiston-Rubio: All Ayes**

S.D. #4

- \*8) Proposed Resolution endorsing application for an Urban Streams Restoration Grant for Cuddy Creek, Frazier Park (Fiscal Impact: \$355,000; Grant Funds) - ADOPTED RESOLUTION 2005-021; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE GRANT APPLICATION; AUTHORIZED DIRECTOR OF ENGINEERING & SURVEY SERVICES TO NEGOTIATE A CONTRACT FOR ADMINISTRATION OF GRANT FUNDS; AUTHORIZED ENGINEERING & SURVEY SERVICES TO SUBMIT INVOICES TO THE DEPARTMENT OF WATER RESOURCES FOR ACTIVITIES CARRIED OUT UNDER THE WORK PLAN FOR THE GRANT CONTRACT

**McQuiston-Rubio: All Ayes**

All S.D.'s

- \*9) Proposed Resolution approving application for State of California, Office of the Integrated Waste Management Board Grant Funding and authorizing Director of Engineering & Survey Services to sign all documents specific to the application process (Fiscal Impact: \$200,000; Grant Funds) - APPROVED; ADOPTED RESOLUTION 2005-022

**McQuiston-Rubio: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*10) Request from Golden Empire Transit (GET) to eliminate a bus loading zone on Petrol Road (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE CHANGE

**McQuiston-Rubio: All Ayes**

S.D. #3

- \*11) Proposed no stopping zone along Eucalyptus Drive, east of Gargano Road (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**McQuiston-Rubio: All Ayes**

- \*12) Contract No. 04024, Notice of Completion for construction on Eucalyptus Drive (Fiscal Impact: None) - RECEIVED AND FILED

**McQuiston-Rubio: All Ayes**

WASTE MANAGEMENT

All S.D.'s

- \*13) Request for relief of accountability of Accounts Receivable, in the amount of \$13,991.82 (Fiscal Impact: \$13,991.82; Solid Waste Enterprise Fund; Not Budgeted; Discretionary) -

**WITHDRAWN**



- \*14) Report concerning 2005 Solid Waste Infrastructure Plan (Fiscal Impact: None) - APPROVED

**McQuiston-Rubio: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*15) Proposed retroactive Agreement with Kern County Superintendent of Schools as the administrative agent for the Network for Children for support services for the Kern Citizen Review Panel in the amount of \$25,000 for each year of the two-year term (prior notification January 3, 2005) (Fiscal Impact: Fiscal Year 2004-2005, \$25,000; State Funds; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 039-2005

**McQuiston-Rubio: All Ayes**

- \*16) Proposed change in reporting periods for performance measurement program from quarterly to annually (Fiscal Impact: None) - APPROVED

**McQuiston-Rubio: All Ayes**

- \*17) Request for co-sponsorship of Kern County Economic Summit through KGOV Broadcast Services (Fiscal Impact: \$2,500, estimated) - APPROVED

**McQuiston-Rubio: All Ayes**

- 18) Notice of planned retirement of incumbent County Administrative Officer, effective April 1, 2005 - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

- 19) Proposed recruitment plan, recruitment brochure and revised job specifications for selection of new County Administrative Officer - APPROVED; REFERRED TO COUNTY ADMINISTRATIVE OFFICER (CAO) TO REPORT BACK IN TWO WEEKS REGARDING THE SCOPE OF RESPONSIBILITY BETWEEN A COUNTY ADMINISTRATIVE OFFICER AND A COUNTY EXECUTIVE OFFICER, AND ANY RECOMMENDED CHANGES IN THE CURRENT FUNCTIONS OF THE CAO POSITION

**McQuiston-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*20) Proposed Amendment No. 1 to Agreement 687-99 with the Ivan and Elsie Meyer Trust for lease of building at 113-115 North Central Valley Highway, Shafter, for Department of Human Services' addition of 10,400 square feet of space from date of acceptance to December 31, 2009 (Fiscal Impact: \$47,528 additional rent and tenant improvements for Fiscal Year 2004-2005; Not Budgeted)- MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 040-2005

**McQuiston-Rubio: All Ayes**

S.D. #4

- \*21) Proposed Request for Proposal for architectural services for the new Frazier Park Library (1960.8158) (from 1/3/2005) -

**WITHDRAWN**

All S.D.'s

- \*22) Change Order No. 2 for Communications Towers and Site Improvements, Phase II, an increase of \$365.70, for a new total of \$286,337.70 (8235.8361A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**McQuiston-Rubio: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*23) Budget Transfers - APPROVED NO. 75 AND NO. 76

**McQuiston-Rubio: All Ayes**

- \*24) Minutes for week of November 29, 2004 - APPROVED WITH CORRECTION TO ITEM NO. 10 A.M. TO ADD THE WORDING, "**CLOSED HEARING**", FOLLOWING CARMEN ADAMS, ROSAMOND; AND TO NO. 34 A.M., TO ADD **AGREEMENT 1063-2004**

**McQuiston-Rubio: All Ayes**

- \*25) Miscellaneous Letters and Documents - APPROVED

**McQuiston-Rubio: All Ayes**

- \*26) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**McQuiston-Rubio: All Ayes**

- \*27) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**McQuiston-Rubio: All Ayes**

MOTION TO RECONSIDER AGENDA ITEM NO. 1, PUBLIC PRESENTATIONS

**McQuiston-Rubio: All Ayes**

ADJOURNED TO TUESDAY, JANUARY 18, 2005, AT 9:00 A.M.

**Maben**

/s/ Denise Pennell  
Clerk of the Board

/s/ Ray Watson  
Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT  
(Government Code Section 54953.2)**

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

25) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report for Automobile Insurance Fraud and Workers' Compensation Insurance Fraud Programs Report for Fiscal Year ended June 30, 2004
- B) Audit report for Community Gun Violence Prosecution Program for period from October 1, 2001 to September 30, 2004 and October 1, 2002 to September 30, 2003

Clerk of the Board

- C) Letter from Stuart O. Witt, East Kern Airport District, re resignation from the Kern County Board of Trade and Film Commission (Copies to each Supervisor, CAO and Board of Trade)
- D) Letter from Violet Varona-Lukens, Los Angeles County Board of Supervisors, re applications from Steve Rodrigues, Kathleen Burr, James Dodson and Charles R. Brown to the Antelope Valley Resource Conservation District (Copies to each Supervisor, CAO, County Counsel and Clerk of the Board)
- E) Received, certified and forwarded to Recorder for recordation as follows:
  - 1) Tract Map 5966, Unit 4 S.D. #4
  - 2) Tract Map 6144, Phase 1 S.D. #4
  - 3) Tract Map 6144, Phase 2 S.D. #4
  - 4) Tract Map 6156, Unit 3 S.D. #4
  - 5) Tract Map 6156, Unit 4 S.D. #4
  - 6) Tract Map 6169, Unit 1 S.D. #4
  - 7) Tract Map 6169, Unit 7 S.D. #4
  - 8) Tract Map 6190 S.D. #2
  - 9) Tract Map 6196, Unit 1 S.D. #4
  - 10) Parcel Map 10522 S.D. #4
  - 11) Parcel Map 10948 S.D. #3
  - 12) Parcel Map 10996 S.D. #1
  - 13) Parcel Map 11053 S.D. #3
  - 14) Parcel Map 11187 S.D. #1

Engineering & Survey Services

- F) Received, completed Certificates of Acceptance and forwarded to Recorder for recordation Irrevocable Offers of Dedication for Landscape and Wall Easements from Heath Road Partners, LLC, (Lot 23), Mickey M. Ritter (Lot 4) and Don and Denise K. Juhasz (Lot 58) of Tract 6025

General Services

- G) Acceptance of Franchise and The Travelers Casualty and Surety Company of America Franchise Bond No. 104397078 in the amount of \$25,000 re CoxCom, Inc., Franchise Ordinance F-475

Resource Management Agency

- H) Memorandum re Water Resources Committee Update

Miscellaneous

- I) Letter from Congressmen Devin Nunes and George Radinovich in support of direct flights between Meadows Field Airport and various cities in Mexico (Copies to each Supervisor, CAO, Airports and Agricultural Commissioner)
- J) Letter from Louis E. Gitomer, Attorney for San Joaquin Valley Railroad Company, re Docket No. AB-398 (Sub-No. 9X), San Joaquin Valley Railroad Company Discontinuance Exemption between Levee and Taft and Docket No. AB-170 (Sub-No. 1X) Sunset Railway Company Abandonment Exemption between Levee and Taft (Copies to each Supervisor, CAO, Planning, Resource Management Agency and County Counsel)
- K) Letter from Debbie Pomisino, Maricopa Unified School District, re Resolution 05-04 certifying all proceedings in the Tuesday, November 2, 2004, general obligation bond election (Copies to Elections and County Counsel)
- L) Letter from Norma Jackson re animal situation in Mojave (Copies to each Supervisor, CAO, Environmental Health-Animal Control)
- M) Letter from Glenn R. Medina, State Department of Transportation, re recordation of CTC Resolution No. R3586 for relinquishment of collateral facilities on State Route 58 near Mojave, Document No. 0204289772 (Copies to each Supervisor, CAO, Planning, Roads and County Counsel)
- N) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re Small Business Administration's declaration of the primary county of Tulare and the contiguous counties of Fresno, Inyo, Kern and Kings, a disaster area as a result of agriculture losses caused by excessive heat from March 1 through August 31, 2004 (Copies to each Supervisor, CAO, Emergency Services, Agricultural Commissioner and County Counsel)
- O) Letter from Marylen Lininger in support of revocation of Country Cable's franchise license (Copies to each Supervisor, CAO and General Services)
- P) Letter from Nelson R. Bregon, U.S. Department of Housing and Urban Development, re Kern County's Fiscal Year 2005 allocations for Community Development Block Grant, HOME Investment Partnerships, American Dream Downpayment Initiative and Emergency Shelter Grant programs (Copies to each Supervisor, CAO and Community & Economic Development)
- Q) Letter from Pat Minyard, State Department of Food and Agriculture, re direct flight service between Meadows Field and Guadalajara, Mexico (Copies to each Supervisor, CAO and Airports)

- R) Eight (8) e-mail messages from film location managers in opposition to closing the Kern County Film Commission office, or combining it with another entity (Copies to each Supervisor, CAO and Board of Trade)
- S) Notice of public review and comment period from State Department of Toxic Substances Control re removal of the former San Joaquin Drum Company Site at 3930 Gilmore Avenue (Copies to each Supervisor, CAO and Environmental Health)
- T) Press release from Kern County Water Agency re settlement of claim between Tulare Lake Basin Water Storage District, the Kern County Water Agency, Wheeler Ridge-Maricopa Water Storage District, Lost Hills Water District and their water users against the U.S. Court of Federal Claims (Copies to each Supervisor, CAO, County Counsel, Resource Management Agency, Planning, and Agricultural Commissioner)
- U) Press release from the U.S. Department of Agriculture Forest Service re publishing of planning rule for better management of national forests and grasslands (Copies to each Supervisor, CAO and Planning)
- V) Agenda of meeting from Kern County Child Care Council on Wednesday, January 5, 2005
- W) Minutes of meeting from Kern County Child Care Council on Wednesday, December 1, 2004
- 26) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Letter from Lynn Molina, Kern-Tulare Water District re Resolution 2004-6 fixing 2005 water rates, standby and assessments of the District - REFERRED TO COUNTY COUNSEL
  - B) Letter from Lynn Molina, Rag Gulch Water District re Resolution 2004-8 fixing 2005 water rates, standby and assessments of the District - REFERRED TO COUNTY COUNSEL
- 27) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Kathy Warren vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Mary McDonald vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of James McKinley vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Bill James, individually and as Executor of the Estate of Barron James, Gayleen James vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- E) Claim in the matter of California Highway Patrol vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Michael L. Banks, Allan Tracy Gilmore and Alvin Mack vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Daniel Gonzalez vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of John Kolt vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Notice of change of firm name in the matter of Derrick Ray Mohlke, Joseph Daniel Mohlke, Ashley Lynn Mohlke, minors by and through their guardian ad litem, Danny Ray Mohlke vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Summons and complaint in the matter of Gerald Crossley vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)