

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, December 2, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Watson

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 December 2003 as Christmas Canned Food Drive Month in Kern County - PROCLAIMED; MADE PRESENTATION TO PHIL ZANDER, PRESIDENT, GOLDEN EMPIRE GLEANERS; PHIL ZANDER AND FIRE CHIEF STEPHEN GAGE HEARD

McQuiston-Patrick: All Ayes

- *2) Resolution honoring Ann Hirose upon her retirement from the Kern County Department of Human Services after 32 years of public service - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Patrick-Watson: All Ayes

APPOINTMENTS

- *3) Appointment of Craig A. Foss as an At-large, Directly Affected Persons Member to the Kern County AIDS Advisory Board, term to expire August 16, 2006 - MADE APPOINTMENT

Patrick-Watson: All Ayes

- *4) Appointment of Dustin Combs as Third District Consumer Member to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2005 - MADE APPOINTMENT

Patrick-Watson: All Ayes

- *5) Reappointments of Richard Freeland and Donald C. Zachary as At-large Members to the Kern Mosquito and Vector Control District, terms to expire December 31, 2005 - MADE REAPPOINTMENTS

Patrick-Watson: All Ayes

PUBLIC PRESENTATIONS

- 6) 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!

-

THE FOLLOWING SPEAKERS ADDRESSED THE BOARD REGARDING CONTRACT NEGOTIATIONS FOR DEPUTIES AND FIREFIGHTERS: JOE PILKINGTON, PRESIDENT, KERN LAW ENFORCEMENT ASSOCIATION (KLEA); FORMER SHERIFF CARL SPARKS; SENATOR DEAN FLOREZ, WHO ALSO REPORTED ON THE STATUS OF THE VEHICLE LICENSE FEE BACKFILL SAFETY NET; SHERIFF MACK WIMBISH; MICHAEL ROUW; ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION; STEVE WEST; AND PATTY POESCHEL, KLEA SECRETARY/TREASURER

COUNTY COUNSEL BERNARD BARMANN REPORTED ON THE STATUS OF NEGOTIATIONS AND THE APPROPRIATE LEGAL PROCESS TO BE FOLLOWED UNDER CALIFORNIA LAW, TO COME TO A RESOLUTION THROUGH MEDIATION AND THAT COLLECTIVE BARGAINING IS NOT TO BE CONDUCTED IN PUBLIC SESSION

COUNTY ADMINISTRATIVE OFFICER SCOTT JONES DISCUSSED THE STATUS OF THE ONGOING MEDIATION PROCESS

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 7) 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 WATSON ANNOUNCED PLANNING COMMISSIONER RON SPRAGUE'S RECENT ELECTION TO THE EXECUTIVE BOARD OF THE CALIFORNIA ASSOCIATION OF COUNTY PLANNING COMMISSIONERS. SUPERVISOR WATSON EXPRESSED APPRECIATION TO MR. SPRAGUE AND TO ALL PLANNING COMMISSIONERS FOR THEIR DEDICATION

SUPERVISOR MCQUISTON GAVE AN OVERVIEW OF HIS RECENT INVOLVEMENT IN THE SELECT COMMITTEES FOR STATE OF CALIFORNIA DEALING WITH BASE RETENTION AND BASE REALIGNMENT AND CLOSURE (BRAC), INCLUDING THE JOINT EFFORTS OF THE COMMITTEES TO CREATE A STATE OF CALIFORNIA BRAC COMMISSION. SUPERVISOR MCQUISTON EXPRESSED APPRECIATION TO SUPERVISOR PATRICK FOR HER ASSISTANCE IN PLACING AN ITEM ON THE AGENDA BEFORE THE ECONOMIC DEVELOPMENT COMMITTEE OF THE CALIFORNIA STATE ASSOCIATION OF COUNTIES FOR A RESOLUTION SUPPORTING THE COMMITTEES' EFFORTS

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *8) Proposed Area Plan Year End Report for Fiscal Year 2002-2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED AGING AND ADULT SERVICES DIRECTOR TO SIGN RELATED TRANSMITTAL DOCUMENTS

Patrick-Watson: All Ayes

AIRPORTS

- *9) Proposed Agreement with Coffman and Associates for 150 Noise Compatibility Study update for Meadows Field Airport, in the amount of \$300,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 997-2003

Patrick-Watson: All Ayes

- *10) Proposed month-to-month Lease Agreement with Clinton Bridges to rent Cloverleaf Hangar #17 at Meadows Field, Bakersfield, at a monthly rate of \$130, to be reviewed annually - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 998-2003

Patrick-Watson: All Ayes

CLERK OF THE BOARD

- *11) Proposed Resolution establishing the regular meeting dates of the Board of Supervisors for 2004 - APPROVED; ADOPTED RESOLUTION 2003-519

Patrick-Watson: All Ayes

COUNTY COUNSEL

HEARING

- *12) Hearing on Berrenda Mesa Water District: Equalization of assessments and assessment of land escaping assessment for calendar year 2004 and setting rate of ad valorem assessment - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-520 FIXING RATE OF ASSESSMENT AND ASSESSING LAND WHICH HAS ESCAPED ASSESSMENT

Patrick-Watson: All Ayes

- *13) Report on referral concerning County authority under existing state law to regulate siting of power plants at or above, and under, 50 megawatts generating capacity - RECEIVED AND FILED

Patrick-Watson: All Ayes

- *14) Proposed Attorney Retainer Agreement with Hanson, Bridgett, Marcus, Vlahos & Rudy to assist in legal review of water issues related to the Buena Vista Aquatic Recreation Area, for a term of one year effective December 2, 2003, in an amount not to exceed \$30,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 999-2003

Patrick-Watson: All Ayes

- *15) Proposed Amendments to the Kern County Campaign Finance Reform Ordinance defining terms relating to transfers and carryovers in Section 2.130.040 and clarifying that Section 2.130.090 only applies to Inter-Candidate Transfers - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Watson: All Ayes

- *16) Proposed Regulation 03.401 which implements the Kern County Campaign Finance Reform Ordinance and requires candidates who accept the voluntary expenditure ceilings to list cumulative campaign expenditures subject to those ceilings and to describe expenditures which are exempt from the ceilings with sufficient detail so that the basis for the exemption is clear - ADOPTED REGULATION 03.401

Patrick-Watson: All Ayes

- *17) Proposed Regulation 03.501 which implements the Kern County Campaign Finance Reform Ordinance and permits an Elective County Officer to maintain a controlled committee for election to the incumbent term to pay officeholder expenses and permitting, at the same time, an Elective County Officer to maintain a controlled committee for reelection - ADOPTED REGULATION 03.501

Patrick-Watson: All Ayes

- *18) Request of Roads Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Watson: All Ayes

- *19) Request of Sheriff/Civil Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Watson: All Ayes

- *20) Request of Parks & Recreation Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Watson: All Ayes

- *21) Request of Emergency Medical Services Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Patrick-Watson: All Ayes

EMERGENCY MEDICAL SERVICES

HEARING

- 22) Public hearing on proposed Resolution modifying air ambulance rates for air ambulance service operational areas A and B, effective December 3, 2003 - OPENED HEARING; JACQUIE ATT, CONTROLLER, HALL AMBULANCE; MARYANN HESTER; AND LARRY MOXLEY, HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-521

Maben-Watson: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *23) Proposed retroactive Agreement with Shafter Convalescent Hospital to provide wage reimbursement for Workforce Investment Act-eligible incumbent workers attending licensed and registered nurse training, from September 22, 2003 through September 30, 2005, in an amount not to exceed \$5,503.70 (prior notification August 26, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1000-2003

Patrick-Watson: All Ayes

- *24) Proposed retroactive Agreement with Employment Development Department to provide recruitment, assessment, job search assistance and on-the-job training for Workforce Investment Act-eligible customers, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$178,414 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1001-2003

Patrick-Watson: All Ayes

- *25) Proposed retroactive Agreement with Kern Community College District to provide occupational skills training, soft skills and vocational basic skills instruction, student assistance and mileage check production for Workforce Investment Act-eligible customers, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$774,813 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1002-2003

Patrick-Watson: All Ayes

- *26) Proposed retroactive Agreement with Kern High School District to provide work readiness and occupational skills training for Workforce Investment Act-eligible customers, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$492,832 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1003-2003

Patrick-Watson: All Ayes

HUMAN SERVICES

- *27) Proposed Agreement with Hulen Jenkins for a Foster Parent Coordinator position, at-will employee, from December 2, 2003 through November 30, 2004, in an amount not to exceed \$30,000 per year - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1004-2003

Patrick-Watson: All Ayes

- *28) Proposed Agreement with Bobbie Rufus for a Foster Parent Coordinator position, at-will employee, from December 2, 2003 through November 30, 2004, in an amount not to exceed \$30,000 per year - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1005-2003

Patrick-Watson: All Ayes

KERN MEDICAL CENTER

- 1A) Proposed increase in County General Fund cash advance authorization to Kern Medical Center Enterprise Fund from \$31 million to \$40 million - CONTINUED TO TUESDAY, DECEMBER 2, 2003 AT 2:00 P.M. (See Item 1A)

McQuiston-Watson: All Ayes

- *30) Notification of anticipated retroactive approval of Agreement with Nurses Internet Staffing Services, Inc., for recruitment of foreign-trained Registered Nurses - RECEIVED AND FILED

Patrick-Watson: All Ayes

- *31) Acceptance of donation of \$100,000 from Kern Emergency Physicians for the purchase of capital equipment at KMC - ACCEPTED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Patrick-Watson: All Ayes

- *32) Acceptance of donation of a computer, valued at \$600, from KMC's Department of OB/GYN and purchased with Faculty Association for Resident Education (FARE) funds for use by the OB/GNC residents - ACCEPTED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Patrick-Watson: All Ayes

- *33) Proposed Agreement with Christopher K. Wood, M.D., for psychiatric services, commencing upon submission of a current State Medical License, for a term of five years, in an amount not to exceed \$1,033,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1006-2003

Patrick-Watson: All Ayes

- *34) Proposed Agreement with Javed M. Syed, M.D., for radiology services, from January 5, 2004 through January 4, 2009, in an amount not to exceed \$1,000,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1007-2003

Patrick-Watson: All Ayes

- *35) Proposed Agreement with M. Javad Naderi, M.D., for radiology services, Chair of Radiology, from January 5, 2004 through January 4, 2009, in an amount not to exceed \$1,015,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1008-2003

Patrick-Watson: All Ayes

- *36) Proposed Agreement with Chester K. Lau, M.D., for radiology services, from January 5, 2004 through January 4, 2009, in an amount not to exceed \$1,015,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1009-2003

Patrick-Watson: All Ayes

- *37) Proposed retroactive Agreement with Medrium, Inc., for professional fee billing services, from December 1, 2003 through January 1, 2005, in an amount not to exceed \$750,000 (prior notification November 10, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1010-2003

Patrick-Watson: All Ayes

- *38) Proposed retroactive Amendment No. 4 to Agreement for Hospital and Other Facility Services with Kern Health Systems Healthy Families Program - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1011-2003

Patrick-Watson: All Ayes

- *39) Proposed retroactive Amendment No. 4 to Agreement for Physician Services with Kern Health Systems Healthy Families Program - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1012-2003

Patrick-Watson: All Ayes

- *40) Proposed retroactive Amendment No. 10 to Agreement 538-93 with Stanford University, for KMC to act as teaching site for physician assistant and nurse practitioner students, from July 1, 2003 through June 30, 2004, increasing the amount Stanford pays KMC by \$41,724, from \$323,043.84 to \$364,767.84- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1013-2003

Patrick-Watson: All Ayes

- *41) Proposed Amendment No. 3 to Agreement 605-2003 with J&C Nationwide, for temporary physician staffing, adding temporary pathology staffing and associated rate schedule - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1014-2003

Patrick-Watson: All Ayes

- *42) Proposed Amendment No. 3 to Agreement 1087-2002 with CompHealth, Inc., for temporary physician staffing, adding temporary pathology staffing and associated rate schedule - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1015-2003

Patrick-Watson: All Ayes

- *43) Proposed Amendment No. 1 to Agreement 939-2003 with McKesson Information Solutions, LLC, for replacement of data general server equipment, adding payment terms for software - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1016-2003

Patrick-Watson: All Ayes

- 44) Proposed Amendment No. 1 to the Micromedex Customer License Agreement, for online drug-related databases and patient care instructions, renewing the subscription for database products and changing the method databases are delivered and accessed, from December 4, 2003 through December 3, 2004, in an amount not to exceed \$39,324 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1017-2003

Patrick-Maben: 4 Ayes; 1 No - McQuiston

- *45) Proposed Affiliation Agreement with Family Planning Associates Medical Group, Inc., to provide off-site OB/GYN facilities and education opportunities, from December 2, 2003 through December 1, 2005, in an amount not to exceed \$12,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1018-2003

Patrick-Watson: All Ayes

- *46) Proposed Agreement with California Office of Statewide Health Planning and Development (No. 04-5004), allowing KMC to receive grant money in the amount of \$103,230 from the State to support the Family Medicine Residency Program, from July 1, 2004 through June 30, 2007 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1019-2003

Patrick-Watson: All Ayes

MENTAL HEALTH SERVICES

- *47) Request to hire retired County employee Doris Carolyn Belli, as an extra-help Administrative Coordinator, Range 53.8, 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 - APPROVED

Patrick-Watson: All Ayes

- *48) Request to hire retired County employee Jeffrey L. Colbert, as an extra-help Mental Health Technician II, Range 46.5, 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 - APPROVED

Patrick-Watson: All Ayes

- *49) Proposed retroactive Agreement with Good Samaritan Hospital, for intensive inpatient psychiatric services for consumers residing in Kern County, from July 1, 2003 to June 30, 2004, in an amount not to exceed \$67,500 (State Set-aside Funds, budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1020-2003

Patrick-Watson: All Ayes

- *50) Proposed approval of sole source procurement and Agreement with Advances for People with Disabilities Genesis Group, for outpatient drug free treatment services for developmentally disabled Proposition 36 clients in Bakersfield, from December 2, 2003 to June 30, 2004, in an amount not to exceed \$63,812 (State [SACPA]; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1021-2003

Patrick-Watson: All Ayes

PUBLIC HEALTH SERVICES

- *51) Proposed retroactive Agreement with Kern County Superintendent of Schools for Child Care Health Linkages Project services, from October 1, 2003 through September 30, 2004, in an amount not to exceed \$65,092 (prior notification October 7, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1022-2003

Patrick-Watson: All Ayes

- *52) Proposed retroactive Agreement with Kern County Children and Families Commission for Child Health and Disability Prevention Treatment Program Dental Component, from November 1, 2003 through October 31, 2004, in an amount not to exceed \$900,000 (prior notification October 28, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1023-2003

Patrick-Watson: All Ayes

- *53) Proposed retroactive Agreement with Kern County Children and Families Commission for nursing services for the Nurse-Family Partnership Program, from November 1, 2003 through October 31, 2004, in an amount not to exceed \$250,000 (prior notification October 28, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1024-2003

Patrick-Watson: All Ayes

SHERIFF

- *54) Application to hold a Parade - San Clemente Mission, Bakersfield, on December 12, 2003 - FOUND THAT THE SHERIFF 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; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: All Ayes

- *55) Application to hold a Parade - Saint Augustine Catholic Church, Lamont, on December 7, 2003 - FOUND THAT THE SHERIFF 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; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: All Ayes

- *56) Application to hold a Parade - Greater Lamont Chamber of Commerce, Lamont, on December 6, 2003 - FOUND THAT THE SHERIFF 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; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: All Ayes

- *57) Application to hold a Parade - Mountain Communities Chamber of Commerce, Frazier Park, on December 6, 2003 - FOUND THAT THE SHERIFF 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; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: All Ayes

- 58) Proposed 10-year Agreement with Sworn Search and Rescue and Reserve Deputy Organizations to treat members as County Volunteer Employees for County liability insurance and workers' compensation insurance at charitable and fund-raising events when pre-approved by the County's Risk Manager - MICHAEL ROUW HEARD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1025-2003

Watson-Maben: All Ayes

TREASURER-TAX COLLECTOR

- *59) Proposed Resolution and Agreement with City of Taft for the Sale of Tax Defaulted Property, in an amount not to exceed \$13,025 plus the cost of notice - APPROVED; ADOPTED RESOLUTION 2003-522; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1026-2003

Patrick-Watson: All Ayes

- *60) Independent Auditor's Reports for Deferred Compensation Plans I and II Financial Statements for Years Ended June 30, 2002 and 2003 - RECEIVED AND FILED

Patrick-Watson: All Ayes

- *61) Request to approve the Treasury Oversight Committee's Annual Review of the County Treasury Investment Policy for Calendar Year 2004 - APPROVED

Patrick-Watson: All Ayes

- *62) Pooled Cash Portfolio Analysis for month ended October 2003 - RECEIVED AND FILED

Patrick-Watson: All Ayes

- *63) Cash Receipts and Disbursements for October 2003 - RECEIVED AND FILED

Patrick-Watson: All Ayes

ADJOURNED TO CLOSED SESSION

McQuiston -

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 64) Request for Closed Session regarding Meet and Confer, All Unions -
- 65) Request for Closed Session regarding public employee recruitment - Title: Fire Chief -
- 66) Request for Closed Session regarding public employee performance evaluation - Title: Kern Medical Center Chief Executive Officer -

COUNTY COUNSEL

- 67) Request for Closed Session regarding significant exposure to litigation against the County (Government Code Section 54956.9(b)(3)(C) (one case) and Government Code Section 54956.9(b)(1) (two cases)) -

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

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

McQuiston-Maben

/s/ Tracey E. Cody,
Administrative Coordinator

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

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting

Tuesday, December 2, 2003

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, 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

KERN MEDICAL CENTER

- 1A) Proposed increase in County General Fund cash advance authorization to Kern Medical Center Enterprise Fund from \$31 million to \$40 million (from Monday, December 2, 2003, Item No. 29 A.M.) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS

Patrick-Watson: All Ayes

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 U.S. Borax, Inc., to amend the Kern County General Plan with respect to permitted land uses and future road alignments; rescind the Jay Hubbard Specific Plan; change the permitted uses from agriculture to industrial; and allow the expansion of an existing surface mining operation and development of a reclamation plan within an area of 11,580 acres located approximately two miles northwest of Boron, eastern Kern County (SD 2)**

Specific Request:

- (a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 1.1, 4.1, and 8.4 to Map Code(s) 8.3, 8.4, 8.5, and 7.3 or more restrictive map code designations; amend the Circulation Element of the Kern County General Plan to eliminate future road reservations on section and midsection lines within the property as major highway and secondary highway alignments; and rescind the Jay Hubbard Specific Plan (GPA #1, Map #191; GPA #1, Map #191-18; GPA #4, Map #191-30; GPA #4, Map #192; GPA #2, Map #192-26)
- (b) A change in zone classification from A-1 to M-3 or a more restrictive district (ZCC #5, Map #192)
- (c) Conditional Use Permits to allow the expansion of an existing surface mining operation and development of a reclamation plan in accordance with the Surface Mining and Reclamation Act (SMARA) of 1975 (Sections 19.14.030.G; 19.16.030.H; 19.40.030.G; and 19.18.030.E) in A-1, E (20), M-3, A-1 MH, and R-1 Districts (CUP #5, Map #191; CUP #4, Map #191-18; CUP #4, Map #191-19; CUP #3, Map #191-29; CUP #3, Map #191-30; CUP #14, Map #192; CUP #1, Map #192-26)

(Environmental Impact Report; Published Mojave Desert News) (from 9/9/2003 and 10/21/2003) - CONTINUED TO TUESDAY, JANUARY 6, 2004, AT 2:00 P.M.

McQuiston-Watson: All Ayes

- *4) **Request from U.S. Borax, Inc., to vacate a portion of Boron Avenue located approximately two miles northwest of Boron, eastern Kern County (SD 2)**

Specific Request:

Nonsummary vacation of a portion of Boron Avenue (#191-30 3 098; Streets and Highways)

(Environmental Impact Report; Published Mojave Desert News) (from 9/9/2003 and 10/21/2003) - CONTINUED TO TUESDAY, JANUARY 6, 2004, AT 2:00 P.M.

McQuiston-Watson: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 5) **Request from Larry Jenkins by Delmarter and Deifel to change the permitted uses from exclusive agriculture to natural resource with a precise development plan for the conversion of two existing agricultural buildings into contractor office/warehouse buildings with associated storage yards and to exclude approximately 80.33 acres from the boundaries of an Agricultural Preserve on property located at the southwest corner of Enos Lane and Olen Avenue, southwest of Taft Highway (State Route 119) and Interstate 5, south of Bakersfield (SD 4)**

Specific Request:

- (a) A change in zone classification from A to NR (20) PD or a more restrictive district (ZCC #11, Map #140)
- (b) A Precise Development Plan for the conversion of two existing agricultural buildings into contractor office/warehouse buildings with associated storage yards in an NR (20) PD District (PD Plan #2, Map #140)
- (c) Exclusion of approximately 80.33 acres from the boundaries of an Agricultural Preserve (Ag Pres #10 - Excl)

(Negative Declaration; Published Daily Midway Driller) - OPENED HEARING; HEARD IN OPPOSITION: ARTHUR UNGER, KERN KAWEAH CHAPTER OF THE SIERRA CLUB; EVONNE SCHNEIDER; PHIL KRISE; HEARD IN SUPPORT: WAYNE DEIFEL, REPRESENTING APPLICANT; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2003-523, 2003-524 AND 2003-525 AND ENACTED ORDINANCE G-7058 APPROVING ZONE CHANGE AND EXCLUSION AS REQUESTED, NOT TO BECOME EFFECTIVE UNLESS, BY THE END OF WORKDAY ON JANUARY 20, 2004, THE PROPERTY OWNER(S) OR THEIR REPRESENTATIVE SIGNS AND FILES THE REQUIRED INDEMNIFICATION AGREEMENT WITH THE PLANNING DIRECTOR FOLLOWING APPROVAL AS TO FORM BY COUNTY COUNSEL

Watson-McQuiston: All Ayes

- *6) **Request from Westside Believers Fellowship, Inc., by Alta Engineering/Hughes Surveying to change the permitted uses from mobilehome park to 2-1/2-acre residential on 5.48 acres located on the west side of State Highway 33, approximately 200 feet south of Main Street, Taft (SD 4)**

Specific Request:

A change in zone classification from MP to E (2-1/2) or a more restrictive district (ZCC #7, Map #156-24) (General Rule, Section 15061(b)(3); Published Daily Midway Driller) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2003-526 AND ENACTED ORDINANCE G-7059 APPROVING ZONE CHANGE AS REQUESTED

McQuiston-Watson: All Ayes

- *7) **Request from James Darr and Michael Pitcairn by Cornerstone Engineering, Inc., to change the permitted uses from limited agriculture to general commercial with a precise development plan for a drive-thru truck wash facility as accessory to an existing travel center located on the west side of Aloma Street, south of State Route 46, Lost Hills (SD 4)**

Specific Request:

- (a) A change in zone classification from A-1 PD to C-2 PD or a more restrictive district (ZCC #23, Map #52)
 - (b) A Precise Development Plan for a drive-thru truck wash facility in a C-2 PD District (PD Plan #19, Map #52)
- (Categorically Exempt, Section 15303; Published Wasco Tribune) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-527 AND 2003-528 AND ENACTED ORDINANCE G-7060 APPROVING ZONE CHANGE AS REQUESTED; APPROVED PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS

McQuiston-Watson: All Ayes

GENERAL PLAN AMENDMENT HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

Amendment of the Land Use, Open Space and Conservation Element, Maximum Allowed Land Use Density Table of the Kern County General Plan; Metropolitan Bakersfield General Plan; Western Rosedale Specific Plan; Alteration of Agricultural Preserve 10; and other items as cited which include amendments of certain zoning maps and applications and proceedings

- *8) **Request from Needham, et al, by Delmarter and Deifel to change the permitted uses from agricultural to rural residential and to exclude the site from an Agricultural Preserve on 20 acres located at 6942 and 7040 Cobb Road in Bakersfield (SD 2)**

Specific Request:

- (a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) R-IA to Map Code(s) RR or a more restrictive map code designation (GPA #18, Map #142)
- (b) A change in zone classification from E (10) RS to E (2 1/2) RS or a more restrictive district (ZCC #60, Map #142)
- (c) Exclusion of approximately 20 acres (gross) from the boundaries of an Agricultural Preserve (Ag Pres #10 - Excl)

(Negative Declaration; Published Bakersfield Californian) -
CONTINUED TO TUESDAY, JANUARY 6, 2004, AT 2:00 P.M.

McQuiston-Watson: All Ayes

- *9) Request from Dresser Cooling Tower Service, Inc., by Delmarter and Deifel to change the general plan designation from residential to light industrial and the zoning from limited agricultural to light industrial on 1.86 acres located at 2861 Mosasco Street, Rosedale area (SD 3)
Specific Request:

- (a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) LMR to Map Code(s) LI or a more restrictive map code designation (GPA #11, Map #102-19)
(b) A change in zone classification from A-1 [E (1/2) RS in suspense] to M-1 PD or a more restrictive district (ZCC #75, Map #102-19)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-529 AND 2003-530 AND ENACTED ORDINANCE G-7061 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

McQuiston-Watson: All Ayes

- *10) Request from Carl G. Olbinger by Marino and Associates to change the permitted uses from residential to commercial to allow a miniwarehouse facility with outside storage and variances to allow a reduction in the amount of required parking and an increase in sign height and size on property located on the north side of Stockdale Highway, approximately 3/8 mile west of Renfro Road, west Bakersfield (SD 4)

Specific Request:

- (a) Amend the Western Rosedale Specific Plan from Map Code(s) SR to Map Code(s) GC or a more restrictive map code designation (GPA #5, Map #101-34)
(b) A change in zone classification from E (1/4) to C-2 or a more restrictive district (ZCC #22, Map #101-34)
(Continued on Page 14)
(Continued from Page 13)
(c) A Conditional Use Permit to allow a miniwarehouse facility with outside storage (Section 19.32.030.C.1) (CUP #11, Map #101-34)
(d) A Zone Variance to allow a reduction in the number of required parking spaces from 28 to ten for a miniwarehouse facility and a ten-foot-high monument sign with 80 square feet of sign area, where eight feet and 48 square feet of sign height and area, respectively, are the maximum allowed (Sections 19.32.110.A.8 and 19.84.020.B), in a C-2 District (ZV #5, Map #101-34)

(Negative Declaration; Published Bakersfield Californian) -
CONTINUED TO TUESDAY, JANUARY 6, 2004, AT 2:00 P.M.

McQuiston-Watson: All Ayes

- *11) Request from Truth Tabernacle of Bakersfield, Inc., by Patrick and Henderson, Inc., to change the permitted uses from limited agriculture to general commercial with a precise development plan for a church on 13.26 acres located on the north side of Taft Highway (State Highway 119), approximately 1/4 mile east of South "H" Street, Bakersfield (SD 5)

Specific Request:

- (a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) LR to Map Code(s) GC or a more restrictive map code designation (GPA #4, Map #124-31)
- (b) A change in zone classification from A-1 to C-2 PD or a more restrictive district (ZCC #23, Map #124-31)
- (c) A Precise Development Plan for a church in a C-2 PD District (PD Plan #6, Map #124-31)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2003-529, 2003-531 AND 2003-532 AND ENACTED ORDINANCE G-7062 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED; APPROVED PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS

McQuiston-Watson: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department
Streets and Highways

S.D. #1

- *12) Request from DeWalt Corporation for a Summary Vacation of a portion of Olcott Avenue, northwest and southwest corners of Olcott Avenue and Etter Street, Bakersfield - ADOPTED RESOLUTION 2003-533 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES WITH RESOLUTION TO BE RECORDED UPON WRITTEN CONFIRMATION FROM PLANNING TO THE CLERK OF THE BOARD THAT AN ENCROACHMENT PERMIT HAS BEEN OBTAINED AND OLCOTT AVENUE IMPROVEMENTS HAVE BEEN COMPLETED, SUBJECT TO APPROVAL OF ROADS DEPARTMENT

McQuiston-Watson: All Ayes

Land Use

S.D. #2

- *13) Proposed Williamson Act Land Use Contract 03-03 with Ty and Melanie Labbé, for 2004 Calendar Year, Cummings Valley area, Agricultural Preserve No. 18, 20 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Watson: All Ayes

S.D. #4

- *14) Proposed Williamson Act Land Use Contract 03-02 with Bonanza Farms, for 2004 Calendar Year; south of Bakersfield, Agricultural Preserve Nos. 10 and 12, 559.04 total acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Watson: All Ayes

Miscellaneous

S.D. #4

- *15) Request by D J Holding Corporation, Inc., for Determination of Public Convenience for the issuance of an off-sale general liquor license at 9741 So. Enos Lane, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2003-534

McQuiston-Watson: All Ayes

- *16) Request by Khaled Hussein for Determination of Public Convenience for the issuance of an off-sale liquor license at 21315 Highway 46, Lost Hills, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2003-535

McQuiston-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- 17) Code Compliance Program status report and introduction of proposed Ordinance amending and adding various sections within Chapter 8.28 of the Kern County Ordinance Code regarding solid waste disposal and illegal dumping enforcement and Chapter 8.54 regarding administrative penalties - ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; WAIVED READING; INTRODUCED ORDINANCE; DIRECTED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO POST AND PUBLISH A FAIR AND ADEQUATE SUMMARY OF PROPOSED ORDINANCE; DESIGNATED KERN COUNTY PLANNING COMMISSION AS APPEAL BOARD AS DEFINED IN CHAPTER 8.28 OF THE KERN COUNTY ORDINANCE CODE; REFERRED TO RESOURCE MANAGEMENT AGENCY TO REVIEW THE POSSIBILITY OF REDESIGNING THE PILOT PROGRAM, ADDING A SURVEILLANCE COMPONENT, AND FEASIBILITY OF CREATING A SPECIAL FUND FOR THIS PROGRAM

McQuiston-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #4

- *18) Proposed Environmental Clearance Certification, Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) for CD Activity No. 23.03.1, Buttonwillow Water System Improvements - APPROVED FONSI; AUTHORIZED CHAIRMAN TO EXECUTE RROF AND CERTIFICATION; AUTHORIZED DIRECTOR TO SUBMIT TO HUD

McQuiston-Watson: All Ayes

All S.D.'s

- *19) Proposed Memorandum of Agreement (MOA) with Kern Council of Governments for the County to receive up to \$25,000 in grant funding for preparation of an Analysis of Impediments to Fair Housing Choice - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1027-2003

McQuiston-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #2

- *20) Hearing for the abatement of a public nuisance involving demolition of abandoned and dangerous structure(s) at 371 E. Reed Avenue, Mojave, APN 429-090-09, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-536 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

McQuiston-Watson: All Ayes

S.D. #3

- *21) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 711 Wilson Avenue, Bakersfield, APN 113-034-07, \$425 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-537 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

McQuiston-Watson: All Ayes

- *22) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 408 Woodrow Avenue, Bakersfield, APN 113-172-16, \$723.50 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-538 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

McQuiston-Watson: All Ayes

S.D. #4

- *23) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work on Woodward, Lost Hills, APN 069-063-03, \$1,400 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-539 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

McQuiston-Watson: All Ayes

S.D. #5

- *24) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 1511 Alameda Avenue, Bakersfield, APN 128-140-06, \$2,883.75 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-540 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

McQuiston-Watson: All Ayes

S.D. #1

- *25) Request to approve final map for Tract 6171, Phase 1, northeast corner of West Day Avenue and Airport Drive, north Bakersfield, DeWalt Corporation for North Country Meadows - ADOPTED RESOLUTION 2003-541 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE), ACKNOWLEDGMENT OF REVERSION OF TEMPORARY ROAD EASEMENT AND 1-FOOT NON-ACCESS STRIP AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "A" IN TRACT NO. 6142; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; APPROVED CONSENT TO COMMON USE AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1028-2003; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

McQuiston-Watson: All Ayes

S.D. #3

- *26) Request to reduce bonds for Tract 5560, Unit B, southwest corner of Vineland Road and Breckenridge Road, east Bakersfield, approval of completed street, drainage, water, landscaping and sewer improvements, reduction of Faithful Performance Security in Subdivision Improvement Agreement; and proposed Resolution for acceptance of street and drainage improvements for maintenance - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE BOND NO. S505231, ISSUED BY FINANCIAL PACIFIC INSURANCE COMPANY, IN THE AMOUNT OF \$462,958, TO \$46,296, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, LANDSCAPING, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING DECEMBER 2, 2003; ADOPTED RESOLUTION 2003-542 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5560, UNIT B, INTO THE COUNTY ROAD SYSTEM AND ACCEPTANCE OF STREET AND DRAINAGE IMPROVEMENTS FOR MAINTENANCE

McQuiston-Watson: All Ayes

S.D. #4

- *27) Request to approve final map for Tract 6122, northeast corner of Palm Avenue and Rudd Road, The Lusich Company for Delfino Bakersfield, LLC - ADOPTED RESOLUTION 2003-543 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNERS WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); FORMAL VACATION OF TEMPORARY TURNAROUND EASEMENT PER RESOLUTION 2003-206, RESTORATION OF INGRESS AND EGRESS ACROSS LOTS "B", "A", "D" AND "C" IN TRACT NO. 4259,

(Continued on Page 22)

(Continued from Page 21)

UNITS "A" AND "B", AND ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY SLOPE EASEMENT; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFERS OF DEDICATION FOR SEWAGE MONITORING EASEMENT, OFF-SITE TEMPORARY TURNAROUND AND DRAINAGE SUMP EASEMENTS; AUTHORIZED CLERK OF BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

McQuiston-Watson: All Ayes

- *28) Contract No. 03019, Notice of Completion of Frazier Park Drain, Phase VII - RECEIVED AND FILED

McQuiston-Watson: All Ayes

S.D. #5

- *29) Contract No. 02041, Notice of Completion of North Lamont Channel - RECEIVED AND FILED

McQuiston-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

Hearings

S.D. #2

- *30) Proposed update of Capital Improvement Plan and review of public information for Rosamond Willow Springs Transportation Impact Fee Program - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-544 UPDATING AND CONFIRMING CAPITAL IMPROVEMENT PLAN; RECEIVED AND FILED REPORT

McQuiston-Watson: All Ayes

All S.D.'s

- *31) Proposed update of Capital Improvement Plan and review of public information for Metropolitan Bakersfield Transportation Impact Fee Program - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-545 UPDATING AND CONFIRMING CAPITAL IMPROVEMENT PLAN; RECEIVED AND FILED REPORT

McQuiston-Watson: All Ayes

S.D. #1

- *32) Request to negotiate proposed Agreement with Kern County Treasurer-Tax Collector to purchase tax defaulted property located south of Webb Avenue, east of Lake Isabella Boulevard, and west of Scovern Street, in the unincorporated area of Lake Isabella, for an amount not to exceed \$700 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA SECTION 15061(b)(3); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-546; AUTHORIZED ROADS TO SUBMIT WRITTEN REQUEST AND SIGN AGREEMENT TO PURCHASE TAX DEFAULTED PROPERTY; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER FUNDS IN AN AMOUNT NOT TO EXCEED \$700 TO TREASURER-TAX COLLECTOR FROM ROAD FUND 00007, BUDGET UNIT 3000, KEY 7581, SUBJECT TO SUCCESSFUL NEGOTIATIONS; AUTHORIZED CHAIRMAN TO SIGN REQUIRED DOCUMENTS

McQuiston-Watson: All Ayes

- *33) Proposed Resolution to accept offer of dedication, declaration as public highway and incorporation into County road system as a portion of Lake Isabella Boulevard - APPROVED; ADOPTED RESOLUTION 2003-547; DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Watson: All Ayes

S.D. #3

- *34) Proposed Contract No. 04003 with Griffith Company for drainage improvements at Mt. Vernon Avenue and Bernard Street, in an amount not to exceed \$92,222 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1029-2003

McQuiston-Watson: All Ayes

S.D. #4

- *35) Proposed no-stopping zone along Meacham Road and Renfro Road - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF NECESSARY ORDINANCE

McQuiston-Watson: All Ayes

- *36) Contract No. 03021, Notice of Completion for construction on Stoner Drive, Trask Street, Kelton Way at Stockdale Highway and Interstate 5, and Grapevine Road at Interstate 5 - RECEIVED AND FILED

McQuiston-Watson: All Ayes

- *37) Proposed Agreement between Kern Regional Transit and Pioneer Senior Citizens of Buttonwillow for transit services, effective January 1, 2004, in an amount not to exceed \$50,000 per year, and terminating July 2, 2003 Agreement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1030-2003

McQuiston-Watson: All Ayes

S.D. #5

- *38) Proposed no-stopping zone on Ross Street - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF NECESSARY ORDINANCE

McQuiston-Watson: All Ayes

S.D.'s #3 & #5

- *39) Proposed no-stopping zone along Fairfax Frontage Road East - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF NECESSARY ORDINANCE

McQuiston-Watson: All Ayes

- *40) Contract No. 02016, identify apparent low bid of Granite Construction Company for construction on East Brundage Lane from 0.4 miles east of Fairfax Road to 0.7 miles east of Fairfax Road, in an amount not to exceed \$127,721 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

McQuiston-Watson: All Ayes

All S.D.'s

- *41) Proposed grant contracts, each retroactive to October 21, 2003, (Nos. 642419 and 642120) with the State of California Department of Transportation (Caltrans) for Regional Transit funding, in the amounts of \$100,000 and \$25,000, respectively - APPROVED; AUTHORIZED ROADS DIRECTOR TO SIGN

McQuiston-Watson: All Ayes

WASTE MANAGEMENT

Hearing

All S.D.'s

- *42) Public Hearing to consider the report entitled "2004 Solid Waste Administration Fee for Franchise Garbage Haulers", and to establish and assess the Administration Fee - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); DIRECTED CLERK OF BOARD TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-548

McQuiston-Watson: All Ayes

S.D. #4

- *43) Proposed Amendment No. 4 to Agreement 086-2000 with Westside Waste Management Co., Inc., to allow annual rate adjustments, revise the Recycling Plan, require additional illegal dumping cleanup and bulky waste collection services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1031-2003

McQuiston-Watson: All Ayes

All S.D.'s

- *44) Response to referral to determine amount of Solid Waste Administration Fee necessary to repay advances by the Solid Waste Enterprise Fund to the Universal Collection Fund - RECEIVED AND FILED

McQuiston-Watson: All Ayes

- *45) Proposed Agreement with the California Living Museum Foundation to waive up to \$10,000 in disposal gate fees at Bakersfield Metropolitan (Bena) Sanitary Landfill from December 2, 2003, through January 5, 2004, in exchange for public education opportunities at the holiday event "Lightasmic" - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1032-2003

McQuiston-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *46) Proposed transfer of funds for participation in Medi-Cal Disproportionate Share Hospital Program for Fiscal Year 2002-2003 - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE TO APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$10,500,000; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES IN THE AMOUNT OF \$10,500,000 TO BUDGET UNIT 4204; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE INTERGOVERNMENTAL TRANSFER

McQuiston-Watson: All Ayes

- *47) Proposed Amendment No. 16 to Administrative Services Agreement with Vision Service Plan, to extend term two years to December 31, 2005 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1033-2003

McQuiston-Watson: All Ayes

- *48) Proposed Amendment No. 3 to Administrative Services Agreement with Chimienti and Associates, to extend term one year to December 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1034-2003

McQuiston-Watson: All Ayes

- *49) Proposed Administrative Policy and Procedures Manual Amendment No. 03-03 adding Section 231, Family Temporary Disability - APPROVED

McQuiston-Watson: All Ayes

- *50) Proposed response to Grand Jury final report on Board of Trade - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

McQuiston-Watson: All Ayes

Legislative Matters

- 51) SB 1 (5X), Senator James Brulte (San Bernardino), appropriating necessary funds for the State to backfill counties and cities for vehicle license fee (VLF) revenue lost to VLF rate reduction enacted by Governor's executive order - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

McQuiston-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division
Hearing

S.D. #1

- *52) Proposed Resolution and Ordinance granting pipeline franchise to Sill Properties, Inc. - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-549; ENACTED ORDINANCE F-464

McQuiston-Watson: All Ayes

S.D. #1

- *53) Proposed Amendment No. 1 to Agreement 998-2002 with the State Board of Corrections to extend the construction completion date of the new Juvenile Treatment Facility from January 31, 2004 to April 10, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1035-2003

McQuiston-Watson: All Ayes

- *54) Change Order No. 2 for the Juvenile Treatment Facility water tank, an increase of \$2,668, for a new total of \$427,758.50 (1960.8166) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Watson: All Ayes

- *55) Change Order No. 6 for the new Juvenile Treatment Facility, an increase of \$123,934.97, for a new total of \$16,954,270.06 (1960.8166) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Watson: All Ayes

- *56) Change Order No. 1 for the Prisoner Transfer remodel at Superior Court North Division, an increase of \$9,425, for a new total of \$156,229 (1960.8257) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Watson: All Ayes

- *57) Request to set hearing for granting of pipeline franchise to Oxy Resources California, LLC - ADOPTED RESOLUTION 2003-550 SETTING HEARING FOR TUESDAY, JANUARY 6, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

McQuiston-Watson: All Ayes

S.D. #3

- *58) Change Order No. 1 for the New Airport Terminal at Meadows Field, an increase of \$142,400.73, for a new total of \$19,542,400.73 (8215.8415) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Watson: All Ayes

- *59) Change Order No. 4 for the landscape improvements at Panorama Park, an increase of \$22,772, for a new total of \$1,491,004 (1960.8245A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Watson: All Ayes

S.D. #4

- *60) Plans and specifications for redevelopment of the campground play area at Lake Webb (1960.8155) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA 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 SECTION 20125; BID OPENING TO BE THURSDAY, JANUARY 8, 2004, AT 11:00 A.M.

McQuiston-Watson: All Ayes

S.D. #5

- *61) Request to set hearing for granting of pipeline franchise to Casa Loma Water Company - ADOPTED RESOLUTION 2003-551 SETTING HEARING FOR TUESDAY, JANUARY 6, 2004, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

McQuiston-Watson: All Ayes

All S.D.'s

- *62) Proposed Master Lease Agreement with Comerica Leasing Corporation to refinance existing County vehicle leases, in an amount not to exceed \$7,500,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LEASE AGREEMENT 1036-2003 AND ALL RELATED LEASE FINANCING DOCUMENTS

McQuiston-Watson: All Ayes

- *63) Revised project list for the Job Order Contract - APPROVED

McQuiston-Watson: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *64) Budget Transfers - APPROVED NO. 62 THROUGH NO. 65

McQuiston-Watson: All Ayes

- *65) Minutes for week of October 20, 2003 - APPROVED WITH CORRECTION TO ITEM NO. 21, 2:00 P.M., TO DELETE "**AGREEMENT 930-2003**"

McQuiston-Watson: All Ayes

- *66) Miscellaneous Letters and Documents - FILED

McQuiston-Watson: All Ayes

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

McQuiston-Watson: All Ayes

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

McQuiston-Watson: All Ayes

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

Patrick-

/s/ Tracey E. Cody
Administrative Coordinator

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

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

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

66) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Certification of the Results of the UDEL Election held November 4, 2003
- B) Audit report for the Department of Agriculture and Measurement Standards for fiscal years ended June 30, 2003 and 2002
- C) College Health IPA - Report on costs and revenues allocated to Kern County Mental Health and Substance Abuse Programs for fiscal year 2000/01 (includes response from College Community Services)

Clerk of the Board

- D) Letter from Kim Brown re resignation from the Kern County Child Care Council (Copies to each Supervisor and CAO)
- E) Letter from Nona Tolentino re resignation from the Kern County Behavioral Health Board (Copies to each Supervisor and CAO)
- F) Received, certified and forwarded to Recorder for recordation as follows:

- 1) Tract Map 5923, Phase 3 S.D. 3
- 2) Tract Map 6141 S.D. 2
- 3) Parcel Map 10761 S.D. 1
- 4) Parcel Map 10961 S.D. 1

Community and Economic Development

- G) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Robert D. and Gertrude A. Warner

County Counsel

- H) Eighth (8th) amendment to the Kern County Pension Plan for Physician Employees (Copies to each Supervisor and CAO)

Employers' Training Resource

- I) WIA OJT Agreements:
 - 1) Joseph E. Abraham dba The Community Pharmacy, WIA Title 501, dated November 10, 2003
 - 2) Berchtold Equipment Company, WIA Title 201, dated October 29, 2003
 - 3) Kendra Construction Services, Inc., WIA Title 609, dated October 30, 2003
 - 4) Sears Logistics Services, Inc., WIA Title 167, dated October 22, 2003
 - 5) Sears Logistics Services, Inc., WIA Title 201, dated October 22, 2003
 - 6) Sears Logistics Services, Inc., WIA Title 201, dated October 30, 2003
 - 7) Sears Logistics Services, Inc., WIA Title 201, dated November 12, 2003

- J) Modification No. 3 to Agreement R485279 with the State of California Employment Development Department to incorporate \$45,000 into grant code 739 to fund the Disability Program Navigator position

Environmental Health

- K) Seven (7) thank you letters to individuals for donations to the Bakersfield and Mojave animal shelters

General Services

- L) Consent to Recordation of Right-of-Way Easements for a wheel chair ramp in Rosamond from Rigoberto and Heleodora Ortega; Umberto Tiberi and Kathleen Tiberi, Cotrustees of the Umberto and Kathleen Tiberi 2001 Trust; Romeo I. Stoll and Rachel N. Stoll, Cotrustees of the Stoll Family Trust; Charles Tapia and Nellie Tapia, Trustees of the Charles and Nellie Tapia Family Trust; Felix Tapia and Eulalia Tapia, Trustees of the Tapia Family Trust; and Southern Kern Unified School District

Local Agency Formation Commission

- M) Report and Recommendation, Proceeding No. 1358, in the matter of County Service Area No. 97, Formation (Copies to each Supervisor and CAO)
- N) Notice of Hearing, Proceeding No. 1359, in the matter of Lost Hills Utility District, Annexation No. 8 (Copies to each Supervisor and CAO)
- O) Report and Recommendation, Proceeding No. 1359, in the matter of Lost Hills Utility District, Annexation No. 8 (Copies to each Supervisor and CAO)
- P) Resolution 03-19, Proceeding No. 1360, in the matter of City of Bakersfield (Annexation No. 444), Greenfield County Water District (Annexation No. 35), Reorganization (Copies to each Supervisor and CAO)
- Q) Resolution 03-20, Proceeding No. 1362, in the matter of City of Bakersfield (Annexation No. 441), North Kern Water Storage District (Detachment E), Reorganization (Allen Road No. 9) (Copies to each Supervisor and CAO)

- R) Agenda of meeting on Tuesday, November 25, 2003

- S) Minutes of meeting on Tuesday, October 28, 2003

Roads

- T) Consent to Recordation of Irrevocable Offer of Dedication for improvements at 7200 Brundage Lane from Wm. Bolthouse Farms, Inc., APN 145-090-10
- U) Consent to Recordation of Irrevocable Offer of Dedication for additional right-of-way on Lake Isabella Boulevard from Hijoon Woo and Haeryon Woo, Trustees and Subsequent Trustees of the Woo Family Trust, County Road 3922, APN 485-042-07

Miscellaneous

- V) Letter from Debby Navarrette re resignation of Manuel Leon from Berrenda Mesa Water District Board (Copies to each Supervisor and CAO)
- W) Letter from Charlene Aboytes, State Board of Corrections, re Crowding Assessment Reports (CAR's) for the months of July, August and September, 2003, and Comprehensive Crowding Assessment Reports (CCAR's) for the 2nd and 3rd quarter of 2003 for the Pathways Academy (Copies to each Supervisor and CAO)
- X) Letter from Charlene Aboytes, State Board of Corrections, re Crowding Assessment Reports (CAR's) for the months of July, August and September, 2003, and Comprehensive Crowding Assessment Reports (CCAR's) for the 2nd and 3rd quarter of 2003 for the James G. Bowles Juvenile Hall (Copies to each Supervisor and CAO)
- Y) Letter from William J. Crout, State Board of Corrections, re public hearing on Thursday, December 18, 2003, to discuss proposed regulation Section 1059, DNA Collection - Use of Reasonable Force (Copies to each Supervisor, CAO, Sheriff, Public Health and Superior Court)
- Z) Letter from Barbara Patrick, San Joaquin Valley Regional Association of California Counties, re questions concerning proposed listing of California Tiger Salamander (Salamander) (Copies to each Supervisor, CAO, Planning, Resource Management Agency and County Counsel)
- AA) Letter from Leroy C. Weygand, Kern County Taxpayers Association, suggesting review of the Elections Division association with the Department of Auditor-Controller-County Clerk (Copies to each Supervisor, CAO, Auditor-Controller-County Clerk and County Counsel)
- BB) Letter from Stan Rosenstein, State Department of Health Services, re County's request to reinstate State positions formerly assigned to KMC (Copies to each Supervisor, CAO and KMC)
- CC) Letter from Ed Riojas, State Department of Health Services, re Kern County's Fiscal Year 2003-2004 California Healthcare for Indigents Program (CHIP) application (Copies to each Supervisor and CAO)
- DD) Letter from Linda Casey re wages and benefits of law enforcement employees (Copies to each Supervisor, CAO and Sheriff)
- EE) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Monday, October 27, 2003, at State Route 184, north of Smith Road (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- FF) E-mail from David Brear re closure of California border stations (Copies to each Supervisor, CAO and Agricultural Measurement Standards)

- GG) E-mail from Lloyd Wiens, Frazier Park Area Adopt A Creek Project, re Frazier Mountain Estates, Fallingstar Homes Development application (Copies to each Supervisor, CAO, Planning and County Counsel)
- HH) Notice from U.S. Department of the Interior, Bureau of Land Management, re development of a Programmatic Environmental Impact Statement (PEIS) to assess the potential for development of wind energy on western BLM-administered lands (excluding Alaska) (Copies to each Supervisor, CAO and Planning)
- II) Notice from Santa Barbara County Flood Control & Water Conservation District and Water Agency, re intention to conduct a weather modification program (Copies to each Supervisor, CAO and Resource Management Agency)
- JJ) Notice from CTC Real Estate Services re default and election to sell under deed of trust, property of Julio Cristales Medina (Copy to Property Management)
- KK) Notice from County Records Research re trustee's sale under deed of trust, property at 2812 Alloway Lane, Bakersfield, APN 142-226-01-00-4 (Copy to Property Management)
- LL) Notice from Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses: Los Tacos, 1223 Roberts Lane, Bakersfield; Sue's Tavern, 3440 Mt. Pinos Way, Frazier Park; Lucky 7 Food Store, 2501 River Boulevard, Bakersfield; Whispering Pine Lodge Bed & Breakfast, 13745 Sierra Way, Kernville; La Tormenta, 2711 Taft Highway, Bakersfield; Circle K/76, 9058 Mountain Base Road, Lebec; Sal's EZ Stop, 506 Charlana Drive, Bakersfield; Asher Street Market, 228 Asher Street, Taft; Los Potrillo Taqueria, 9535 So. Union Avenue, Bakersfield; and JR Food Mart, 9741 So. Enos Lane, Bakersfield (Copies to each Supervisor, CAO and Planning)
- MM) News releases re updates of Piru Fire for 7:00 p.m., October 30 and 10:00 a.m., October 31, 2003 (Copies to each Supervisor, CAO and Fire)
- NN) News releases re updates of Piru Fire for 8:00 a.m. and 7:00 p.m. (final update), November 1, 2003 (Copies to each Supervisor, CAO and Fire)
- OO) Press release re Southern California Fires and establishment of watershed assessment and response teams (Copies to each Supervisor and CAO)
- PP) Press release from Senator Barbara Boxer re introduction of legislation to assist state and local governments that continue to pay employees who are reservists and called to active duty (Copies to each Supervisor and CAO)
- QQ) Agenda and notice of meeting from Wildlife Conservation Board on Tuesday, November 18, 2003
- RR) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, November 13, 2003

- SS) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, October 9, 2003
- 67) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Thomas N. Clark, Kern County Water Agency, re Resolution No. 50-03 concerning Zone of Benefit assessments for 2003-2004 - REFERRED TO COUNTY COUNSEL
 - B) Letter from Jesus A. Carpio, Avalon Massage Clinic, re time required to process background checks - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor, CAO and Sheriff)
- 68) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Nicholas D. Meise vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of William J. Neufeld vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Toni Worthy vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Jesse M. Mesa vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Jeanie Heathcott vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of John F. Castro vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Claim in the matter of Lisa Marie Maturino vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - H) Claim in the matter of Jonette Harness vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - I) Claim in the matter of Robert Earle Griffin and Ella Mae Griffin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - J) Claim in the matter of Gloria Magana and Jose Magana vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - K) Claim in the matter of Dale E. White and Brandi White vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - L) Claim in the matter of Gloria de la Cruz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - M) Claim in the matter of Robin Neal vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- N) Claim in the matter of Susan E. Wells vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Claim in the matter of Leroy Bitting vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Claim in the matter of Petra Vargas vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Claim in the matter of Janette Irwin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Claim in the matter of Cassius Clay Whitehead vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Claim in the matter of Angelica Cervantes Torres vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Claim in the matter of San Joaquin Valley Air Pollution Control District vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- U) Claim in the matter of Vicki A. Smart and Michael A. Smart vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- V) Claim in the matter of Rene Ocampo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- W) Claim in the matter of William E. Becherer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- X) Claim in the matter of Michael and Lori Gonzales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Y) Amended claim in the matter of Michael and Lori Gonzales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Z) Amended claim in the matter of Sammye Richardson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- AA) Amended claim in the matter of James Garland, individually and on behalf of the estate of Rachel Lynn Garland; Debra McCarthy, individually vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- BB) Late claim in the matter of Gloria Magana and Jose Magana vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- CC) Late claim in the matter of Magdalena Villagrana vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- DD) Summons and complaint in the matter of Everardo Esquivel vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- EE) Summons and complaint in the matter of Todd Randall Bloodworth and Kimberly Rebecca Bloodworth vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- FF) Summons and complaint in the matter of Nancy Vibe vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- GG) Summons and complaint in the matter of Scott W. McDonel and Debbie McDonel vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- HH) Summons and complaint in the matter of Armando Meza III, by and through his Guardian ad Litem, Guadalupe Meza vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- II) Subrogation claim in the matter of Eric, Ann and Stephanie Spencer by Civil Service Employees Insurance Group vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- JJ) Subrogation claim in the matter of Gerry Salum by Geico Direct vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- KK) Subrogation claim in the matter of Consolidated Electrical Distributors by Constitution State Service Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)