

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 11, 2003

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent - McQuiston

NOTE: Supervisor McQuiston was absent to attend a Coordination Conference on the Southwest base retention program.

SALUTE TO FLAG - Led by Supervisor Watson

NOTE: The vote is displayed in bold below each item. For example, Patrick-Parra denotes Supervisor Patrick made the motion and Supervisor Parra seconded the motion.

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

BOARD ACTION SHOWN IN CAPS

NOTE: Item No. 7 was heard out of order before Item No. 1.

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming March 2003 as Professional Social Worker Appreciation Month - PROCLAIMED; MADE PRESENTATION TO BEVERLY BEASLEY JOHNSON, DIRECTOR, DEPARTMENT OF HUMAN SERVICES; BEVERLY BEASLEY JOHNSON AND SOCIAL WORKERS SHANNON OSLER AND JOHNNIE POWE-MAGEE HEARD; ASSISTANT DIRECTORS PATRICIA CHEADLE AND KRIS GRASY INTRODUCED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- 2) Proclamation proclaiming March 16 - 22, 2003 as National Inhalant Abuse Prevention Week in Kern County - PROCLAIMED; MADE PRESENTATION TO TONY LOPEZ, CLINICA SIERRA VISTA; TONY LOPEZ HEARD

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

APPOINTMENTS

- *3) Appointment of Jack P. Stewart as Second District Member to the Comprehensive Economic Development Strategy (CEDS) Committee, term to expire at the pleasure of the Board - MADE APPOINTMENT

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *4) Appointment of Dr. Milton Woolsey as First District Member to the Human Relations Commission, term to expire March 12, 2005 - MADE APPOINTMENT

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *5) Appointment of George (Ted) Hodgkinson as Second District Member to the Parks and Recreation Commission, term to expire January 2006 - MADE APPOINTMENT

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

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! - NO ONE HEARD

NOTE: Item No. 7 was heard out of order before Item No. 1.

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]) - CHAIRMAN PARRA REPORTED ON THE CHARITY CHALLENGE HELD IN DELANO LAST MONTH, A FRIENDLY COMPETITION BETWEEN KERN AND TULARE COUNTIES WITH PROCEEDS BENEFITING THE UNITED WAY

DAVE CHRISTENSEN, SOUTHERN CALIFORNIA GAS COMPANY, ANNOUNCED THE KERN COUNTY FUND RAISER GENERATED \$115,550. HE RECOGNIZED CHAIRMAN PARRA ON BEHALF OF THE BOARD OF SUPERVISORS; MARIA HERNANDEZ, UNIVISION; AND ARNULFO RIVAS, LA CAMPESINA, FOR THEIR EFFORTS DURING THIS CAMPAIGN; MARIA HERNANDEZ, ARNULFO RIVAS, AND MIRIAM KREHBEL, PRESIDENT, UNITED WAY, HEARD

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *8) Request to accept donation of four (4) vehicles from Community and Economic Development Department (3 vehicles) and City of Ridgecrest (1 vehicle) for use by Ridgecrest Senior Nutrition Program - ACCEPTED DONATION; AUTHORIZED AGING AND ADULT SERVICES AND GENERAL SERVICES, PURCHASING, TO EXECUTE ALL REQUIRED TRANSFER DOCUMENTS

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *9) Proposed retroactive Agreement with University of California, San Francisco to administer Active Aging Grant, from July 1, 2002 through June 30, 2003, in an amount not to exceed \$8,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 120-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

AGRICULTURE AND MEASUREMENT STANDARDS

- *10) Proposed retroactive Agreement with Tehachapi Conservation Resource District for Weed Management Services, from January 1, 2003 through June 30, 2003, in an amount not to exceed \$22,400 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 121-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *11) Proposed retroactive Agreement with California Department of Pesticide Regulations for implementing and enforcing pesticide permit regulations adopted under AB3765 within Kern County for Fiscal Year 2002/2003 (superseding Kern County Agreement 1150-2002) in an amount not to exceed \$105,803 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 122-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

AIRPORTS

- *12) Appropriation of unanticipated revenue in the amount of \$200,000 from California Division of Aeronautics Acquisition and Development Grant Program for the extension of Runway 12R/30L at Meadows Field Airport - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$200,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$200,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 8994

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *13) Request for retroactive payment to Ruettggers & Schuler Civil Engineers for the final payment of a feasibility and cost study, in the amount of \$5,536.49 - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *14) Request for approval of retroactive payments of \$250 each to the music groups of Bakersfield College, Centennial High School, Foothill High School, Ridgeview High School, and South High School for holiday season performances, and authorize the Purchasing Agent to sign the Speaker/Training Services Agreements for future performances - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *15) Proposed sole source Agreement with Information Technology Design for Ad Hoc Consulting Services to provide services to the Department for design, acquisition and implementation of communication technologies for the new airport terminal, in an amount not to exceed \$40,380 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 123-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

AUDITOR-CONTROLLER-COUNTY CLERK

- *16) Request to employ retired County employees Phil Burch and Holly Gallagher as Administrative Aide I's, Step C, Range 44.0, for 120 days or 960 hours each, whichever is greater, in the 12 month period following date of employment - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *17) Donation of surplus voting equipment to Martin and Chapman Printing Company, City of McFarland and County of Los Angeles - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *18) Proposed addition of one (1) Division Chief - Systems Option and one (1) Systems Analyst II, effective upon approval; and deletion of one (1) Financial Systems Coordinator upon appointment of Division Chief - Systems Option - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

BOARD OF TRADE

- 19) Report on results of the California Department of Tourism's study on Travel Spending in Kern County for 2001 - RECEIVED AND FILED

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *20) Request to approve Tourism Promotion Grants recommended by the Tourism Promotion Grant Committee and authorize Kern County Board of Trade to prepare grant awards agreements - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

COUNTY COUNSEL

- *21) Request from Arvin-Edison Water Storage District for appointment of Directors for Divisions 2,4,6,8 and 9, pursuant to Water Code Section 41307 - ADOPTED RESOLUTION 2003-081 ORDERING APPOINTMENT OF SALVADORE GIUMARRA AS DIRECTOR FOR DIVISION 2, DONALD M. JOHNSTON AS DIRECTOR FOR DIVISION 4, EDWIN A. CAMP AS DIRECTOR FOR DIVISION 6, GEORGE FRY AS DIRECTOR OF DIVISION 8 AND DONALD VALPREDO AS DIRECTOR OF DIVISION 9

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *22) Request of Kern Medical Center Human Resources Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *23) Request of the Personnel Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *24) Request of the Waste Management Department for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *25) Proposed Ordinance adding Sub-paragraph (26) to Section 10.24.021 of Chapter 10.24 concerning a handicap zone on Center Street - WAIVED READING; INTRODUCED ORDINANCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *26) Proposed Ordinance adding Sub-paragraphs (143) and (144) to Section 10.16.041 of Chapter 10.16 concerning a no stopping zone on the north and south sides of Niles Street - WAIVED READING; INTRODUCED ORDINANCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

EMPLOYERS' TRAINING RESOURCE

- *27) Request for authorization to apply for Department of Labor, Employment and Training Administration, Work Incentive Grant funding to provide improved employment services to persons with disabilities - APPROVED; AUTHORIZED ETR AS FISCAL AGENT FOR RECEIPT OF GRANT FUNDING; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *28) Proposed retroactive Agreement with Kern County Network for Children for the Leaders in Life Youth Conference to expand opportunities for students to participate in the Conference, from July 1, 2002 to June 30, 2003, in an amount not to exceed \$5,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 124-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *29) Proposed retroactive Agreement with La Cooperativa Campesina de California for an Agricultural Dislocated Worker Program to provide employment and vocational training services to eligible dislocated agricultural workers in Kern County, from November 15, 2002 through June 10, 2003, in an amount not to exceed \$157,881 (prior notification February 11, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 125-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *30) Proposed retroactive Agreement with Proteus, Inc., for a Migrant and Seasonal Farmworker (MSFW) Youth Program to provide employment, vocation training and youth services to eligible MSFW youth within Kern County, from January 1, 2003 through June 10, 2003, in an amount not to exceed \$27,879 (prior notification December 10, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 126-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *31) Proposed Amendment No. 1 to Agreement with Bakersfield Barber College for individual training accounts to increase maximum amount payable from \$45,000 to \$93,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 127-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

HUMAN SERVICES

- 32) Update on CalWORKs Performance Incentive Funds - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- 33) Department of Human Services Strategic Plan - RECEIVED AND FILED

Patrick-Watson: 4 Ayes; 1 Absent - McQuiston

- *34) Proposed Memorandum of Understanding with the Volunteer Center of Kern County, Inc., for volunteer referral to Department of Human Services (no County cost) - APPROVED; AUTHORIZED DIRECTOR OF DEPARTMENT OF HUMAN SERVICES TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

KERN MEDICAL CENTER

- *35) Donation of surplus medical/hospital equipment to health care entities in Mexico - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *36) Relief of accountability of patients' accounts - DISCHARGED KERN MEDICAL CENTER FROM ACCOUNTABILITY OF 10,367 ACCOUNTS TOTALING \$8,254,476.63; AUTHORIZED ASSIGNING 10,367 ACCOUNTS TOTALING \$8,254,476.63 TO COLLECTION AGENCIES

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *37) Request for correction of rehiring of retired Pharmacist Margot Allsman to specify classification as per diem Pharmacist at \$49.65 per hour - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *38) Proposed changes in clinical privilege status for 23 members of Kern Medical Center's Medical Staff - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *39) Request for signature authority to Business Associate Agreements with non-county agencies related to compliance with requirements of the Privacy Rules in the Health Insurance Portability and Accountability Act (HIPAA) of 1996 - APPROVED; AUTHORIZED KMC'S CHIEF EXECUTIVE OFFICER TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *40) Proposed Agreement with M. Byron Charles, M.D., for physician services in Department of Surgery, from March 11, 2003 through March 10, 2008, in an amount not to exceed \$960,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 128-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *41) Proposed Amendment No. 2 to Agreement 460-2000 with Mark Rispler, M.D., for obstetric and gynecologic reproductive endocrinology services, extending term three years through March 23, 2006, and increasing the contractual not to exceed amount by \$238,500 for a total of \$481,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 129-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *42) Proposed retroactive Agreement with Kurt R. Finberg, M.D., for physician services in Department of OB/GYN, from October 1, 2002 through September 30, 2004, in an amount not to exceed \$100,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 130-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *43) Proposed retroactive Agreement with Robert Sincoff, M.D., for physician services in Department of Psychiatry, from October 9, 2002 through October 8, 2004, in an amount not to exceed \$123,500 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 131-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *44) Proposed retroactive Agreement with Kevork Bouldoukian, M.D., for physician services in Department of Medicine, from February 15, 2003 through February 14, 2005, in an amount not to exceed \$150,000 (prior notification on February 11, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 132-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

LIBRARY

- 45) Request to accept CalWORKS Incentive Funding from the Kern County Department of Human Services (DHS) in the amount of \$2,000,000 to provide informational and educational resources to needy families under the Temporary Assistance for Needy Families program (TANF) - ACCEPTED \$2,000,000 IN TANF FUNDING FROM DEPARTMENT OF HUMAN SERVICES AND AUTHORIZED DIRECTOR OF LIBRARIES TO EXECUTE NECESSARY MOU DOCUMENTS; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$2,000,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$2,000,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 6210

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

MENTAL HEALTH SERVICES

- *46) Proposed Amendment No. 2 to Agreement 385-2002 with Ebony Counseling Center, Inc., for outpatient drug-free services for clients residing in the Bakersfield area, to remove outdated quarterly fiscal review language, add Substance Abuse Crime Prevention Act 2000 (SACPA) reporting requirement, and reflect number of people served (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 133-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *47) Proposed Amendment No. 2 to Agreement 394-2002 with Golden Empire Affordable Housing, Inc., dba Green Gardens, for temporary housing/shelter services for clients residing within Kern County, to remove quarterly revenue review requirement, reduce service levels, and reduce compensation from \$21,576 to an amount not to exceed \$11,576 (a decrease of \$10,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 134-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *48) Proposed Amendment No. 1 to Agreement 1052-2002 with Restoration Village Treatment Center, Inc., dba Hannah's Haven, for Sober Living Environment services for County clients residing in the Bakersfield area, to increase number of services to clients and increase compensation from \$28,798 to an amount not to exceed \$54,128 (an increase of \$25,330) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 135-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *49) Proposed retroactive Agreement with Child and Family Psychology Clinic, Inc., for a behavioral management program in compliance with Specialized Placement Program (SPP) regulations, for a select group of foster care children residing in Kern County who are participating in the Kern County Department of Human Services' SPP, from March 1, 2003 to May 31, 2003, in an amount not to exceed \$37,500 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 136-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *50) Proposed Memorandum of Understanding between Kern Community College District and Kern County Mental Health Department, to provide clinical observation and support services for Allied Health students enrolled at Bakersfield College, from March 11, 2003 to June 30, 2006 (no fiscal impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 137-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

PARKS AND RECREATION DEPARTMENT

- *51) Proposed allocation of Off Highway Motor Vehicle License Funds, to Bureau of Land Management to provide informational materials and information kiosk for the enhancement of off-road recreation - APPROVED; AUTHORIZED CHAIRMAN TO SIGN GRANT DISBURSEMENT AGREEMENT 138-2003; APPROVED CANCELLATION OF DESIGNATION IN THE OFF HIGHWAY MOTOR VEHICLE LICENSE FUND OF \$10,500; APPROVED OPERATING TRANSFER IN THE AMOUNT OF \$10,500 FROM THE OFF HIGHWAY MOTOR VEHICLE LICENSE FUND TO THE GENERAL FUND; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$10,500 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$10,500 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 7100

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *52) Proposed participation in the Polaris Industries' Personal Water Craft Program for use of two water craft for marine law enforcement (no cost to County other than operations and damage to the craft) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

PUBLIC HEALTH SERVICES

- *53) Proposed Amendment No. 1 to Agreement 937-2002 with Clinica Sierra Vista - Kern Lifeline Project for Ryan White CARE Act Title II funds, to increase compensation to an amount not to exceed \$89,873 (an increase of \$9,212) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 139-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *54) Proposed Amendment No. 1 to Agreement 705-2002 with Clinica Sierra Vista - Kern Lifeline Project for Housing Opportunity with Persons with AIDS (HOPWA) funds, to increase compensation to an amount not to exceed \$151,522 (an increase of \$8,598) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 140-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *55) Proposed Amendment No. 1 to Agreement 618-2002 with Kern County Economic Opportunity Corporation to reflect the contractor name change to Community Action Partnership of Kern - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 141-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *56) Proposed Amendment No. 1 to Agreement 448-2002 with Kern County Economic Opportunity Corporation to reflect the contractor name change to Community Action Partnership of Kern - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 142-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *57) Proposed retroactive Agreement with Sage Community Health Centers for Clinical Services, from July 1, 2002, through June 30, 2003, in an amount not to exceed \$2,500 (prior notification June 25, 2002) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 143-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *58) Response to referral from the Board of Supervisors on January 7, 2003, regarding concerns expressed by Wesley Crawford Muhammad relative to the Kern County AIDS Advisory Board - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

SHERIFF

- *59) Unusual travel request for Deputy Josh Nance to attend two-week training course in Sacramento, California, from March 16, 2003 to March 28, 2003, in an amount not to exceed \$1,955 - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *60) Request to transfer \$8,500 from the Sheriff's Trust Account 22142 to Expenditure Key 7703 SDE/Community Resources Division for purchase of promotional items (no fiscal impact on General Fund) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$8,500 FROM SHERIFF'S TRUST ACCOUNT 22142 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$8,500 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

TREASURER-TAX COLLECTOR

- *61) Proposed Resolution updating the Statutory Tax Correction/Cancellation Authority of the Auditor-Controller-County Clerk and Treasurer-Tax Collector, and approve Administrative Procedures for same - ADOPTED RESOLUTION 2003-082 UPDATING STATUTORY TAX CORRECTION/CANCELLATION AUTHORITY OF AUDITOR-CONTROLLER-COUNTY CLERK AND TREASURER-TAX COLLECTOR; APPROVED POLICY STATEMENT FOR ADMINISTRATIVE CANCELLATION OF TAXES, CANCELLATION OF PENALTIES AND RESOLUTION OF TAX REFUND CLAIMS

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 62) Request for Closed Session regarding Meet and Confer, CCAPE -
- 63) Request for Closed Session regarding public employee performance evaluation - Title: Director of Mental Health Services -

COUNTY COUNSEL

- 64) Request for Closed Session regarding a lawsuit entitled In re Pacific Gas and Electric Company, a California Corporation, USBC(N) 01-30923 DM (Government Code Section 54956.9(a)) -
- 65) Request for Closed Session regarding a lawsuit entitled Gladden v. County of Kern, KCSC Case No. 249222 SPC (Government Code Section 54956.9(a)) -
- 66) Request for Closed Session regarding significant exposure to litigation (one case) (Government Code Section 54956.9(b)(3)(C)) -

(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.

Maben-Patrick

/s/ Denise Pennell
Clerk of the Board

/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, March 11, 2003

2:00 P.M.

BOARD TO RECONVENE

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent - McQuiston

NOTE: Chairman Parra announced Supervisor McQuiston was absent as he is attending a coordination conference on the Southwest Base Retention Program.

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

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - **NO ONE HEARD**

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Request from Lisa Beery by Robert G. Hogue, L.S., to change the permitted uses from limited agriculture and one-acre residential to exclusive agriculture, on approximately 291 acres, and the inclusion of approximately 283 acres within the boundaries of an Agricultural Preserve located at 25943 Clear Creek Road, Hart Flat area (SD 2)**

Specific Request:

(a) A change in zone classification from A-1 and E (1) RS MH to A or a more restrictive district (ZCC #37, Map #146)

(b) Inclusion of approximately 283 acres within the boundaries of an Agricultural Preserve (Ag.Pres. #18 - Incl) (General Rule, Section 15061(b)(3); Published Tehachapi News) - OPENED HEARING; BOB HOGUE, LAND SURVEYOR, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-083 AND 2003-084 AND ENACTED ORDINANCE G-6972 APPROVING ZONE CHANGE AND INCLUSION AS REQUESTED

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *4) **Request from Jack Lelah to change the permitted uses from neighborhood commercial to general commercial on 15,000 square feet located at 3208 and 3212 Mt. Pinos Way, Frazier Park (SD 4)**

Specific Request:

A change in zone classification from C-1 to C-2 or a more restrictive district (ZCC #16, Map #237-31)

(Categorically Exempt, Section 15303; Published Mountain Enterprise) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2003-085 AND ENACTED ORDINANCE G-6973 APPROVING ZONE CHANGE AS REQUESTED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- 5) **Request from Floyd G. Hinesley by Porter-Robertson Engineering and Surveying, Inc., to change from agricultural to 2-1/2 acre minimum lot size residential-suburban petroleum extraction on 38.18 acres located at the northeast corner of Meacham Road and Renfro Road, western Rosedale area (SD 4)**

Specific Request:

A change in zone classification from A to E (2-1/2) RS PE or a more restrictive district (ZCC #32, Map #101-23)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; GORDON DOLE, HEARD IN OPPOSITION TO PROJECT; FRED PORTER, PORTER-ROBERTSON ENGINEERING & SURVEYING, INC., HEARD IN SUPPORT OF PROJECT; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2003-086 AND ENACTED ORDINANCE G-6974 APPROVING ZONE CHANGE AS REQUESTED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

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; Adoption of the Kern River Specific Trails Plan; Adopt text and maps of the Frazier Park/Lebec Specific Plan; amend the Kern County Circulation Element and Adopt Circulation Element of the Frazier Park/Lebec Specific Plan; Alteration of Agricultural Preserve 18; Other items as Cited Which Include Amendments of Certain Zoning Maps and Applications and Proceedings

- *6) **Request from James and Tracy Bell by Wm. G. Burke Engineering to change the permitted uses from ten-acre residential to 2-1/2-acre residential on approximately ten acres located at the southeast corner of Richmond Street and East Dolphin Avenue, Ridgecrest (SD 1)**

Specific Request:

(a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 5.7 and 5.7/2.5 to Map Code(s) 5.6 and 5.6/2.5 or a more restrictive map code designation (GPA #2, Map #71-11)

(b) A change in zone classification from E (10) RS FPS to E (2-1/2) RS FPS or a more restrictive district (ZCC #10, Map #71-11)

(General Rule, Section 15061(b)(3); Published Daily Independent) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2003-087 AND 2003-088 AND ENACTED ORDINANCE G-6975 APPROVING GENERAL PLAN AMENDMENT, WITH THE MORE RESTRICTIVE 5.6/2.5 (RESIDENTIAL - MINIMUM 2.5 GROSS ACRES/UNIT - FLOOD HAZARD) ON THE ENTIRE SITE; APPROVING THE ZONE CHANGE AS REQUESTED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *7) **Request from Don Wattenbarger and Tim Banks by Porter-Robertson Engineering and Surveying, Inc., to change the permitted uses from intensive agriculture to one residence per 1/4 acre residential on approximately 40 acres located north of Snow Road, between Calloway Drive and Coffee Road, northwest of Bakersfield (SD 1)**

Specific Request:

(a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) R-IA to Map Code(s) SR or a more restrictive map code designation (GPA #13, Map #102)

(b) A change in zone classification from A to E (1/4) or a more restrictive district (ZCC #120, Map #102)

(Negative Declaration; Published Bakersfield Californian) - PER PLANNING DEPARTMENT RECOMMENDATION, CONTINUED TO TUESDAY, APRIL 29, 2003, AT 2:00 P.M.

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *8) **Request from the Kern County Planning Department to approve the Kern River Specific Trails Plan of the Kern River Plan Element of the Metropolitan Bakersfield General Plan involving an approximate 15-mile segment along the Kern River from Manor Street to the eastern side of the Kern County Golf Course; at this time, an informal trail exists in this area (SD's 1 & 3)**

Specific Request:

Adoption of the Specific Trails Plan implementing the Kern River Element of the Metropolitan Bakersfield General Plan requires that a Specific Trails Plan be formulated to further define bicycle paths, pedestrian ways, equestrian trail, and public parking in regard to the Kern River area (GPA #121, Map #500)

(Program Environmental Impact Report; Published Bakersfield Californian) - PER PLANNING DEPARTMENT RECOMMENDATION, CONTINUED TO TUESDAY, MAY 13, 2003, AT 2:00 P.M.

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- 9) **Request from Stuarts' Petroleum Corporation by Alta Engineering/Hughes Surveying to change the permitted uses from neighborhood commercial to general commercial and to approve a precise development plan for a proposed smog inspection facility on approximately 1/2 acre located at 301 Airport Drive, Oildale (SD 3)**

Specific Request:

(a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) LMR to Map Code(s) GC or a more restrictive map code designation (GPA #2, Map #102-14)

(b) A change in zone classification from C-1 to C-2 PD or a more restrictive district (ZCC #27, Map #102-14)

(c) A Precise Development Plan for an auto repair and smog inspection facility (PD Plan #18, Map 102-14)

(Categorically Exempt, Section 15301; Published Bakersfield Californian) - OPENED HEARING; GEORGE DICKEY, ALTA ENGINEERING/HUGHES SURVEYING, HEARD; CLOSED HEARING; PER PLANNING COMMISSION/PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTIONS 2003-087, 2003-089 AND 2003-090 AND ENACTED ORDINANCE G-6976 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED, APPROVING PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS, INCLUDING SETTING HOURS OF OPERATION NO LATER THAN 7:00 P.M., ESTABLISHING THE MAXIMUM NUMBER OF VEHICLES ON THE SITE AT EIGHTEEN (18); AND ANY VEHICLES ON PREMISES OVERNIGHT WILL BE IN DESIGNATED PARKING SPACES

Patrick-Maben: 4 Ayes; 1 Absent - McQuiston

- *10) **Request from C.R. Nikkel Family Investments by B & L Anderson Consulting to change the minimum allowed lot size from 20 acres to 2-1/2 acres on a ten-acre site located at 18323 Rosedale Highway, west Bakersfield area (SD 4)**

Specific Request:

Amend the Western Rosedale Specific Plan from Map Code(s) R-IA to Map Code(s) RR or a more restrictive map code designation (GPA #46, Map #101)

(Categorically Exempt, Section 15303; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2003-087 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *11) **Request from Kern County Planning Department for adoption of a Specific Plan containing various residential, commercial, industrial, public facilities, and resource management designations on approximately 9,586 acres in the Frazier Park and Lebec area (SD 4)**

Specific Request:

Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from various Nonjurisdictional (1.x), Public Facilities (3.x), Residential (5.x), Commercial (6.x), Industrial (7.x), and Resource (8.x) map codes to Map Code 4.1 (Accepted County Plan Areas) or a more restrictive map code designation; adopt the text and maps of the Frazier Park/Lebec Specific Plan to allow various land uses; amend the Kern County Circulation Element and adopt the Circulation Element of the Frazier Park/Lebec Specific Plan (GPA #8, Map #237; GPA #7, Map #238; GPA #7, Map #254; GPA #2, Map #255) (Environmental Impact Report; Published Mountain Enterprise) - PER PLANNING DEPARTMENT RECOMMENDATION, REFERRED BACK TO STAFF

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *12) **Request from Self Help Enterprises by Bill Evans to change the permitted uses from limited agriculture to medium-density residential on 6.17 acres located on the east side of Habecker Road, 410 feet south of Hall Road, Lamont area (SD 5)**

Specific Request:

(a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) LMR to Map Code(s) HMR or a more restrictive map code designation (GPA #3, Map #144-6)

(b) A change in zone classification from A-1 [R-1 FPS in suspense] to R-2 or a more restrictive district (ZCC #10, Map #144-6)

(Negative Declaration; Published Lamont Reporter) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2003-087 AND 2003-091 AND ENACTED ORDINANCE G-6977 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED AND ZONE CHANGE, WITH THE ADDITION OF THE FPS (FLOOD PLAIN SECONDARY COMBINING) DISTRICT

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

S.D. #1

- *13) **Notice of Nonrenewal Petition 03-02 by Leonard Bidart on behalf of Bidart Brothers, for 752.97 acres within Agricultural Preserve No. 8 - DIRECTED CLERK OF THE BOARD TO RECORD NOTICE OF NONRENEWAL**

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *14) Notice of Nonrenewal Petition 03-03 by Leonard Bidart on behalf of Bidart Brothers, for 318.18 acres within Agricultural Preserve No. 8 - DIRECTED CLERK OF THE BOARD TO RECORD NOTICE OF NONRENEWAL

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *15) Notice of Nonrenewal Petition 03-04 by Leonard Bidart on behalf of Leonard A. Bidart Trust, for 146.58 acres within Agricultural Preserve No. 8 - DIRECTED CLERK OF THE BOARD TO RECORD NOTICE OF NONRENEWAL

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *16) Notice of Nonrenewal Petition 03-05 by Leonard Bidart on behalf of Bidart Brothers, for 80 acres within Agricultural Preserve No. 8 - DIRECTED CLERK OF THE BOARD TO RECORD NOTICE OF NONRENEWAL

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

Hearings

S.D.'s #1 & #5

- *17) Public Hearing to amend the County of Kern's Fiscal Year 2000-2001 and Fiscal Year 2002-2003 Annual Action Plans for Community Development Programs: to cancel Home Investment Partnership Program projects 33.00.3, Ridge III Housing Rehabilitation, 33.02.3, Ridge IV Housing Rehabilitation, and 33.02.4, Bakersfield Village; and create projects 33.02.6, Ruben Blunt Housing, Phase II, and 33.02.7, Cottonwood Village Housing - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO CANCEL THE OUTSTANDING BALANCE IN THE AGREEMENT WITH THE RIDGE INVESTORS III IN THE AMOUNT OF \$625,000; APPROVED AMENDMENT OF COUNTY'S FISCAL YEAR 2000-2001 ANNUAL ACTION PLAN TO CANCEL PROJECT 33.00.3, RIDGE III HOUSING, AND AUTHORIZED TRANSFER OF \$625,000 TO FISCAL YEAR 2000-2001 HOME PROGRAM UNPROGRAMMED FUNDS ACCOUNT; APPROVED AMENDMENT OF COUNTY'S FISCAL YEAR 2002-2003 ANNUAL ACTION PLAN TO CREATE PROJECT 33.02.7, COTTONWOOD VILLAGE HOUSING IN THE AMOUNT OF \$785,000; APPROVED AMENDMENT OF COUNTY'S FISCAL YEAR 2002-2003 ANNUAL ACTION PLAN TO CANCEL PROJECTS 33.02.3, RIDGE IV HOUSING, AND 33.02.4, BAKERSFIELD VILLAGE; AUTHORIZED TRANSFER OF \$1,436,000 TO: A) PROJECT 33.02.6, RUBEN BLUNT HOUSING (PHASE II), IN THE AMOUNT OF \$600,000; B) PROJECT 33.02.7, COTTONWOOD VILLAGE HOUSING IN THE AMOUNT OF \$785,000; AND C) FISCAL YEAR 2002-2003 HOME PROGRAM UNPROGRAMMED FUNDS ACCOUNT IN THE AMOUNT OF \$51,000; AUTHORIZED NECESSARY HUD AND COUNTY BUDGET ADJUSTMENTS; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION RELATED TO AMENDMENT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

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

- *18) Public Hearing to amend the County of Kern's Fiscal Year 2002-2003 Annual Action Plan for Community Development Programs to cancel/close out Community Development Block Grant funded pre-award cost reimbursement activities - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENT OF THE COUNTY'S FISCAL YEAR 2002-2003 ANNUAL ACTION PLAN TO CANCEL ACTIVITIES 29.02.1, LAMONT DRAIN FIELD IMPROVEMENTS (PRE-AWARD COST REIMBURSEMENT) IN AMOUNT OF \$258,235.58 AND 29.02.2, LAMONT PANAMA ROAD DRAINAGE IMPROVEMENTS (PRE-AWARD COST REIMBURSEMENT) IN AMOUNT OF \$138,713.79; APPROVED CLOSE OUT OF ACTIVITY 31.02.1, MOJAVE DRAINAGE IMPROVEMENTS (PRE-AWARD COST REIMBURSEMENT) AND REPROGRAMMING OF THE REMAINING BALANCE OF FUNDS IN THE AMOUNT OF \$25,066.13; AUTHORIZED TRANSFER OF EXISTING BUDGETED FUNDS IN CANCELED AND CLOSED OUT ACTIVITIES TO ACTIVITIES 5.96.1, ALLOWAY LANE DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$151,750.25, 30.99.1, LOST HILLS UNION SCHOOL DISTRICT "PROJECT REC," IN THE AMOUNT OF \$159,154, AND 37.01.2, COUNTYWIDE ARCHITECTURAL BARRIER REMOVAL PROGRAM, IN THE AMOUNT OF \$111,111.25; AUTHORIZED NECESSARY COUNTY AND HUD BUDGET ADJUSTMENTS AND TRANSFERS; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION RELATED TO AMENDMENT TO HUD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *19) Public Hearing for proposed amendments to the County of Kern's Annual Action Plans for Fiscal Year 1995-1996, Fiscal Year 1996-1997, Fiscal Year 1997-1998, Fiscal Year 1998-1999, Fiscal Year 1999-2000, Fiscal Year 2000-2001, and Fiscal Year 2001-2002 to cancel Community Development Block Grant funded Economic Development Revolving Loan Fund projects - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENTS TO COUNTY'S CDBG PROGRAMS FOR FISCAL YEAR 1995-1996, FISCAL YEAR 1996-1997, FISCAL YEAR 1997-1998, FISCAL YEAR 1998-1999, FISCAL YEAR 1999-2000, FISCAL YEAR 2000-2001, AND FISCAL YEAR 2001-2002 BY CANCELING PROJECTS 36.95.1, 36.96.1, 36.97.1, 36.98.1, 36.99.1, 36.00.1, AND 36.01.1, ECONOMIC DEVELOPMENT REVOLVING LOAN FUND; AMENDED DESCRIPTIONS OF PROJECTS 3.99.2 AND 3.01.1, EAST BAKERSFIELD CURB AND GUTTER IMPROVEMENTS, (PHASES I AND III RESPECTIVELY); AUTHORIZED TRANSFER OF EXISTING BUDGETED FUNDS IN THE CANCELED PROJECTS TO PROJECTS 3.99.2, EAST BAKERSFIELD CURB AND GUTTER IMPROVEMENTS (PHASE I), IN THE AMOUNT OF \$112,064, AND 3.01.1, EAST BAKERSFIELD CURB AND GUTTER IMPROVEMENTS (PHASE III), IN THE AMOUNT OF \$346,888.35; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS REQUIRED BUDGET TRANSFER OF APPROPRIATION AND CASH, IN THE AMOUNT OF \$458,952.35, FROM THE ECONOMIC DEVELOPMENT REVOLVING LOAN TRUST FUND TO THE COMMUNITY DEVELOPMENT TRUST FUND; AUTHORIZED NECESSARY COUNTY AND HUD BUDGET ADJUSTMENTS AND TRANSFERS; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION RELATED TO AMENDMENT TO HUD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #1

- *20) Proposed Amendment No. 1 to Agreements No. 666-97 and No. 962-2000 with the City of Ridgecrest to transfer three senior nutrition vehicles to the County of Kern - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 144-2003; AUTHORIZED COUNTY'S ACCEPTANCE OF OWNERSHIP OF VEHICLES
Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *21) Request for approval of Environmental Assessment and authorization to submit to HUD for Release of Funds for six phases of the Lost Hills Union School District "Project Rec" - APPROVED FINDING OF NO SIGNIFICANT IMPACT; APPROVED THE MITIGATED NEGATIVE DECLARATION AND RECOMMENDED MITIGATION MEASURES; AUTHORIZED CLERK OF THE BOARD TO FILE NOTICE OF DETERMINATION AND THE CERTIFICATE OF FEE EXEMPTION; AUTHORIZED CHAIRMAN TO EXECUTE REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION FOR ALL SIX PHASES OF THE PROJECT; AUTHORIZED DIRECTOR TO SUBMIT REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION TO HUD
Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *22) Proposed Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) for Home Investment Partnership Program projects: 34.01.1, Lamont Village Apartments, and 33.02.7, Cottonwood Village Family Apartments - APPROVED FONSI; AUTHORIZED CHAIRMAN TO EXECUTE THE RROF'S AND CERTIFICATIONS
Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *23) Proposed Amendment to Agreements No. 982-2002 and No. 983-2002 with Bakersfield Rescue Mission (ESG 46.02.2) and Bethany Services (ESG 46.02.3) to increase each agency's Emergency Shelter Grant funding by \$10,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 145-2003 AND 146-2003
Maben-Patrick: 4 Ayes; 1 Absent - McQuiston
- *24) Consistency of Housing Authority of the County of Kern (HACK) Agency Plan and Annual Plan with the County Consolidated Plan for Community Development Programs - FOUND HOUSING AUTHORITY OF THE COUNTY OF KERN AGENCY PLAN AND ANNUAL PLAN ARE CONSISTENT WITH THE COUNTY'S CONSOLIDATED PLAN; AUTHORIZED CHAIRMAN TO SIGN CERTIFICATION FORM
Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #4

- *25) Contract No. 02023, Change Order No. 1, Buttonwillow Center Improvements, for painting the recreation room, re-grading walkway and installation of galvanized hand rails, an increase of \$6,325, for a new total of \$84,225 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *26) Proposed Contract No. 03012 with Solid Construction, Inc., for construction of East Bakersfield retaining wall improvements, in an amount not to exceed \$274,916.65 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 147-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *27) Contract No. 02038, Notice of Completion of Lamont Drainfield Phase VII - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *28) Proposed Resolution for acceptance of portions of public access easements, offers of dedication of easements, declaration as public highway and incorporation into County Road System as a portion of Drummond Avenue - APPROVED; ADOPTED RESOLUTION 2003-092; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *29) Proposed Agreement with Daljinder S. Chauhan for protection of future road right of way on Seventh Standard Road at State Route 65, in an amount not to exceed \$8,653 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 148-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *30) Proposed no-stopping zone on James Road - APPROVED; REFERRED TO COUNTY COUNSEL TO PREPARE NECESSARY ORDINANCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #3

- *31) Proposed Resolution to declare portions of Fairhaven Drive, East Drive and Gibson Street public highway and incorporate into County Road System - APPROVED; ADOPTED RESOLUTION 2003-093 ORDERED CLERK OF THE BOARD TO RECORD

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *32) Proposed no-stopping zone on Bedford Way - APPROVED; REFERRED TO COUNTY COUNSEL TO PREPARE NECESSARY ORDINANCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *33) Contract No. 03020, Plans, Specifications, and Notice to Contractors for construction on Mount Pinos Way - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, APRIL 9, 2003, AT 11:00 A.M.

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *34) Request to revoke present 45-mile speed limit on a portion of Jenkins Road - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF NECESSARY ORDINANCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *35) Proposed Amendment No. 1 to Contract No. 641217/A1 with California Department of Transportation (Caltrans) for an extension of time for purchase and installation of bicycle racks - APPROVED; AUTHORIZED DIRECTOR OF ROADS SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

WASTE MANAGEMENT

S.D. #2

- *36) Proposed termination of Agreement No. 1027-2000 with Norcal Engineering and Construction Services for operation of the Arvin Sanitary Landfill - APPROVED; AUTHORIZED DIRECTOR OF WASTE MANAGEMENT TO EXECUTE AND ISSUE LETTER OF TERMINATION

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #1

- 37) Proposed Energy Services Agreement with Noresco for energy related improvements at Lerdo Detention Facility, in an amount not to exceed \$3,635,502 - CONTINUED TO TUESDAY, MARCH 18, 2003, AT 2:00 P.M.

Patrick-Maben: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE

- 38) Proposed Master Lease Agreement with SunTrust Leasing Corporation for financing the new electronic voting elections system project and the Phase II energy retrofit project at Lerdo Detention Facility in the principal amount of \$5,240,000 - CONTINUED TO TUESDAY, MARCH 18, 2003, AT 2:00 P.M.

Patrick-Maben: 4 Ayes; 1 Absent - McQuiston

- *39) Correction to transfer of property tax entitlement related to City of Shafter Annexation Nos. 72, 73, and 74 - APPROVED; ADOPTED RESOLUTIONS 2003-094, 2003-095 AND 2003-096 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF THE GENERAL FUND PROPERTY TAX ENTITLEMENT GENERATED FROM ANNEXATION NOS. 72 AND 73 IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF SHAFTER COMMENCING FISCAL YEAR 2003-2004 AND TO TRANSFER 35 PERCENT OF THE GENERAL FUND PROPERTY TAX ENTITLEMENT GENERATED FROM ANNEXATION NO. 74 TO THE CITY OF SHAFTER COMMENCING FISCAL YEAR 2004-2005 AND TO SUPERSEDE RESOLUTION NOS. 2001-464, 2002-227, AND 2003-014

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *40) Proposed revised Prison Impact Mitigation Agreement with State Department of Corrections related to the construction of California State Prison - Kern County at Delano to make minor language adjustments - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 149-2003

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *41) Proposed Fire Fund contribution to Indian Wells Valley Airport District toward construction of replacement fire station in an amount not to exceed \$50,000 - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *42) Proposed position classification title and salary change for Interim Director of Child Support Services - APPROVED TITLE CHANGE OF INTERIM DIRECTOR OF CHILD SUPPORT SERVICES TO ELIMINATE THE WORD "INTERIM"; APPROVED CHANGE IN SALARY LEVEL FROM RANGE 72.0 TO RANGE 70.4, EFFECTIVE MARCH 24, 2003; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

Legislative Matters

- 43) Proposed Resolution expressing concerns regarding dairy buffer zone requirements in SB 707 - ARTHUR UNGER, KERN KAWEAH CHAPTER OF THE SIERRA CLUB; SENATOR DEAN FLOREZ; RANDALL ABBOTT ON BEHALF OF MILK PRODUCERS COUNCIL, HEARD; APPROVED LETTER AND RESOLUTION WITH REVISIONS TO ACKNOWLEDGE SB 707 IS A WORK IN PROGRESS AND THAT THE BOARD WILL WORK IN COORDINATION WITH SENATOR FLOREZ; ADOPTED RESOLUTION 2003-097; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE; RECEIVED AND FILED DOCUMENTS

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *44) Proposed Resolution supporting space enterprise in California - APPROVED; ADOPTED RESOLUTION 2003-098; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *45) HR 380: Property Tax Endowment Act - ADOPTED POSITION OF SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *46) Identify apparent low bid from Nicholas Construction for the tot lot improvements at Wofford Heights, Mountain Mesa, and Inyokern Parks, in an amount not to exceed \$119,749 (1960.8247C)- IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *47) Proposed License Agreement with the City of Ridgecrest for the Ridgecrest Senior Center for an indeterminate period commencing upon execution (\$800 per month to be waived for 55 months) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 150-2003 UPON FINAL APPROVAL BY COUNTY COUNSEL

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #2

- *48) Proposed purchase of 5 acres of land adjacent to the Mojave/Rosamond landfill from Fahim Dahdaleh in the amount of \$7,000 and \$525 escrow/title fees, for a total of \$7,525 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b) (3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-099; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$7,525

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *49) Proposed purchase of 4.66 acres of land adjacent to the Mojave/Rosamond landfill from the Estate of Patritia Jones Cleary, in the amount of \$6,600 and \$525 escrow/title fees, for a total of \$7,125 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-100; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT TO COMMONWEALTH LAND TITLE COMPANY IN THE AMOUNT OF \$7,125

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #3

- *50) Proposed Agreement with James E. Thompson, Inc., d.b.a. JTS Construction, in an amount not to exceed \$1,436,000, and approval of unanticipated revenue from Proposition 12 funds for the Panorama Park Landscape Improvements, increasing the total projected cost to \$1,788,956 (1960.8245 & 1960.8263) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 151-2003; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$300,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$300,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT NO. 1960, KEY 8263

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *51) Change Order No. 9 for Meadows Field Terminal Parking Apron, a decrease of \$239,547.69, for a new total of \$5,383,298.03 (8994.8406) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *52) Request to reject sole bid proposal for lease of Metropolitan Recreation Center, youth baseball diamonds, 3805 Chester Avenue, Bakersfield - REJECTED BID

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *53) Proposed Estoppel Certificate for Los Padres Bank for portion of 3400 Unicorn Road, Bakersfield - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); DIRECTED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *54) Change Order No. 1 for tot lot improvements at Derby Acres, Lost Hills, Valley Acres, and Ford City Parks, an increase of \$725, for a new total of \$107,525 (1960.8247B) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *55) Change Order No. 1 for playground accessibility improvements at Frazier Mountain Park, an increase of \$600, for a new total of \$105,700 (7100.7500) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *56) Request for relocation of the Jess R. Dorsey plaque and dedication of the fountain at the County Administrative Center in his name - APPROVED; AUTHORIZED GENERAL SERVICES TO TAKE NECESSARY STEPS TO ACCOMPLISH

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

S.D.'s #2 & #5

- *57) Change Order No. 1 for tot lot improvements at Greenfield, DiGiorgio & Lamont Parks, an increase of \$1,268, for a new total of \$123,026 (1960.8247A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

MATTERS FOR EXECUTIVE APPROVAL

- *58) Budget Transfers - APPROVED #112 THROUGH #119

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

- *59) Minutes for the week of February 3, 2003 - APPROVED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

*60) Miscellaneous Letters and Documents - FILED

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

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

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

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

Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO TUESDAY, MARCH 18, 2003, AT 9:00 A.M.

Watson-

/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.

60) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Statement of Money in the County Treasury as of January 31, 2003 - RECEIVE AND FILE

Clerk of the Board

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

- 1) Tract Map 6124, Unit 1 S.D. #2
2) Parcel Map 10922 S.D. #1

- C) Letter from Ethelyn L. Looy re resignation as trustee of the Kern County Employees Retirement Association (Copies to each Supervisor and CAO)

- D) Letter from Bruce F. Kelsey re resignation from the Kern County Citrus Pest Control District (Copies to each Supervisor, CAO and Agricultural Commissioner)

Engineering and Survey Services

- E) Consent to Recordation of Drainage Sump Access Easement, Temporary Drainage Easement, Irrevocable Offer of Dedication, Storm Drain and Drainage Sump Easement from MDC Bakersfield Spectrum, LLC, re Lot Line Adjustment 64-01

Environmental Health Services

- F) Four (4) thank you letters to individuals for contributions to the Bakersfield and Mojave animal shelters

Planning

- G) Consent to Recordation of Irrevocable Offer of Dedication from Oglebay Norton Industrial Sands, Inc., re Imperial Street, County Road No. 3917

- H) Consent to Recordation of Irrevocable Offer of Dedication from Accommodators, Inc., re Magnolia and Burbank Streets, County Road Nos. 1604 and 538, respectively

Miscellaneous

- I) Letter from Janet S. Cobb, California Oak Foundation, re information on failed policies and recommendations for action to conserve oak woodland ecosystem (Copies to each Supervisor, CAO and Planning)

- J) Thank you letter from Senator Charles S. Poochigian for use of Board of Supervisors Chambers by Senate Select Committee on Central Valley Economic Development (Copies to each Supervisor and CAO)

- K) Letter from Patrick Wright, CALFED Bay-Delta Program, re CALFED Bay-Delta Program's Annual Report for 2002 (Copies to each Supervisor and CAO)

- L) Letter from Dallas Jones, Governor's Office of Emergency Services, re quarantine and Farm Agency (FSA) Emergency Loan Program in the counties of Los Angeles, Riverside and San Bernardino, and the contiguous counties of Imperial, Inyo, Kern and Orange, due to the Exotic Newcastle Disease (Copies to each Supervisor, CAO, Agricultural Commissioner and Emergency Services)
- M) Letter from Dallas Jones, Governor's Office of Emergency Services, re quarantine and Farm Agency (FSA) Emergency Loan Program in the counties of Los Angeles and Orange, and the contiguous counties of Kern, Riverside, San Bernardino, San Diego and Ventura due to the Oriental Fruit Fly (Copies to each Supervisor, CAO, Agricultural Commissioner and Emergency Services)
- N) Letter from Max H. Yuan and Michael M. Grimm, Federal Emergency Management Agency, re floodplain management issues along Cuddy Creek from Castac Lake (Copies to each Supervisor, CAO, Engineering & Survey Services, Resource Management Agency and Emergency Services)
- O) Letter from D. E. Leach, California Highway Patrol, re Hazardous Materials Incident Report on Sunday, February 16, 2003, State Route 58, east bound at State Route 14 (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- P) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, February 13, 2003, at 215 Bedford Way, Bakersfield (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- Q) Letter from Paul M. Bartkiewicz, Bartkiewicz, Kronick & Shanahan, re temporary water transfer during 2003 from Yuba County Water Agency to Department of Water Resources and Contra Costa Water District (Copies to each Supervisor, CAO, Engineering & Survey Services, Resource Management Agency and Planning)
- R) Letter from Attorney General Bill Lockyer re brochure of California Community Relations Service (CCRS) (Copies to each Supervisor and CAO)
- S) Letter from Walter F. Heisey, Navy League of the United States, re the American's Creed (Copies to each Supervisor and CAO)
- T) Letter from Brian J. Todd, Building Industry Association of Kern County, in support of the Zero-Emission Vehicle Program (Copies to each Supervisor and CAO)
- U) Thank you letter from Michael Stoner, Indian Wells Valley Cooperative Groundwater Management Group, to Ted James for addressing the Kern County Ordinances and the California Environmental Quality Act at their meeting on Thursday, February 20, 2003 (Copies to each Supervisor and CAO)

- V) Letter from Lamar Kerley complimenting Dr. Jessica Nunez for her knowledge and expertise concerning the smallpox vaccine (Copies to each Supervisor, CAO and Public Health)
- W) Memorandum from Ryan McElhinney re information concerning the Zero Emission Vehicle Program (Copies to each Supervisor and CAO)
- X) Inspection report from the State Fire Marshall re inspection of Lerdo Pretrial Facility on Wednesday, February 19, 2003 (Copies to each Supervisor, CAO and Sheriff)
- Y) Notice from Alcoholic Beverage Control Board re Applications for Alcoholic Beverage Licenses: Club House, 10807 Rosedale Highway, Bakersfield; Shady Lane Saloon, 6105 Lake Isabella Boulevard, Suite C, Lake Isabella; Fastop Food & Gas, 601 California City Boulevard, California City; Mauricio's Grill & Cantina, 10700 Rosedale Highway, Bakersfield; Pee Wee Market, 1401 Flower Street, Bakersfield; Bernardino's Restaurant, 6601 Inyokern Road, Inyokern; and Koehler's German Deli, 16241 Askin Drive, No. 1, 2 & 3, Pine Mountain Club (Copies to each Supervisor, CAO and Planning)
- Z) Brochure from U.S. Fish & Wildlife Service re frequently asked questions about the California Spotted Owl (Copies to each Supervisor, CAO, Planning and County Counsel)
- AA) Agenda of meeting from Fresno County Mosquito Control Agencies re West Nile Virus Conference on Friday, March 21, 2003 (Copies to each Supervisor, CAO, Public Health, Agricultural Commissioner, Environmental Health and Emergency Services)
- BB) Agenda of meeting from Central Valley Regional Water Quality Control Board on Thursday, March 13 and Friday, March 14, 2003 (Copies to each Supervisor and CAO)
- CC) Agenda of meeting from Kern County Child Care Council on Wednesday, March 5, 2003, and minutes of meeting on Wednesday, February 5, 2003
- DD) Agenda of meeting from Local Agency Formation Commission on Tuesday, February 25, 2003, and minutes of meeting on Tuesday, January 28, 2003 (Copies to each Supervisor and CAO)
- 61) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from John R. Wilson re expiration date of vesting tentative Tract 5773 - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
 - B) Letter from Michael E. Robinson re Public Records Act/ Information Practices Act request concerning code compliance issues on APN 430-100-43 - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor, CAO and Engineering & Survey Services)

- 62) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Andrew Apsit (incident of August 29, 2002) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Andrew Apsit (incident of September 6, 2002) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Andrew Apsit (incident of December 10, 2002) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Anya Janell Smith, a minor, individually, and by and through her parents and natural Guardians, Melissa Sutton and Tyrone Smith vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Janet Brightwell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of Tom Fox, Foxtail Ranches, vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Claim in the matter of Miguel Jimenez (aka Miguel A. Jimenez Bello), Gonzalo Quevedo, Jose Quevedo and Palemon Quevedo (aka Palemon Rodriguez) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - H) Claim in the matter of Jerry James Nakauchi vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - I) Claim in the matter of Ron Griffith vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - J) Claim in the matter of Cindy Eschlman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - K) Claim in the matter of Michael Callagy vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - L) Claim in the matter of Jesse Collins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - M) Claim in the matter of Bonnie Hinojosa vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - N) Claim in the matter of Center for Biological Diversity, Center on Race, Poverty and the Environment, The Sierra Club and Kern Audubon Society vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - O) Claim in the matter of Warren J. Hageman, Jr. and Janice Hageman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- P) Claim in the matter of Kenton Mark Davis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Claim in the matter of Pablo Estrada, Joseph Lee Estrada, a minor and Michael Neil McKnight, a minor, by and through their Guardian ad Litem, Pam Oxford vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Summons and complaint in the matter of Brandon Gladden and Candace Gladden vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Summons and complaint in the matter of Gustavo Nuno Yanez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Summons and complaint in the matter of New Life Assembly, Rev. Ray G. Mejia vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- U) Subrogation claim in the matter of Yolanda Sanchez by Automobile Club of Southern California vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- V) Subrogation claim in the matter of Edward Jaivsky by Automobile Club of Southern California vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- W) Discrimination complaint in the matter of Luzmila Dahlson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
- X) Notice of Assignment to Judge for All Purposes in the matter of Center for Biological Diversity, Center for Race Poverty and the Environment and The Sierra Club vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

###