

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 8, 2005

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Rubio

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

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming March 7-11, 2005 as Adult Education Week in Kern County - PROCLAIMED; MADE PRESENTATION TO SUSAN HANDY, PRINCIPAL, BAKERSFIELD ADULT SCHOOL; SUSAN HANDY, JAN MINOT, AND SANDRA PAZ, EDUCATOR, HEARD

McQuiston-Maben: All Ayes

- 2) Certificate of Recognition recognizing Rotary District 5240 and Fraternal Order of Eagles, Aerie #93 for their efforts to increase community awareness of Valley Fever - MADE PRESENTATION TO RALPH QUIROZ, FRATERNAL ORDER OF EAGLES AERIE #93, ROTARY DISTRICT 5240 AND THE VALLEY FEVER FOUNDATION; RALPH QUIROZ HEARD

APPOINTMENTS

- *3) Appointment of Tom Clark (replacing Stuart Pyle) to the Kern County Water Resources Committee, term to expire December 31, 2006 - MADE APPOINTMENT

Maben-Patrick: All Ayes

- *4) Appointment of Edward Scott Swenson (replacing Carol Ordiway) as Third District Member to the AIDS Advisory Board, term to expire August 16, 2005 - MADE APPOINTMENT

Maben-Patrick: All Ayes

- *5) Reappointment of Bruce Hafenfeld as At-large Member to the Grazing Advisory Board (Section 3) and reappointments of Richard Snedden and Rod Napoleon and appointment of Dean Thompson as At-large Members to the Grazing Advisory Board (Section 15), terms to expire December 20, 2007 - MADE REAPPOINTMENTS AND APPOINTMENT

Maben-Patrick: All Ayes

- *6) Reappointments of Marilyn Shaffer and Keith Morris as At-large Members to the Fairhaven Industrial Fire Protection District, terms to expire March 4, 2009 - MADE REAPPOINTMENTS

Maben-Patrick: All Ayes

- *7) Reappointment of Marilyn Hallman as Third District Member to the Human Relations Commission, term to expire February 12, 2007 - MADE REAPPOINTMENT

Maben-Patrick: All Ayes

PUBLIC PRESENTATIONS

- 8) 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!
- TOM CORSON AND VERNON VALENZUELA, KERN COUNTY NETWORK FOR CHILDREN MADE A PRESENTATION TO COUNTY ADMINISTRATIVE OFFICER, SCOTT JONES, IN APPRECIATION FOR HIS CONTRIBUTIONS TO CHILDREN IN THE COMMUNITY THROUGH THE KERN COUNTY NETWORK FOR CHILDREN

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 9) 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 MABEN REPORTED ON A WORKSHOP HE ATTENDED LAST WEEK AS THE BOARD'S REPRESENTATIVE ON THE FIRST FIVE COMMISSION WHERE THE AGENCY'S STRATEGIC PLAN WAS REFINED

SUPERVISOR RUBIO REQUESTED THE COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD REGARDING THE FEASIBILITY AND COST OF DEVELOPING A PROGRAM TO FUND EDUCATIONAL BENEFITS FOR NURSING STUDENTS IN EXCHANGE FOR WORK EXPERIENCE AT KERN MEDICAL CENTER. COUNTY ADMINISTRATIVE OFFICER SCOTT JONES RESPONDED HE HAS BEEN WORKING WITH KERN MEDICAL CENTER AND A PREVIOUSLY RETAINED CONSULTANT TO PERFORM A FULL COMPENSATION STUDY FOR NURSE AND OTHER CERTIFICATION CLASSIFICATIONS FOR ENHANCED NURSE RECRUITMENT AND RETENTION. A REPORT WILL BE PRESENTED TO THE BOARD IN APRIL THROUGH THE MEET AND CONFER PROCESS

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

Hearing

- 10) Public hearing on petition to establish Kern Table Grape Pest and Disease District (Fiscal Impact: None) - OPENED HEARING; JASON KOSAREFF, ZANINOVICH FARMS, AND ERIC CASTERLINE, SUN WORLD, INTERNATIONAL, HEARD; CLOSED HEARING; RECEIVED AND FILED REPORTS; MADE FINDING THAT THE PETITION FOR FORMATION AND NOTICE IS SUFFICIENT; DETERMINED THAT THE PROPOSED DISTRICT IS FEASIBLE AND IN THE INTERESTS OF THE TABLE GRAPE ACREAGE OWNERS OF THE COUNTY; DECLARED FORMATION OF THE KERN COUNTY TABLE GRAPE PEST AND DISEASE DISTRICT WITH ITS BOUNDARIES TO INCLUDE TABLE GRAPES ON THE VALLEY FLOOR UP TO AN ELEVATION OF 1,100 FEET PER MAP ON FILE WITH CLERK OF THE BOARD; AUTHORIZED CLERK OF THE BOARD TO FILE ORDER OF FORMATION OF DISTRICT WITH COUNTY RECORDER; APPOINTED ANDREW PANDOL, ERIC CASTERLINE, AND PAUL GIBONEY, TERMS TO EXPIRE MARCH 8, 2007; AND JASON KOSAREFF, AND GISELA WITTENBORN, TERMS TO EXPIRE MARCH 8, 2006

McQuiston-Maben: All Ayes

- *11) Proposed retroactive cooperative Agreement with United States Department of Agriculture for area wide management of Glassy-winged Sharpshooter in Kern County in an amount not to exceed \$1,000,000, from January 1, 2005 through December 31, 2005, and request for authority to sign retroactive and future standard form compliance Agreements (Fiscal Impact: \$1,000,000; Federal Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN COOPERATIVE AGREEMENT 153-2005 AND RELATED DOCUMENTS; ADOPTED RESOLUTION 2005-073 AUTHORIZING AGRICULTURAL COMMISSIONER/SEALER TO SIGN RETROACTIVE AND FUTURE COMPLIANCE AGREEMENTS UPON FINAL APPROVAL AS TO FORM BY COUNTY COUNSEL

Maben-Patrick: All Ayes

AIRPORTS

- 12) Proposed Contract No. 05009, Plans, Specifications, and Notice to Contractors for construction on Meadows Field Runway Extension 30L-12R and Parallel Taxiway (Fiscal Impact: \$6,600,000; Grant Funding; Budgeted) - APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN PLANS; AUTHORIZED ROADS DEPARTMENT TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, APRIL 13, 2005, AT 11:00 A.M.

Maben-McQuiston: All Ayes

- *13) Proposed Contract No. 05012, Plans, Specifications, and Notice to Contractors for construction on Seventh Standard Road at Wings Way (Fiscal Impact: \$420,000; HUD funds; Budgeted; Discretionary) - APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN PLANS; AUTHORIZED ROADS DEPARTMENT TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, APRIL 6, 2005, AT 11:00 A.M.

Maben-Patrick: All Ayes

COUNTY COUNSEL

- *14) Request from Rosedale-Rio Bravo Water Storage District for appointment of Directors for Divisions 2 and 3, pursuant to Water Code Section 41307 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-074 ORDERING APPOINTMENT OF MITCH MILLWEE AS DIRECTOR FOR DIVISION 2 AND ROYCE FAST AS DIRECTOR OF DIVISION 3

Maben-Patrick: All Ayes

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 14A:

MADE FINDING THAT NEED TO TAKE ACTION ON A NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE RESIDUAL GROUND SATURATION FROM JANUARY 2005 STORMS, FOR WHICH THE BOARD RATIFIED A LOCAL EMERGENCY PROCLAMATION, COMBINED WITH STORMS OCCURRING BETWEEN FEBRUARY 16 - 23, 2005, RESULTED IN SUBSTANTIAL DAMAGE WITH THE COUNTY OF KERN, PARTICULARLY IMPACTING THE COUNTY'S MAINTAINED ROAD SYSTEM. DAMAGE WAS ALSO REPORTED FROM WATER DISTRICTS AND ONE SCHOOL DISTRICT IN THE SOUTHERN AREA OF THE VALLEY. SEVERE WEATHER, INCLUDING HEAVY RAIN, THUNDERSTORMS AND HAIL, WAS FORECAST TO HIT KERN COUNTY MARCH 4, 2005. THIS WEATHER SYSTEM DID RESULT IN SIGNIFICANT RAINFALL AND FLOODING IN DOWNTOWN BAKERSFIELD. IN MANY AREAS OF THE COUNTY, FLOODWATERS REMAIN AND MANY COUNTY ROADS ARE STILL INACCESSIBLE. THE GROUND REMAINS SATURATED THROUGHOUT THE COUNTY AND THE POTENTIAL CONTINUES TO EXIST FOR ADDITIONAL RAINFALL AND RESULTANT FLOODING

(Continued on Page 5)

(Continued from Page 4)

THE EMERGENCY PROCLAMATION WAS MADE IN RESPONSE TO STORMS SO RECENT THAT IT WAS NOT POSSIBLE TO BRING THIS ISSUE TO YOUR BOARD AS A REGULAR AGENDA ITEM

IN ACCORDANCE WITH GOVERNMENT CODE SECTION 8630 AND CHAPTER 2.66 OF THE KERN COUNTY ORDINANCE CODE, THE DIRECTOR OF EMERGENCY SERVICES, IN CONSULTATION WITH THE COUNTY ADMINISTRATIVE OFFICER AND COUNTY COUNSEL, DETERMINED THESE CONDITIONS MET THE CRITERIA FOR THE PROCLAMATION OF A LOCAL EMERGENCY. THE NEXT STEP IN THE DISASTER DECLARATION PROCESS WOULD BE THAT YOUR BOARD ADOPT A RESOLUTION TO RATIFY THE AMENDED LOCAL EMERGENCY PROCLAMATION AND AUTHORIZE THE DIRECTOR OF EMERGENCY SERVICES TO REQUEST GUBERNATORIAL AND PRESIDENTIAL DISASTER DECLARATIONS FOR THE COUNTY OF KERN

Maben-Patrick: All Ayes

FIRE DEPARTMENT

- 14A) Proposed Resolution to ratify the amended Local Emergency Proclamation, and authorize the Director of Emergency Services to request Gubernatorial and Presidential Disaster Declarations for the County of Kern -

REFERRED TO ROADS AND COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK DURING BUDGET HEARINGS REGARDING THE IMPACT OF UNREIMBURSED STATE AND FEDERAL FUNDS TO THE ROADS DEPARTMENT BUDGET

McQuiston-Maben: All Ayes

APPROVED; ADOPTED RESOLUTION 2005-075

Maben-Patrick: All Ayes

HUMAN SERVICES

- *15) Proposed Amendment No. 1 to Agreement 573-2004 with Child and Family Psychology Clinic, Inc. extending counseling services to foster parents and/or caregivers for children in the Specialized Placement Program and their families and increasing contract amount by \$40,000, to an amount not to exceed \$225,000 (Fiscal Impact: \$40,000: Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 154-2005

Maben-Patrick: All Ayes

- *16) Request to employ retired County employee, Sondra James, as a Social Service Worker III, Range 53.7, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$21,639; Federal/State, \$0 General Fund; Budgeted; Mandated) - APPROVED

Maben-Patrick: All Ayes

- *17) Request to employ retired County employee, Donna Dunkin, as a Human Services Supervisor, Range 52.8, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$21,110; Federal/State, \$0 General Fund; Budgeted; Mandated) - APPROVED

Maben-Patrick: All Ayes

- *18) Proposed addition of four (4) Social Service Supervisors and twenty-two (22) Social Service Worker I/II/III/IV/V positions to Budget Unit 5120, effective March 8, 2005 (Fiscal Impact: \$2,086,888: \$1,773,855 Federal/State; \$313,033 General Fund; Budgeted; Mandated) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: All Ayes

- *19) Request expenditure of Child Welfare Services allocation for the purchase of food gift cards from various economical and geographically dispersed food stores throughout Kern County in an amount not to exceed \$67,500 (Fiscal Impact: \$47,250 State; \$20,250 County; Discretionary; Budgeted) - APPROVED

Maben-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *20) Proposed Amendment No. 1 to Agreement 587-2004 with Henrietta Weill Memorial Child Guidance Clinic, Inc., for mental health services for children and adolescents residing in the Delano area, to increase bilingual staff and service delivery levels to provide for higher than anticipated needs of school and home visits and increase compensation from \$744,703 to an amount not to exceed \$819,703 (an increase of \$75,000) (Fiscal Impact: \$75,000; Medi-Cal, State; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 155-2005

Maben-Patrick: All Ayes

- *21) Proposed sole source Agreement with Transforming Local Communities, Inc., for development of information gathering instruments, supervision of data gathering and analysis of information to aid in the development of a formal plan based on analysis of unmet need to qualify for funding through the Mental Health Services Act (Prop 63), from March 8, 2005 through September 30, 2005, in an amount not to exceed \$118,581 (Fiscal Impact: \$118,581; Prop 63 Funded - Mental Health Services Act (MHSA); Discretionary; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 156-2005

Maben-Patrick: All Ayes

PARKS AND RECREATION DEPARTMENT

- *22) Request to appropriate unanticipated revenue from Proposition 12, per capita program for Lake Isabella Park Restroom Project (Fiscal Impact: \$200,000; State Grant; Discretionary) - 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 CAPITAL PROJECTS BUDGET UNIT 1960

Maben-Patrick: All Ayes

- *23) Proposed Agreement with Desert Empire Fair/53rd District Agricultural Association/State of California for the grant award of \$36,750 of Off Highway Vehicle (OHV) License Funds for recreation enhancement, from March 8, 2005 through September 30, 2005 (Fiscal Impact: \$36,750; OHV License Funds) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 157-2005; APPROVED CANCELLATION OF DESIGNATION IN THE OHV LICENSE FUND IN THE AMOUNT OF \$36,750; APPROVED AN OPERATING TRANSFER FROM THE OHV LICENSE FUND TO THE GENERAL FUND IN THE AMOUNT OF \$36,750; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$36,750 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 7100, IN THE AMOUNT OF \$36,750

Maben-Patrick: All Ayes

PROBATION

- *24) Request for authorization to submit grant application to the California Board of Corrections for funds to support the Lamont Early Intervention Program, in the amount of \$500,000, which includes an estimated net County cost of \$70,000, from July 1, 2005 to June 30, 2006 (Fiscal Impact: \$500,000 grant; net County cost \$70,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO EXECUTE APPLICATION AND GRANT AGREEMENT UPON APPROVAL AS TO FORM BY COUNTY COUNSEL

Maben-Patrick: All Ayes

- *25) Request for relief from accountability of 453 delinquent Kern County Juvenile Traffic Court accounts, totaling \$549,559 (Fiscal Impact: None) - APPROVED

Maben-Patrick: All Ayes

- *26) Proposed Amendment No. 1 to Agreement 198-2002 with Kern County Superintendent of Schools for providing Court Day School in Ridgecrest, to extend the term of the Agreement through June 30, 2006, County to be reimbursed for staff costs at an estimated \$2,100 per month (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 158-2005

Maben-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *27) Request to employ retired County employee, Patricia Weedon, as a Public Health Nurse II, Range 59.9, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$29,699; Budgeted; Mandated) - APPROVED

Maben-Patrick: All Ayes

- *28) Proposed Amendment No. 1 to Agreement 395-2004 with Kern Around the Clock Foundation for targeted case management services to establish compensation payable up to a maximum of \$54,000 (Fiscal Impact: \$54,000; State Funded; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 159-2005

Maben-Patrick: All Ayes

- *29) Proposed Amendment No. 1 to Agreement 538-2004 with Clinica Sierra Vista for targeted case management services to establish compensation payable up to a maximum of \$75,000 (Fiscal Impact: \$75,000; State Funded; Budgeted; Discretionary)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 160-2005

Maben-Patrick: All Ayes

SHERIFF

- *30) Request for appropriation of \$19,000 from Sheriff's Civil Automation Trust Fund #22138 for Civil Administration System upgrades and Civil Division Property Room Automation System upgrades (Fiscal Impact: \$19,000; No Impact to General Fund) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM SHERIFF'S CIVIL AUTOMATION TRUST FUND 22138 IN THE AMOUNT OF \$19,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$19,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Maben-Patrick: All Ayes

- *31) Request for appropriation of \$7,000 from Sheriff's Firearms Trust Fund 22140 for conversion of M16A1 Rifles to Sheriff's Department Standard Tactical rifle configuration (Fiscal Impact \$7,000; No Impact to General Fund) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM SHERIFF'S FIREARMS TRUST FUND 22140 IN THE AMOUNT OF \$7,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$7,000 FROM APPROPRIATIONS TO CONTINGENCIES TO BUDGET UNIT 2210

Maben-Patrick: All Ayes

- *32) Proposed Agreement with Christian Chaplain Services, Inc., to provide chaplain services to inmates, from March 27, 2005 to March 27, 2006, in an amount not to exceed \$110,000 (Fiscal Impact: \$110,000; No Impact to General Fund) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 161-2005

Maben-Patrick: All Ayes

- *33) Proposed Amendment No. 1 to Agreement 214-2004 with the State of California Department of Corrections, SATCU Program, to increase daily jail fees from \$39.50 to \$59.00 (Fiscal Impact: Revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 162-2005

Maben-Patrick: All Ayes

- *34) Request for appropriation of \$30,000 from Inmate Welfare Fund to purchase laundry truck for use at Sheriff's Lerdo Complex (Fiscal Impact: \$30,000; Not Budgeted) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM SHERIFF'S INMATE WELFARE TRUST FUND 24057 IN THE AMOUNT OF \$30,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$30,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Maben-Patrick: All Ayes

- *35) Proposed cooperative Agreement with U.S. Department of the Interior, Bureau of Land Management, for Helicopter Law Enforcement Patrol Services, effective upon signature by both parties through September 30, 2009, in an amount not to exceed \$30,000 per Fiscal Year (Fiscal Impact: \$30,000; Revenue to County; Not Budgeted) - APPROVED; AUTHORIZED SHERIFF, OR DESIGNEE, TO SIGN AGREEMENT AND SUBSEQUENT MODIFICATIONS UPON APPROVAL AS TO FORM BY COUNTY COUNSEL

Maben-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 36) Request for Closed Session regarding public employee recruitment - Title: Executive Director Board of Trade -
- 37) Request for Closed Session re public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center -

COUNTY COUNSEL

- 38) Request for closed session regarding a lawsuit entitled James Garland, et al. vs. County of Kern, et al., KCSC Case No. 252753 SPC (Government Code Section 54956.9(a)) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)
- 39) Request for closed session regarding a lawsuit entitled Anthony Covelli v. David Benson, et al., USDC (E) CIV-03-5724-OWW-DLB (Government Code Section 54956.9(a)) -

(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-Rubio

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 8, 2005

2:00 P.M.

BOARD RECONVENED

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

RESULTS OF CLOSED SESSION

Request for closed session regarding a lawsuit entitled James Garland, et al, vs. County of Kern, et al, KCSC Case No. 252753 SPC (Government Code Section 54956.9(a)) (from Item No. 38 a.m.)
- CHAIRMAN WATSON REPORTED ON RESULTS OF CLOSED SESSION, AGENDA ITEM NO. 38 A.M. SESSION, WHERE, BY UNANIMOUS VOTE, THE BOARD ACCEPTED THE MEDIATED AMOUNT OF \$115,000 IN FULL SETTLEMENT OF THIS MEDICAL MALPRACTICE CASE, DIRECTED COUNTY COUNSEL TO EXECUTE ALL SETTLEMENT DOCUMENTS, AND AUTHORIZED THE AUDITOR-CONTROLLER-COUNTY CLERK TO PAY AS DIRECTED BY COUNTY COUNSEL

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]) - SUPERVISOR MABEN REQUESTED AN UPDATE FROM ENVIRONMENTAL HEALTH SERVICES REGARDING LAST WEEK'S BOARD REFERRAL ON WASTE AND WASTEWATER SAMPLES FROM THE GREENACRES AREA. ENVIRONMENTAL HEALTH SERVICES DIRECTOR, STEVE MCCALLEY, RESPONDED THAT EPA TESTING IS NOT PRESENTLY AVAILABLE TO REPORT BACK AT THIS TIME.

SUPERVISOR MABEN REQUESTED THAT THE CLERK OF THE BOARD PROVIDE REGULAR REPORTS TO THE BOARD ON BOARD REFERRALS RESULTING FROM WEEKLY MEETINGS.

SUPERVISOR RUBIO REQUESTED THE STATUS OF HIS REFERRAL SEVERAL WEEKS AGO REGARDING POSSIBILITIES OF BANNING BIOSOLIDS IN KERN COUNTY. COUNTY COUNSEL BERNARD BARMANN ADVISED THAT THE REFERRAL CONTAINED A TIMELINE TO ALLOW THE KERN COUNTY WATER AGENCY'S REQUEST FOR PROPOSAL PROCESS TO BE COMPLETED. HE FURTHER ADVISED HE IS WAITING ON THE DECISION OF THE FIFTH DISTRICT COURT OF APPEALS WITH RESPECT TO CEQA REQUIREMENTS ON THE CLASS B ORDINANCE.

SUPERVISOR RUBIO ANNOUNCED HE IS WORKING WITH COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT TO DEVELOP A SECTION 108 LOAN TO LEVERAGE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR SIGNIFICANT INFRASTRUCTURE IMPROVEMENTS, AND HE INVITED OTHER BOARD MEMBERS TO PARTICIPATE.

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Request from James and Ann Kirkpatrick to change the permitted uses from recreation-forestry to 2-1/2-acre residential on 6.5 acres located at 6300 Alfred Harrell Highway, Bakersfield (SD #1)**

Specific Request:

A change in zone classification from RF KRC FPS and FPP to E (2-1/2) RS KRC FPS and FPP or a more restrictive district (ZCC #7, Map #103-2)

(Categorically Exempt, Section 15303; Published Bakersfield Californian) (from 3/1/2005) - OPENED HEARING; HEARD IN SUPPORT OF RECOMMENDATION: WAYNE DEIFEL ON BEHALF OF THE APPLICANT; HEARD IN OPPOSITION TO RECOMMENDATION: JEFF GUTIERREZ, DEWALT CORPORATION; BERNARD NAWORSKI; DEBBIE NAWORSKI; DUETTA REILLY; AND MURRAY TRAGISH, REPRESENTING THE NAWORSKI'S

WAYNE DEIFEL HEARD

CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2005-076 AND ENACTED ORDINANCE G-7200 APPROVING ZONE CHANGE AS REQUESTED; RECEIVED AND FILED

McQuiston-Maben: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- *4) **Request from Kern County Planning Department for a change in street name from Del Mar Drive to Castle Gate Drive located south of Cummings Valley Road, Tehachapi (SD #2)**
Specific Request:
A change in street name from Del Mar Drive to Castle Gate Drive (164-23 3 098; Streets and Highways, Street Name Change)
(General Rule, Section 15061(b)(3); Published Tehachapi News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2005-077 APPROVING STREET NAME CHANGE AS REQUESTED

McQuiston-Patrick: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Land Use

S.D. #2

- *5) Notice of Nonrenewal Petition No. 05-3 by John E. and Christine A. Sullivan for approximately 16.16 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Patrick: All Ayes

S.D. #4

- *6) Notice of Nonrenewal Petition No. 05-12 by Albers & Barnes on behalf of Michael G. Rossi, for 170.59 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Patrick: All Ayes

- *7) Notice of Nonrenewal Petition No. 05-13 by Albers & Barnes on behalf of Michael G. Rossi, for 59.10 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Patrick: All Ayes

- *8) Notice of Nonrenewal Petition No. 05-14 by Albers & Barnes on behalf of Destefani Farms, for 86.83 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

McQuiston-Patrick: All Ayes

Miscellaneous

S.D. #4

- *9) Request from Layton Melton Productions, Inc., for Determination of Public Convenience for the issuance of an on-sale beer license at 116 Ash Street, Taft, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-078

McQuiston-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D.'s #2, #3, #4 & #5

- *10) Proposed Resolution authorizing expansion of the Southeast Metropolitan Bakersfield Enterprise Zone by the City of Bakersfield (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-079

McQuiston-Patrick: All Ayes

All S.D.'s

- *11) Appropriation of unanticipated revenue in the amount of \$400,000 from HOME Program rehabilitation loan repayments for HOME Program projects (Fiscal Impact: Estimated \$400,000; Home Investment Partnerships Program; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$400,000 TO KEY 6040, APPROPRIATIONS FOR CONTINGENCIES IN DEPARTMENT NO. 8936, TRUST FUND 29086; AUTHORIZED NECESSARY COUNTY AND U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BUDGET ADJUSTMENTS

McQuiston-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #1

- *12) Request for approval to issue a Request for Proposal for the McFarland Test Water Well (Fiscal Impact: \$23,040; CEDD; Budgeted) - APPROVED; AUTHORIZED ENGINEERING & SURVEY SERVICES TO SOLICIT PROPOSALS

McQuiston-Patrick: All Ayes

S.D. #4

- *13) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), for formation of County Service Area No. 98 and establishment of Zone of Benefit Nos. 1, 2 and 3, Cameron Pointe, Buttonwillow (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-080; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE NECESSARY DOCUMENTS WITH LAFCO; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED

McQuiston-Patrick: All Ayes

S.D. #5

- *14) Contract No. 03031, Change Order Report and Notice of Completion for Alloway Lane Drainage Improvements (Fiscal Impact: \$8,207.31; CEDD; Budgeted) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- 15) Request for waiver of disputed contract items and approval of sole source purchase order with Smiths Detection for acquisition of Hazmat ID Command System equipment, in an amount not to exceed \$70,000 (Fiscal Impact: \$70,000; Homeland Security Grant; Budgeted) -

REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL FOR REPORT BACK TO THE BOARD REGARDING REVIEW OF CONTRACTING PROCEDURES AND OPTIONS RELATIVE TO INDEMNIFYING VENDORS TO MINIMIZE LIABILITY RISK TO THE COUNTY

McQuiston-Maben: All Ayes

CONTINUED ITEM TO COME BACK WITH THE REPORT REGARDING INDEMNIFICATION

Maben-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *16) Proposed Amendment to Subsections 90 and 172 of Chapter 10.16.041 of the Kern County Ordinance Code to eliminate no parking zones next to new community mail boxes on Quail Creek Road, between Norris Road and Snow Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

McQuiston-Patrick: All Ayes

- *17) Proposed Amendment No. 1 to Agreement 360-2001 with DELMAC, Inc., LLC, for site development on Seventh Standard Road near Highway 99 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 164-2005

McQuiston-Patrick: All Ayes

S.D. #3

- *18) Proposed construction of Verdugo Lane between Brimhall Road and Shellabarger Road and approval of plan layout and adoption of Negative Declaration (Fiscal Impact: \$200,000; Road Fund; Budgeted; Discretionary) - APPROVED; MADE FINDING THAT PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT; ADOPTED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; AUTHORIZED ROADS TO FILE NOTICE OF DETERMINATION AND CERTIFICATE OF FEE EXEMPTION; DIRECTED ROADS TO PROCEED WITH PROJECT

McQuiston-Patrick: All Ayes

WASTE MANAGEMENT

S.D. #4

- *19) Proposed Resolution to set public hearing for Tuesday, April 26, 2005, at 2:00 p.m. to consider the Ordinance establishing the schedule of Universal Solid Waste Collection Charges for residential properties with four or fewer units in the Lost Hills Universal Collection Area for Fiscal Year 2005-2006 (Fiscal Impact: None) - RECEIVED AND FILED; ADOPTED RESOLUTION 2005-081; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF HEARING AND ORDINANCE SUMMARY; DIRECTED CLERK OF THE BOARD TO PUBLISH HEARING NOTICE

McQuiston-Patrick: All Ayes

- *20) Proposed Resolution to set public hearing for Tuesday, April 26, 2005, at 2:00 p.m. to consider the Ordinance establishing the schedule of Universal Solid Waste Collection Charges for residential properties with four or fewer units in the Unincorporated Taft Universal Collection Area for Fiscal Year 2005-2006 (Fiscal Impact: None) - RECEIVED AND FILED; ADOPTED RESOLUTION 2005-082; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF HEARING AND ORDINANCE SUMMARY; DIRECTED CLERK OF THE BOARD TO PUBLISH HEARING NOTICE

McQuiston-Patrick: All Ayes

All S.D.'s

- *21) Proposed Resolution to set public hearing for Tuesday, April 26, 2005, at 2:00 p.m. to consider the Ordinance establishing the schedule of Universal Solid Waste Collection Charges for residential properties with four or fewer units in the Metropolitan Bakersfield Universal Collection Area for Fiscal Year 2005-2006 (Fiscal Impact: None) - RECEIVED AND FILED; ADOPTED RESOLUTION 2005-083; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF HEARING AND ORDINANCE SUMMARY; DIRECTED CLERK OF THE BOARD TO PUBLISH HEARING NOTICE

McQuiston-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *22) Request to designate Tuesday, April 5, 2005, as Teen Government Day (Fiscal Impact: None) - APPROVED; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO COORDINATE

McQuiston-Patrick: All Ayes

- 23) Proposed Resolution supporting Kern Economic Development Corporation's fundraising campaign (Fiscal Impact: None) - PATRICK COLLINS, KERN ECONOMIC DEVELOPMENT CORPORATION EXECUTIVE DIRECTOR, HEARD; APPROVED; ADOPTED RESOLUTION 2005-084

Patrick-McQuiston: All Ayes

- *24) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 459, Local Agency Formation Commission (LAFCO) Proceeding No. 1401 (Fiscal Impact: FY 2006-2007 \$205 General Fund; FY 2006-2007 \$156 Fire Fund) - ADOPTED RESOLUTION 2005-085 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF THE COUNTY'S PROPERTY TAX ENTITLEMENT TO THE CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2006-2007 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

McQuiston-Patrick: All Ayes

- *25) Proposed Fiscal Year 2005-2006 budget development guidelines (Fiscal Impact: None) - APPROVED; AUTHORIZED COUNTY ADMINISTRATIVE OFFICE TO ISSUE TO DEPARTMENTS

McQuiston-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

Hearing

S.D. #2

- *26) Proposed Resolution and Ordinance granting pipeline franchise to Aerial Acres Water Company, Inc. (Fiscal Impact: Revenue of \$1,647; Budgeted) - 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 AS APPROPRIATE; ADOPTED RESOLUTION 2005-086 AND ENACTED ORDINANCE F-482

McQuiston-Patrick: All Ayes

S.D. #3

- *27) Proposed Amendment No. 7 to Agreement 716-98 with Odell Associates, Inc., providing for additional planning, architectural and engineering services for the new airport passenger terminal at Meadows Field, an increase of \$26,320.81, for a new total of \$1,827,930.76 (8215.7500) (Fiscal Impact: \$26,320.81; Airport Enterprise Fund and General Fund; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 165-2005

McQuiston-Patrick: All Ayes

- *28) Request to reject bid from HCI, Inc., Security Integration Division, as non-responsive and identify bid from MASK Systems, Inc., as apparent low bid for the new airport terminal signal security system, in an amount not to exceed \$430,000 (8215.8416) (Fiscal Impact: \$430,000 Airport Enterprise Fund and General Fund; Budgeted) - FOUND BID FROM HCI, INC., SECURITY INTEGRATION DIVISION, TO BE NON-RESPONSIVE; IDENTIFIED LOW BID FROM MASK SYSTEMS, INC.; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

McQuiston-Patrick: All Ayes

All S.D.'s

- 29) Briefing on Departmental Operations Division (Fiscal Impact: None) - HEARD PRESENTATION; RECEIVED AND FILED

Maben-Patrick: All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED MARCH 1, 2005

- *30) Proposed Ordinance amending Subsection (105) of Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, concerning a no stopping zone on "P" Street, Bakersfield - ENACTED ORDINANCE G-7201

McQuiston-Patrick: All Ayes

- *31) Proposed Ordinance adding Subsection (231) to Section 10.16.070 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, concerning a 10 minute limit parking zone on "P" Street, Bakersfield - ENACTED ORDINANCE G-7202

McQuiston-Patrick: All Ayes

- *32) Proposed Ordinance adding Subsections (185) and (186) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, concerning no stopping zones on the west and east sides of San Diego Street at Alicante Elementary School, Lamont - ENACTED ORDINANCE G-7203

McQuiston-Patrick: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *33) Budget Transfers - APPROVED NO. 113 THROUGH NO. 121

McQuiston-Patrick: All Ayes

- *34) Minutes for week of February 7, 2005 - APPROVED

McQuiston-Patrick: All Ayes

- *35) Miscellaneous Letters and Documents - APPROVED

McQuiston-Patrick: All Ayes

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

McQuiston-Patrick: All Ayes

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

McQuiston-Patrick: All Ayes

ADJOURNED TO THURSDAY, MARCH 10, 2005, AT 8:30 A.M. FOR
CLOSED SESSION

Maben-

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Chairman, Board of Supervisors

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

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

35) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

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

- | | |
|----------------------------|---------|
| 1) Tract Map 5993, Phase 8 | S.D. #1 |
| 2) Tract Map 6042, Unit 4 | S.D. #3 |
| 3) Tract Map 6155, Phase 1 | S.D. #5 |
| 4) Tract Map 6155, Phase 2 | S.D. #5 |
| 5) Tract Map 6155, Phase 3 | S.D. #5 |
| 6) Tract Map 6155, Phase 4 | S.D. #5 |

Community & Economic Development

- B) County Loan Agreement, HOME Investment Partnerships Program, Owner Reconstruction Program, with Mary A. Lyles
- C) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with June Aust

General Services

- D) Acceptance of Franchise from Chevron USA, Inc., re Franchise Ordinance F-476 and letter of Self Insurance

Local Agency Formation Commission

- E) Report and Recommendation, Proceeding No. 1396, in the matter of City of Bakersfield, Annexation No. 464 (McKee No. 3) (Copies to each Supervisor and CAO)
- F) Report and Recommendation, Proceeding No. 1394, in the matter of City of Bakersfield (Annexation No. 457), NOR Sanitary District No. 1 (Annexation No. 61) and North Kern Water Storage (Detach H), Reorganization (Copies to each Supervisor and CAO)
- G) Report and Recommendation, Proceeding No. 1395, in the matter of City of Bakersfield, Annexation No. 463 (McCutchen No. 2) (Copies to each Supervisor and CAO)
- H) Letter from Virginia Gennaro, City of Bakersfield, re Rio Bravo No. 3, Annexation No. 467, LAFCO Proceeding No. 1400
- I) Letter from Virginia Gennaro, City of Bakersfield, re Brite No. 8, Annexation No. 459, LAFCO Proceeding No. 1401

Miscellaneous

- J) Letter from William Vasquez, U.S. Department of Housing and Urban Development, re 2003 Program Year Review of HUD Consolidated Plan Programs, Consolidated Annual Performance and Evaluation Report (Copies to each Supervisor, CAO and Community & Economic Development)
- K) Letter from Ramon J. Hirsig, State Board of Equalization, re 2005 calendar for the valuation of public utilities and railroads (Copies to each Supervisor, CAO and Assessment Appeals Board)

- L) Letter from Paul Giboney, Kern Food Growers Against Sewage Sludge, re clarification of discussion concerning the sludge issue before the Board of Supervisors on Tuesday, February 15, 2005 (Copies to each Supervisor, CAO, Resource Management Agency, Environmental Health and County Counsel)
- M) Letter from Ed Riojas, State Department of Health Services, re Fiscal Year 2004-2005 California Healthcare for Indigents Program (CHIP) application (Copies to each Supervisor and CAO)
- N) Two (2) letters from Kaye Moore in opposition to sewage sludge and dairies (Copies to each Supervisor, CAO and Resource Management Agency)
- O) Letter from Terry and Rose Dunford in opposition to General Plan Amendment Case No. 15 and Zone Change Case No. 122, Map No. 102 concerning a proposed commercial project on the corner of Seventh Standard Road and Calloway (Copies to each Supervisor, CAO, Planning and County Counsel)
- P) Letter from Susan Castro, Seventh Standard Residents Committee, in opposition to General Plan Amendment Case No. 15 and Zone Change Case No. 122, Map No. 102 concerning a proposed commercial project on the corner of Seventh Standard Road and Calloway (Copies to each Supervisor, CAO, Planning and County Counsel)
- Q) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Tuesday, February 8, 2005, on State Route 99, northbound, north of Lerdo Highway (Copies to each Supervisor, CAO, Fire Haz-Mat and Environmental Health)
- R) Letter from Stephan C. Volker re lawsuit filed against Castaic Lake Water Agency on Monday, January 24, 2005 (California Water Impact Network vs. Castaic Lake Water Agency, et al, Ventura County Superior Court Case No. 213606) (Copies to each Supervisor, CAO, Engineering & Survey Services, Resource Management Agency and County Counsel)
- S) Letter from Nancy E. Hayward, State Department of Health Services, re Fiscal Year 2004-2005 certificate and allocation table (Copies to each Supervisor, CAO, Public Health and Auditor-Controller-County Clerk)
- T) Letter from Nancy E. Hayward, State Department of Health Services, re estimated Maintenance of Effort (MOE) requirement for CHIP/RHS Program funds for Fiscal Year 2004-2005 (Copies to each Supervisor, CAO, Public Health and Auditor-Controller-County Clerk)
- U) Letter from Lynne McGhee, California Water Service Company, re application to the California Public Utilities Commission for authority to record expenses associated with providing water that does not exceed the new federal maximum contaminant level for arsenic (Copies to each Supervisor, CAO and Engineering & Survey Services)

- V) Notice from Pacific Gas and Electric Company for authority to implement default critical peak pricing (CPP) rate options for large customers and notice of hearings from Monday, February 28, 2005 to Friday, March 4, 2005 (Copies to each Supervisor, CAO and General Services)
- W) Notice from Federal Energy Regulatory Commission to Cold Springs Rancheria, Table Mountain Rancheria and North Fork Rancheria of Mono Indians re Southern California Edison's re-licensing of the Bit Creek Hydroelectric Project located in the upper San Joaquin River watershed (Project Nos. 67, 120, 2085 and 2175, Big Creek Nos. 2A, 8, Eastwood; Big Creek No. 3; Mammoth Pool and Big Creek Nos. 1 and 2) (Copy to Planning)
- X) Notice from Jun Hing, LLC, re application with the Public Utilities Commission to operate an on-call, door-to-door shuttle between all Los Angeles and Orange County airports and to transport passengers between points in the counties of San Diego, Orange, Los Angeles, Santa Clara, San Francisco, Alameda, Sacramento, Fresno and Kern (Copies to each Supervisor, CAO, Resource Management Agency, Planning and County Counsel)
- Y) Notice from State Department of Alcoholic Beverage Control re application for Alcoholic Beverage License from Niles Chevron, 3100 Niles Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- Z) Notice from State Department of Fish and Game, Wildlife Conservation Board, re meeting on Thursday, February 24, 2005
- AA) Agenda of meeting from Kern County Child Care Council on Wednesday, March 2, 2005
- BB) Minutes of meeting from Kern County Child Care Council on Wednesday, February 2, 2005
- 36) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Donald Koenig, West Side Recreation and Park District, re Resolution No. 04-5 ordering a special election be held on Tuesday, June 7, 2005, concerning levying a special tax on each parcel in the District and establishing the specifications of the election order - REFERRED TO ELECTIONS (Copy to County Counsel)
- 37) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Gina Kenny Robertson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Carl Sparks vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Ludy Landois vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- D) Claim in the matter of Ella Reeves vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Reynaldo Rodriguez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Elizabeth Burrelle vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Annette Barker vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Summons and complaint in the matter of Michael Silva vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Subrogation claim in the matter of Holland and Shirley Wessig by Encompass Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Subrogation claim in the matter of Ricardo and Divina DelRosario by Automobile Club of Southern California vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)