

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, September 2, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming September 2003 as Recovery Happens Month in Kern County - PROCLAIMED; MADE PRESENTATION TO DIANE KODITEK, DIRECTOR OF MENTAL HEALTH SERVICES; DIANE KODITEK AND ANNE KELLY HEARD

Patrick-McQuiston: All Ayes

APPOINTMENTS

- *2) Reappointment of Audrey Chavez as Fourth District Member to the Kern County AIDS Advisory Board, term to expire August 16, 2006 - MADE REAPPOINTMENT

Patrick-Maben: All Ayes

- *3) Reappointments of Wilfred A. "Hezzy" Brown and Wetona A. Olson as Fourth District Members to the Adult Day Health Care Board, terms to expire August 15, 2005 - MADE REAPPOINTMENTS

Patrick-Maben: All Ayes

PUBLIC PRESENTATIONS

- 4) 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! - ROY WEYGAND, PRESIDENT, KERN COUNTY TAX PAYERS ASSOCIATION, REQUESTED THE COUNTY CONSIDER ANY AND ALL OPTIONS TO ASSIST WITH THE CLOSURE OF CATHOLIC HEALTHCARE WEST IN TAFT. SUPERVISOR WATSON ANNOUNCED HE IS WORKING CLOSELY WITH THE TAFT COMMUNITY TO HELP RESTORE HEALTH CARE TO THE WEST SIDE.

REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL TO REPORT BACK REGARDING THE MOST APPROPRIATE COURSE OF ACTION; RECEIVED AND FILED

Watson-McQuiston: All Ayes

JOE FORTT; CHRIS CONRAD, SAFE ACCESS NOW; THOMAS BEDKER; ROB GIDREE; MIKKI NORRIS; BETTY DUPUIS AND EDWARD DUPUIS HEARD RELATIVE TO THE PRESENTATION OF PETITIONS LAST WEEK REGARDING THE COMPASSIONATE HEALTH CARE LAW AND MEDICAL MARIJUANA; CHAIRMAN PARRA ADVISED THIS MATTER WAS PREVIOUSLY REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL TO REPORT BACK TO THE BOARD AT A LATER DATE

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

CHILD SUPPORT SERVICES

- *6) Authorization for confirming purchase order with Stewart Electric for miscellaneous electrical parts and supplies in the amount of \$3,321.93 - APPROVED; AUTHORIZED PURCHASING AGENT TO EXECUTE CONFIRMING PURCHASE ORDER

Patrick-Maben: All Ayes

COUNTY COUNSEL

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

Patrick-Maben: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *8) Proposed retroactive Agreement with Mexican American Opportunity Foundation for training, work readiness and employment activities for Workforce Investment Act-eligible out-of-school youths, from July 1, 2003 to June 30, 2004, in an amount not to exceed \$146,696 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 770-2003

Patrick-Maben: All Ayes

- *9) Proposed retroactive Agreement with California State University, Bakersfield Foundation for comprehensive educational and employment readiness activities for Workforce Investment Act-eligible in-school and out-of-school youths, from July 1, 2003 to June 30, 2004, in an amount not to exceed \$252,450 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 771-2003

Patrick-Maben: All Ayes

HUMAN SERVICES

- *10) Proposed Agreement with Moss Beach Homes, Inc., as represented by Aspira Foster and Family Services, for SB 163 Wraparound Services, from September 2, 2003 to August 30, 2004, in an amount not to exceed \$839,255 (State/Federal; 60% County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 772-2003

Patrick-Maben: All Ayes

- 11) Relief of accountability of uncollected accounts - RELIEVED DEPARTMENT OF HUMAN SERVICES FROM ACCOUNTABILITY OF 345 ACCOUNTS TOTALING \$199,073.26

Maben-Watson: All Ayes

KERN MEDICAL CENTER

- *12) Notification of anticipated retroactive Agreement with Daniel J. Burke for psychotherapeutic and psychosocial services - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *13) Proposed retroactive confirming purchase order with American Fabrication, for repair services performed during October 2002, December 2002 and January 2003, in an amount not to exceed \$10,159.79 - APPROVED; AUTHORIZED COUNTY PURCHASING TO ISSUE CONFIRMING PURCHASE ORDER

Patrick-Maben: All Ayes

- *14) Proposed changes to Medical Staff Bylaws to correct signature authorization - AUTHORIZED CHAIRMAN TO SIGN APPROVAL/TRANSMITTAL SHEET

Patrick-Maben: All Ayes

- *15) Proposed Resolution for acceptance of donation of travel expenses and travel requests for Toni Smith, M.S.N., R.N., and William Meyer, Ph.D., M.D., to attend the Department of Health and Human Services Organ Donation Breakthrough Collaborative in Washington, D.C., on September 9 and 10, 2003 - APPROVED; ADOPTED RESOLUTION 2003-385

Patrick-Maben: All Ayes

- *16) Proposed Resolution for acceptance of donation of travel expenses and travel requests for Sandra Campbell, R.N., and Cathy Badgley, R.N., to attend Ethicon Products Education Seminar: "Surgical Site Infections," in San Angelo, Texas on September 24 and 25, 2003 - APPROVED; ADOPTED RESOLUTION 2003-386

Patrick-Maben: All Ayes

- *17) Proposed retroactive Amendment No. 32 to MediCal Contract for Hospital Inpatient Services - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 773-2003

Patrick-Maben: All Ayes

- *18) Proposed Agreement with Sher Institute for Reproductive Medicine, LLC, for training on a rotational basis of OB/GYN physician residents, from September 2, 2003 to September 1, 2005, in an amount not to exceed \$12,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 774-2003

Patrick-Maben: All Ayes

- *19) Proposed Amendment No. 5 to Agreement 473-96 with Financial Credit Network, to include professional fee accounts in the scope of work and acknowledging the Contractor as a Business Associate under HIPAA - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 775-2003

Patrick-Maben: All Ayes

MENTAL HEALTH SERVICES

- *20) Proposed approval of updated County Work Plan for continuation of the Substance Abuse Crime Prevention Act of 2000 (Prop 36) for Fiscal Year 2003-2004 and adopt resolution - APPROVED; ADOPTED RESOLUTION 2003-387

Patrick-Maben: All Ayes

- *21) Proposed retroactive approval of submittal of application for Parent Child Interactive Therapy (PICT) Grant to the Office of Criminal Justice Planning (OCJP) and adopt resolution - APPROVED; ADOPTED RESOLUTION 2003-388

Patrick-Maben: All Ayes

PROBATION

- *22) Proposed Golden Handshake retirements for one (1) Assistant Division Director, effective October 4, 2003, and one (1) Administrative Coordinator, effective February 27, 2004, positions deleted at budget hearings - APPROVED; ADOPTED RESOLUTION 2003-389

Patrick-Maben: All Ayes

- *23) Proposed Agreement with South Fork Union School District for delinquency prevention services, from September 2, 2003 to August 31, 2004; in an amount not to exceed \$70,926 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 776-2003

Patrick-Maben: All Ayes

PUBLIC HEALTH SERVICES

- *24) Proposed retroactive Agreement with Society for Disabled Children for maintenance and transportation bookkeeping services, from July 1, 2003 to June 30, 2004, in an amount not to exceed \$120,000 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 777-2003

Patrick-Maben: All Ayes

- *25) Proposed Agreement with Kern County Superintendent of Schools and Bakersfield City School District for School-Based Immunization Program through October 31, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 778-2003

Patrick-Maben: All Ayes

- *26) Proposed Agreement with County of Tulare for epidemiology services revenue through June 30, 2004, in the amount of \$10,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 779-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-Maben: All Ayes

SHERIFF

- *27) Request to accept donation of 2002 Global Electric Car (G.E.M.) to the Kern County Sheriff's Explorer Post 519 from Haddad Dodge of Bakersfield, valued at approximately \$5,500 - APPROVED DONATION OF 2002 GLOBAL ELECTRIC CAR KNOWN AS G.E.M., MODEL YE825, CARLINE GEM E825, SERIAL NUMBER 5ASAG27482F021288, TO SHERIFF'S EXPLORER POST 519; ORDER 2002 GLOBAL ELECTRIC CAR ADDED TO SHERIFF'S DEPARTMENT INVENTORY; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Patrick-Maben: All Ayes

- *28) Proposed retroactive Agreement with State of California, Commission on Peace Officer Standards and Training, for training services by Kern County Sheriff's Department, from July 1, 2003 to June 30, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 780-2003 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL; APPROVED SHERIFF'S TRAINING TRUST FUND 22132 TO BE THE REPOSITORY FOR REVENUES FROM THIS CONTRACT TO FUND CONTINUATION AND GROWTH OF THE REGIONAL SKILLS TRAINING PROGRAM

Patrick-Maben: All Ayes

- *29) Application to Hold a Parade - Antelope Valley Chamber of Commerce - Rosamond on September 27, 2003 - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

TREASURER-TAX COLLECTOR

- *30) Proposed Resolution for Notice of Intention to Sell Tax-Defaulted Property Subject to the Power of Sale - APPROVED; ADOPTED RESOLUTION 2003-390

Patrick-Maben: All Ayes

NOTE: Chairman Parra welcomed Matt Kunding, Kern County Probation, and students from Avenues to Change.

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 31) Request for Closed Session regarding Meet and Confer, All Unions -

(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-Watson

/s/ Denise Pennell
Clerk of the Board

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

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BOARD ACTION SHOWN IN CAPS

PUBLIC REQUESTS

- 1) Request of Sue Kanady to address the Board regarding neighborhood issues in the Rosedale area - SUE KANADY, VIRGINIA SCHAEFFER AND DALE TAYLOR HEARD; SUPERVISOR PATRICK RESPONDED THAT COUNTY DEPARTMENTS AND HER OFFICE ARE CONTINUING WORK ON THESE ISSUES

NOTE: CHAIRMAN PARRA LEFT THE MEETING AT 2:30 P.M. AND RETURNED DURING AGENDA ITEM 4 AT 2:54 P.M.

PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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CONTINUED HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

- 4) **Request from Lloyd Sidney Unruh and Aldean June Reimer by The Lusich Company to change the permitted uses from limited agriculture to 2-1/2-acre residential, 1/2-acre residential, and drilling island on 71.35 acres located at the southwest corner of Meacham Road and Heath Road, Rosedale area (SD 4) Specific Request:**

A change in zone classification from A-1 to E (2-1/2) RS, E (1/2) RS, and DI or more restrictive districts (ZCC #130, Map #101)

(Negative Declaration; Published Bakersfield Californian) (from 7/29/2003) - OPENED HEARING; DR. GORDON NIPP, SIERRA CLUB, AND ARTHUR UNGER, KERN-KAWEAH CHAPTER OF THE SIERRA CLUB, HEARD; ROBERT P. LUSICH HEARD ON BEHALF OF THE APPLICANTS; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND AMENDED MITIGATION MEASURE MONITORING PROGRAM TO INCORPORATE FEES NECESSARY TO CONNECT TO THE SEWER MAIN LINE, AS ESTABLISHED BY THE DIRECTOR OF ENGINEERING AND SURVEY SERVICES AT THE TIME OF FILING OF THE SUBDIVISION MAP; ADOPTED RESOLUTION 2003-391 AND ENACTED ORDINANCE G-7038 APPROVING ZONE CHANGE WITH APPROVAL NOT TO BECOME EFFECTIVE UNLESS, PRIOR TO SEPTEMBER 16, 2003, THE PROPERTY OWNERS OR THEIR REPRESENTATIVE SIGNS AND FILES WITH THE PLANNING DIRECTOR AN INDEMNIFICATION AGREEMENT APPROVED AS TO FORM BY COUNTY COUNSEL, AND WITH THE ORDINANCE TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP; RECEIVED AND FILED

Watson-Maben: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 5) **Request from Ron and Dana Tjaarda by Tom Fallgatter (original applicant - Palvinder Singh) to appeal the decision of the Hearing Officer for the approval of Tentative Parcel Map 10871 proposing to divide two existing parcels of record totaling approximately 237.17 acres into 12 agricultural lots ranging in size from 20.136 acres to 21.146 acres located at the southwest corner of Shafter Road and Ashe Road, south of Bakersfield (SD 2)**

Specific Request:

An appeal to the decision of the Hearing Officer for the approval of Tentative Parcel Map 10871 (approved July 3, 2003) proposing to divide two existing parcels of record totaling 237.17 acres into 12 agricultural lots ranging in size from 20.136 acres to 21.146 acres; one development variation to the Land Division Ordinance to allow a 30-foot-wide private access easement, where a 40-foot-wide part-width public access easement is required (TPM #10871) (Negative Declaration; Published Bakersfield Californian) - TOM FALLGATTER HEARD; CONTINUED TO TUESDAY, SEPTEMBER 23, 2003, AT 2:00 P.M.

Maben-Watson: All Ayes

- *6) Request from Donald T. Toretta and Donna M. Toretta Revocable Trust by Delmarter and Deifel to cancel a one-acre portion of an approximate 45-acre parcel in a Farmland Security Zone Land Use Contract and exclusion of approximately one acre from the boundaries of a Farmland Security Zone located on the north side of Highway 58, approximately 3/4 mile west of Palomas Avenue, two miles west of Buttonwillow (SD 4)

Specific Request:

(a) Cancellation of a one-acre portion of an approximate 45-acre parcel in a Farmland Security Zone Land Use Contract, and approval of a Contract Amending Land Use Contract on 44.36 acres (Cancellation #03-3)

(b) Exclusion of approximately one acre from the boundaries of a Farmland Security Zone (Farmland Security #9 - Excl)

(General Rule, Section 15061(b)(3); Published Shafter Press) CONTINUED TO TUESDAY, SEPTEMBER 23, 2003, AT 2:00 P.M.

Watson-McQuiston: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Streets and Highways

S.D. #1

- *7) Request from Shaun and Linda Pendo for a Summary Vacation of two 60-foot-wide public access easements known as Pony Place and Wagon Way, north side of Sawmill Road, west of Waggy Flat Road, approximately three miles south of Rancheria Road, Waggy Flat area - ADOPTED RESOLUTION 2003-392 APPROVING VACATION EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES, WITH RESOLUTION TO BE RECORDED UPON WRITTEN CONFIRMATION FROM KERN COUNTY PLANNING DEPARTMENT TO CLERK OF THE BOARD THAT A LOT LINE ADJUSTMENT TO COMBINE THE THREE PARCELS HAS BEEN FINALIZED OR A COVENANT OF EASEMENT HAS BEEN RECORDED TO PROVIDE ACCESS TO ANY SUCCESSIVE OWNERS OF THE NW/4 OF THE NE/4 OF SECTION 17, T.26S., R.32E., MDB&M

Watson-McQuiston: All Ayes

Land Use

S.D. #5

- *8) Proposed Williamson Act Land Use Contract for 2004 Calendar Year, Contract 02-10, Nancy Lynne Nalbanian, northeast corner of Sunset Boulevard and Fairfax Road, southwest of Lamont, 156.36 acres; and proposed Contract Amending Land Use Contract for approximately 15 acres, Agricultural Preserve No. 13 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD LAND USE CONTRACT AND CONTRACT AMENDING LAND USE CONTRACT AND TRANSMIT COPIES OF RECORDED DOCUMENT TO PLANNING

Watson-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #4

- *9) Proposed Conditional Assignment and Assumption Agreement between El Mirage, L.P., and Westamerica Bank for permanent HOME Program financing of Project No. 33.02.5, El Mirage Apartments - APPROVED; AUTHORIZED DIRECTOR TO SIGN; AUTHORIZED DIRECTOR TO EXECUTE ADDITIONAL DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT ASSIGNMENT AND ASSUMPTION AGREEMENT, ALL IN A FORM APPROVED BY COUNTY COUNSEL

Watson-McQuiston: All Ayes

All S.D.'s

- *10) Report regarding Edwards Air Force Base Retention Plan - RECEIVED AND FILED

Watson-McQuiston: All Ayes

- *11) Request to charge-off Community Development Block Grant and HOME Investment Partnerships Program loans as uncollectible - APPROVED; AUTHORIZED COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT TO CHARGE OFF \$173,632.71 IN UNCOLLECTIBLE LOANS

Watson-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #2

- *12) Tract 5195, Phase 1, release of Laborers and Materialmen Security, Kaufman and Broad Land Company - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NOS. 11119239017 (AIC), 800756629 (AMCAS), 1111923025 (AIC), 800756632 (AMCAS), 11119239033 (AIC), 800756663 (AMCAS), 11119239009 (AIC), AND 800756596 (AMCAS), UNDERWRITTEN BY THE AMERICAN INSURANCE COMPANY (AIC) AND AMERICAN CASUALTY INSURANCE COMPANY (AMCAS) OF READING, PENNSYLVANIA, IN THE AMOUNT OF \$1,676,960

Watson-McQuiston: All Ayes

- *13) Tract 5842, Phase 1, release of Laborers and Materialmen Security, Kaufman and Broad Land Company - RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 11119416383, UNDERWRITTEN BY AON RISK SERVICES, INC., IN THE AMOUNT OF \$649,980

Watson-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY

Environmental Health Services

All S.D.'s

- *14) Report regarding California State Controller's Local Oversight Program audit - RECEIVED AND FILED

Watson-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #5

- 15) Proposed Cooperative Agreement between County of Kern and State of California to install traffic signals & safety lighting on State Route 184 at Mountain View Road, in an amount not to exceed \$541,200 (County's share) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 781-2003

Patrick-Maben: All Ayes

WASTE MANAGEMENT

All S.D.'s

- *16) Proposed Resolution setting a Public Hearing for Tuesday, October 14, 2003, at 2:00 p.m. to amend the Kern County Non-Disposal Facility Element of the Countywide Integrated Waste Management Plan to include the South Kern Composting Facility - ADOPTED RESOLUTION 2003-393 SETTING PUBLIC HEARING FOR TUESDAY, OCTOBER 14, 2003, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING

Watson-McQuiston: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *17) Proposed allowable exclusions to Fiscal Year 2003-2004 Appropriations Limit (Gann Limit) - APPROVED

Watson-McQuiston: All Ayes

- *18) Proposed response to the findings and recommendations of the 2002-2003 Grand Jury in its reports entitled Department of Airports, Elections, Kern County Administrative Office Purchasing, Kern County Assessor-Recorder, Mariachi Foundation, Megan's Law Computer, Parking at the Courthouse, Public Health Department, Sheriff's Jail System, Sheriff's Rural Crime Investigation Unit, and Video Arraignment - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TRANSMITTING BOARD'S RESPONSE TO PRESIDING JUDGE

Watson-McQuiston: All Ayes

- *19) Transfer of Property Tax Entitlement related to City of Bakersfield Annexation No. 441, Local Agency Formation Commission (LAFCO) Proceeding No. 1362 - ADOPTED RESOLUTION 2003-394 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2004-2005 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Watson-McQuiston: All Ayes

- *20) Transfer of Property Tax Entitlement related to City of Bakersfield Annexation No. 442, Local Agency Formation Commission (LAFCO) Proceeding No. 1357 - ADOPTED RESOLUTION 2003-395 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2004-2005 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Watson-McQuiston: All Ayes

- *21) Proposed Kern County Museum Master Plan - APPROVED

Watson-McQuiston: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *22) Proposed Amendment No. 1 to Escrow Agreement 997-2002 with S.C. Anderson, Inc., for the Probation Department's New Juvenile Treatment Facility, to provide for a change of signature from the Auditors Office (1960.8166) -

WITHDRAWN

All S.D.'s

- *23) Proposed Amendment No. 1 to the Engineering Services Agreement with BSK & Associates for consulting, testing and inspection services for various construction projects, an increase of \$40,000 for a new total of \$60,000 - CONTINUED TO TUESDAY, SEPTEMBER 9, 2003, AT 2:00 P.M.

Watson-McQuiston: All Ayes

- *24) Revised project list for Job Order Contract - APPROVED

Watson-McQuiston: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *25) Budget Transfers - APPROVED NO. 2 THROUGH NO. 5

Watson-McQuiston: All Ayes

- *26) Minutes for week of July 21, 2003 - APPROVED

Watson-McQuiston: All Ayes

- *27) Miscellaneous Letters and Documents - FILED

Watson-McQuiston: All Ayes

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

Watson-McQuiston: All Ayes

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

Patrick-

/s/ Denise Pennell
Clerk of the Board

/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.

27) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Office of Criminal Justice Planning (Local Forensic Laboratory Improvement Program) Grant No. LF01010150 Audit Report for period from November 1, 2001 to April 30, 2003

Clerk of the Board

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

1) Parcel Map 10602 S.D. #5

Environmental Health Services

- C) Five (5) thank you letters to individuals for donations to the Bakersfield and Mojave animal shelters

Local Agency Formation Commission

- D) Letter from Bart J. Thiltgen, City of Bakersfield, re LAFCO Proceeding No. 1357, Oswell No. 1, Annexation No. 442 (Copies to each Supervisor and CAO)

- E) Letter from Bart J. Thiltgen, City of Bakersfield, re LAFCO Proceeding No. 1360, Hosking No. 6, Annexation No. 444 (Copies to each Supervisor and CAO)

Miscellaneous

- F) Letter from Paul W. Demkey, Jr., in support of Palvinder Singh's proposal re Tentative Parcel Map No. 10871 (Copies to each Supervisor, CAO, Planning and County Counsel)

- G) Letter from Charlene Aboytes, State Board of Corrections, re 2002-2004 biennial inspections of the James G. Bowles Juvenile Hall, Pathways Academy, Avenues to Change, Crossroads, and Camp Erwin Owen (Copies to each Supervisor and CAO)

- H) Memorandum from Stephen H. Ottemoeller, Madera Irrigation District, re current and future water supplies in the Central Valley (Copies to each Supervisor, CAO, Engineering & Survey Services and Resource Management Agency)

- I) Notice from Alcoholic Beverage Control re Applications for Alcoholic Beverage Licenses: Beardsley Market, 214 Beardsley Avenue, Bakersfield; Monte Carlo, 9750 Taft Highway, Bakersfield; Petro Travel Plaza, 5818 Dennis McCarthy Drive, Wheeler Ridge; and 2105 Edison Highway, Suite P1, Bakersfield (Copies to each Supervisor, CAO and Planning)

- J) Agenda from In-Home Supportive Services Advisory Committee on Thursday, September 11, 2003, and minutes of meeting on Thursday, July 10, 2003

- K) Agenda from Central Valley Regional Water Quality Control Board on Thursday and Friday, September 4 and 5, 2003 (Copies to each Supervisor and CAO)

- L) Minutes from State Department of Fish and Game, Wildlife Conservation Board, on Wednesday, May 14, 2003 (Copies to each Supervisor and CAO)
- 28) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Michael L. Kephart vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Julie Mack vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Chris Holt and Cesar Leon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Estella Andino vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Marcos Gonzalez Garcia vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Summons and complaint in the matter of Pacific Bell Telephone Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)