

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, September 9, 2003

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

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) Resolution honoring and commending Lou and Sheryl Barbich as recipients of the 2003 John Brock Award for Community Service - ADOPTED RESOLUTION; MADE PRESENTATION TO LOU AND SHERYL BARBICH; SHERYL AND LOU BARBICH HEARD; VISION 2020 FACILITATION TEAM RECOGNIZED; HARLEY PINSON HEARD

Patrick-Maben: All Ayes

- 2) Proclamation proclaiming September 24 - October 5, 2003 as Kern County Fair Days "From A to Z in 2003" - PROCLAIMED; MADE PRESENTATION TO LINDA QUINONES-VAUGHAN AND STEVE SMOOT, KERN COUNTY FAIR BOARD OF DIRECTORS; LINDA QUINONES-VAUGHAN AND STEVE SMOOT HEARD

Patrick-McQuiston: All Ayes

APPOINTMENTS

- *3) Appointment of Sharon Jackson as At-large Care Provider to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2005 - MADE APPOINTMENT

Maben-Watson: All Ayes

- *4) Appointment of Dennis Hendrix as Substance Abuse Member to the Kern County AIDS Advisory Board, term to expire August 16, 2006 - MADE APPOINTMENT

Maben-Watson: All Ayes

- *5) Reappointment of Jim Alexander and Bruce A. Hafenfeld as At-large Members to the South Fork Mosquito Abatement District, terms to expire June 30, 2005 - MADE REAPPOINTMENTS

Maben-Watson: All Ayes

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 7) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR WATSON RECOGNIZED THE CLERK OF THE BOARD AND HER STAFF WITH COOPERATIVE EFFORTS BY THE COUNTY ADMINISTRATIVE OFFICES FOR MEETING THE AGENDA DEADLINE LAST THURSDAY DURING A LENGTHY EVACUATION FROM THE ADMINISTRATIVE CENTER. HE FURTHER COMMENDED THE COUNTY ADMINISTRATIVE OFFICE AND AUDITOR-CONTROLLER FOR THEIR CREATIVE FINANCING EFFORTS SPECIFICALLY RELATING TO PENSION OBLIGATION BONDS, TAX REVENUE ANTICIPATION NOTES AND THE AIRPORT CERTIFICATES OF PARTICIPATION

SUPERVISOR PATRICK RECOGNIZED COUNTY EMPLOYEES WHO PARTICIPATED IN THE DAY OF CARING LAST WEEKEND WHICH BENEFITS THE UNITED WAY. SHE ALSO COMMENDED STEPHANIE LYNCH FOR HER EFFORTS IN ORGANIZING THE EVENT THAT WAS ALSO ATTENDED BY SUPERVISORS MABEN AND PARRA

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *8) Proposed Amendment No. 3 to Agreement 453-2002 with California Department of Aging (FY 2002-2003 State Agreement FF-0203-33) for Nutrition, Ombudsman, In-Home Services, Supportive Services, Disease Prevention, and Elder Abuse Prevention services, to make funding adjustments between various programs - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 782-2003; AUTHORIZED AUDITOR-CONTROLLER TO ADJUST SERVICE PROVIDER CONTRACTS

Maben-Watson: All Ayes

- *9) Proposed retroactive Agreement with California Department of Aging (Contract CB-0304-33) for Community Based Service Programs, for Fiscal Year 2003-2004, in an amount not to exceed \$476,087 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 783-2003; AUTHORIZED DIRECTOR TO TRANSMIT OLDER CALIFORNIANS ACT TERMS AND CONDITIONS TO CALIFORNIA DEPARTMENT OF AGING

Maben-Watson: All Ayes

- *10) Proposed retroactive Agreement with California Department of Aging (Contract FF-0304-33) for Nutrition, Ombudsman, In-Home, Supportive Services, Disease Prevention and Elder Abuse Prevention services, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$2,213,069 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 784-2003; AUTHORIZED DIRECTOR TO TRANSMIT OLDER AMERICANS ACT TERMS AND CONDITIONS TO CALIFORNIA DEPARTMENT OF AGING

Maben-Watson: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

Experimental Farm

- *11) Statement of Disposition of Surplus Crop Funds, U.S. Cotton Research Station, Shafter, California for Fiscal Year 2002/2003 ending balance for June 30, 2003 - RECEIVED AND FILED

Maben-Watson: All Ayes

CLERK OF THE BOARD

- *12) Request to employ retired County employee Kaaren Shatswell, Deputy Clerk II, Range 49.5, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Maben-Watson: All Ayes

COUNTY COUNSEL

- *13) Request of Auditor-Controller-County Clerk for destruction of records no longer necessary or required for County purposes and eligible for destruction - APPROVED

Maben-Watson: All Ayes

EMERGENCY MEDICAL SERVICES

Hearing

- 14) Hearing and proposed Resolution modifying ambulance rates, effective September 10, 2003, for ambulance service operational areas 2, 4, 5, 8, 9, and 11, which are the areas assigned to Hall Ambulance Service - OPENED HEARING; JACQUALINE ATT, CONTROLLER, HALL AMBULANCE SERVICE, HEARD; CLOSED HEARING; ADOPTED AMENDED RESOLUTION 2003-396 MAKING FINDINGS AND MODIFYING AMBULANCE RATES AS SET FORTH IN EXHIBIT A, EFFECTIVE SEPTEMBER 10, 2003, FOR AMBULANCE SERVICE OPERATIONAL AREAS 2, 4, 5, 8, 9 AND 11, EXCLUDING THE GREATER BAKERSFIELD AREA AS DEFINED BY THE METROPOLITAN BAKERSFIELD 2010 GENERAL PLAN; AUTHORIZED RATES AND RATE CATEGORIES FOR HALL AMBULANCE SERVICE OUTSIDE GREATER BAKERSFIELD AS SET FORTH IN EXHIBIT A OF AMENDED RESOLUTION 2003-396; REFERRED TO EMERGENCY MEDICAL SERVICES TO REPORT BACK TO THE BOARD RELATIVE TO REVISED RATES AND RATE CATEGORIES ON MONDAY, NOVEMBER 10, 2003 AT 9:00 A.M.

Watson-McQuiston: 4 Ayes; 1 No - Parra

EMPLOYERS' TRAINING RESOURCE

- *15) Proposed Amendment No. 1 to Agreement 125-2003 with La Cooperativa Campesina de California for the Dislocated Agricultural Worker Program to extend the term through September 30, 2003 and increase the funding level to a new amount not to exceed \$217,086, an increase of \$59,205 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 785-2003

Maben-Watson: All Ayes

- *16) Proposed Amendment No. 2 to Agreement 1158-2002 with La Cooperativa Campesina de California for the Migrant and Seasonal Farmworker Youth Program to provide WIA employment, training and youth services to eligible MSFW Youth within Kern County, to extend the term through June 30, 2004 and increase the funding level to a new amount not to exceed \$222,112, an increase of \$94,435 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 786-2003

Maben-Watson: All Ayes

- *17) Proposed retroactive sub-grant Agreement with Economic Business Ventures, Inc., for training and employment activities for youth under the Workforce Investment Act, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$82,724 (prior notification June 24, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 787-2003

Maben-Watson: All Ayes

- *18) Proposed retroactive Agreement with Tulare County Workforce Investment Board, Inc., Nurse Workforce Initiative Grant Program for licensed and registered nurse training, psychiatric training and employment services, from July 1, 2003 through June 30, 2004, in an amount not to exceed \$95,888 (prior notification July 29, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 788-2003

Maben-Watson: All Ayes

- *19) Proposed Amendment No. 1 to Agreement 352-2003 with Richard D. Eastin, M. A., for additional services by increasing the number of individual/family sessions per customer from three to six (no increase in compensation) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 789-2003

Maben-Watson: All Ayes

FIRE DEPARTMENT

- *20) Proposed deletion of one (1) Senior Office Services Specialist and addition of one (1) Office Services Specialist positions in Budget Unit 2415, effective September 9, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Watson: All Ayes

KERN MEDICAL CENTER

- *21) Request to create classification for Per Diem Pre-Licensed Pharmacist Interns, to be compensated at \$22.55 per hour - CONTINUED TO TUESDAY, SEPTEMBER 16, 2003 AT 9:00 A.M.

Maben-Watson: All Ayes

- *22) Proposed deletion of one (1) full-time Pharmacist and one (1) full-time Supervisor Radiologic Tech positions and addition of (1) full-time Clinical Pharmacist and one (1) full-time Radiologic Tech III/II/I/Pre-Lic, effective September 9, 2003 - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Watson: All Ayes

- *23) Proposed Agreement with Daniel Burke for psychotherapeutic and psychosocial services, from September 9, 2003 through September 8, 2005, in an amount not to exceed \$79,064 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 790-2003

Maben-Watson: All Ayes

- *24) Proposed retroactive Agreement with Medrium, Inc., for professional fee billing services, from January 1, 2003 through December 31, 2004, in an amount not to exceed \$48,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 791-2003

Maben-Watson: All Ayes

LIBRARY

- *25) Request to hire retired County employees: Audrey Deadrich, Kern River Valley Branch, Librarian I, Step A, Range 53.9; Delores Gisinger, Shafter Branch, Office Services Assistant, Step E, Range 42.8; Mary Jeffers, Ridgecrest Branch, Office Services Assistant, Step E, Range 42.8; Helen Nelson, Boron Branch, Office Services Technician, Step E, Range 45; Vivian Stowers, Tehachapi Branch, Office Services Technician, Step E, Range 45; and Karyl Towse, Beale Information Desk, Office Services Technician, Step E, Range 45, for a period not to exceed 120 working days or 960 hours, whichever is greater, for a 12-month period following date of employment - APPROVED

Maben-Watson: All Ayes

- *26) Proposed Resolution setting hearing to consider amendments to Kern County Library Fees Schedule on Tuesday, September 23, 2003 at 9:00 A.M. - ADOPTED RESOLUTION 2003-397; WAIVED READING; INTRODUCED ORDINANCE; AUTHORIZED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH SUMMARY OF ORDINANCE AND NOTICE OF HEARING

Maben-Watson: All Ayes

MENTAL HEALTH SERVICES

- *27) Proposed retroactive Agreement with California State Department of Mental Health for delivery of Medi-Cal services for mentally ill consumers residing in Kern County, from July 1, 2003 to June 30, 2004, in an amount not to exceed \$7,583,362 (Medi-Cal, State; Mandated/Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 792-2003

Maben-Watson: All Ayes

- *28) Proposed Agreement with Smart Document Solutions, LLC, for charts/records copying services for the Mental Health Department, from September 9, 2003 to July 31, 2004 (no fiscal impact, revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 793-2003

Maben-Watson: All Ayes

PROBATION

- *29) Request to hire retired County employees Robert E. Balch and Elizabeth A. Gosling, as Deputy Probation Officer III's, Range 51.6, Step A, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following their dates of employment - APPROVED

Maben-Watson: All Ayes

- *30) Proposed Agreement with Henrietta Weill Memorial Clinic for mental health case management services in the North Bakersfield area, from September 9, 2003 to June 30, 2004, in an amount not to exceed \$50,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 794-2003

Maben-Watson: All Ayes

PUBLIC HEALTH SERVICES

- *31) Proposed Amendment No. 1 to Agreement 571-2003 with Clinica Sierra Vista - 34th Street Community Health Center, for Ryan White CARE Act Title II funds, increasing the total amount not to exceed to \$50,445, an increase of \$1,801 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 795-2003

Maben-Watson: All Ayes

SHERIFF

- *32) Proposed retroactive Agreement with Bakersfield City School District for law enforcement services, from August 27, 2003 through June 30, 2004, in an amount not to exceed \$30,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 796-2003

Maben-Watson: All Ayes

TREASURER-TAX COLLECTOR

- *33) Proposed Resolution and Agreement with City of Shafter for sale of tax defaulted property, in an amount not to exceed \$1,400 plus the cost of giving notice of this Agreement - APPROVED; ADOPTED RESOLUTION 2003-398; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 797-2003

Maben-Watson: All Ayes

VETERANS' SERVICE DEPARTMENT

- *34) Participation in Fiscal Year 2003-2004 County Subvention Programs, Military and Veterans Code Sections 972, 972.1, and 972.2; and Medi-Cal Cost Avoidance Program, Military and Veterans Code Section 972.5 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 35) 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-Patrick

/s/ Denise Pennell
Clerk of the Board

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

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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 U.S. Borax, Inc., to vacate a portion of Boron Avenue located approximately two miles northwest of Boron, eastern Kern County (SD 2)**
Specific Request:
Nonsummary vacation of a portion of Boron Avenue (191-30 3 098; Streets and Highways)
(Environmental Impact Report; Published Mojave Desert News)
- CONTINUED TO TUESDAY, OCTOBER 21, 2003, AT 2:00 P.M.
Maben-Watson: All Ayes
- *4) **Request from Derrel's Mini Storage by Marino and Associates for a zone change, conditional use permit, and zone variance to allow the construction of a mini-storage facility with outside storage; and zone variances to allow a larger sign and a reduction in the number of parking spaces required for the proposed mini-storage facility on 16.63 acres located on the northeast corner of West China Grade Loop and Airport Drive, Oildale area (SD 1)**
Specific Request:
(a) A change in zone classification from CO PD and C-1 PD to C-2 or a more restrictive district (ZCC 31, Map 102-1)
(b) Conditional Use Permit to allow a mini-storage facility that includes the outside storage of recreational vehicles (Section 19.32.030.C.1) (CUP 17, Map 102-1)
(c) Zone Variances to allow a ten-foot-tall monument sign, where eight feet is the maximum height allowed (Section 19.84.020.B); to allow an area of 80 square feet, where 48 square feet is the maximum area allowed (Section 19.32.110.A.8); and to allow a reduction in the amount of off-street parking spaces required for a mini-storage facility (Section 19.82.020.E.5) (ZV 13, Map 102-1)
(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION; ADOPTED RESOLUTIONS 2003-399, 2003-400 AND 2003-401 AND ENACTED ORDINANCE G-7039 APPROVING ZONE CHANGE WITH THE ADDITION OF THE PD (PRECISE DEVELOPMENT COMBINING) DISTRICT, APPROVING THE CONDITIONAL USE PERMIT SUBJECT TO AMENDED CONDITIONS; AND APPROVING THE ZONE VARIANCES SUBJECT TO CONDITIONS
Maben-Watson: All Ayes

- *5) **Request from Derrel's Mini Storage by Marino and Associates to vacate Obsidian Court at the northeast corner of West China Grade Loop and Airport Drive, Oildale area (SD 1)**
Specific Request:

A nonsummary vacation of Obsidian Court (102-01 3 098; Streets and Highways)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2003-402 APPROVING VACATION OF OBSIDIAN COURT, WITH RESOLUTION TO BE RECORDED UPON WRITTEN CONFIRMATION FROM THE KERN COUNTY PLANNING DEPARTMENT TO THE CLERK OF THE BOARD THAT A LOT LINE ADJUSTMENT TO COMBINE THE FIVE PARCELS HAS BEEN COMPLETED AND A CERTIFICATE OF COMPLETION RECORDED

Maben-Watson: All Ayes

- *6) **Request from Raju S. Jassar by B & L Anderson Consulting to change the permitted uses from agriculture to commercial on one acre located at 17905 Rosedale Highway, Rosedale area, west of Bakersfield (SD 4)**
Specific Request:

A change in zone classification from A-1 to C-2 or a more restrictive district (ZCC 135, Map 101)

(Categorically Exempt, Section 15301; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2003-403 AND ENACTED ORDINANCE G-7040 APPROVING ZONE CHANGE WITH THE ADDITION OF THE PD (PRECISE DEVELOPMENT COMBINING) DISTRICT

Maben-Watson: All Ayes

GENERAL PLAN AMENDMENT HEARINGS
RESOURCE MANAGEMENT AGENCY

Planning Department

Amendment of the Land Use, Open Space and Conservation Element, Maximum Allowed Land Use Density Table of the Kern County General Plan; Metropolitan Bakersfield General Plan; Western Rosedale Specific Plan; Mojave Specific Plan; Specific Trails Plan implementing the Kern River Element of the Metropolitan Bakersfield General Plan; Circulation Element of the Kern County General Plan; Rescind the Camelot Specific Plan, Cunningham Specific Plan, Abramov Limited Specific Plan, Afshar Limited Specific Plan, Cloud Limited Specific Plan, Domus Limited Specific Plan, Northwest Mojave Limited Specific Plan, Oak Creek Road Limited Specific Plan, Superior Limited Specific Plan, and Ventura Lake Limited Specific Plan, and the Jay Hubbard Specific Plan; Alteration of Agricultural Preserve 9; and other items as cited which include amendments of certain zoning maps and applications and proceedings

- *7) **Request from Peter and Betty Jean Gonzales by Moreland Consulting, Inc., to change the permitted uses from agriculture to residential on 10 acres located at 18680 Poplar Avenue, south of Shafter (SD 1)**

Specific Request:

Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 8.1 to Map Code(s) 5.6 or a more restrictive map code designation (GPA 2, Map 79-21)

(General Rule, Section 15061(b)(3); Published Shafter Press) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2003-404 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED

Maben-Watson: All Ayes

- *8) **Request from Derrel's Mini Storage by Marino and Associates to change the permitted uses from residential and agricultural to commercial, exclusion of the site from an Agricultural Preserve, a conditional use permit to allow the outside storage of recreational vehicles in conjunction with a mini-warehouse development, variances to reduce the amount of off-street parking, and to allow a monument sign which exceeds the permitted height and area permitted for that sign type, all on property located at 7805 Calloway Drive in west Bakersfield (SD 1)**

Specific Request:

(a) Amend the Western Rosedale Specific Plan from Map Code(s) SR to Map Code(s) GC or a more restrictive map code designation (GPA 14, Map 102)

(b) A change in zone classification from A to C-2 PD or a more restrictive district (ZCC 121, Map 102)

(c) Exclusion of approximately 20.23 acres from the boundaries of an Agricultural Preserve (Ag Pres 9 - Excl)

(d) A Conditional Use Permit to allow a mini-storage facility that includes the outside storage of recreational vehicles (Section 19.32.030.C.1) and a single-family residence with a private equestrian facility which is not associated with the commercial use (Section 19.32.030.A and Section 19.32.030.B) in a C-2 PD District (CUP 49, Map 102)

(e) A Zone Variance to allow a reduction in the amount of off-street parking spaces required for a mini-storage facility (Section 19.82.020.E.5) and to allow a ten-foot-tall monument sign with 80 square feet of signage, where eight feet high and 48 square feet are the maximum allowable height and area dimensions (Sections 19.84.020.B and 19.32.110.A.8), in a C-2 PD District (ZV 43, Map 102)

(Negative Declaration; Published Bakersfield Californian) -
CONTINUED TO TUESDAY, OCTOBER 14, 2003, AT 2:00 P.M.

Maben-Watson: All Ayes

- *9) **Request from Kern County Planning Department to amend the Kern County General Plan; adopt Mojave Specific Plan; rescind various Specific Plans; change various land use designations; and add combining zone districts for approximately 50 square miles (31,000 acres) located in the community of Mojave, southeast Kern County (SD 2) Specific Request:**

- (a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from various map codes to Map Code 4.1 for a 31,000-acre area around the community of Mojave, eastern Kern County; amend the Circulation Element of the Kern County General Plan (GPA 1, Map 168; GPA 2, Map 169; GPA 2, Map 179; GPA 19, Map 196; GPA 13, Map 196-7; GPA 6, Map 196-8; GPA 1, Map 196-9; GPA 5, Map 196-16; GPA 6, Map 196-17; GPA 6, Map 196-18; GPA 3, Map 197; GPA 20, Map 213)
- (b) Adoption of the Mojave Specific Plan text and maps to allow various land uses and rescind the following adopted Specific Plans and Limited Specific Plans within the Kern County General Plan: Camelot Specific Plan; Cunningham Specific Plan; Abramov Limited Specific Plan; Afshar Limited Specific Plan; Cloud Limited Specific Plan; Domus Limited Specific Plan; Northwest Mojave Limited Specific Plan; Oak Creek Road Limited Specific Plan; Superior Limited Specific Plan; and Ventura Lake Limited Specific Plan (Adopt Mojave Specific Plan)
- (c) Change the zone district classification of various properties located within the Mojave Specific Plan area to add the FPS (Floodplain Secondary Combining) District, the PD (Precise Development Combining) District, and/or the H (Airport Approach Height Combining) District or more restrictive districts (ZCC 9, Map 168; ZCC 17, Map 169; ZCC 2, Map 179; ZCC 40, Map 196; ZCC 11, Map 196-7; ZCC 21, Map 196-8; ZCC 3, Map 196-9; ZCC 17, Map 196-16; ZCC 9, Map 196-17; ZCC 6, Map 196-18; ZCC 39, Map 197; ZCC 53, Map 213)

(Environmental Impact Report; Published Mojave Desert News)
- CONTINUED TO TUESDAY, OCTOBER 7, 2003, AT 2:00 P.M.

Maben-Watson: All Ayes

- *10) **Request from Rick Burubeltz by Max P. Bacerra and Associates to change the permitted uses from intensive agriculture to one residence per 2-1/2-acre suburban residential and to exclude 20 acres from an Agricultural Preserve on 19.55 acres located on the north side of Shafter Road, 1/4 mile west of Gosford Road, southwest of Bakersfield (SD 4) Specific Request:**

- (a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) R-IA to Map Code(s) RR or a more restrictive map code designation (GPA 17, Map 142)
 - (b) A change in zone classification from A to E (2-1/2) RS or a more restrictive district (ZCC 59, Map 142)
 - (c) Exclusion of approximately 20 acres from the boundaries of an Agricultural Preserve (Ag Pres 10 - Excl)
- (Negative Declaration; Published Bakersfield Californian) -
OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING
COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION;
ADOPTED RESOLUTIONS 2003-404, 2003-405 AND 2003-406 AND
ENACTED ORDINANCE G-7041 APPROVING GENERAL PLAN AMENDMENT,
ZONE CHANGE, AND EXCLUSION AS REQUESTED

Maben-Watson: All Ayes

- 11) **Request from the Kern County Planning Department to approve the Kern River Specific Trails Plan, which will implement the Kern River Plan Element of the Metropolitan Bakersfield General Plan; the Trails Plan encompasses 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; this Trails Plan is the first step toward the construction of an official pedestrian, equestrian, bicycle, and multi-use trail system within this segment of the Kern River (SD's 1 & 3)**

Specific Request:

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

(Program Environmental Impact Report; Published Bakersfield Californian) - OPENED HEARING; STEPHANIE FOE; CAROLYN BELLI, REPRESENTING THE KERN EQUESTRIANS FOR PRESERVATION OF TRAILS, THE KERN RIVER CORRIDOR ACCESS COMMITTEE AND THE KERN RIVER CORRIDOR ENDOWMENT; SUSAN PAULSEN ON BEHALF OF ARTHUR EASTON; JOSEPH A. AUSTIN, WITH THE DEPARTMENT OF CONSERVATION/DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES; G. B. MOSS; CHAD ROBERTS, SOUTHERN SIERRA FAT TIRE ASSOCIATION; BOBBYE CARAS; AND SUSAN PAULSEN, ON BEHALF OF ARTHUR EASTON, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, CERTIFIED THE ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 FINDINGS; ADOPTED RESOLUTION 2003-404 APPROVING THE KERN RIVER SPECIFIC TRAILS PLAN; RECEIVED AND FILED DOCUMENTS

McQuiston-Patrick: All Ayes

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

Specific Request:

- (a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 1.1, 4.1, and 8.4 to Map Code(s) 8.3, 8.4, 8.5, and 7.3 or more restrictive map code designations; amend the Circulation Element of the Kern County General Plan to eliminate future road reservations on section and midsection lines within the property as major highway and secondary highway alignments; and rescind the Jay Hubbard Specific Plan (GPA 1, Map 191; GPA 1, Map 191-18; GPA 4, Map 191-30; GPA 4, Map 192; GPA 2, Map 192-26)
- (b) A change in zone classification from A-1 (Limited Agriculture) to M-3 (Heavy Industrial) or a more restrictive district (ZCC 5, Map 192; CUP 5, Map 191)

(Continued on Page 14)

(Continued from Page 13)

- (c) Conditional Use Permits to allow the expansion of an existing surface mining operation and development of a reclamation plan in accordance with the Surface Mining and Reclamation Act (SMARA) of 1975 (Sections 19.14.030.G; 19.16.030.H; 19.40.030.G; and 19.18.030.E) in A-1, E (20), M-3, A-1 MH, and R-1 Districts (CUP 4, Map 191-18; CUP 4, Map 191-19; CUP 3, Map 191-29; CUP 3, Map 191-30; CUP 14, Map 192; CUP 1, Map 192-26)

(Environmental Impact Report; Published Mojave Desert News)
- CONTINUED TO TUESDAY, OCTOBER 21, 2003, AT 2:00 P.M.

Maben-Watson: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Streets and Highways

S.D. #1

- *13) Request from Mark and Ramelda Mark for a Summary Vacation of Quail Haven Road, east of Basin Street, 600 feet south of Walker Basin Road, approximately 12 miles northeast of Caliente, Map No. 107 - ADOPTED RESOLUTION 2003-407 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES

Maben-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

Hearings

S.D. #1

- *14) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 4004 Sydnor Avenue, Ridgecrest, APN 352-152-25, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-408 DECLARING THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF CONTRACT

Maben-Watson: All Ayes

S.D. #2

- *15) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at APN 254-352-06, 268th, Street West, Rosamond, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-409 DECLARING THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF CONTRACT

Maben-Watson: All Ayes

- *16) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at APN 254-352-19, 269th Street West, Rosamond, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-410 DECLARING THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF CONTRACT

Maben-Watson: All Ayes

S.D. #3

- *17) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 1301 Woodrow Avenue, Bakersfield, APN 111-174-10, \$525 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-411 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR-CONTROLLER-COUNTY CLERK AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

Maben-Watson: All Ayes

S.D. #4

- *18) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous accessory structure at 256 East 1st Street, Buttonwillow, APN 101-122-13, estimated cost \$1,000 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-412 DECLARING THE ABANDONED ACCESSORY STRUCTURE AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF CONTRACT

Maben-Watson: All Ayes

- *19) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 344 Elk Street, Tupman, APN 159-212-12, \$3,657.50 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-413 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR-CONTROLLER-COUNTY CLERK AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

Maben-Watson: All Ayes

S.D. #5

- *20) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 1419 Jefferson Street, Bakersfield, APN 127-120-06, \$619 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2003-414 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR-CONTROLLER-COUNTY CLERK AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

Maben-Watson: All Ayes

- *21) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 2118 Miller Street, Bakersfield, APN 127-310-10, estimated cost \$6,500 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2003-415 DECLARING THE ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL OF THE PATIO, CLEANUP OF THE ASSOCIATED PROPERTY AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF CONTRACT
Maben-Watson: All Ayes
S.D. #1
- *22) Proposed Resolution initiating proceedings to establish fees following Annexation No. 6 to County Service Area No. 60, extension of Zone of Benefit Nos. 1 and 2 and establishment of Zone of Benefit No. 3, southern portion of Parcel Map 8786, Oildale, Local Agency Formation Commission (LAFCO) Proceeding No. 1341 - APPROVED; ADOPTED RESOLUTION 2003-416; AUTHORIZED CHAIRMAN TO SIGN INDEMNIFICATION AGREEMENT 798-2003; SET PUBLIC HEARING FOR TUESDAY, OCTOBER 28, 2003, AT 2:00 P.M. TO RECEIVE PUBLIC INPUT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS TO ALL PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING
Maben-Watson: All Ayes
RESOURCE MANAGEMENT AGENCY
Environmental Health Services
All S.D.'s
- *23) Proposed Amendment No. 1 to Agreement 619-2003 with the City of Bakersfield for animal care services, extending term to December 31, 2003 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 799-2003
Maben-Watson: All Ayes
RESOURCE MANAGEMENT AGENCY
Roads Department
S.D. #1
- *24) Contract No. 03028, Notice of Completion for construction on Zerker Road from Kimberlina Road to Famoso Road - RECEIVED AND FILED
Maben-Watson: All Ayes
S.D. #5
- *25) Proposed no stopping zone on East Belle Terrace Avenue - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF NECESSARY ORDINANCE
Maben-Watson: All Ayes

WASTE MANAGEMENT

S.D. #2

- *26) Identify apparent low bid of Havens Grading to provide operational services at the Boron Sanitary Landfill, in an amount not to exceed \$13,500 per month - IDENTIFIED LOW BID; AUTHORIZED WASTE MANAGEMENT TO PREPARE NECESSARY DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Maben-Watson: All Ayes

All S.D.'s

- *27) Proposed Resolution to set Public Hearing to consider the report concerning Annual Review of Garbage Franchises; and to establish the schedule of Refuse Service and Recycling Rates for Calendar Year 2004 - RECEIVED AND FILED; ADOPTED RESOLUTION 2003-417; SET HEARING FOR TUESDAY, OCTOBER 28, 2003, AT 2:00 P.M.; DIRECTED COUNTY COUNSEL TO PREPARE, AND CLERK OF THE BOARD TO PUBLISH, HEARING NOTICE

Maben-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *28) Proposed Agreement with Kern County Museum Authority for Fiscal Year 2003-2004 funding support in the amount of \$600,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 800-2003

Maben-Watson: All Ayes

- *29) Proposed Administrative Policy and Procedures Manual Amendment No. 03-02 revising Section 306, Transportation and Expenses, regarding incidental benefits related to travel - APPROVED

Maben-Watson: All Ayes

Legislative Matters

- *30) Elimination of State personnel stationed at Kern Medical Center to expedite authorization of Medi-Cal payments for hospital treatment - OPPOSED ELIMINATION OF STATE POSITIONS; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Maben-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- *31) Proposed Agreement for use of property around Lerdo Facilities for annual Mud Run by Marine Corps League, fund raising activity for Marine Toys for Tots program, for a term of 5 years (no consideration) - MADE FINDING PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 801-2003 SUBJECT TO APPROVAL BY COUNTY COUNSEL

Maben-Watson: All Ayes

S.D. #2

- *32) Request authority for Roads Department and General Services Division to negotiate with Kern County Treasurer-Tax Collector to purchase tax-defaulted property located just west of the centerline of 35th Street West, north of Rosamond Boulevard, and south of Stetson Avenue, in the unincorporated area of Rosamond, in an amount not to exceed \$2,000 - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(B)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-418; AUTHORIZED GENERAL SERVICES AND ROADS TO SUBMIT WRITTEN REQUEST AND SIGN AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER FUNDS, NOT TO EXCEED \$2,000, TO TREASURER-TAX COLLECTOR FROM TOBACCO TAX FUND 00235, BUDGET UNIT 8235, KEY 8365, SUBJECT TO SUCCESSFUL NEGOTIATIONS; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 802-2003

Maben-Watson: All Ayes

S.D. #3

- *33) Change Order No. 3 for landscape improvements at Panorama Park, an increase of \$12,624, for a new total of \$1,468,232 (1960.8245A) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

S.D. #5

- *34) Proposed Agreement for Sublease with Sandstone Brick Company allowing Sandstone to use property at Tulare and Chico Streets, Bakersfield, for storage of building materials until March 7, 2008 (\$1,776 per month) - 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 803-2003

Maben-Watson: All Ayes

- *35) Change Order No. 1 for remodel of the Superior Court Juvenile Justice J1 Courtroom, an increase of \$2,355, for a new total of \$177,355 (9410.7000C) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

All S.D.'s

- *36) 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 (from 09/02/2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 804-2003

Maben-Watson: All Ayes

COUNTY COUNSEL

Hearing

- *37) Proposed confirmation of purchase of real property from Benz Sanitation, Inc., adjacent to the Tehachapi Landfill pursuant to Government Code Section 25350 - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING PROJECT IS EXEMPT FROM CEQA PER SECTION 15601(b)(3) OF THE STATE CEQA GUIDELINES; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2003-419 APPROVING PURCHASE OF PROPERTY; AUTHORIZED CHAIRMAN TO EXECUTE SALE ESCROW INSTRUCTIONS AND ACCEPT GRANT DEED ON BEHALF OF THE COUNTY; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT PAYABLE TO COMMONWEALTH LAND AND TITLE COMPANY IN THE AMOUNT OF \$91,350

Maben-Watson: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *38) Budget Transfers - APPROVED NO. 6 THROUGH NO. 12
Maben-Watson: All Ayes
- *39) Minutes for week of July 28, 2003 - APPROVED
Maben-Watson: All Ayes
- *40) Miscellaneous Letters and Documents - FILED
Maben-Watson: All Ayes
- *41) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED
Maben-Watson: All Ayes

ADJOURNED TO MONDAY, SEPTEMBER 15, 2003, AT 5:30 P.M.

Patrick-

/s/ Tracey E. Cody
Administrative Coordinator

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

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

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

40) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Received, certified and forwarded to Recorder for recordation: Parcel Map 10847 S.D. 4

Human Services

- B) Report on Domestic Violence Services in Kern County in response to Tuesday, June 17, 2003, referral

Miscellaneous

- C) Letter from Jerri Lynn Janjua, Verizon Wireless, re cell site at Clear Creek, 29367 Highway 58, Keene (Copies to each Supervisor, CAO and Planning)
- D) Letter from Madeline Jeter, El Camino Pines Lutheran Church, in support of a church camp in Frazier Park area (Copies to each Supervisor, CAO and Planning)
- E) Letter from J.D. and Lila Skaggs in opposition to Palvinder Singh's proposal re Tentative Parcel Map 10871 (Copies to each Supervisor, CAO and Planning)
- F) Letter from Gerald R. Gibbs, The Associates Group for Affordable Housing, re welfare exemption for Pioneer Pines (Copies to each Supervisor, CAO and Assessor)
- G) Letter from Donald Schrader, Chairman of Yuba County Board of Supervisors, in opposition to SB 451 (Duchney) re taxation of possessory interests (Copies to each Supervisor and CAO)
- H) Notice from State Water Resources Control Board re petition for temporary change involving the transfer of 26,428 acre-feet of water from the California Department of Water Resources to Del Puerto Water District, Panoche Water District, San Luis Water District, and Tranquility Irrigation District, under Permit 16482 (Application 17512) (Copies to each Supervisor and CAO)
- I) Fact sheet from State Department of Toxic Substances Control re Gibson Environmental Corporation, Marriott Drive Site (Copies to each Supervisor, CAO, Fire Haz-Mat, Environmental Health, Public Health and County Counsel)
- J) Agenda of meeting from Kern County Child Care Council on Wednesday, September 3, 2003
- K) Minutes of meeting from Kern County Child Care Council on Wednesday, August 6, 2003
- 41) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Carlos Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Deborah Perkins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- C) Amended claim in the matter of Martha Palacios and Denise Palacios vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Summons and complaint in the matter of Ruben Bolanos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Summons and complaint in the matter of Fred Gutierrez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Summons and complaint in the matter of Karine Jaievsky, individually; Nicole Jaievsky, individually; Edward Jaievsky, individually and as Guardian ad Litem for Nathan Jaievsky, a minor; Mijael Jaievsky, a minor, and Yamille Jaievsky, a minor vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)