

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

KERN MEDICAL CENTER
1830 Flower Street
Conference Room 1058
Bakersfield, California

Regular Meeting
Monday, October 10, 2005

2:00 P.M.

BOARD RECONVENED

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

NOTE: SUPERVISOR RUBIO WAS EXCUSED FROM THE MEETING

SALUTE TO FLAG - Led by Supervisor Patrick

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

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! - RON ERREA, COUNTY ADMINISTRATIVE OFFICER, AND TONI SMITH, DIRECTOR OF PATIENT CARE SERVICES, REPORTED ON NURSING PROGRAMS AT BAKERSFIELD COLLEGE AND CALIFORNIA STATE UNIVERSITY, BAKERSFIELD

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

DEPARTMENTAL REQUESTS

KERN MEDICAL CENTER

- 3) Update report regarding Kern Medical Center's financial condition (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- *4) Monthly report from County Administrative Office regarding Kern Medical Center's General Fund loan (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *5) Request to employ retired County employee, Jane Hartley, Per Diem Radiologic Technologist III, 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: \$22,810; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- 6) Request to continue to November 14, 2005 report back to the Board regarding physician time accountability (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- 7) Proposed salary adjustments for "Per Diem" job classifications, effective October 15, 2005 (Fiscal Impact: \$95,553 remainder Fiscal Year 2006 and \$134,899 annually thereafter) - APPROVED WAGE ADJUSTMENT; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *8) Request for unusual travel request for Choung Chea, Department of Information Systems, to attend Global Knowledge's Cisco Secure Virtual Private Networks class in San Jose, California, from October 31, 2005 through November 5, 2005, in an amount not to exceed \$3,690 (Fiscal Impact: \$3,690; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *9) Request for increase of encumbrance of Sole Source Blanket Purchase Order #064469 with Central Admixture Pharmacy Services, an independent contractor, by \$320,000, from \$50,000 to a maximum of \$370,000, for the purchase of specialized intravenous solutions (Fiscal Impact: \$320,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

NOTE: ITEMS 10 AND 11 HEARD CONCURRENTLY

- 10) Proposed retroactive Amendment No. 3 to Agreement 898-2002 with Murray A. Brown, M.D., Inc., an independent contractor, for psychiatry residency program consulting services, extending the term of the Agreement for one year through September 23, 2006, and increasing the maximum payable by \$75,000, from \$225,000 to \$300,000 (prior notification September 20, 2005) (Fiscal Impact: \$75,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 853-2005

McQuiston-Maben: 4 Ayes; 1 Absent - Rubio

- 11) Proposed retroactive Amendment No. 3 to Agreement 899-2002 with Marvin Karno, M.D., an independent contractor, for psychiatry residency program consulting services, extending the term of the Agreement for one year through September 23, 2006, and increasing the maximum payable by \$75,000, from \$225,000 to \$300,000 (prior notification September 20, 2005) (Fiscal Impact: \$75,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 854-2005

McQuiston-Maben: 4 Ayes; 1 Absent - Rubio

- 12) Proposed retroactive Agreement with KMC Pathology Associates, APC, an independent contractor, for pathology services, from September 1, 2005 through October 4, 2007 (prior notification August 30, 2005) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 855-2005

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- 13) Proposed Agreement with Albert Y. Ma, M.D., a contract employee, for psychiatric services, from October 31, 2005 through October 30, 2010, in an amount not to exceed \$1,000,000 (Fiscal Impact: \$1,000,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 856-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- 14) Proposed retroactive Amendment No. 1 to Agreement 513-2005 with Philip L. Dutt, M.D., a contract employee, for pathology services in the Department of Pathology, to reflect the change in employment status from three-quarter time to full time, increase the annual compensation by \$31,550, from \$155,137 to \$186,687, effective October 15, 2005, to clarify the methodology used to pay the professional fee guarantee, and revise the job description to reflect current assignments and incorporate medical record documentation requirements (from October 4, 2005) (Fiscal Impact: \$151,504; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 857-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- 15) Proposed retroactive Amendment No. 1 to Agreement 693-2004 with Hansa M. Patel, M.D., a contract employee, for medical services in the Departments of OB/GYN and Family Practice, to reflect the change in employment status from three-quarter time to half time, adjust the annual compensation from \$174,795.75 to \$133,064, decrease the maximum payable from \$469,591.50 to \$432,659, adjust certain benefits, and revise the job description, effective October 15, 2005, and clarify the malpractice liability coverage provided by the County, effective August 3, 2004 (from October 4, 2005) (Fiscal Impact: \$33,733.50 Savings; KMC Enterprise Fund; Budgeted; Mandated) - CONTINUED TO TUESDAY, OCTOBER 18, 2005 AT 9:00 A.M.

McQuiston-Maben: 4 Ayes; 1 Absent - Rubio

- 16) Proposed retroactive Agreement with Arash David Tehranzadeh, M.D., an independent contractor, for radiology services in the Department of Radiology, from October 4, 2005 through October 3, 2006, in an amount not to exceed \$180,000 (Fiscal Impact: \$180,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 858-2005

Maben-McQuiston: 4 Ayes; 1 Absent - Rubio

- *17) Proposed Agreement with Cindy A. Lighthill, an independent contractor, for services as interim Executive Director of the Kern Medical Center Faculty Practice, from November 1, 2005 through June 30, 2006, in an amount not to exceed \$128,000 (from October 4, 2005) (Fiscal Impact: \$128,000; KMC Faculty Practice Trust) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 859-2005

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

ADJOURNED TO TUESDAY, OCTOBER 11, 2005 AT 9:00 A.M.

Patrick

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Ray Watson
Chairman, Board of Supervisors

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

The Kern Medical Center Conference Room 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.

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 11, 2005

9:00 A.M.

BOARD RECONVENED

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

NOTE: SUPERVISOR RUBIO WAS EXCUSED FROM THE MEETING

SALUTE TO FLAG - Led by Supervisor McQuiston

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 October 14 - 23, 2005 as "Oildorado Days in Taft" in Kern County - PROCLAIMED; MADE PRESENTATION TO GLENN BLACK, PRESIDENT, OILDORADO DAYS; GLENN BLACK HEARD AND INTRODUCED THE MAIDS OF PETROLEUM: JULIE SHINN, KORIE ROWSON, ARIANNA MATTHEWS, ASHLEY GIGGY NOERR, AMBER MCELMURRY, ANDREA MOISER, KAYLA HILLYGUS, ASHLEY ROWSON, BRITTNEY WILLHELM; ASHLEY CARPHART, ARLENE MORENO, AND ELIZABETH CRUM; OILDORADO "SHERF", BILLY WHITE, HEARD AND INTRODUCED HIS POSSE: BRIAN "WYATT" SELMAN, KEN MCELMURRY, RICK "WOODY" JONES, AND LEWIS WEST

Maben-McQuiston: 4 Ayes; 1 Absent - Rubio

APPOINTMENTS

- *2) Appointment of Jacquelyn Ohl-Trlica as Second District Member to the Behavioral Health Board, term to expire December 31, 2007 - MADE APPOINTMENT

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *3) Reappointment of Luisa Burkes as Third District Member to the Commission on Aging, term to expire September 22, 2007 - MADE REAPPOINTMENT

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

PUBLIC PRESENTATIONS

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- NO ONE HEARD

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]) -

SUPERVISOR MABEN REPORTED ON THE FIRST FIVE KERN ANNUAL REPORT OF FINDINGS FROM THE COMMISSION'S INDEPENDENT EVALUATOR AND ANNOUNCED THE 7TH ANNUAL STAR TREK BOWL-A-THON FUNDRAISER FOR THE JAMISON CHILDREN'S CENTER ON OCTOBER 15, 2005 FROM 1:00 - 5:00 P.M. AT THE AMF SOUTHWEST LANES

DEPARTMENTAL REQUESTS

AIRPORTS

- *6) Proposed Amendment No. 1 to Agreement 1117-2000 with Chris Padham extending the term of the current lease by five years and increase monthly rental by \$150 per month (Fiscal Impact: \$1,800 additional annual rental income; Airport Enterprise Fund; Not Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 860-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *7) Proposed Lease Agreement with Omni Goods for operation of a gift shop in the new airport terminal building at Meadows Field, for a term of ten years with one five-year option, at a minimum rental rate of \$1,600 per month (Fiscal Impact: Minimum \$1,600 per month; Airport Enterprise Fund; Not Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15061 (b) (3) OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 861-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

ASSESSOR-RECORDER

- *8) Proposed Resolution approving Kern County's participation in the State of California Electronic Recording Delivery Act of 2004 as enacted by Assembly Bill No. 578, and authorizing the Recorder to collect a fee not to exceed one dollar (\$1) for each real property instrument recorded; and proposed Memorandum of Understanding with the California Department of Justice for participation in the Electronic Recording Delivery System (Fiscal Impact: FY 2005-06 \$31,163.90; Recorder's Modernization Fund; Budgeted; Discretionary) - ADOPTED RESOLUTION 2005-437; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 862-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

AUDITOR-CONTROLLER-COUNTY CLERK

- *9) Performance measures for Auditor-Controller-County Clerk (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

COUNTY COUNSEL

- *10) Proposed Ordinance adding subsection (207) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Alloway Lane in Bakersfield (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *11) Proposed Ordinance adding subsection (29) to Section 10.24.021 of Chapter 10.24, Title 10 of the Kern County Ordinance Code establishing a handicap parking zone on Edna Street (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *12) Proposed Ordinance adding subparagraphs (7) and (8) to Section 10.16.090 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no parking zones on Highway 184 (Weedpatch Highway) between DiGiorgio Road and Panama Road in Lamont between the hours of 12:00 a.m. and 5:00 a.m. (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *13) Proposed Ordinance adding subparagraphs (208), (209), (210) and (211) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no stopping zones on Snow Road (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *14) Proposed Ordinance adding Sections 10.04.521, 10.04.303, 10.04.204 and 10.04.480 to Chapter 10.04 of the Kern County Ordinance Code establishing a 45 mile-per-hour speed limit on Brady Street, a 40 mile-per-hour speed limit on Calvert Boulevard, a thirty-five mile-per-hour speed limit on Pinto Street and a 40 mile-per-hour speed limit on Strecker Street (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *15) Request of the Library Department for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *16) Request of the Fire Department for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *17) Request of the Assessor-Recorder's Office for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

EMPLOYERS' TRAINING RESOURCE

- *18) Proposed retroactive approval of Subgrant Agreement with Henkels and McCoy, Inc., for the provision of training and employment activities for youths under the Workforce Investment Act, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$64,388 (prior notification June 21, 2005) (Fiscal Impact: \$64,388; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 863-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *19) Proposed retroactive approval of Subgrant Agreement with Kern High School District to conduct educational, training, work readiness, and employment activities for adults and youths under the Workforce Investment Act, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$2,151,925 (prior notification June 21, 2005) (Fiscal Impact: \$2,151,925; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 864-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

FIRE DEPARTMENT

- *20) Request to sign liability waiver due to recently discovered additional requirement to procure previously approved sole source aviation night vision goggles from ITT Industries (Fiscal Impact: None) - APPROVED; AUTHORIZED FIRE CHIEF TO SIGN

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

HUMAN SERVICES

- *21) Proposed Agreement with Moss Beach Homes, Inc., for Adoptive Home Study Services from October 11, 2005 to August 31, 2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 865-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *22) Proposed Professional Services Agreement with Eugene Alonzo for a Parent Leader position, from October 12, 2005 to September 30, 2006, in an amount not to exceed \$24,000 (Fiscal Impact: \$24,000; \$20,400 State/Fed; \$3,600 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 866-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *23) Proposed Professional Services Agreement with Gregory D. Colver for a Parent Leader position, from October 12, 2005 to September 30, 2006, in an amount not to exceed \$24,000 (Fiscal Impact: \$24,000; \$20,400 State/Fed; \$3,600 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 867-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *24) Proposed Professional Services Agreement with Charlotte Daniel for a Parent Leader position, from October 12, 2005 to September 30, 2006, in an amount not to exceed \$24,000 (Fiscal Impact: \$24,000; \$20,400 State/Fed; \$3,600 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 868-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

LIBRARY

- *25) Request to employ retired County employee, Woody White as a Library Associate, Range 48.9, 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: \$17,034; Budgeted; Discretionary) - APPROVED

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

MENTAL HEALTH SERVICES

- *26) Proposed Amendment No. 1 to Agreement 598-2005 with Bakersfield Memorial Hospital dba Memorial Center, to revise the non-assignment and subcontracting requirements to allow for transfer or termination of the Agreement, Fiscal Year 2005-2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 869-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *27) Proposed Amendment No. 1 to Agreement 599-2005 with Bakersfield Memorial Hospital dba Memorial Center, to revise the non-assignment and subcontracting requirements to allow for transfer or termination of the Agreement Fiscal Year 2005-2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 870-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *28) Proposed Amendment No. 1 to Agreement 600-2005 with Bakersfield Memorial Hospital dba Memorial Center, to revise the non-assignment and subcontracting requirements to allow for transfer or termination of the Agreement Fiscal Year 2005-2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 871-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

PUBLIC DEFENDER

- *29) Proposed addition of one (1) full time Deputy Public Defender I-V, and deletion of one (1) part time Deputy Public Defender I-V, Budget Unit 2190 (Fiscal Impact: \$2,749 Salary Savings; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

PUBLIC HEALTH SERVICES

- *30) Proposed retroactive Amendment No. 1 to Agreement 231-2005 with California Department of Health Services (State No. 04-35092, A1) for Medi-Cal Administrative Activities to extend the term from July 1, 2004 through June 30, 2007, and increase the amount by \$3,400,000 to an amount not to exceed \$4,150,000 (Prior notification June 28, 2005) (Fiscal Impact: \$3,400,000; Federal Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 872-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *31) Proposed Memorandum of Understanding with Health Net regarding the interface between Kern Healthy Kids Program and the California Children Services Program for health services for children (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 873-2005; AUTHORIZED DIRECTOR OF PUBLIC HEALTH SERVICES TO SIGN RELATED DOCUMENTS

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *32) Notification of retroactive Agreement with the California Wellness Foundation for the Nurse Family Partnership Program (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

SHERIFF

- *33) Proposed sole source Agreement with Dr. Debra Ann Hanks for forensic pathology (autopsy services) from January 1, 2006 to December 31, 2007, in an amount not to exceed \$322,000 (Fiscal Impact: \$322,000; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 874-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *34) Proposed license Agreement with East Kern Airport District for Kern County Sheriff's Department in-service training exercises on Mojave Airport Property (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 875-2005

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *35) Application to hold a parade - Annual NOR Children's Christmas Parade - NOR Recreation & Park District on December 10, 2005, in Bakersfield, California - (Fiscal Impact: None) - 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: 4 Ayes; 1 Absent - Rubio

- *36) Annual Report itemizing expenditures of Inmate Welfare Funds (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 37) Request for Closed Session regarding Meet and Confer, CCAPE-CJU, KCDOA, KCFFU, KCPOA, KLEA -

COUNTY COUNSEL

- 38) Request for Closed Session regarding significant exposure to litigation against the County (One Case)(Government Code Section 54956.9(b)(3)(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-Patrick

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Ray Watson
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, October 11, 2005

2:00 P.M.

BOARD RECONVENED

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

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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.

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- TERI BJORN, CLIFFORD AND BROWN, REPRESENTING THREE WAY CHEVROLET AND BILL WRIGHT TOYOTA, HEARD REGARDING QUALIFYING FOR ECONOMIC DEVELOPMENT INCENTIVES FOR FUTURE EXPANSION IN THE SEVENTH STANDARD, HIGHWAY 65, HIGHWAY 99 TRIANGLE

REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT TO REPORT BACK TO THE BOARD ON THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM POLICY

McQuiston-Maben: 4 Ayes; 1 Absent - Rubio

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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REFERRED TO RESOURCE MANAGEMENT AGENCY TO REVIEW ALL FUTURE ANNEXATIONS AND PROVIDE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS TO RESPOND TO THE ANNEXING CITY AND LAFCO PRIOR TO ANNEXATION APPROVALS

Maben-McQuiston: 4 Ayes; 1 Absent - Rubio

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Request from Dan Black, et al., by Carr and Associates to change the permitted uses from five-acre residential to 2 1/2-acre residential on 83.55 acres located on the northeasterly side of Round Mountain Road at Amaya Court, approximately 1/4 mile northeasterly of Kern River and Hart Memorial Park, northeast Bakersfield (SD 1)**

Specific Request:

A change in zone classification from E (5) RS to E (2 1/2) RS or a more restrictive district (ZCC #6, Map #83-31) (Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; HEARD IN OPPOSITION TO PROJECT: LLOYD MOSS, SHARON MOSS, AND CRAIG SMITH; HEARD IN SUPPORT OF PROJECT: STAN BYROM, CHARLES SCHAEFFER, BETTY BYROM AND DAN BLACK; CLOSED HEARING; CONTINUED TO TUESDAY, NOVEMBER 1, 2005 AT 2:00 P.M.; DIRECTED PLANNING DEPARTMENT TO PREPARE DOCUMENTATION THAT WOULD PERMIT APPROVAL OF THE PROJECT AND REPORT ON WATER AND SEWER ISSUES

McQuiston-Maben: 4 Ayes; 1 Absent - Rubio

- *4) **Request from John White (Original applicant - Trank Vera by French and Associates) to appeal the decision of the Planning Commission to approve the operation of a rehabilitation facility in a commercial district located at 1206 Morning Drive, 6240 Pioneer Drive, and 6240 1/2 Pioneer Drive, east Bakersfield (SD 3)**

Specific Request:

An appeal of the decision of the Planning Commission to approve Conditional Use Permit 65, Map 103-25 (Resolution 186-05; approved August 11, 2005) to allow a rehabilitation facility (Section 19.30.030.F) in a C-1 PD District (Appeal #5, Map #103-25)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - CONTINUED TO TUESDAY, OCTOBER 25, 2005, AT 2:00 P.M.

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department
Land Use

S.D. #2

- 5) Continuation of Interim Urgency Ordinance G-7282 Prohibiting Uses, Land Divisions and Actions in Conflict with the Proposed Mojave Airport B-1, B-2 and C Zone Designations Amendments to the Kern County Airport Land Use Compatibility Plan - STUART WITT, GENERAL MANAGER, EAST KERN AIRPORT DISTRICT, AND BILL DEEVERS, PRESIDENT, MOJAVE CHAMBER OF COMMERCE, HEARD; ENACTED ORDINANCE G-7299 EXTENDING URGENCY ORDINANCE PROHIBITING USES, LAND DIVISIONS AND ACTIONS IN CONFLICT WITH THE PROPOSED MOJAVE AIRPORT B-1, B-2 AND C ZONE DESIGNATIONS AMENDMENTS TO THE KERN COUNTY AIRPORT LAND USE COMPATIBILITY PLAN FOR A PERIOD OF 10 MONTHS AND 15 DAYS; APPROVED ISSUANCE OF STAFF REPORTS AS REQUIRED WRITTEN REPORT UNDER GOVERNMENT CODE 65858(d)

Maben-McQuiston; 4 Ayes; 1 Absent - Rubio

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- 6) Kern County Resource Management Agency (RMA) Departmental Operations Briefing (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben; 4 Ayes; 1 Absent -Rubio

- 7) Monthly Animal Control Report and request to form Friends of the Kern County Animal Shelters Foundation (Fiscal Impact: None) - MARILYN STEWART HEARD; APPROVED FORMATION OF FOUNDATION; AUTHORIZED COUNTY COUNSEL TO PREPARE TAX EXEMPT APPLICATIONS; RECEIVED AND FILED DOCUMENT

Maben-Patrick; 4 Ayes; 1 Absent - Rubio

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

All S.D.'s

- *8) Proposed Agreements with Alliance Against Family Violence, CD No. 46.05.1, in the amount of \$29,939; Bakersfield Rescue Mission, CD No. 46.05.2, in the amount of \$55,740; Bethany Services, CD No. 46.05.3, in the amount of \$55,740; Women's Center High Desert, CD No. 46.05.5, in the amount of \$31,000; and one Memorandum of Understanding (MOU) with the Kern County Mental Health Department, CD No. 46.05.4, in the amount of \$48,264; for a total amount of \$220,683 under the Emergency Shelter Grants Program of the Stuart B. McKinney Act (Fiscal Impact: \$220,683; Federal Grant; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 876-2005, 877-2005, 878-2005 AND 879-2005; AUTHORIZED DIRECTORS TO EXECUTE MOU IN A FORM APPROVED BY COUNTY COUNSEL

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

S.D. #1

- *9) Proposed Finding of No Significant Impact (FONSI), Mitigated Negative Declaration, and Request for Release of Funds (RROF) for Shafter Town Square Improvements, CD No. 18.05.2 (Fiscal Impact: None) - APPROVED FONSI AND MITIGATED NEGATIVE DECLARATION; AUTHORIZED CLERK OF THE BOARD TO FILE NOTICE OF DETERMINATION AND CERTIFICATE OF FEE EXEMPTION WITH COUNTY CLERK'S OFFICE; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED DIRECTOR TO SUBMIT RROF AND CERTIFICATION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #3

- *10) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 110 McCord Avenue, Oildale, APN 114-230-27, \$1,830 (Fiscal Impact: \$1,830; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-438 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

S. D. 5

- *11) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 1201 Feliz Drive, Bakersfield, APN 168-091-015, \$5,013.75 (Fiscal Impact: \$5,013.75; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-439 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *12) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 2131 Berger Street, Bakersfield, APN 126-351-113, \$3,342.50 (Fiscal Impact: \$3,342.50; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-440 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *13) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 409 Powell Lane, Bakersfield, APN 019-241-074, \$1,061.50 (Fiscal Impact: \$1,061.50; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-441 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *14) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 8316 School Street, Lamont, APN 188-082-051, \$979 (Fiscal Impact: \$979; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-442 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDER THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *15) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 1004 Bunting Drive, Bakersfield, APN 169-202-272, estimated cost \$6,500 (Fiscal Impact: \$6,500; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2005-443 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

S. D. #5

- *16) Contract No. 05020, identify apparent low bid of DOD Construction for construction of the East Bakersfield Curb and Gutter, in an amount not to exceed \$234,012.50 (Fiscal Impact: \$234,012.50; CEDD; Budgeted; Discretionary) - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #4

- *17) Contract No. 05021, identify apparent low bid of DOD Construction for construction of Buttonwillow Pedestrian Project in an amount not to exceed \$250,485 (Fiscal Impact: \$250,485; Federal TEA Grant; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS DEPARTMENT TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

All S.D.'s

- *18) Report on Disadvantaged Business Enterprise (DBE) Program for Federal Fiscal Year 2005-2006 (Fiscal Impact: None) - RECEIVED AND FILED; SET PUBLIC HEARING FOR TUESDAY, DECEMBER 6, 2005, AT 2:00 P.M., FOR DBE GOAL APPROVAL

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

COUNTY ADMINISTRATIVE OFFICE

- 19) Request for designation of Daphne B. Harley as County United Way Campaign Coordinator (Fiscal Impact: None) - APPROVED

Patrick-Maben: 4 Ayes; 1 Absent - Rubio

- *20) Proposed Agreement with Court Appointed Special Advocates of Kern for Fiscal Year 2005-2006 for advocate training (Fiscal Impact: \$90,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 880-2005

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *21) Proposed Agreement with Bakersfield Symphony Orchestra for Fiscal Year 2005-2006 for September 11th Memorial Concert and concert performances in outlying communities (Fiscal Impact: \$99,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 881-2005

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *22) Proposed Administrative Bulletin No. 27 establishing ordinance implementation procedures (Fiscal Impact: None) - APPROVED

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #2

- *23) Request for subcontractor substitution for Rosamond Fire Station No. 15 (8235.8365) (Fiscal Impact: None) - FOUND THAT PRECISION WELDING IS NOT PROPERLY LICENSED TO PERFORM; APPROVED SUBSTITUTION OF LACKEYS WELDING AND CONSTRUCTION TO COMPLETE THE STRUCTURAL STEEL PORTION OF THE PROJECT

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *24) Proposed selection of Tait Environmental Management, Inc., to perform Boron Fire Station Remediation Pilot Study (1650.7252A) (Fiscal Impact: \$245,811; General Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED GENERAL SERVICES TO PREPARE AGREEMENT

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

S.D. #3

- *25) Change Order No. 2 for the New Airport Terminal Telecom Systems, an increase of \$6,517, for a new total of \$283,664 (8215.8416) (Fiscal Impact: \$6,517; Airport Project Fund; Budgeted; Discretionary) (from September 27, 2005) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *26) Proposed Agreement with Loyd's Aviation for month-to-month lease of hangar space at Meadows Field Airport to store Fire Department aircraft during winter months commencing November 1, 2005 (Fiscal Impact: \$675 Monthly Rent; Fire Department Fund #00011; Budgeted)- MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 882-2005

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *27) Change Order No. 19 for New Airport Terminal at Meadows Field, an increase of \$10,658, for a new total of \$21,702,675; and request for approval of a Resolution to dispense with bidding requirements for Change Orders in excess of 10% of contract amount (8215.8415) (Fiscal Impact: \$10,658; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-444; AUTHORIZED CHAIRMAN TO SIGN

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *28) Identify apparent low bid submitted by Brown & Fowler Construction, in the amount of \$587,275, for the Panorama Park Irrigation & Landscaping Phase II (1960.8152) (Fiscal Impact: \$587,275; Proposition 12 State Bond Act; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES; AUTHORIZED PREPARATION OF CONTRACT DOCUMENTS

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *29) Change Order No. 3 for the New Airport Terminal Flight Information and Audio Paging Systems, an increase of \$1,345, for a new total of \$402,893 (8215.8416) (Fiscal Impact: \$1,345; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick- McQuiston: 4 Ayes; 1 Absent - Rubio

S.D. #4

- *30) Proposed Retroactive Amendment No. 4 to Agreement 551-2004 with Secor International Incorporated for consulting services for the Former Frank Uhler Fire Training Facility Site Characterization, revising scope of services and allowing for a decrease of \$29, for a new total of \$340,366 (1650.7252G) (Fiscal Impact: \$29 decrease) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 883-2005

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

All S.D.'s

- *31) Report on short term leases and licenses signed by the Assistant County Administrative Officer for General Services for the past year (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

MATTERS FOR EXECUTIVE APPROVAL

- *32) Budget Transfers - NONE

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *33) Minutes for week of September 12, 2005 - APPROVED

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

- *34) Miscellaneous Letters and documents - APPROVED

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

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

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

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

Patrick-McQuiston: 4 Ayes; 1 Absent - Rubio

ADJOURNED TO TUESDAY, OCTOBER 17, 2005, AT 10:00 A.M.

Patrick

/s/ Tracey E. Cody
Administrative Coordinator

/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.

34) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

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

- 1) Parcel Map No. 11176 S.D. #4
- 2) Parcel Map No. 11318 S.D. #5

Grand Jury

- B) 2005-2006 Final Report regarding Kern County District Attorney's Office Forensic Science Division (Crime Lab) (Copies to each Supervisor, CAO, and District Attorney)
- C) 2005-2006 Final Report regarding Kern County Sheriff's Department Coroner Division (Copies to each Supervisor, CAO, and Sheriff)
- D) 2005-2006 Final Report regarding Larry J. Rhoades Kern Crossroads Facility (Copies to each Supervisor, CAO, and Probation)

Local Agency Formation Commission

- E) Proceeding No. 1408, Report and Recommendation in the matter of City of Bakersfield, Annexation No. 476, Hosking No. 8 (Copies to each Supervisor and CAO)
- F) Proceeding No. 1423, Report and Recommendation in the matter of County Service Area No. 11, Annexation No. 4 (Copies to each Supervisor and CAO)
- G) Proceeding No. 1424, Report and Recommendation in the matter of County Service Area No. 66, Annexation No. 2 (Copies to each Supervisor and CAO)

Resource Management Agency

- H) Two (2) thank you letters for donations to the Bakersfield and Mojave Animal Shelters (Copies to each Supervisor and CAO)

Miscellaneous

- I) Resolution 05-1786 of the City Council of the City of Shafter approving the exchange of property tax revenues upon Local Agency Jurisdictional change, Annexation No. 77, LAFCO Proceeding No. 1428 (Copies to each Supervisor and CAO)
- J) E-mail from Keats Gefer regarding election procedures concerning water districts (Copies to each Supervisor, CAO, County Counsel and Planning)
- K) Four (4) letters regarding Kern Valley Airport Master Plan (Copies to each Supervisor, CAO, County Counsel and Planning)
- L) Letter from Department of Conservation regarding Public Agency Acquisition of Land Enrolled in Williamson Act Contract (APN 60-012-07), McFarland Unified School District (Copies to each Supervisor, CAO, Planning and County Counsel)

- M) Letter from Raymond Cramer re General Plan Amendment No. 132, Map 500 (Copies to each Supervisor, CAO, and Planning)
- N) Letter from State Water Resources Control Board regarding Application 5632, order approving petition for temporary transfer of up to 125,000 acre-feet of water to the Department of Water Resources (Copies to each Supervisor and CAO)
- O) Letter from Ann Gallon regarding Valley Air Rules and the cost of home ownership (Copies to each Supervisor, CAO, RMA, Planning and County Counsel)
- P) Agenda for October 5, 2005 and minutes of September 7, 2005 meetings of the Kern County Child Care Council
- Q) Notice Granting Late Intervention from Federal Energy Regulatory Commission regarding Southern California Edison Company's continued operation and maintenance of the Borel Hydroelectric Project No. 382 (Copies to each Supervisor, CAO, Planning and County Counsel)
- R) Commission on Aging Agenda for October and Minutes of the Executive Committee Meeting held on September 1, 2005 and the Regular Meeting held on July 18, 2005
- S) Notice from State Department of Alcoholic Beverage Control re application for alcoholic beverage license from La Totmenta Night Club, 2711 Taft Highway, Bakersfield, and Los Tacos De Huicho, 10009 Main Street, Lamont (Copies to each Supervisor, CAO, and Planning)
- 35) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Diana K. Chuang of Richards Watson Gershon regarding \$5,999,108.90 Taft City Elementary School District General Obligation Bonds - REFERRED TO COUNTY COUNSEL
- 36) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Summons and complaint in the matter of Corporation for Better Housing vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Larry Jeter vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Daniel Lozano vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Linda Miller vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Summons in a Civil Case in the matter of John W. Moore, Jr., et al vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- F) Claim in the matter of Marina Ramirez vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Summons and complaint in the matter of William L. Schmidt vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Jeff Sorrell, Carol Sorrell, and Chad Sorrell vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Department of Fair Employment and Housing Discrimination Complaint in the matter of James H. Jones vs Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)