

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, November 30, 2004

9:00 A.M.

BOARD RECONVENED

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

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

NOTE: BOARD MEMBERS INTRODUCED AND WELCOMED STUDENTS FROM BAKERSFIELD ADULT SCHOOL WHO WERE JOB SHADOWING WITH SUPERVISORS DURING THE MORNING BOARD SESSION: SUPERVISOR MABEN - LETICIA VILLAREAL; SUPERVISOR PARRA - MARTIN OROZCO; SUPERVISOR WATSON - ROSA CUEVAS; SUPERVISOR PATRICK - SILVIA MARQUEZ; SUPERVISOR MCQUISTON - ELVIA CHAVEZ; ALL STUDENTS MADE COMMENTS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming December 2004 as Christmas Canned Food Drive Month in Kern County - PROCLAIMED; MADE PRESENTATION TO KERN COUNTY FIRE CHIEF DENNIS THOMPSON; CHIEF THOMPSON AND TINA BURKE, RESOURCE MANAGEMENT AGENCY AND REPRESENTING THE GOLDEN EMPIRE GLEANERS, HEARD

Maben-Watson: All Ayes

- 2) Certificate of Recognition recognizing Bakersfield Adult School El Civics Program - MADE PRESENTATION TO SUSAN HANDY, PRINCIPAL, JAN MINOT, AND STEVE CAREY, ESL INSTRUCTOR; SUSAN HANDY, JAN MINOT, AND STEVE CAREY HEARD

- *3) Resolution honoring and commending John L. "Jack" Hardisty for outstanding Public Service - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Parra-Watson: All Ayes

PUBLIC REQUESTS

- *4) Resolution 04-12 of the North West Kern Resource Conservation District for approval of the name change for Pond-Shafter-Wasco, Buena Vista, and Western Kern Resource Conservation Districts to the newly consolidated North West Kern Resource Conservation District and Resolution 04-13 requesting the Board of Supervisors appoint Directors in lieu of election - APPROVED; RECEIVED AND FILED; AUTHORIZED CLERK OF THE BOARD TO SEND CERTIFIED COPY OF RESOLUTION TO THE STATE BOARD OF EQUALIZATION

Parra-Watson: All Ayes

APPOINTMENTS

- *5) Reappointments of LeRoy Marquardt and Patricia Quist as Directors to the Eastern Kern County Resource Conservation District, terms to expire November 2008 - MADE REAPPOINTMENTS

Parra-Watson: All Ayes

- *6) Reappointment of Bob Allen Jamison as First District Member to the Parks and Recreation Commission, term to expire January 2009 - MADE REAPPOINTMENT

Parra-Watson: All Ayes

- *7) Appointment of Janet Dianne Skibinski (replacing Wilfred A. "Hezzy" Brown) as Fourth District Member to the Adult Day Health Care Board, term to expire August 15, 2005 - MADE APPOINTMENT

Parra-Watson: All Ayes

PUBLIC PRESENTATIONS

- 8) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - KERN COUNTY FIRE CHIEF DENNIS THOMPSON ADDRESSED THE BOARD AND PUBLIC ABOUT THE IMPORTANCE OF FIRE PREVENTION AND FIRE SAFETY

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

Hearing

- 10) Proposed Ordinance adding Chapter 5.81 to the Ordinance Code regarding regulation of automated point of sale stations (Fiscal Impact: \$46,775; Registration Fees; Unbudgeted; Non-mandated) - OPENED HEARING; HEARD IN OPPOSITION: JOHN DUNLAP, REPRESENTING THE CALIFORNIA GROCERS ASSOCIATION; GILBERT CANIZALES, DIRECTOR OF LOCAL GOVERNMENTAL RELATIONS, CALIFORNIA GROCERS ASSOCIATION; SCOTT HAIR, PRESIDENT, GREEN FROG MARKETS; MIKE ANDERSON, PRESIDENT, COUNTY FAIR MARKET AND FAMILY FOOD FAIR MARKET; AND CARMEN ADAMS, ROSAMOND

REFERRED TO AGRICULTURE COMMISSIONER AND COUNTY ADMINISTRATIVE OFFICER TO REPORT BACK TO THE BOARD ON TUESDAY, JANUARY 11, 2005 AT 9:00 A.M. REGARDING STAFFING REQUIREMENTS NEEDED TO DEVELOP A PILOT PROGRAM FOR POTENTIAL REGULATION OF SCANNING DEVICES TO ENSURE CONSUMER PROTECTION AND ACCURACY OF SUCH DEVICES

Parra - Patrick: All Ayes

THE CHAIRMAN CALLED FOR A BRIEF RECESS; MEETING RECONVENED WITH ALL BOARD MEMBERS PRESENT

- *11) Request to appropriate unanticipated revenue from Department of Pesticide Regulation to backfill extra help salaries (Fiscal Impact: \$8,663; Unanticipated Revenue; Unbudgeted; Non-Mandated) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$8,663 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$8,663 FROM APPROPRIATIONS FOR CONTINGENCIES TO UNIT 2610

Parra-Watson: All Ayes

AIRPORTS

- *12) Proposed Contract 05001, with Granite Construction for construction on Meadows Field Airport, Southeast Taxiway Reconstruct, in an amount not to exceed \$679,433 (Fiscal Impact: \$679,433; Federal Grant; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1027-2004

Parra-Watson: All Ayes

- *13) Proposed Contract 05003, with Griffith Company for construction on Lost Hills Airport, Rehabilitation of Runway 15/33, in an amount not to exceed \$341,999 (Fiscal Impact: \$341,999; Federal Grant; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1028-2004

Parra-Watson: All Ayes

CHILD SUPPORT SERVICES

- *14) Performance report for the Quarter Ending September 30, 2004 - RECEIVED AND FILED

Parra-Watson: All Ayes

CLERK OF THE BOARD

- *15) Report regarding publishing Board of Supervisors' weekly agenda items to the Internet for enhanced public access (No Fiscal Impact) - RECEIVED AND FILED

Parra-Watson: All Ayes

- *16) Request to employ retired County employee, Kaaren Shatswell, as a Deputy Clerk of the Board 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 date of employment (Fiscal Impact: \$12,670; Budgeted) - APPROVED

Parra-Watson: All Ayes

- *17) Amended Conflict of Interest Codes for the Kern County District Attorney, Buttonwillow Recreation and Park District, Buena Vista Water Storage District, Henry Miller Water District, Indian Wells Valley Water District, Cawelo Water District, Golden Empire Transit, Olcese Water District, Kern Delta Water District, Richland School District, Mojave Unified School District, and Shafter Recreation And Park District (No Fiscal Impact) - APPROVED

Parra-Watson: All Ayes

COUNTY COUNSEL

- *18) Proposed Ordinance adding Subsections (8) and (9) to Section 10.16.050 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones along both sides of Water Canyon Road and County Park Road (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Parra-Watson: All Ayes

- *19) Proposed Ordinance adding Subsection (177) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone along the east side of Manor Street (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Parra-Watson: All Ayes

Hearing

- *20) Establishment of Kern County Water Agency Zones of Benefit for Fiscal Year 2005-06 (Zone Numbers 7-06, 17-06, 18-06 and 19-06) and providing for assessments therein (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-413 FIXING ASSESSMENTS

Parra-Watson: All Ayes

DISTRICT ATTORNEY

- *21) Report on the District Attorney's Performance Measures - RECEIVED AND FILED

Parra-Watson: All Ayes

- *22) Request to employ retired County employee, Janet Cason, as Laboratory Helper, Range 39.8, Step A, for 120 days or 960 hours, whichever is greater in the 12-month period following date of employment - APPROVED

Parra-Watson: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *23) Proposed retroactive Agreement with West Kern Community College District to provide comprehensive educational and employment readiness activities for eligible in-school and out-of-school youths, from July 1, 2004 through June 30, 2005, in an amount not to exceed \$60,000 (prior notification June 29, 2004) (Fiscal Impact: \$60,000; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1029-2004

Parra-Watson: All Ayes

FIRE DEPARTMENT

- *24) Proposed sole source procurement of dispatch console upgrades for the Emergency Communications Center from Watson Furniture, in an amount not to exceed \$120,000 (Fiscal Impact: \$120,000; State Funded; Not budgeted) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE PURCHASE ORDER; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$120,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$120,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2415

Parra-Watson: All Ayes

- *25) Proposed Amendment No. 3 to Agreement 377-2003 with Robert Olson Associates, Inc., to increase funding to develop a Local Hazard Mitigation Plan, and to extend the term to July 31, 2005, in an amount not to exceed \$381,523, an increase of \$80,000 (Fiscal Impact: \$80,000 increase, General Fund; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1030-2004

Parra-Watson: All Ayes

- *26) Proposed sole source procurement of hazardous material identification equipment for the Kern County Fire Department from Smiths Detection, in an amount not to exceed \$70,000 (Fiscal Impact: \$70,000; Homeland Security Grant; Budgeted) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Parra-Watson: All Ayes

- *27) Request for approval of unusual travel for Captain Gus Bryant to attend National Fire Academy in Emmitsburg, Maryland, January 2, 2005 to January 14, 2005, in an amount not to exceed \$216 (Fiscal Impact: \$216; Budgeted) - APPROVED

Parra-Watson: All Ayes

- *28) Notification of the End of Fire Season 2004 for both Federal and State Responsibility Lands in the County of Kern (Fiscal Impact: None) - RECEIVED AND FILED

Parra-Watson: All Ayes

HUMAN SERVICES

- *29) Performance reports for the Department of Human Services for the period July 1, 2004 through September 30, 2004 (Fiscal Impact: None) - RECEIVED AND FILED

Parra-Watson: All Ayes

KERN MEDICAL CENTER

- *30) Proposed changes in clinical privilege status for 26 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

Parra-Watson: All Ayes

- *31) Proposed retroactive Amendment No. 1 to Agreement 1006-2001 with HCFS, Inc., and HCFS Revenue Management, Inc., an independent contractor, for third party reimbursement services, extending the term through December 31, 2004 (Fiscal Impact: N/A; KMC Enterprise Fund; Budgeted; Mandated) (prior notification May 21, 2003) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1031-2004

Parra-Watson: All Ayes

- *32) Proposed retroactive Amendment No. 4 to Agreement 427-2002 with Able Nurses, Inc., an independent contractor, for temporary nurse staffing, extending the term through December 31, 2004, and increasing the maximum amount payable by \$225,000, from \$3,400,000 to \$3,625,000 (Fiscal Impact: \$225,000, KMC Enterprise Fund; Budgeted; Mandated) (prior notification October 26, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1032-2004

Parra-Watson: All Ayes

- *33) Proposed Agreement with Kern Faculty Surgical Group, Inc., an independent contractor, for professional medical services in the Department of Surgery, from December 1, 2004 through November 30, 2009, in an amount not to exceed \$2,058,000 (Fiscal Impact: \$2,058,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1033-2004

Parra-Watson: All Ayes

- *34) Proposed McKesson Contract Supplement and Amendment No. 1 to Kern County Agreement 276-99, with McKesson Information Solutions LLC, an independent contractor, for the equipment, expenses and services needed to complete the implementation of McKesson's Horizon Patient Folder document imaging system, in an amount not to exceed \$897,531 (Fiscal Impact: \$897,531; HRSA Grant; Budgeted; Non-Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1034-2004

Parra-Watson: All Ayes

- *35) Proposed retroactive Agreement with Pacific Pharmacy Computers, Inc., an independent contractor, for KMC's outpatient pharmacy computer system, effective August 1, 2003, in an annual amount not to exceed \$9,189 (Fiscal Impact: \$9,189;KMC Enterprise Fund; Budgeted; Mandated) (prior notification May 10, 2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1035-2004

Parra-Watson: All Ayes

MENTAL HEALTH SERVICES

- *36) Proposed Amendment No. 1 to Agreement 479-2004 with New Advances for People with Disabilities, for outpatient substance abuse treatment services to Proposition 36 (SACPA) clients, to clarify Contractor's legal name (Fiscal Impact: None; State; Budgeted/Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1036-2004

Parra-Watson: All Ayes

- *37) Proposed Amendment No. 1 to Agreement 785-2004 with Restoration Village Treatment Center, Inc., for sober living environment services to correct Contractor's name and amend language to reflect that both men and women will be served under this agreement and to identify maximum beds allowable for each gender (Fiscal Impact: None; State, Grant Funded; Budgeted/Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1037-2004

Parra-Watson: All Ayes

- *38) Proposed Amendment No. 1 to Agreement 837-2004 with Pamela Alfafara, M.D., for psychiatric inpatient services for County mentally ill consumers admitted into Memorial Hospital, to clarify Contractor's legal name set forth in Agreement (Fiscal Impact: None; Medi-Cal, State; Budgeted, Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1038-2004

Parra-Watson: All Ayes

- *39) Proposed Agreement with Catholic Charities, Diocese of Fresno, for representative payee services for mentally ill and or conditional release (CONREP) program clients who reside in the Bakersfield area, from December 1, 2004 through June 30, 2005, in an amount not to exceed \$108,976 (Fiscal Impact: \$108,976; State; Grant Funded; Budgeted/Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1039-2004

Parra-Watson: All Ayes

- *40) Proposed retroactive Agreement with Tulare County Superintendent of Schools dba California Friday Night Live Partnership, for the implementation of the Friday Night Live (FNL) Mentoring Program to Kern County residents, from October 1, 2004 through September 30, 2005, in an amount not to exceed \$27,500 - (Fiscal Impact: \$27,500 Grant Funding Revenue to the County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1040-2004

Parra-Watson: All Ayes

- *41) Proposed approval of revised PC 1000 Standards for the certification and operation of Drug Diversion Programs in Kern County and authorizing an increase in the fee chargeable to clients from the current level of \$450 to \$550, for Fiscal Year 2004-2005 (Fiscal Impact: None) - APPROVED REVISED PC 1000 STANDARDS AND INCREASE IN FEES

Parra-Watson: All Ayes

- *42) Proposed approval for Kern County Mental Health to change to the Hospital Inpatient Day and Administrative Day rates so the reimbursement billed to Short-Doyle Medi-Cal is equivalent to services billed to the Department by Kern Medical Center for inpatient services - (Fiscal Impact: \$3,600 additional Federal Financial Participation during this fiscal year) - APPROVED; AUTHORIZED MENTAL HEALTH TO BILL AT THESE RATES EFFECTIVE JANUARY 1, 2005

Parra-Watson: All Ayes

- *43) Request to appropriate unanticipated revenue in the amount of \$20,000 from the Mental Health Department to fund a feasibility study to provide emergency power to the Mary K. Shell Mental Health Facility (Fiscal Impact: \$20,000; Unbudgeted/Not Mandated) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$20,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO CAPITAL PROJECTS BUDGET UNIT 1960 IN THE AMOUNT OF \$20,000

Parra-Watson: All Ayes

PARKS AND RECREATION DEPARTMENT

Hearing

- 44) Proposed Ordinance repealing Ordinance G-6864 and establishing a new fee schedule relating to non-profit use of veterans', seniors', community and recreation buildings - OPENED HEARING; HEARD IN OPPOSITION TO RECOMMENDATION: STEPHANIE EBELTOFT, ROSAMOND GIRL SCOUTS; RON BENOIT, LAKE ISABELLA/BODFISH PROPERTY OWNERS ASSOCIATION; MARK HOPKINS, ROSAMOND AND MOJAVE 12-STEP PROGRAMS; DOTTY SEMENT, ROSAMOND WOMEN'S CLUB; LARRY LUNTZ, LAKE ISABELLA; BILL HOLCOMB, LAKE ISABELLA SQUARE DANCE CLUB AND LAKE ISABELLA SEARCH AND RESCUE; CHERYL BORTHICK, CHERYL'S DINER AND KERNVILLE CHAMBER OF COMMERCE; DEBBIE MC VEY, ROSAMOND GIRL SCOUT LEADER; OTTO COOK, BAKERSFIELD SQUARE DANCERS; JOHN DAVIS, KERNVILLE, ANTHONY MORENO, BOY SCOUT TROOP 41, ROSAMOND; BOB JAMESON, KERN RIVER VALLEY; TED HODGKINSON, PARKS AND RECREATION COMMISSION, MOJAVE; ROGER WADKE, SQUARE DANCING ASSOCIATION; ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION; AND CARMEN ADAMS, ROSAMOND WOMEN'S CLUB

HEARD IN SUPPORT OF RECOMMENDATION: PETE TANNER, KERN RIVER VALLEY SENIORS, INC.; CLOSED HEARING

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MOTION TO ALLOCATE \$250,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO THE PARKS DEPARTMENT TO OFFSET PROPOSED FEE INCREASES FOR NON-PROFIT AND SENIOR ORGANIZATIONS, AND TO FURTHER RE-EVALUATE PARKS FEES DURING THE NEXT BUDGET CYCLE

CHAIRMAN MCQUISTON PASSED THE GAVEL TO VICE CHAIRMAN PARRA

**Maben-McQuiston: 3 Ayes; 2 Noes - Watson, Patrick
Motion defeated due to a 4/5 vote requirement**

THE GAVEL WAS RETURNED TO THE CHAIRMAN

MOTION TO ADOPT FEE SCHEDULE AS PROPOSED EXCEPTING NON-PROFIT YOUTH GROUPS

**Patrick-
Motion died due to lack of a second**

MOTION TO ADOPT THE FEE SCHEDULE WITH A PROVISION TO ALLOW APPLICATION FOR WAIVER OF FEES BY ORGANIZATIONS TO THE PARKS DEPARTMENT

Watson-Maben: No action

MOTION AMENDED TO REFER PROPOSED ORDINANCE TO THE PARKS DEPARTMENT AND COUNTY COUNSEL TO ADD WAIVER OF FEE PROVISIONS FOR BOARD CONSIDERATION ON TUESDAY, JANUARY 18, 2005 AT 9:00 A.M.

Watson-Maben: 4 Ayes; 1 No - Patrick

- *45) Proposed Amendment No. 1 to U.S. Forest Service Permit to allow the Greenhorn Mountain Park water system transmission lines to traverse over forest property, to extend term for one year - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Parra-Watson: All Ayes

PERSONNEL

- 46) Classification of positions recommended by Civil Service Commission effective November 30, 2004 (Fiscal Impact: None) - CONTINUED TO TUESDAY, NOVEMBER 30, 2004 AT 2:00 P.M. (SEE ITEM NO. 2A)

Patrick-Parra: All Ayes

PROBATION

- *47) Request to hire retired County employee Robert E. Balch as Deputy Probation Officer III, 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 date of employment (Fiscal Impact: \$19,200; Probation; Budgeted; Not Mandated) - APPROVED

Parra-Watson: All Ayes

- *48) Proposed retroactive Agreement with Taft Union High School District for truancy prevention services, from November 1, 2004 through June 30, 2005, in the amount of \$51,032; (Fiscal Impact: \$51,032; TUHS District; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1041-2004

Parra-Watson: All Ayes

PUBLIC DEFENDER

- *49) Phase I Performance Standards Report for Kern County Public Defender for the period, July 1, 2003 through June 30, 2004, and for the period July 1, 2004 through September 30, 2004 (Fiscal Impact: None) - RECEIVED AND FILED

Parra-Watson: All Ayes

PUBLIC HEALTH SERVICES

- *50) Request to hire retired County employee Coyt Davis as Microbiologist, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the twelve (12) month period following date of employment (Fiscal Impact \$28,190; Budgeted) - APPROVED

Parra-Watson: All Ayes

- *51) Proposed retroactive Agreement with Friends of Mercy Foundation for Medi-Cal Administrative Activities in an amount not to exceed \$25,000 from July 1, 2004 through June 30, 2005 (prior notification September 28, 2004) (Fiscal Impact: \$25,000; Not Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1042-2004

Parra-Watson: All Ayes

- *52) Proposed retroactive Agreement with Friends of Clinica Sierra Vista for Medi-Cal Administrative Activities in an amount not to exceed \$120,000 from July 1, 2004 through June 30, 2005 (prior notification September 28, 2004) (Fiscal Impact: \$120,000 Not Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1043-2004

Parra-Watson: All Ayes

- *53) Proposed Agreement with Clinica Sierra Vista for clinical x-ray services, from December 1, 2004 through November 30, 2005, in an amount not to exceed \$8,000 (Fiscal Impact: \$8,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1044-2004

Parra-Watson: All Ayes

- *54) Proposed Agreement with National Health Services, Inc. for clinical x-ray services, from December 1, 2004 through November 30, 2005, in an amount not to exceed \$3,000 (Fiscal Impact: \$3,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1045-2004

Parra-Watson: All Ayes

- *55) Proposed Agreement with Kern Valley Healthcare District for clinical x-ray services, from January 1, 2005 through December 31, 2005, in an amount not to exceed \$1,000 (Fiscal Impact: \$1,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1046-2004

Parra-Watson: All Ayes

- *56) Proposed retroactive Agreement with Kern County Children and Families Commission for nursing services for the Nurse-Family Partnership Program in an amount not to exceed \$666,667, from November 1, 2004 through June 30, 2007 (Prior notification October 26, 2004) (Fiscal Impact: \$666,667-Current Year \$157,247; 100% Grant-Funded; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1047-2004

Parra-Watson: All Ayes

- *57) Proposed Agreement with Tehachapi Valley Healthcare District for clinical x-ray services, from December 1, 2004 through November 30, 2005, in an amount not to exceed \$1,000 (Fiscal Impact: \$1,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1048-2004

Parra-Watson: All Ayes

- *58) Proposed retroactive Agreement with State Department of Health Services for Housing Opportunities for Persons with AIDS, from July 1, 2004 through June 30, 2007, in an amount not to exceed \$1,044,540 (prior notification June 29, 2004) (Fiscal Impact: \$1,044,540 -Current Year \$348,180; Federal Grant; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1049-2004 AND RELATED DOCUMENTS, IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Parra-Watson: All Ayes

- *59) Request for addition of one full-time Physical/Occupational Therapist position and deletion of one part-time Physical/Occupational Therapist position, California Children Services, Medical Therapy Program, effective November 30, 2004 (Fiscal Impact: Increase of \$8,698; State Grant; Budgeted; Mandated) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Parra-Watson: All Ayes

RETIREMENT ASSOCIATION

- *60) Request to review funding issues related to allocating costs between the County and San Joaquin Valley Unified Air Pollution Control District for former Kern County employees (Fiscal Impact: None) - REFERRED TO COUNTY ADMINISTRATIVE OFFICER AND COUNTY COUNSEL; RECEIVED AND FILED

Parra-Watson: All Ayes

- *61) Proposal from State Association of County Retirement Systems (SACRS) Legislative Proposal - Disability Retirement that is intended to raise the standard, necessary to show that a permanently incapacitating injury or illness is service-connected (Fiscal Impact: None) - REFERRED TO COUNTY ADMINISTRATIVE OFFICER AND COUNTY COUNSEL; RECEIVED AND FILED

Parra-Watson: All Ayes

SHERIFF

- *62) Request to accept Supplemental Grant Funding from the State of California Governor's Office of Emergency Services in the amount of \$1,297,074 to augment the California Multi-jurisdictional Methamphetamine Enforcement Team (CALMMET) (Fiscal Impact: \$1,297,074; State Grant; Budgeted) - APPROVED

Parra-Watson: All Ayes

- *63) Request for authorization to apply for the Career Criminal Apprehension Program Grant from the Governor's Office of Emergency Services (Fiscal Impact: \$144,333; State Grant: Not Budgeted) - APPROVED

Parra-Watson: All Ayes

- *64) Application to hold a parade - St. Augustine Catholic Church for Our Lady of Guadalupe Procession to be held on December 12, 2004, in Lamont, 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; AUTHORIZED CHAIRMAN TO SIGN

Parra-Watson: All Ayes

- *65) Proposed addition of one Sheriff's Aide position and the deletion of one vacant Property Control Officer position, effective November 30, 2004 (Fiscal Impact: Annual Savings \$11,380; Non-Mandated) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Parra-Watson: All Ayes

- *66) Request authorization for the Sheriff to sell personally assigned handguns or customized Special Weapons and Tactics Team firearms to retiring Deputy Sheriffs pursuant to the provisions of Penal Code Section 12078 (Fiscal Impact: None) - APPROVED

Parra-Watson: All Ayes

- *67) Request to transfer \$65,000 from Sheriff's Training Trust Account 22132 to Expenditure Key 7703 to cover miscellaneous, unanticipated training expenses (Fiscal Impact: \$65,000; Sheriff Training Trust Account 22132; Non-budgeted; Non-Mandated) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$65,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO SHERIFF'S BUDGET UNIT 2210 IN THE AMOUNT OF \$65,000

Parra-Watson: All Ayes

- *68) Retroactive Agreement with Intergraph Inc. for ILEADS Records Management software support, from November 1, 2004 through October 31, 2005, in an amount not to exceed \$17,696.25 (Fiscal Impact: \$17,696.25; Non-mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1050-2004

Parra-Watson: All Ayes

Hearing

- 69) Proposed Ordinance adding Section 4.32.040 to Chapter 4.32 of Title 4 of the Ordinance Code establishing Sheriff's Department vehicle impound administrative fees and hearing procedures (Fiscal Impact: Preliminary Estimated Annual Recovery \$70,000) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2004-414 ENACTING ORDINANCE G-7168

Maben-Watson: All Ayes

TREASURER-TAX COLLECTOR

- *70) Pooled Cash Portfolio Analysis for the month ended October 2004 - RECEIVED AND FILED

Parra-Watson: All Ayes

- *71) Cash Receipts and Disbursements for October 2004 - RECEIVED AND FILED

Parra-Watson: All Ayes

- *72) Notice of intention to sell tax-defaulted property subject to the power of sale - APPROVED SALE; ADOPTED RESOLUTION 2004-415

Parra-Watson: All Ayes

- *73) Independent Auditor's Report on investment policy compliance for year ended June 30, 2004 - RECEIVED AND FILED

Parra-Watson: All Ayes

- *74) 2005 County Treasury Investment Policy - APPROVED

Parra-Watson: All Ayes

- *75) Request to adopt Resolution for approval to sell tax-defaulted property subject to the power of sale to Tehachapi Resource Conservation District - ADOPTED RESOLUTION 2004-416

Parra-Watson: All Ayes

MOTION BY SUPERVISOR PATRICK TO CONTINUE CLOSED SESSION ITEMS 76 THROUGH 80 TO 2:00 P.M. (SEE ITEMS 61 THROUGH 80)

Patrick-Maben: All Ayes

CLOSED SESSION

IHSS PUBLIC AUTHORITY

- 76) Request for Closed Session regarding Meet and Confer, UDWA - CONTINUED TO TUESDAY, NOVEMBER 30, 2004 AT 2:00 P.M. (SEE ITEM NO. 61) -

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 77) Request for Closed Session regarding Meet and Confer - All Unions - CONTINUED TO TUESDAY, NOVEMBER 30, 2004 AT 2:00 P.M. (SEE ITEM NO. 62 P.M.) -
- 78) Request for Closed Session re public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center - CONTINUED TO TUESDAY, NOVEMBER 30, 2004 AT 2:00 P.M. (SEE ITEM NO. 63 P.M.) -

COUNTY COUNSEL

- 79) Request for Closed Session regarding significant litigation against the County (one case) (Government Code Section 54956.9(b)(1)(3)(C)) - CONTINUED TO TUESDAY, NOVEMBER 30, 2004 AT 2:00 P.M. (SEE ITEM NO. 64 P.M.) -
- 80) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. S-1500-CV254074 RJA (Government Code Section 54956.9(a)) - CONTINUED TO TUESDAY, NOVEMBER 30, 2004 AT 2:00 P.M. (SEE ITEM NO. 65 P.M.) -

(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.)

RECESSED TO 2:00 P.M.

Patrick

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, November 30, 2004

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

PERSONNEL

- 2A) Classification of positions recommended by Civil Service Commission effective November 30, 2004 (Fiscal Impact: None) (from 11/30/2004, Item No. 46 A.M.) - JOE PILKINGTON, PRESIDENT, KERN LAW ENFORCEMENT ASSOCIATION, HEARD; CONTINUED SHERIFF'S CLASSIFICATIONS TO TUESDAY, DECEMBER 7, 2004, AT 9:00 A.M.; APPROVED REMAINING POSITIONS; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY STRUCTURE

Patrick-Watson: All Ayes

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Request from Timothy L. Beard (original applicant - Jack Taylor by Bruce Keith) to appeal the decision of the Planning Commission to allow a church in a residential district on 1.07 acres located at 10001 Meacham Road, Rosedale (SD #3)**

Specific Request:

An appeal of the decision of the Planning Commission to approve CUP 39, Map 102-19 (Resolution 156-04; approved September 9, 2004) to allow a church (Section 19.16.030.J) in an E (1) RS District (Appeal #3, Map #102-19) (General Rule, Section 15061(b)(3); Published Bakersfield Californian) (from 11/9/2004) - OPENED HEARING; TIMOTHY BEARD; BRUCE KEITH, REPRESENTING JACK TAYLOR; AND JACK TAYLOR HEARD; CLOSED HEARING; CONTINUED TO TUESDAY, DECEMBER 7, 2004, AT 2:00 P.M.

Patrick-Maben: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 4) **Request from Clean Harbors-Buttonwillow, Inc., for a five-year extension of time for operation of an existing hazardous waste facility on 320 acres located at 2500 West Lokern Road, approximately four miles west of Highway 58, Buttonwillow (SD #4)**

Specific Request:

Request for a five-year extension of time for operation of existing hazardous waste facility authorized by Conditional Use Permit 4, Map 97 (Resolution 94-684; approved December 12, 1994) (CUP #4, Map #97)

(Environmental Impact Report; Published Bakersfield Californian) - OPENED HEARING; HEARD IN OPPOSITION TO STAFF RECOMMENDATION: RACHELLE ANN MILLER; DENNIS FOX; RENE DONATO NELSON, CONCERNED CITIZENS TO STOP OUTSIDE DUMPING (CCSOD); LINDA MCKAY, ASSOCIATION OF IRRITATED RESIDENTS (AIR); LUKE COLE, CENTER ON RACE, POVERTY AND THE ENVIRONMENT, REPRESENTING PADRES HACIA UNA VIDA MEJOR AND AIR; HEARD IN SUPPORT OF STAFF RECOMMENDATION: DEBRA MORENO, PRESIDENT, GREATER BAKERSFIELD CHAMBER OF COMMERCE; MATTHEW PARK, EXECUTIVE DIRECTOR, KERN COUNTY FARM BUREAU; STEVE MERRITT, ENVIRONMENTAL ENGINEER, CHEVRON-TEXACO; MARIANNA BUONI, GENERAL MANAGER, CLEAN HARBORS-BUTTONWILLOW, INC.; ROY WEYGAND, PRESIDENT, KERN COUNTY TAXPAYERS ASSOCIATION; PETER WEINER, ENVIRONMENTAL LAWYER REPRESENTING CLEAN HARBORS-BUTTONWILLOW; HEARD IN REBUTTAL: LUKE COLE; RENE DONATO NELSON; AND RACHELLE ANN MILLER; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, CERTIFIED THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR); ADOPTED SECTION 15091 ENVIRONMENTAL FINDINGS AND SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED MITIGATION MEASURE MONITORING PROGRAM; MADE FINDINGS THE PROJECT IS EXEMPT UNDER SECTION 15301 AND 15061(B)(3) OF THE STATE CEQA GUIDELINES, DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF DETERMINATION IF REQUESTED; ADOPTED RESOLUTION 2004-417 APPROVING EXTENSION OF TIME OF AN ADDITIONAL FIVE YEARS

(Continued on Page 17)

(Continued from Page 16)

FOR CONDITIONAL USE PERMIT 4, MAP 97 WITH THE MODIFICATION OF WASTE TYPES CONDITIONS TO INCORPORATE LIMITS ON ACCEPTANCE OF RADIOACTIVE WASTE AND ASSOCIATED MONITORING, SCREENING, AND REPORTING PROCEDURES AS RECOMMENDED, AND WITH AN ADDITIONAL CONDITION FOR THE PLANNING DEPARTMENT, OR A CONSULTANT RETAINED BY THE COUNTY, TO PERFORM AN ANNUAL TEST FOR AMBIENT RADIATION LEVELS AT THE FACILITY; ALL NOT TO BECOME EFFECTIVE UNTIL AND UNLESS PRIOR TO THE END OF THE WORK DAY DECEMBER 29, 2004, THE PROPERTY OWNER(S) SIGNS AND FILES WITH THE KERN COUNTY PLANNING DEPARTMENT AN INDEMNITY AGREEMENT APPROVED AS TO FORM AND CONTENT BY THE COUNTY COUNSEL; RECEIVED AND FILED DOCUMENTS

Watson-Maben: All Ayes

- *5) **Request from Narinder Chahal by Quad Knopf to change the permitted uses from agriculture to estate mobilehome on 35.6 acres located on the east side of Weedpatch Highway, between East Fairview Road and Farmers Lane, north of Lamont (SD 5) Specific Request:**

A change in zone classification from A-1 MH to E (2 1/2) MH or a more restrictive district (ZCC #7, Map #125-19) (General Rule, Section 15061(b)(3); Published Lamont Reporter) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2004-418 AND ENACTED ORDINANCE G-7169 APPROVING ZONE CHANGE, WITH THE ADDITION OF THE PE (PETROLEUM EXTRACTION COMBINING) DISTRICT

Maben-Parra: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #1

- *6) Notice of Nonrenewal Petition No. 04-33 for Furrow Farms, by Bob A. Wiebe, partner, for 117.28 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Parra: All Ayes

Streets and Highways

S.D. #3

- *7) Request from John M. Peters by B & L Anderson Consulting for a Summary Vacation of drainage easement, Southside of Meany Avenue, approximately 600 feet west of Alken Street, Bakersfield, Map No. 102-21 (Fiscal Impact: None) - ADOPTED RESOLUTION 2004-419 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES

Maben-Parra: All Ayes

Miscellaneous

All S.D.'s

- *8) Report regarding recently enacted state planning, land use and environmental legislation (Fiscal Impact: None for Applicant-Generated Projects; Unfunded State Mandates from General Plan Revisions) - RECEIVED AND FILED

Maben-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

MOTION TO RECONSIDER ITEM NO. 9, WHICH WAS PREVIOUSLY APPROVED ON CONSENT

Maben-Parra: All Ayes

Hearing

All S.D.'s

- 9) Public Hearing for approval of the Analysis of Impediments to Fair Housing Choice for Kern County and the Cities of Arvin, California City, Maricopa, McFarland, Ridgecrest, Shafter, and Tehachapi dated May 2004 (Fiscal Impact: None) - OPENED HEARING; MIKE EDMISTON, COUNCIL MEMBER, CITY OF CALIFORNIA CITY, HEARD; CLOSED HEARING; REFERRED TO STAFF FOR REPORT BACK ON TUESDAY, DECEMBER 14, 2004, AT 2:00 P.M.

Maben-Parra: All Ayes

S.D. #2

- *10) Proposed Amendment No. 1 to Agreement 218-2004 with the City of Tehachapi to add Community Development Block Grant funds in the amount of \$186,354 for construction of Northside Neighborhood Park, CD Nos. 20.02.1 and 20.04.1, for a new total amount not to exceed \$310,554 (Fiscal Impact: \$186,354; Federal Grant; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1051-2004

Maben-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

Continued Hearing

S.D. #1

- *11) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 6517 Canyon Avenue, Inyokern, APN 084-192-03 (from 11/9/2004) (Fiscal Impact: \$1,316.50; Budgeted; General Fund) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2004-420 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)

Maben-Parra: All Ayes

Hearing

S.D. #5

- *12) Hearing regarding proposed formation of the Cottonwood Road Underground Utility District (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2004-421; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED, AND NOTIFY AFFECTED PROPERTY OWNERS AS DIRECTED IN THE RESOLUTION

Maben-Parra: All Ayes

S.D. #1

- *13) Request for release of Monument Security, Tract 5526, Unit 3, south side of Snow Road, 1/4 mile east of Calloway Drive, Smithtech-USA, Inc., for Norris Road Venture (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE WARRANT IN THE AMOUNT OF \$3,155 TO SUBDIVIDER, NORRIS ROAD VENTURE

Maben-Parra: All Ayes

S.D. #3

- *14) Request for approval of completed street, drainage, water, and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement for Tract 5990, Phase 2, north side of Eucalyptus Drive, between Royal Way and Monica Street, Orangewood area, Dennis W. DeWalt; and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$435,761 TO \$43,576, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING NOVEMBER 30, 2004; REDUCED FAITHFUL PERFORMANCE BOND NO. 1886558, IN THE AMOUNT OF \$435,761, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$43,576; ADOPTED RESOLUTION 2004-422 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5990, PHASE 2, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Parra: All Ayes

- *15) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement for Tract 5990, Phase 3, northwest corner of Eucalyptus Drive and Monica Street, Orangewood area, Dennis W. DeWalt; and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$361,391 TO \$36,139 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING NOVEMBER 30, 2004; REDUCED FAITHFUL PERFORMANCE BOND NO. 2082991, IN THE AMOUNT OF \$361,391, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$36,139; ADOPTED RESOLUTION 2004-423 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5990, PHASE 3, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Parra: All Ayes

S.D. #4

- *16) Request to set public hearing to consider levying assessments and proposed Resolution initiating proceedings for formation of County Service Area No. 97 and establishment of Zone of Benefit Nos. 1, 2 and 3, Parcel Maps 10632 and 10906, Erro Ranch, southwest Bakersfield, Local Agency Formation Commission (LAFCO) Proceeding No. 1358 (Fiscal Impact: \$10,116; CSA's; Budgeted) - APPROVED; ADOPTED RESOLUTION 2004-424 INITIATING PROCEEDINGS FOR FORMATION OF COUNTY SERVICE AREA NO. 97 AND ESTABLISHMENT OF ZONE OF BENEFIT NOS. 1, 2 AND 3; AUTHORIZED CHAIRMAN TO SIGN INDEMNIFICATION AGREEMENT 1052-2004 WITH LAFCO; SET PUBLIC HEARING FOR TUESDAY, JANUARY 18, 2005, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, 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-Parra: All Ayes

- *17) Request for release of Monument Security, Tract 6024, southeast corner of Heath Road and Palm Avenue, western Rosedale, Type "A" Subdivision, Smithtech, USA for Heath Road Partners, LLC (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE WARRANT IN THE AMOUNT OF \$7,525 TO SUBDIVIDER, HEATH ROAD PARTNERS, LLC

Maben-Parra: All Ayes

- *18) Request for release of Monument Security, Tract 6025, northeast corner of Heath Road and Brimhall Road, western Rosedale, Type "A" Subdivision, Smithtech, USA for Heath Road Partners, LLC (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE WARRANT IN THE AMOUNT OF \$4,200 TO THE SUBDIVIDER, HEATH ROAD PARTNERS, LLC

Maben-Parra: All Ayes

S.D.'s #1, #3, #4 & #5

- *19) Proposed Contract No. 04025, with DOD Construction, Inc., for construction of curb cut improvements for East Bakersfield/Taft/Lake Isabella, in an amount not to exceed \$218,937.23 (Fiscal Impact: \$218,937.23; CDBG; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1053-2004

Maben-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services - Animal Control Services

All S.D.'s

- *20) Proposed holiday closure of Kern County Animal Shelters in Bakersfield and Mojave on Saturday, December 25, 2004, and Saturday, January 1, 2005 (Fiscal Impact: None) - APPROVED

Maben-Parra: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *21) Contract No. 04010, identify apparent low bid from Griffith Company for the Lake Isabella Boulevard Landscape Improvement Project, in an amount not to exceed \$694,032 (Fiscal Impact: \$694,032; Roads Budget; Budgeted; Not Mandated) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Maben-Parra: All Ayes

- *22) Proposed Assignment of Agreement 360-2001 with DELMAC, Inc., LLC to TRB Investments, Inc., for site development on Seventh Standard Road near State Route 99 (Fiscal Impact: None; Not Budgeted; Not Mandated) -

WITHDRAWN

- *23) Grant Deed and proposed Right-of-Way Contract with John Aurich Jr., for approximately 3,626 square feet of property for the improvement of Webb Avenue, Lake Isabella, in an amount not to exceed \$6,000 (Fiscal Impact: \$6,000; Local Funding; Budgeted; Not Mandated)- ACCEPTED DEED; DIRECTED CLERK OF THE BOARD TO RECORD; APPROVED; AUTHORIZED CHAIRMAN TO SIGN CONTRACT / AGREEMENT 1054-2004; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

Maben-Parra: All Ayes

S.D. #2

- *24) Proposed Resolution to accept portion of offers of dedication of easements and roads, declaration as public highway and incorporation into the County road system as a portion of Red Apple Avenue, Tehachapi (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2004-425; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Parra: All Ayes

- *25) Proposed Rosamond/Willow Springs Transportation Impact Fee Program, Reconciliation of Account and request for public hearing (Fiscal Impact: None) - SET TUESDAY, DECEMBER 14, 2004, AT 2:00 P.M., AS HEARING DATE FOR ANNUAL ADOPTION OF CAPITAL IMPROVEMENT PLAN FOR THE ROSAMOND/WILLOW SPRINGS TRANSPORTATION IMPACT FEE PROGRAM; DIRECTED CLERK OF THE BOARD TO PUBLISH REQUIRED NOTICE IN ACCORDANCE WITH SECTION 66002 OF THE CALIFORNIA GOVERNMENT CODE

Maben-Parra: All Ayes

S.D. #3

- *26) Contract No. 02027, Notice of Completion for construction on the Calloway Drive underpass landscaping project (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Parra: All Ayes

- *27) Request to repeal Subsection 48(a) and (b) of Chapter 10.16.160 of Kern County Ordinance Code concerning a bus loading zone located on the north side of Foothill Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Maben-Parra: All Ayes

- *28) Proposed handicap parking zone along the north side of Linda Vista Drive, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Maben-Parra: All Ayes

- *29) Proposed Amendment No. 1 to Agreement 498-2004 with Rosedale-Rio Bravo Water Storage District for County participation in "site earthwork" in construction of Heath Road culvert replacement at Goose Lake Slough, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; Budgeted; Not Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1055-2004

Maben-Parra: All Ayes

- *30) Proposed no-stopping zone on Norris Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Maben-Parra: All Ayes

S.D.'s #1, #2, #4 & #5

- *31) Contract No. 04020, Notice of Completion for asphalt concrete (Windrow Stockpile) at various locations in Kern County (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Parra: All Ayes

All S.D.'s

- *32) Proposed Metropolitan Bakersfield Transportation Impact Fee Program, Reconciliation of Account and request for public hearing (Fiscal Impact: None) - SET HEARING FOR TUESDAY, DECEMBER 14, 2004, AT 2:00 P.M., AS HEARING DATE FOR ANNUAL ADOPTION OF CAPITAL IMPROVEMENT PLAN FOR THE METROPOLITAN BAKERSFIELD TRANSPORTATION IMPACT FEE PROGRAM; DIRECTED CLERK OF THE BOARD TO PUBLISH REQUIRED NOTICE IN ACCORDANCE WITH SECTION 66002 OF THE CALIFORNIA GOVERNMENT CODE

Maben-Parra: All Ayes

WASTE MANAGEMENT

All S.D.'s

- *33) Proposed Amendment No. 1 to Agreement 636-2002 with Paradigm Software, LLC, to provide Disposal Site Gate Fee Software and Equipment for County waste facilities, modifying Rider "L" of the Escrow Agreement to designate Gessner, Snee, Mahoney and Lutche, PA, as the escrow agent (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1056-2004

Maben-Parra: All Ayes

- *34) Proposed addition of one (1) Fiscal Support Specialist, one (1) Waste Management Specialist I/II/III, one (1) Engineering Support Supervisor and one (1) Supervising Engineer positions to Budget Unit 8999; and concurrent deletion of one (1) Engineering Technician I/II/III position in Budget Unit 8999 and one (1) Wastewater Specialist II position in Budget Unit 9144, effective November 30, 2004 (Fiscal Impact: \$45,501; Solid Waste Enterprise Fund; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Parra: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *35) Proposed Amendment No. 4 to Administrative Services Agreement 686-99 with Chimienti and Associates to extend term one year to December 31, 2005 (Fiscal Impact: \$120,000; Group Health Internal Service Fund; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1057-2004

Maben-Parra: All Ayes

- *36) Proposed Amendment No. 1 to Memorandum of Understanding (Agreement 324-2004) with Kern County Fire Fighters Union IAFF Local 1301 to correct omitted language regarding vacation accruals for 40-hour employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1058-2004

Maben-Parra: All Ayes

- *37) Request for sponsorship at the California Space Authority Awards Dinner on December 2, 2004, in the amount of \$1,000 in recognition of the achievement of Burt Rutan and the SpaceShipOne development team (Fiscal Impact: \$1,000; General Fund; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Maben-Parra: All Ayes

- *38) Notification of termination of Agreement 959-2003 with Schaller Anderson of California for employee health plan administration effective April 30, 2005 (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Parra: All Ayes

- 39) Proposal from Greater Bakersfield Convention and Visitors Bureau to perform countywide promotional activities (Fiscal Impact: None) - RECEIVED AND FILED; SET PUBLIC HEARING TO CONSIDER PROPOSAL ON TUESDAY, JANUARY 18, 2005, AT 2:00 P.M.

Watson-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #1

- *40) Proposed Resolution and Ordinance granting pipeline franchise to Erskine Creek Water Company (Fiscal Impact: Revenue of \$3,400; Budgeted) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2004-426 AND ENACTED ORDINANCE F-479

Maben-Parra: All Ayes

S.D. #1

- *41) Plans and Specifications for Lerdo Minimum Security Holding Cells (2210.7001ACC) (Fiscal Impact: \$214,400; General Fund; Budgeted) -

WITHDRAWN

- *42) Change Order No. 14 for the new Juvenile Treatment Facility, an increase of \$90,000 for a new total of \$17,402,250.06 (1960.8166) (Fiscal Impact: \$90,000; General Fund; Budgeted) - CONTINUED TO TUESDAY, DECEMBER 7, 2004, AT 2:00 P.M.

Maben-Parra: All Ayes

S.D. #2

- *43) Request to receive and file Petition for Revocation of Franchise Ordinance F-342 for DDD Cablevision, also known as Las Americas Broadband, Inc., dba Country Cable, and to set a public hearing - RECEIVED AND FILED; SET HEARING FOR TUESDAY, JANUARY 4, 2005, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Parra: All Ayes

S.D. #3

- *44) Proposed Amendment No. 2 to Consulting Services Agreement 551-2004 with Secore International Incorporated for site characterization at the former Frank Uhler Fire Training Facility, providing for a decrease of \$21, for a new total of \$340,448 (1650.7252G) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1059-2004

Maben-Parra: All Ayes

- *45) Change Order No. 8 for the new Airport Terminal at Meadows Field, an increase of \$347,646.23 for a new total of \$20,297,554.16 (8215.8415)(Fiscal Impact: \$313,359.12; Airport Enterprise Fund; Budgeted) - CONTINUED TO TUESDAY, DECEMBER 14, 2004, AT 2:00 P.M.

Maben-Parra: All Ayes

S.D. #4

- *46) Proposed Amendment No. 1 to Agreement 412-2004 with Ballengee Brothers Farms clarifying payment terms for lease of land south and west of the Shafter/Wasco landfill (Fiscal Impact: None) - 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 1060-2004

Maben-Parra: All Ayes

S.D. #5

- *47) Proposed retroactive Sublease Agreement with State of California, Employment Development Department (EDD), for EDD's use of a portion of 1600 East Belle Terrace, from October 1, 2004 through September 30, 2009, \$12,016.42 per month rent (Fiscal Impact: \$144,197.04 Annual Revenue to Employers' Training Resource, Fund 29060; 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 1061-2004

Maben-Parra: All Ayes

- 48) Plans and specifications for the installation of automatic doors at the south entrance of the Administrative Center (8920.37032) (Fiscal Impact: \$57,900; Community & Economic Development Dept. Fund; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Watson-Patrick: All Ayes

NOTE: ITEM NO. 9 WAS RECONSIDERED AT THIS TIME

All S.D.'s

- *49) Proposed project list for the Job Order Contract (Fiscal Impact: None) - APPROVED

Maben-Parra: All Ayes

- *50) Change Order No. 1 for the Communications Towers & Site Improvements Phase II, a decrease of \$2,728, for a new total of \$285,972 (8235.8361A) (Fiscal Impact: None; Tobacco Secured Proceeds Fund; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Parra: All Ayes

- *51) Proposed bid documents for the Job Order Contract system, Specialty Wastewater Treatment Plant Maintenance/Repair, Phase I (Various Projects) (Fiscal Impact: \$300,000; General Fund; Budgeted) - APPROVED; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JANUARY 13, 2005, AT 11:00 A.M.

Maben-Parra: All Ayes

- *52) Proposed bid documents for the Job Order Contract system, Sewer Collection System Maintenance/Repair, Phase I (Various Projects) (Fiscal Impact: \$400,000; General Fund; Budgeted) - APPROVED; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JANUARY 13, 2005, AT 11:00 A.M.

Maben-Parra: All Ayes

- *53) Proposed multiple awards of Request for Proposal for countywide standardization of the lease, rental and purchase of photocopiers, to American Business Machines, Ultrex Business Solutions and Sharp Electronics Corporation (Fiscal Impact: Unknown) - APPROVED; AUTHORIZED PURCHASING AGENT TO NEGOTIATE AND SIGN AGREEMENTS, SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

Maben-Parra: All Ayes

- *54) Proposed award of Request for Proposal for countywide standardization of cellular phones and service to Cingular Wireless (Fiscal Impact: Unknown) - APPROVED; AUTHORIZED PURCHASING AGENT TO NEGOTIATE AND SIGN AGREEMENT, SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

Maben-Parra: All Ayes

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

- *55) Proposed Agreement with the California Department of Justice for access to the Kern County Criminal Justice Information System (CJIS) from December 1, 2004 through November 30, 2006 (Fiscal Impact: \$4,080 Revenue Annually; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1062-2004

Maben-Parra: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *56) Budget Transfers - APPROVED NO. 43 THROUGH NO. 53

Maben-Parra: All Ayes

- *57) Minutes for week of October 18, 2004 - APPROVED

Maben-Parra: All Ayes

- *58) Miscellaneous Letters and Documents - APPROVED

Maben-Parra: All Ayes

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

Maben-Parra: All Ayes

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

Maben-Parra: All Ayes

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IHSS PUBLIC AUTHORITY

Maben-Parra: All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSION

IHSS PUBLIC AUTHORITY

- 76) Request for Closed Session regarding Meet and Confer, UDWA (from 11/30/2004, Item No. 76 A.M.)-

RECONVENED FROM CLOSED SESSION WITH ALL MEMBERS PRESENT; ADJOURNED AS IHSS PUBLIC AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

Maben-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 77) Request for Closed Session regarding Meet and Confer - All Unions (from 11/30/2004, Item No. 77 A.M.) -
- 78) Request for Closed Session re public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center (from 11/30/2004, Item No. 78 A.M.) -

COUNTY COUNSEL

- 79) Request for Closed Session regarding significant litigation against the County (one case) (Government Code Section 54956.9(b)(1)(3)(C))(from 11/30/2004, Item No. 79 A.M.) -
- 80) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. S-1500-CV254074 RJA (Government Code Section 54956.9(a)) (from 11/30/2004, Item No. 80 A.M.) -

(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 TUESDAY,
DECEMBER 7, 2004 AT 9:00 A.M.

Parra-Maben

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Jon McQuiston
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.

58) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Report on costs allocated to Kern County Mental Health Programs by Child and Family Psychology Clinic, Inc., for Fiscal Years 2001-2002 and 2002-2003
- B) 2004-2005 County of Kern Final Budget

Clerk of the Board

- C) Letter from Thomas E. Alvarez re resignation from the Civil Service Commission (Copies to each Supervisor and CAO)
- D) Received, certified and forwarded to Recorder for recordation as follows:
 - 1) Tract Map 5856, Phase 2 S.D. #1
 - 2) Tract Map 6175 S.D. #1
 - 3) Tract Map 6176, Phase 1 S.D. #1
 - 4) Tract Map 6176, Phase 4 S.D. #1
 - 5) Tract Map 6208 S.D. #4
 - 6) Tract Map 6250, Unit 1 S.D. #4
 - 7) Tract Map 6250, Unit 2 S.D. #4
 - 8) Parcel Map 11055 S.D. #2

County Administrative Office

- E) Amendment to Administrative Policy and Procedures Manual, Chapter 10, Section 1004 regarding subagenda deadline change
- F) Amendment to Administrative Policy and Procedures Manual, Chapter 1, Section 112 regarding clarification of process for adding a position that requires a new classification and job description

Environmental Health Services

- G) Five (5) thank you letters re donations to the Bakersfield and Mojave Animal Shelters (Copies to each Supervisor and CAO)

General Services

- H) Franchise Bond No. 103312819-0316 from Travelers Casualty and Surety Company replacing Chevron Valley Credit Union Share Certificate No. 969254-4 re Chevron Pipe Line Company's Franchise Ordinance F-382

Local Agency Formation Commission

- I) Report and recommendation, Proceeding No. 1384, in the matter of City of Bakersfield, Annexation No. 455 (Allen Road No. 10) (Copies to each Supervisor and CAO)
- J) Report and recommendation, Proceeding No. 1391, in the matter of City of Bakersfield, Annexation No. 462 (Hosking Road No. 7 / Henry Lane No. 2) (Copies to each Supervisor and CAO)

- K) Resolution 04-35, Proceeding No. 1385, in the matter of City of Bakersfield, Annexation No. 456 (Old River No. 1) (Copies to each Supervisor and CAO)
- L) Resolution 04-36, Proceeding No. 1390, in the matter of City of Bakersfield, Annexation No. 454 (Jewetta No. 4) (Copies to each Supervisor and CAO)
- M) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1394, Annexation No. 457, Reina No. 5 (Copies to each Supervisor and CAO)
- N) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1395, Annexation No. 463, McCutchen No. 2 (Copies to each Supervisor and CAO)
- O) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1396, Annexation No. 464, McKee No. 3 (Copies to each Supervisor and CAO)
- P) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1393, Annexation No. 465, Calloway No. 9 (Copies to each Supervisor and CAO)

Resource Management Agency

- Q) Letter to Senator Dean Florez re Concentrated Animal Feeding Operation (CAFO) program collaboration (Copies to each Supervisor and CAO)

Miscellaneous

- R) Letter from concerned individual re granddaughter's permanent placement and possible adoption (Copies to each Supervisor, CAO, Department of Human Services, Superior Court and County Counsel)
- S) Letter from J. R. Odom, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, October 28, 2004, on I-5 southbound, south of Lebec over crossing (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- T) Letter from Marilyn Stewart, ALPHA Canine Sanctuary, re e-mail sent by Florence Dunagan concerning Animal Control funds (Copies to each Supervisor, CAO and Environmental Health Services-Animal Control)
- U) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re Small Business Administration declaration of El Dorado, Fresno and San Luis Obispo counties and contiguous counties of Alpine, Amador, Inyo, Kern, Kings, Madera, Merced, Mono, Monterey, Placer, Sacramento, San Benito, Santa Barbara and Tulare a disaster area as a result of agriculture losses caused by drought that occurred between July 1, 2003 and June 30, 2004 (Copies to each Supervisor, CAO, Emergency Services, General Services, Agricultural Commissioner and County Counsel)

- V) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Sunday, October 31, 2004, on west bound Merced Avenue at State Route 99 (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- W) Letter from Raul M. Rojas, City of Bakersfield, re one-half cent sales tax measure for transportation (Copies to each Supervisor and CAO)
- X) Letter from Carl T. Benz, U.S. Department of the Interior, Fish and Wildlife Service, re determination that desert cymopterus, a plant native to the Mojave Desert, does not warrant protection under the Endangered Species Act (Copies to each Supervisor, CAO and Resource Management Agency)
- Y) Letter from Amanda Susskind, Anti-Defamation League, re quick guide to religious displays (Copies to each Supervisor and CAO)
- Z) Letter from Corine Li, U.S. Environmental Protection Agency to West Kern County Water District re termination of Federal Administrative Order (Copies to each Supervisor, CAO, Environmental Health and County Counsel)
- AA) Letter from Sara E. Denzler, State Department of Water Resources, re Urban Streams Restoration Program Proposition 40 funding for grants (Copies to each Supervisor, CAO and Resource Management Agency)
- BB) Letter from Senator Dean Florez to Steve Ladd, First Five Kern, re outstanding concerns from letter of November 8, 2004 (Copies to each Supervisor, CAO and County Counsel)
- CC) Letter from James L. Witt, International Code Council (ICC), re election of Kevin Scott, Kern County Fire Department, to ICC Board of Directors (Copies to each Supervisor, CAO and Fire)
- DD) Letter from Glenn R. Medina, State Department of Transportation, re CTC Resolution A857 for vacation of superseded right of way on State Route 58 near Mojave, from State Route 58 to Business 58 West (recorded as Document 0204235450) (Copies to each Supervisor, CAO, Planning, Roads and County Counsel)
- EE) Letter from Duane Alexander and Larry Naake, U.S. Department of Health and Human Services, re selection of Kern County as a location for the National Children's Study (Copies to each Supervisor, CAO, Public Health and Kern Medical Center)
- FF) Letter from Mark S. Turner, State Department of Transportation, re relinquishment of highway right of way, Road 6-KER-58, 14-KP 175.4 / 188.6,29.9 / 32.1, Request No. 198 (Copies to each Supervisor, CAO and Roads)
- GG) E-mail from Florence Dunagan re response to Marilyn Stewart's letter concerning Animal Control funds (Copies to each Supervisor, CAO, Environmental Health Services-Animal Control)

- HH) E-mail from Michael St. John re cost of prescriptions utilizing Catalyst (Copies to each Supervisor and CAO)
- II) Notice from State Alcoholic Beverage Control re applications for alcoholic beverage licenses: That's Italian, 9 Big Blue Road, Kernville; Andreotti Corner, 25992 Lerdo Highway, Buttonwillow; Prince Palace Shell, 35184 Seventh Standard Road, Bakersfield; I-5 Oasis, 27736 Route 58, Buttonwillow; McCafferty Food & Beverage Concessions, Inc., 1142 South P Street, Bakersfield; Town & Country Market, 6515 Fruitvale Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- JJ) Grant of Avigation easement from Melton Family Trust, APN 375-083-21-00-9, Parcel Map 10946 (Document 0204250327)
- 59) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Joel Nelsen, California Citrus Mutual, re Mexicana Airlines flights - REFERRED TO AIRPORTS (Copies to each Supervisor, CAO, Agricultural Commissioner and County Counsel)
- B) Letter from Jeanette M. Kelley, City of Tehachapi, re City of Tehachapi Building Department records - REFERRED TO ENGINEERING & SURVEY SERVICES (Copies to each Supervisor, CAO and County Counsel)
- C) Notice of Entry of Judgment in the matter of The Bakersfield Californian vs. Kern County (Small Claims Case No. 165669 - REFERRED TO COUNTY COUNSEL)
- 60) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Sammye Richardson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Antonio Barba vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Shawn Byrom vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of County of Inyo Sheriff's Department vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of John Andrew Stoll vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claims (2) in the matter of Laurie Russell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Chris Wharton vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Charles James Moffett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- I) Claim in the matter of Richard Arvisu vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Jerry Bilbrey vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of James R. Regan vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Robert Lewis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of William L. Nelson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Roger M. Pierce vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Claim in the matter of Leon Virgil Ray vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Claim in the matter of Lorene Oglesby, Christine Susanne Hinckle, Wayne William Oglesby and Julie Micelle Hay vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Summons and complaint in the matter of Hermina Simental, individually and as Guardian ad Litem of Minors, Jorge F. Sanchez and Cristal Villa vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Summons and complaint in the matter of Allstate Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Summons and complaint in the matter of Construction Laborers Trust Funds for Southern California Administrative Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Summons and complaint for refund of taxes in the matter of California Minerals, L.P. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Auditor-Controller-County Clerk)
- U) Summons and complaint in the matter of Katherine Yvonne Dennis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)