

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Monday, November 7, 2005

10:00 A.M.

BOARD RECONVENED

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

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!

-

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 2) Request for Closed Session regarding public employees performance evaluations - Titles: Director of Agriculture and Measurement Standards; Director of Airports; Executive Director of Board of Trade; Director of Child Support Services; Clerk of the Board of Supervisors; County Administrative Officer; County Counsel; Director of Emergency Medical Services; Director of Employers' Training Resource; Fire Chief; Director of Human Services; Chief Executive Officer of Kern Medical Center; Library Director; Director of Mental Health Services; Director of Parks and Recreation; Public Defender; Director of Public Health Services; Director of Resource Management Agency; Veterans Service Officer; Director of Waste Management -

(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 next regular session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; ADJOURNED TO TUESDAY,
NOVEMBER 8, 2005, AT 9:00 A.M.

McQuiston-Patrick

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, November 8, 2005

9:00 A.M.

BOARD RECONVENED

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

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) Resolution honoring Karyn Bostick, Kern County Department of Human Services, upon her retirement with 31 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO KARYN BOSTICK; PAT CHEADLE, ASSISTANT DIRECTOR, DEPARTMENT OF HUMAN SERVICES, AND KARYN BOSTICK HEARD

Maben-Patrick: All Ayes

- 2) Resolution honoring Woody White, Library, upon his retirement with 35 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO WOODY WHITE; DIANE DUQUETTE, DIRECTOR OF LIBRARIES, AND WOODY WHITE HEARD

McQuiston-Maben: All Ayes

- 3) Proclamation proclaiming November 14, 2005 through November 20, 2005 as Children's Book Week - PROCLAIMED; MADE PRESENTATION TO DIANE DUQUETTE, DIRECTOR OF LIBRARIES; DIANE DUQUETTE HEARD

Patrick-McQuiston: All Ayes

- 4) Certificate of Recognition recognizing fund raising efforts at the annual Bowl-a-thon benefiting the Jamison Center - MADE PRESENTATION TO LINDA THURINGER, NEMESIS STATION STAR TREK FAN CLUB; LINDA THURINGER HEARD
- *5) Proclamation proclaiming November 14, 2005 through November 21, 2005 as Childhood Cancer Awareness Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Patrick-Maben: All Ayes

- *6) Resolution honoring Becky Schmidt, Roads Department, upon her retirement with 35 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Patrick-Maben: All Ayes

PUBLIC REQUESTS

- 7) Request from Kern County Network for Children for review of Kern County Citizen Review Panel's 2004-2005 report and recommendations - DAN MARBLE, CO-CHAIR, CITIZENS REVIEW PANEL AND TERRY FOLEY HEARD; RECEIVED AND FILED; REFERRED TO DEPARTMENT OF HUMAN SERVICES TO REPORT BACK TO THE BOARD WITH A WRITTEN RESPONSE TO FINDINGS IN THE CITIZEN REVIEW PANEL'S REPORT

Patrick-McQuiston: All Ayes

RUDY HERNANDEZ, SOCIAL WORK DEPARTMENT, CALIFORNIA STATE UNIVERSITY BAKERSFIELD, HEARD

PUBLIC PRESENTATIONS

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CHRISTY CORTEZ SACKRIDER, BOYS AND GIRLS CLUB, MADE PRESENTATIONS TO EACH MEMBER OF THE BOARD OF SUPERVISORS IN APPRECIATION OF THE BOARD'S SUPPORT OF BOYS AND GIRLS CLUB PROGRAMS; STUART GENTRY AND ZANE SMITH, BOYS AND GIRLS CLUB, WERE INTRODUCED

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 9) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR MABEN EXPRESSED CONCERN RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR NON-PROFIT ORGANIZATIONS

REFERRED TO PARKS DEPARTMENT, SHERIFF'S DEPARTMENT AND COUNTY COUNSEL TO REPORT BACK TO THE BOARD IN 30 DAYS REGARDING THE REQUIREMENTS FOR BUSINESS LICENSE FEES ASSESSED TO NON-PROFIT ORGANIZATIONS

Maben-Rubio: All Ayes

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *10) Proposed Amendment No. 1 to Agreement 538-2005 with California Department of Aging to increase program funding for MediCare Part D Prescription Drug Program by \$69,206 (State Agreement No. HI-0506-33; Kern County for Health Insurance Counseling and Advocacy Program (HICAP) for FY 2005-2006) (Fiscal Impact: \$69,206; Federal: \$11,534; State Grant: \$57,672; County: \$0; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 932-2005; AUTHORIZED INTERIM DIRECTOR TO SIGN ALL RELATED STATE TRANSMITTAL DOCUMENTS; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$69,206 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$69,206 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 5610

Patrick-Maben: All Ayes

AIRPORTS

- *11) Request to accept a donation in the form of art from The Arts Council of Kern with a value of \$157,000 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

Patrick-Maben: All Ayes

DISTRICT ATTORNEY

- *12) Proposed Resolution authorizing District Attorney to submit grant application to the Governor's Office of Emergency Services Violence Against Women Vertical Prosecution Program in the amount of \$55,000 (Fiscal Impact: \$55,000; State Grant; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-461

Patrick-Maben: All Ayes

EMERGENCY MEDICAL SERVICES

- *13) Retroactive approval of grant Agreement from California Emergency Medical Services Authority for the Regional Disaster Medical Health Specialist program, from July 1, 2005 to June 30, 2006 (Fiscal Impact: \$124,598; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 933-2005

Patrick-Maben: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *14) Notification of anticipated retroactive Agreement with La Cooperativa Campesina de California for a Migrant and Seasonal Farmworker Temporary Housing Assistance program (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *15) Proposed retroactive Subgrant Agreement with Tehachapi Unified School District for 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 \$38,000 (prior notification June 21, 2005) (Fiscal Impact: \$38,000; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 934-2005

Patrick-Maben: All Ayes

- *16) Proposed retroactive Subgrant Agreement with Proteus, Inc., for training and employment activities under the Workforce Investment Act, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$617,441 (prior notification June 21, 2005) (Fiscal Impact: \$617,441; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 935-2005

Patrick-Maben: All Ayes

FIRE DEPARTMENT

- *17) Request to accept grant from California Office of Traffic Safety for the acquisition of rescue equipment (Fiscal Impact: \$248,412; Fire Fund; Not Budgeted; Discretionary) - ACCEPTED GRANT; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$248,412 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$208,912 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2415; AUTHORIZED FIRE CHIEF TO EXECUTE DOCUMENTS

Patrick-Maben: All Ayes

- *18) Proposed retroactive Agreement with Bio-key International, Inc., for the maintenance of fire incident reporting system, from June 1, 2004 to June 30, 2006, in an amount not to exceed \$29,018.75 (Fiscal Impact: \$29,018.75; Fire Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 936-2005

Patrick-Maben: All Ayes

- *19) Quarterly report of overtime expenditures (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

HUMAN SERVICES

- *20) Notification of anticipated retroactive Memorandum of Understanding with Maximum, Inc., for Medi-Cal Outreach and Education Services Health Care Options (HCO) Program (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *21) Proposed retroactive approval of Fiscal Year 2005/2006 foster parent training expenses (Fiscal Impact: \$25,000 State/Federal; \$0 County; Budgeted; Mandated) - APPROVED

Patrick-Maben: All Ayes

- *22) Request to appropriate unanticipated revenue from California Department of Health Services for Medi-Cal administration for addition of twenty-six (26) positions to work in the Medi-Cal program (Fiscal Impact: \$1,435,669 Federal/State; \$0 County; Not Budgeted; Mandated) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$1,435,669 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$1,435,669 FROM APPROPRIATIONS FOR CONTINGENCES TO BUDGET UNIT 5120; APPROVED ADDITION OF TWENTY-THREE (23) HUMAN SERVICES TECHNICIANS I/II/III AND THREE (3) HUMAN SERVICES SUPERVISORS, EFFECTIVE NOVEMBER 8, 2005; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Maben: All Ayes

KERN MEDICAL CENTER

- *23) Proposed Amendment No. 2 to Agreement 532-2003 with Tiller Consulting Group, Inc., an independent contractor, for actuarial services, extending the term through December 31, 2008, extending the scope of services through December 31, 2008, and increasing the maximum payable by \$49,690, from \$40,701 to \$90,391 (Fiscal Impact: \$49,690; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 937-2005

Patrick-Maben: All Ayes

- *24) Proposed Agreement with Rossano Bangasan, M.D., a contract employee, for psychiatry services in the Department of Psychiatry, from November 10, 2005 through November 9, 2007, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 938-2005

Patrick-Maben: All Ayes

LAW LIBRARY

Hearing

- 25) Proposed increase in Court filing fees for support of the Law Library from \$21 to \$24 per filing effective January 1, 2006, and an increase from \$24 to \$27 per filing effective January 1, 2007 (Fiscal Impact: \$40,000 to Law Library Fund) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2005-462

Maben-Patrick: All Ayes

LIBRARY

- *26) Proposed holiday closure of Kern County Library on Saturday, December 24, 2005 and Saturday, December 31, 2005 (Fiscal Impact: None) - AUTHORIZED CLOSURE; ADOPTED RESOLUTION 2005-463

Patrick-Maben: All Ayes

- *27) 2004-2005 California Public Library Report (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

MENTAL HEALTH SERVICES

- *28) Proposed Agreement with Angela L. McKinney, L.M.F.T. to provide mental health services for children, from November 8, 2005 through June 30, 2006, in an amount not to exceed \$27,200 (Fiscal Impact: \$27,200; Federal - Medi-Cal, State - EPSDT; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 939-2005

Patrick-Maben: All Ayes

- *29) Request to employ retired County employee, Suman Sethi, as a Mental Health Nurse II, Range 63.3, Step B, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment (Fiscal Impact: \$65,385.31; Budgeted; Discretionary) - APPROVED

Patrick-Maben: All Ayes

PARKS AND RECREATION - Wildlife Resources Commission

- *30) Proposed funding request from the Fish and Game Habitat Club in the amount of \$3,000 to purchase pheasant for the 2006 Junior Pheasant Hunt (Fiscal Impact: \$3,000; Budgeted; Discretionary) - APPROVED PROJECT IN AN AMOUNT NOT TO EXCEED \$3,000 FROM FUNDS AVAILABLE IN 2005-2006 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED PARKS DEPARTMENT TO COMPLETE NECESSARY DOCUMENTS TO COMPLETE TRANSACTION; AUTHORIZED PURCHASING AGENT TO ESTABLISH A PURCHASE ORDER; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE WARRANT UPON PROPER DOCUMENTATION

Patrick-Maben: All Ayes

PROBATION

- *31) Request to employ retired County employee, Sarah Schreiber-Webb, as Office Services Assistant, Range 43.2, Step D, 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: \$12,009.60; Budgeted; Discretionary) - APPROVED

Patrick-Maben: All Ayes

- *32) Request authorization to submit grant application to the Governor's Office of Emergency Services for the Probation Specialized Units Program, in the amount of \$100,981 which includes a 25% match (\$25,245) for the period October 1, 2005 to September 30, 2006 (Fiscal Impact: \$75,736 Revenue; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO EXECUTE REQUIRED APPLICATION AND GRANT AGREEMENT

Patrick-Maben: All Ayes

PUBLIC HEALTH SERVICES

- *33) Proposed retroactive Agreement with The California Wellness Foundation, from October 1, 2005 through September 30, 2008, for grant funding in an amount not to exceed \$330,000 (prior notification October 11, 2005) (Fiscal Impact: \$330,000 for support of the Nurse Family Partnership program - Current Year \$110,000; Private Foundation Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN GRANT AGREEMENT 940-2005 AND RELATED DOCUMENTS, IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-Maben: All Ayes

SHERIFF

- *34) Proposed Amendment No. 1 to Agreement 769-2005 with Dog Training Center of California, Inc., for Canine Purchase and dog/handler training to include purchase and training of two narcotics detection dogs, in an amount not to exceed \$36,000 (Fiscal Impact: \$36,000 Asset Forfeiture Fund; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 941-2005

Patrick-Maben: All Ayes

- *35) Proposed Amendment No. 1 to Agreement 740-2005 to replace Sheriff's Commander Craig Porter with Commander Randall Turman as the interim Chief of Police for the City of Arvin (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 942-2005

Patrick-Maben: All Ayes

- *36) Proposed Amendment No. 1 to Agreement 490-2005 with Keefe Commissary Network to address respective responsibilities for specified supplies and to add a clause concerning the Immigration Reform and Control Act (Fiscal Impact: \$1,300 Inmate Welfare Fund; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 943-2005

Patrick-Maben: All Ayes

- *37) Proposed Agreement with the City of Arvin, California, for background investigation services, from November 8, 2005 through June 30, 2006, in the amount of \$560 per investigation (Fiscal Impact: Revenue to County; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 944-2005

Patrick-Maben: All Ayes

TREASURER-TAX COLLECTOR

- *38) Notice of Intention to Sell Tax-Defaulted Property Subject to the Power of Sale (Fiscal Impact: Estimated Tax-Revenue Recovery, \$12.8 Million; Budgeted) - APPROVED; ADOPTED RESOLUTION 2005-464

Patrick-Maben: All Ayes

- *39) Proposed Agreement with the City of Bakersfield Redevelopment Agency for the sale of tax-defaulted property, in an amount not to exceed \$324,700 plus the cost of giving notice of this Agreement (Fiscal Impact: \$324,700 Property Tax Revenue Recovery; Budgeted) - APPROVED; ADOPTED RESOLUTION 2005-465; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 945-2005

Patrick-Maben: All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 40) Request for Closed Session regarding Meet and Confer, CCAPE-CJU, KCDOA, KCFFU, KCPOA, KLEA -
- 41) Request for Closed Session regarding public employee performance evaluation - Title: Director of Human Services -
- 42) Request for Closed Session regarding public employee recruitment - Title: Director of Aging and Adult Services -
- 43) Request for Closed Session regarding public employee recruitment - Title: Director of Agriculture and Measurement Standards -

COUNTY COUNSEL

- 44) Request for Closed Session regarding a lawsuit entitled Herminia Simental, et al. v. County of Kern, Kern County Superior Court Case No. S-1500-CV-254177 SPC (Government Code Section 54956.9(a)) -
- 45) Request for Closed Session regarding a lawsuit entitled Michelle Lewis v. County of Kern (WCAB Case No. BAK 0130630) (Government Code Section 54956.9(a)) -
- 46) Request for Closed Session regarding a lawsuit entitled Nellie Stafford v. County of Kern (WCAB Case Nos. BAK 116879 and BAK 126989) (Government Code Section 54956.9(a)) -
- 47) Request for Closed Session regarding a lawsuit entitled John McElwee v. County of Kern (WCAB Case Nos. BAK 144511 and BAK 144512) (Government Code Section 54956.9(a)) -

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; RECESSED TO 2:00 P.M.

McQuiston-Patrick

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Chairman, Board of Supervisors

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- TERRY SWISHER HEARD REGARDING HOMELESS SITUATION IN THE OILDALE AREA; LAURA NIEDERAUER HEARD REGARDING TRAFFIC HAZARDS AND POTENTIAL SOLUTIONS AT THE HIGHWAY 58 EASTBOUND OFF RAMP AT WEEDPATCH HIGHWAY AND KIMBER AVENUE

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR RUBIO REQUESTED RESOURCE MANAGEMENT AGENCY AND WASTE MANAGEMENT TO RESEARCH AVAILABILITY OF LAND ON THE WEST SIDE OF BAKERSFIELD TO POSSIBLY ESTABLISH A TRANSFER STATION

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- 3) **Request from Tejon Ranchcorp and Tejon Industrial Corporation to allow general industrial uses in a 1,109-acre area that was formerly agriculture and oil fields, excluding land from an Agricultural Preserve, canceling a Williamson Act Contract and a Development Agreement, all located at the southern end of Kern County on the east side of Interstate 5, near the split of Highway 99 and Interstate 5, Wheeler Ridge area (SD's #2 & #4)**

Specific Request:

- (a) & (b) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 7.1 and 8.4 to Map Code(s) 4.1 or a more restrictive map code designation; amend the Circulation Element to delete section line (arterial) alignments and midsection line (collector) alignments and change Laval Road from a collector to an arterial roadway within the Specific Plan area (GPA #4, Map #202; GPA #6, Map #219)
 - (c) Adoption of the Tejon Industrial Complex-East Specific Plan text and map by ordinance which will establish the General Plan and the zoning for the property within the Specific Plan area (Adopt Tejon Industrial Complex-East Specific Plan)
 - (d) Adoption of a Specific Plan Line for a collector alignment (Specific Plan Line)
 - (e) & (f) A change in Kern County zone classification from M-1 PD, C-2 PD, and A to Tejon Industrial Complex-East Specific Plan designation GI or a more restrictive zone/designation (ZCC #14, Map #202; ZCC #11, Map #219)
 - (g) A Development Agreement for Tejon Industrial Complex-East (Development Agreement for Tejon Industrial Complex-East)
 - (h) Exclusion of approximately 959 acres from the boundaries of Agricultural Preserve 19 (Ag Pres #19 - Excl)
 - (i) Cancellation of approximately 130 acres of a Land Use Contract (Cancellation #01-2, Map #219)
- (Environmental Impact Report; Published Bakersfield Californian and Mountain Enterprise) (from 9/13/2005) - OPENED HEARING; HEARD IN OPPOSITION TO PROJECT: ILEENE ANDERSON, CENTER FOR BIOLOGICAL DIVERSITY; CAROLINE FARRELL, CENTER ON RACE, POVERTY AND THE ENVIRONMENT; MARY GRIFFIN, KERN AUDUBON SOCIETY; MARY ANN LOCKHART, SIERRA CLUB, CONDOR GROUP; AND LORRAINE UNGER; HEARD IN FAVOR OF PROJECT: JOE DREW, SENIOR VICE PRESIDENT OF REAL ESTATE FOR TEJON RANCH; MICHAEL TURNIPSEED, KERN COUNTY TAXPAYERS ASSOCIATION; RON LA BRUCHERIE; BOB HAMPTON, CHAIRMAN, WEST SIDE ECONOMIC DEVELOPMENT, LLC; MELINDA BROWN, KERN ECONOMIC DEVELOPMENT CORPORATION; AND STEVEN CHESNEY; CLOSED HEARING; HEARING WAS SUSPENDED UNTIL AFTER ITEM NO. 25 P.M.

MEETING RECONVENED FROM RECESS (SEE ITEM NO. 25) WITH ALL MEMBERS PRESENT; CHAIRMAN WATSON REOPENED HEARING; MARY GRIFFIN HEARD; CLOSED HEARING

(Continued on Page 12)

(Continued from Page 11)

PER PLANNING COMMISSION RECOMMENDATION, CERTIFIED THE 2005 FINAL ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 FINDINGS; ADOPTED AMENDED SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2005-466 THROUGH 2005-470 AND ENACTED ORDINANCES G-7308 THROUGH G-7311 APPROVING GENERAL PLAN AMENDMENTS AND CIRCULATION AMENDMENTS, ADOPTING SPECIFIC PLAN LINES, ADOPTING TEJON INDUSTRIAL COMPLEX-EAST SPECIFIC PLAN, APPROVING ZONE CHANGES, APPROVING DEVELOPMENT AGREEMENT FOR TEJON INDUSTRIAL COMPLEX-EAST AND AUTHORIZING CHAIRMAN TO SIGN AND CLERK OF THE BOARD TO RECORD AGREEMENT 946-2005, APPROVING AGRICULTURAL PRESERVE EXCLUSION, AND APPROVING CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE; DIRECTED CLERK OF THE BOARD TO ISSUE A TENTATIVE CERTIFICATE OF CANCELLATION AND ISSUE A CERTIFICATE OF CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE AND COMPLIANCE WITH ALL OTHER CONDITIONS CONTAINED IN THE TENTATIVE CERTIFICATE OF CANCELLATION; RECEIVED AND FILED DOCUMENTS

Maben-McQuiston: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *4) **Request from Dov Alon to change the permitted uses from high-density residential to medium-density residential on approximately 7,600 square feet located at the northwest corner of Evans Road and Williams Street, Wofford Heights (SD #1)**

Specific Request:

A change in zone classification from R-3 to R-2 or a more restrictive district (ZCC #16, Map #17-32)
(General Rule, Section 15061(b)(3); Published Kern Valley Sun) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2005-471 AND ENACTED ORDINANCE G-7312 APPROVING ZONE CHANGE AS REQUESTED

Maben-Patrick: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #1

- *5) Proposed Notice of Nonrenewal Petition No. 05-39 by Rodney H. and Karen K. Wiens for approximately 38.45 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: All Ayes

- *6) Proposed Notice of Nonrenewal Petition No. 05-40 by Rodney H. and Karen K. Weins for approximately 14 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes
- *7) Proposed Notice of Nonrenewal Petition No. 05-41 by Rodney H. and Karen K. Weins for approximately 20 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes
- *8) Proposed Notice of Nonrenewal Petition No. 05-42 by Rodney H. and Karen K. Wiens for approximately 39 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes
- *9) Proposed Notice of Nonrenewal Petition No. 05-49 by Giumarra Vineyards Corporation for approximately 141.20 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes
- *10) Proposed Notice of Nonrenewal Petition No. 05-64 by R & M Kent Family Limited Partnership for approximately 153 acres within Agricultural Preserve No. 9 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes
- *11) Proposed rescission of existing Williamson Act Land Use Contract No. 93-14 and simultaneous approval of proposed Williamson Act Land Use Contract No. 05-9, for 2006 calendar year, with Bryan and Linda Bone, southeast corner of Snow Road and Martin Road, west of Bakersfield, Agricultural Preserve No. 9 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes
- S.D. #2
- *12) Proposed Notice of Nonrenewal Petition No. 05-50 by Joseph Giumarra Grandchildren's Trust for approximately 169.59 acres within Agricultural Preserve No. 13 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes
- S.D. #4
- *13) Proposed Williamson Act Land Use Contract No. 05-10, for 2006 calendar year, with Alfred Palla, Jr. and Janetta Palla, approximately 698.01 acres at southeast corner of Burbank Road and Rowlee Road, Buttonwillow area, Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD
Maben-Patrick: All Ayes

S.D. #5

- *14) Proposed Notice of Nonrenewal Petition No. 05-52 by Giumarra Farms, Inc., for approximately 130.99 acres within Agricultural Preserve No. 13 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: All Ayes

- *15) Proposed Notice of Nonrenewal Petition No. 05-53 by Giumarra Vineyards Corporation for approximately 80 acres within Agricultural Preserve No. 13 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: All Ayes

S.D.'s #1 & #5

- *16) Proposed Notice of Nonrenewal Petition No. 05-47 by Giumarra Vineyards Corporation for approximately 225 acres within Agricultural Preserve No. 13 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: All Ayes

Miscellaneous

S.D. #4

- *17) Request from Tejon Industrial Corporation and Tejon Dermody Industrial, LLC, for execution of a Correction to Legal Description to a Notification, Acknowledgement and Assignment Agreement and request for Tejon Industrial Corporation and Five West Parcel, LLC, for execution of a Notification, Acknowledgement and Assignment Agreement, both for the Tejon Industrial Complex West Development Agreement (Fiscal Impact: None) - APPROVED CORRECTION OF LEGAL DESCRIPTION; APPROVED NOTIFICATION, ACKNOWLEDGEMENT AND ASSIGNMENT AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 947-2005 AND 948-2005; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- 18) Proposed Ordinance repealing and adding new Chapter 7.20 and amending Section 8.04.060 of the Kern County Ordinance Code and establishing an annual permit fee concerning Concentrated Animal Feeding Operations (Fiscal Impact: None) - JOHN BORGES, WESTERN UNITED DAIRYMEN, HEARD; WAIVED READING; INTRODUCED ORDINANCE AS AMENDED; SET HEARING FOR TUESDAY, DECEMBER 13, 2005, AT 2:00 P.M., ON PROPOSED FEES AND ENACTMENT OF PROPOSED ORDINANCE; DIRECTED COUNTY COUNSEL TO PREPARE A FAIR AND ADEQUATE SUMMARY OF PROPOSED ORDINANCE AMENDMENTS AND NOTICE OF HEARING; DIRECTED CLERK OF THE BOARD TO PUBLISH REQUIRED NOTICE AND SUMMARY IN ACCORDANCE WITH SECTIONS 25124(b)(1) AND 6061 OF THE CALIFORNIA GOVERNMENT CODE AT LEAST 30 DAYS PRIOR TO THE HEARING

Patrick-Rubio: 4 Ayes; 1 No - McQuiston

RESOURCE MANAGEMENT AGENCY
Animal Control Services

All S.D.'s

- 19) Monthly Report and proposed budget transfer from Appropriations for Contingencies in the amount of \$80,625 to Budget Unit 2760 for kennel sealing (Fiscal Impact: \$80,625; General Fund; Budgeted; Discretionary) - APPROVED

Patrick-Maben: All Ayes

- *20) Proposed holiday closure of Kern County Animal Shelters on Saturday, December 24, 2005, and Saturday, December 31, 2005 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-472

Maben-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

S.D. #1

- *21) Request for Release of Funds (RROF) for CD Activity No. 28.05.1, Lake Isabella Park Parking Lot Improvements (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Maben-Patrick: All Ayes

S.D. #5

- *22) Proposed Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) for Home Investment Partnership Program, Project No. 34.04.3, Comunidad 16 De Septiembre 1965, Phase II (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Maben-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #1

- 23) Hearing for the abatement of a public nuisance at 1727 Burlando Road, Kernville, APN 054-020-532, estimated demolition cost \$10,000 (Fiscal Impact: \$10,000; Budgeted; General Fund; Discretionary) - OPENED HEARING; HEARD IN OPPOSITION TO STAFF RECOMMENDATION: JOHN DOERSAM AND MIKE KAIA OF YOUNG, WOOLDRIDGE, REPRESENTING JOHN DOERSAM; CLOSED HEARING; ADOPTED RESOLUTION 2005-473 DECLARING THE BLOCKAGE OF BURLANDO ROAD (STOCK POND) 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 THE FILLING IN OF THE ILLEGAL STOCK POND, SURVEY THAT PORTION OF BURLANDO ROAD THAT HAS BEEN COMPROMISED BY THE CONSTRUCTION OF THE POND, REMOVE OBSTRUCTIONS AND RETURN THE GRADE OF BURLANDO ROAD, MAKING IT CLEAR AND TRAVERSABLE TO ALL VEHICLE TRAFFIC

McQuiston-Rubio: All Ayes

- 24) Proposed Resolution ordering the extension of Zone of Benefit No. 2 in County Service Area No. 60, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundaries extended herein, Tract 6188, east of Airport Drive and south of West Day Drive, Oildale (Fiscal Impact: \$4,972.40; CSA's; Budgeted; Mandatory) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7313 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2005-474 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$240 PER GROSS ACRE FOR STREET LIGHT MAINTENANCE - COMMERCIAL/LARGE LOT, \$24 PER PARCEL FOR STREET SWEEPING - COMMERCIAL/LARGE LOT, \$200 PER GROSS ACRE FOR DRAINAGE FACILITIES MAINTENANCE - COMMERCIAL/LARGE LOT; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARIES EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NO. 2 IN COUNTY SERVICE AREA NO. 60

McQuiston-Maben: All Ayes

S.D. #3

- 25) Proposed Resolution determining to adopt and accept an Ordinance enacting assessments for the area annexed to County Service Area No. 81 and establish Zone of Benefit No. 3, Olive Drive between Victor Street and Landco Drive, Bakersfield, Local Agency Formation Commission (LAFCO) Proceeding No. 1418 (Fiscal Impact: \$19,633; CSA'S; Budgeted; Mandatory) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENT FOR COMMUNITY STREET SWEEPING AND DID NOT CONFIRM ASSESSMENTS FOR LANDSCAPING; ENACTED ORDINANCE G-7314 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2005-475 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$26 PER PARCEL PER YEAR FOR STREET SWEEPING - SINGLE FAMILY PARCELS, \$77 PER PARCEL PER YEAR FOR STREET SWEEPING - COMMERCIAL AND MULTI-FAMILY PARCELS, \$166 PER PARCEL PER YEAR FOR STREET SWEEPING - CHURCH AND APARTMENT COMPLEX; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARIES DESCRIBED

Patrick-McQuiston: All Ayes

RECESSED FOR TEN MINUTES; RECONVENED WITH ALL MEMBERS PRESENT

NOTE: THE BOARD COMPLETED CONSIDERATION OF ITEM NO. 3 P.M. FOLLOWING ITEM NO. 25 P.M.

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *26) Contract No. 05014 with Maverick Asphalt for construction on Jack's Ranch Road, in an amount not to exceed \$348,253.57 (Fiscal Impact: \$348,253.57; Federal TEA Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 949-2005

Maben-Patrick: All Ayes

S.D. #5

- *27) Contract No. 05015, identify apparent low bid of Griffith Company for construction on Shalimar Drive and Lexington Street, in an amount not to exceed \$253,705 (Fiscal Impact: \$253,705; TEA/Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL BID GUARANTEES

Maben-Patrick: All Ayes

All S.D.'s

- *28) Proposed Contract No. 645169 with the California Department of Transportation (Caltrans) for transit operating assistance funding on all bus routes (Fiscal Impact: \$302,657; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED DIRECTOR TO SIGN; APPROVED CALTRANS' INDEMNITY CLAUSE IN ALL FUTURE TRANSIT-RELATED GRANT AGREEMENTS

Maben-Patrick: All Ayes

- *29) Proposed reorganization and addition of three (3) Administrative Coordinator positions and one (1) Engineering Manager position to Roads Department Budget Unit 3000, effective November 12, 2005 (Fiscal Impact: \$230,000 Annually; Road Fund; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMENDMENT DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: All Ayes

- *30) Proposed Amendment No. 1 to Personal/Professional Services Agreement with Compass Rose Archaeological, Inc., to increase maximum amount payable by \$20,000 to \$40,000 (Fiscal Impact: \$20,000; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 950-2005

Maben-Patrick: All Ayes

WASTE MANAGEMENT

S.D. #1

- *31) Proposed Amendment No. 4 to Agreement 158-97 with Sierra Waste Transfer, Inc., for operational services at the Kern Valley Transfer Station to increase compensation for Fiscal Year 2005-2006 by \$43,000 and include an Annual Inflation Multiplier based upon the Consumer Price Index (Fiscal Impact: \$43,000 Increase for FY 2005-2006; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 951-2005

Maben-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *32) Proposed Agreement with California State University Foundation for Valley Fever Vaccine Project of the Americas in the amount of \$50,000 for Fiscal Year 2005-2006 (Fiscal Impact: \$50,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 952-2005

Maben-Patrick: All Ayes

- *33) Proposed response to Grand Jury report entitled Kern County Sheriff's Coroner Division (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

Maben-Patrick: All Ayes

- *34) Proposed response to Grand Jury report entitled Kern County Probation Department Victim/Witness Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

Maben-Patrick: All Ayes

- *35) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 489, Local Agency Formation Commission (LAFCO) Proceeding No. 1433 (Fiscal Impact: FY 2006-2007 \$1,529 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-476

Maben-Patrick: All Ayes

- *36) Transfer of property tax entitlement related to City of Wasco Annexation No. 36, Local Agency Formation Commission (LAFCO) Proceeding No. 1434 (Fiscal Impact: FY 2006-2007 \$263 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-477

Maben-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *37) Plans and specifications for tot lot improvements at Delano Memorial Park and Lake Woollomes (1960.8263.04C) (Fiscal Impact: \$196,700; Parkland Grant; Budgeted; Discretionary) - 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; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, DECEMBER 8, 2005, AT 11:00 A.M.

Maben-Patrick: All Ayes

S.D. #3

- *38) Change Order No. 21 for New Airport Terminal at Meadows Field, an increase of \$17,237, for a new total of \$21,829,902; and proposed Resolution to dispense with bidding requirements for Change Orders in excess of 10 percent of contract amount (8215.8415) (Fiscal Impact: \$17,237; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-478; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: All Ayes

S.D. #4

- *39) Proposed Agreement with Fields Devereaux Architects & Engineers to perform architectural services for the Frazier Park Branch Library, in an amount not to exceed \$402,700 (1960.8158.02) (Fiscal Impact: \$402,700; California Library Bond Act 2000; Budgeted; Discretionary) - CONTINUED TO TUESDAY, NOVEMBER 15, 2005, AT 2:00 P.M.

Maben-Patrick: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *40) Budget Transfers - APPROVED NO. 43 THROUGH NO. 48

Maben-Patrick: All Ayes

- *41) Minutes for the week of October 10, 2005 - APPROVED

Maben-Patrick: All Ayes

- *42) Miscellaneous Letters and Documents - APPROVED

Maben-Patrick: All Ayes

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

Maben-Patrick: All Ayes

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

Maben-Patrick: All Ayes

ADJOURNED TO MONDAY, NOVEMBER 14, 2005, AT 2:00 P.M. TO KERN
MEDICAL CENTER

McQuiston

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Chairman, Board of Supervisors

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

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

42) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Letter from Raymond E. Karpe, Karpe Real Estate Center, re resignation as Director on the North of the River Recreation and Parks District Board (Copies to each Supervisor and CAO)

Grand Jury

- B) 2005-2006 Final Report re County of Kern Probation Department Victim/Witness Program (Copies to each Supervisor, CAO and Probation)

Local Agency Formation Commission

- C) Letter from Virginia Gennaro, City of Bakersfield, re Brimhall No. 12, Annexation No. 490, LAFCO Proceeding No. 1430 (Copies to each Supervisor, CAO and Resource Management Agency)

Resource Management Agency

- D) Five (5) thank you letters for donations to the Bakersfield Animal Care Center and the Mojave Animal Shelter (Copies to each Supervisor and CAO)

Roads

- E) Received, prepared Consent to Recordation and transmitted to Recorder for recordation an Irrevocable Offer of Dedication from Tech-Time Communications, Inc., for additional right-of-way on Norris Road as required for Encroachment Permit No. 1237-05

Miscellaneous

- F) Letter from Ann M. Gallon in opposition to additional dairies in Kern County (Copies to each Supervisor, CAO, Planning and County Counsel)
- G) Letter from Kristi Furman, County of Mendocino, re Resolution 05-188 in support of Marriage Equality (Copies to each Supervisor, CAO and County Counsel)
- H) Information from Roxanne Ayala Edwards re property at 340 Hudson Drive, Bakersfield, heard on Tuesday, October 25, 2005, Item No. 11 P.M. (Copies to each Supervisor, CAO, County Counsel and Planning)
- I) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from Derrick Liquor Store, 3215 Niles Street, Bakersfield; and A 1 Market, 329 Roberts Lane, Bakersfield (Copies to each Supervisor, CAO and Planning)

43) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED

- A) Petition from residents of Caliente, Twin Oaks, Walker Basin and Havilah re lack of available gasoline storage equipment in the area limiting effectiveness of responder vehicles during an emergency - REFERRED TO FIRE DEPARTMENT (Copies to each Supervisor, CAO and County Counsel)

- 44) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Charilyn and James Bradford vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Philip Thomas Smith vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Tim Lynch vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Second amended claim in the matter of Nancy M. Gomez; Natalie Gomez; Vincent Gomez, a minor, by and through his Guardian ad Litem, Nancy M. Gomez; Jaclyn Gomez, a minor, by and through her Guardian ad Litem, Nancy M. Gomez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Discrimination complaint in the matter of Cary Hatton Freeman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
 - F) Discrimination complaint in the matter of Mary Frances Moreno vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
 - G) Discrimination complaint in the matter of Annette Elizabeth Sterling vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)