

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Monday, December 5, 2005

12:30 P.M.

BOARD RECONVENED

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

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.

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

ADJOURNED TO CLOSED SESSION

**Patrick**

#### CLOSED SESSION

##### COUNTY ADMINISTRATIVE OFFICE

- 2) Request for Closed Session regarding public appointment (interviews) (Government Code Section 54957) - Title: Director of Aging and Adult Services -

(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,  
DECEMBER 6, 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, December 6, 2005

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Patrick

NOTE: CHAIRMAN WATSON WELCOMED STUDENTS FROM BAKERSFIELD ADULT SCHOOL WHO WERE JOB SHADOWING WITH SUPERVISORS. CHAIRMAN WATSON WELCOMED RUCHIRA MC LAREN; SUPERVISOR MABEN WELCOMED SILVIA GONZALEZ; SUPERVISOR RUBIO WELCOMED MONICA CHAIREZ; SUPERVISOR PATRICK WELCOMED JOSE ORTEGA; AND SUPERVISOR MCQUISTON WELCOMED GERARD RODAS; ALL STUDENTS WERE HEARD

NOTE: The vote is displayed in bold below each item. For example, Patrick-Maben denotes Supervisor Patrick made the motion and Supervisor Maben seconded the motion.

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

BOARD ACTION SHOWN IN CAPS

#### RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming December 2005 as Christmas Canned Food Month in Kern County - PROCLAIMED; MADE PRESENTATION TO SUE BENHAM, EXECUTIVE DIRECTOR, GOLDEN EMPIRE GLEANERS; SUE BENHAM AND KERN COUNTY FIRE CHIEF DEPUTY BOB KLINOFF HEARD; PHIL ZANDER, GOLDEN EMPIRE GLEANERS BOARD CHAIRMAN, RECOGNIZED

**Patrick-McQuiston: All Ayes**

- 2) Proclamation proclaiming December 2005 as Stop the Violence in Kern County Month - PROCLAIMED; MADE PRESENTATION TO PASTOR JOSETHATE JORDAN; PASTOR JORDAN HEARD

**Rubio-Maben: All Ayes**

- 3) Certificate of Recognition recognizing the achievements of the ESL Bakersfield Adult Student's El Civic program - MADE PRESENTATION TO SUSAN HANDY, PRINCIPAL, BAKERSFIELD ADULT SCHOOL; SUSAN HANDY, NANCY WILLIAMS, EL CIVICS ADMINISTRATOR, JAN MINOT, EL CIVICS PROGRAM AND STEVE CAREY, EDUCATOR, HEARD

- \*4) Resolution honoring Byron Loyd for his service to Meadows Field and Kern County (from November 15, 2005) -

**WITHDRAWN**

- \*5) Resolution honoring Ken Dyar for being recognized as California Teacher of the Year - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Patrick: All Ayes**

PUBLIC REQUESTS

- 6) Request from Dave Christensen, Public Affairs Manager for Southern California Gas Company, to address the Board regarding winter natural gas prices - DAVE CHRISTENSEN HEARD

APPOINTMENTS

- \*7) Appointment of John Nilon as Second District Public Agency Representative Member to the Local Child Care and Development Planning Council, term to expire June 30, 2007 - MADE APPOINTMENT

**Maben-Patrick: All Ayes**

- \*8) Reappointment of Helen Richards as Fourth District Member to the Commission on Aging, term to expire September 15, 2007 - MADE REAPPOINTMENT

**Maben-Patrick: All Ayes**

- \*9) Reappointment of David Heywood as an At-large Member to the Wasco Recreation and Park District, term to expire November 30, 2009 - MADE REAPPOINTMENT

**Maben-Patrick: All Ayes**

PUBLIC PRESENTATIONS

- 10) 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!  
- MICHAEL TURNIPSEED, KERN COUNTY TAX PAYERS ASSOCIATION, REQUESTED THE BOARD CONSIDER A PUBLIC REPORT BY THE KERN COUNTY CONSERVATOR EXPLAINING THE SERVICES PROVIDED BY THE CONSERVATOR. THE COUNTY ADMINISTRATIVE OFFICE WAS DIRECTED TO COORDINATE WITH AGING AND ADULT SERVICES TO PROVIDE THE PRESENTATION

RECEIVED AND FILED DOCUMENT

**Patrick-Maben: All Ayes**

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 11) 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 THE COUNTY ADMINISTRATIVE OFFICE REVIEW ANY EFFORTS BEING MADE TO RECAPTURE COUNTY ELECTION COSTS FROM THE STATE RESULTING FROM THE SPECIAL ELECTION HELD IN NOVEMBER

DEPARTMENTAL REQUESTS

AIRPORTS

- \*12) Proposed addition of one (1) Office Services Technician position, effective December 6, 2005 (Fiscal Impact: \$39,982 Annual Expenditure; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Patrick: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*13) Proposed authorization for Auditor-Controller-County Clerk to transfer \$405,551 of additional fund balance available in the General Fund due to the cancellation of over-accrued expenditures to appropriations for contingencies (Fiscal Impact: \$405,551; Not Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

BOARD OF SUPERVISORS

- \*14) Request of Third District Supervisor Barbara Patrick to employ retired County employee, Paula Herrington, as a Field Representative III, Range 53.2, Step C, 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: \$18,000; Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

CHILD SUPPORT SERVICES

- 15) Report on Western Interstate Child Support Enforcement Council Award for Best Public Awareness Campaign for Kern County Department of Child Support Services, Kids Count, television/radio show and monthly column (Fiscal Impact: None) - HEARD PRESENTATION; RECEIVED AND FILED

**Maben-Rubio: All Ayes**

CLERK OF THE BOARD

- \*16) Proposed Resolution establishing the regular meeting dates of the Board of Supervisors for 2006 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-489

**Maben-Patrick: All Ayes**

- \*17) Request to employ retired County employee, Kaaren Shatswell, as a Deputy Clerk of the Board II, 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: \$8,352 estimated; Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

COUNTY COUNSEL

- \*18) Report on referral of September 13, 2005, relating to availability of Closed Sessions concerning public security and emergencies (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

- \*19) Renewal of Commission of Notary Public for Doris Brown in the Office of County Counsel (Fiscal Impact: \$300) - APPROVED; AUTHORIZED DEPARTMENT HEAD TO SIGN; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Maben-Patrick: All Ayes**

- \*20) Request from the Kern County Table Grape Pest and Disease Control District and the Tulare County Table Grape Pest and Disease Control District, to consolidate the districts into the Consolidated Central Valley Table Grape Pest and Disease Control District (Fiscal Impact: None) - SET HEARING FOR TUESDAY DECEMBER 20, 2005 AT 9:00 A.M.; DIRECTED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING

**Maben-Patrick: All Ayes**

- \*21) Proposed Resolution authorizing County Counsel to settle and to reject Workers' Compensation claims up to a maximum of \$50,000 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-490

**Maben-Patrick: All Ayes**

DISTRICT ATTORNEY

- 22) Briefing on departmental operations (Fiscal Impact: None) - HEARD PRESENTATION; RECEIVED AND FILED

**Patrick-Rubio: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*23) Proposed retroactive Agreement with La Cooperativa Campesina de California for a Migrant and Seasonal Farmworker Temporary Housing Assistance Program, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$52,661 (prior notification June 21, 2005) (Fiscal Impact: \$52,661; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 974-2005

**Maben-Patrick: All Ayes**

- \*24) Proposed retroactive Agreement with Mexican American Opportunity Foundation for a Migrant and Seasonal Farmworker Temporary Housing Assistance Program, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$38,136 (prior notification November 8, 2005) (Fiscal Impact: \$38,136; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 975-2005

**Maben-Patrick: All Ayes**

- \*25) Proposed retroactive Agreement with Proteus, Inc., for a Migrant and Seasonal Farmworker Temporary Housing Assistance Program, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$11,875 (prior notification November 8, 2005) (Fiscal Impact: \$11,875; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 976-2005

**Maben-Patrick: All Ayes**

- \*26) Proposed retroactive Subgrant Agreement with Farmworker Institute for Education and Leadership Development for the provision of training and employment activities under the Workforce Investment Act, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$169,218 (prior notification June 21, 2005) (Fiscal Impact: \$169,218; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 977-2005

**Maben-Patrick: All Ayes**

- \*27) Proposed retroactive Agreement with Tulare County Workforce Investment Board, Inc., for Nurse Workforce Initiative Grant Program to provide training as psychiatric technicians and licensed vocational or registered nurses to WIA eligible customers within Tulare County, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$68,679 (prior notification July 26, 2005) (Fiscal Impact: \$68,679; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 978-2005

**Maben-Patrick: All Ayes**

- \*28) Proposed retroactive Subgrant Agreement with the West Side Regional Occupational Program for the provision of training and employment services for WIA eligible youths, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$80,000 (prior notification June 21, 2005) (Fiscal Impact: \$80,000; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 979-2005

**Maben-Patrick: All Ayes**

- \*29) Proposed retroactive Subgrant Agreement with California State University, Bakersfield for the provision of training and employment activities for youths and migrant seasonal farm workers under the Workforce Investment Act, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$262,872 (prior notification June 21, 2005) (Fiscal Impact: \$262,872; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN 980-2005

**Maben-Patrick: All Ayes**

- \*30) Proposed retroactive Subgrant Agreement with ACS State & Local Solutions, Inc., for the provision of training and employment activities for youths under the Workforce Investment Act, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$230,695 (prior notification June 21, 2005) (Fiscal Impact: \$230,695; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 981-2005

**Maben-Patrick: All Ayes**

FIRE DEPARTMENT

- 31) Request to approve revisions to the Fire Department's uniform policy to require Nomex Fire-Resistant Fabric Shirts and purchase of replacement shirts (Fiscal Impact: \$37,000; Fire Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Patrick-McQuiston: All Ayes**

- \*32) Appropriation of unanticipated revenue in the amount of \$52,000 from Fixed Wing Aircraft Trust Fund (22122) for required maintenance of a fixed wing aircraft engine (Fiscal Impact: \$52,000; Fixed Wing Aircraft Trust Fund; Not Budgeted; Discretionary) - APPROVED TRANSFER OF \$52,000 FROM FIXED WING TRUST FUND 22122 TO FIRE FUND 00011; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$52,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$52,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2415

**Maben-Patrick: All Ayes**

- \*33) Request for sole source purchase order with L.N. Curtis, Inc., for purchase of fire hose, fittings, nozzles, and self contained breathing apparatus (SCBA), in an amount not to exceed \$176,000 (Fiscal Impact: \$176,000; Fire Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Maben-Patrick: All Ayes**



- \*34) Proposed Agreement with Angeles, Los Padres, and Sequoia National Forests; USDI Bureau of Land Management, Bakersfield Field Office, California Desert District; and U.S. Fish and Wildlife Service for cooperative fire protection (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 982-2005

**Maben-Patrick: All Ayes**

KERN MEDICAL CENTER

- \*35) Proposed retroactive sole source Agreement with The Advisory Board Company, an independent contractor, for participation in the Revenue Cycle Compass Program, from November 14, 2005 through November 13, 2006, in an amount not to exceed \$179,800 (Prior notification November 14, 2005) (Fiscal Impact: \$179,800; KMC Enterprise Fund; Not Budgeted; Discretionary) -

**WITHDRAWN**

- \*36) Proposed Amendment No. 1 to Agreement 218-2005 with Parviz Massarat, M.D., an independent contractor, for radiology services, to increase the per diem rate by \$100 per day, increase the maximum payable by \$6,000, from \$162,000 to \$168,000, include lodging as a component of the per diem rate and delete the obligation of the County to pay for lodging (Fiscal Impact: \$6,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 983-2005

**Maben-Patrick: All Ayes**

- \*37) Proposed Agreement with Shreedevi Keni, M.D., a contract employee, for psychiatry services, from December 12, 2005 through December 11, 2007, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 984-2005

**Maben-Patrick: All Ayes**

- \*38) Proposed Agreement with World Health Staffing, Inc., an independent contractor, for temporary nurse staffing, from December 17, 2005 through December 16, 2007, in an amount not to exceed \$7,600,000 (Fiscal Impact: \$7,600,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 985-2005

**Maben-Patrick: All Ayes**

- \*39) Request to continue to January 9, 2006 report back to the Board regarding County Medical Malpractice Insurance (from November 1, 2005) (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

MENTAL HEALTH SERVICES

- \*40) Proposed Agreement with Kern Regional Center, Inc., for reimbursement of one half of placement and Mental Health services costs for children placed at the Devereux Foundation in Melbourne, Florida, from December 6, 2005 through June 30, 2006 (Fiscal Impact: FY 2005-06 \$500,000; Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 986-2005

**Maben-Patrick: All Ayes**

- \*41) Proposed Amendment No. 1 to Agreement 422-2005 with College Community Services, Inc., FY 2005-06, for indigent clients in the Lake Isabella area, to increase service levels to match actual service demand and increase compensation from \$776,718, to an amount not to exceed \$803,718 (an increase of \$27,000) (Fiscal Impact: \$27,000; Federal, State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 987-2005

**Maben-Patrick: All Ayes**

- \*42) Proposed Amendment No. 1 to Agreement 424-2005, with College Community Services, Inc., for FY 2005-06 for indigent clients residing in the Tehachapi, California City and Rosamond areas, to increase service levels to match actual service demand and increase compensation from \$2,532,844, to an amount not to exceed \$2,595,021 (an increase of \$62,177) (Fiscal Impact: \$62,177; Federal, State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 988-2005

**Maben-Patrick: All Ayes**

- \*43) Proposed Amendment No. 1 to Agreement 421-2005, with College Community Services, Inc., for FY 2005-06 for indigent clients residing in the Ridgecrest area, to increase service levels to match actual service demand and increase compensation from \$836,705, to an amount not to exceed \$893,528 (an increase of \$56,823) (Fiscal Impact: \$56,823; Federal, State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 989-2005

**Maben-Patrick: All Ayes**

- \*44) Proposed Amendment No. 1 to Agreement 423-2005, with College Community Services, Inc., for FY 2005-06 for indigent clients residing in the Wasco area, to increase service levels to match actual service demand and increase compensation from \$808,614 to an amount not to exceed \$812,614 (an increase of \$4,000) (Fiscal Impact: \$4,000; Federal, State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 990-2005

**Maben-Patrick: All Ayes**

- \*45) Proposed Amendment No. 1 to Agreement 764-2005, with Transforming Local Communities, Inc., for assistance for the Substance Abuse System Program to revise language regarding mandatory meeting requirements, compliance with the Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 991-2005

**Maben-Patrick: All Ayes**

- \*46) Proposed Memorandum of Understanding for participation in the INSYST user group to promote the efficient and cost-effective use of software and appropriate upgrades for department's current information system and payment of membership fee (Fiscal Impact: Approximately \$13,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 992-2005

**Maben-Patrick: All Ayes**

PARKS AND RECREATION DEPARTMENT

- \*47) Proposed retroactive payment in the amount of \$2,216.95 to Santos Soliz for out-of-classification pay, for the period March 3, 2003 through August 31, 2004, per Kern County Ordinance Code Section 3.08.535 (Fiscal Impact: \$2,216.95; Not Budgeted; Mandated) - APPROVED; REQUESTED DIRECTOR OF PERSONNEL TO CORRECT PAYROLL ERROR; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Maben-Patrick: All Ayes**

- \*48) Proposed retroactive payment in the amount of \$273.57 to Dennis Kallenberger for out-of-classification longevity pay, for the period August 20, 2002 through October 28, 2005, per Kern County Ordinance Code Section 3.08.535 (Fiscal Impact: \$273.57; Not Budgeted; Mandated) - APPROVED; REQUESTED DIRECTOR OF PERSONNEL TO CORRECT PAYROLL ERROR; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Maben-Patrick: All Ayes**

PERSONNEL

- \*49) Classification of Undersheriff to be effective retroactive to November 25, 2005 and other Classification of positions recommended by Civil Service Commission effective December 10, 2005 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Patrick: All Ayes**

PROBATION

- \*50) Proposed Amendment No. 2 to Agreement 453-2004 with NCS Healthcare to extend term from January 1, 2006 to June 30, 2006, and increase annual compensation in an amount not to exceed \$180,000 (Fiscal Impact: \$180,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 993-2005

**Maben-Patrick: All Ayes**

- \*51) Annual review of Kern County Probation Department's Home Detention Program, Electronic Monitoring (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

PUBLIC HEALTH SERVICES

HEARING

- 52) Proposed Ordinance setting fees for Public Health Services related to immunizations, laboratory services, and clinic services (Fiscal Impact: \$155,000/\$1,250; funded by patient fees; Budgeted; Mandated/Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ENACTED ORDINANCE G-7317 AND ADOPTED RESOLUTION 2005-491

**Maben-McQuiston: All Ayes**

- 53) Presentation and update on Pandemic Influenza - HEARD PRESENTATION; RECEIVED AND FILED

**McQuiston-Maben: All Ayes**

- 54) Proposed implementation of the Medical Marijuana Identification Card Program in Kern County - ED JAGELS, DISTRICT ATTORNEY; DOUG MCAFEE, PRESIDENT, BAKERSFIELD NORML; AND VICTOR LOVE HEARD; CONTINUED TO TUESDAY, DECEMBER 20, 2005 AT 9:00 A.M.; REFERRED TO COUNTY COUNSEL TO REPORT BACK REGARDING THE STATUS OF THE SAN DIEGO LITIGATION; REFERRED TO PUBLIC HEALTH TO REPORT BACK ON THE REQUIREMENT FOR A JANUARY 9, 2006 START-UP DATE TO IMPLEMENT THE PROGRAM; RECEIVED AND FILED DOCUMENT

**Rubio-Maben: All Ayes**

- \*55) Request to employ retired County employee, Coyt Davis, as a Microbiologist, Step E, effective December 21, 2005, 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: \$28,190; Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

- \*56) Request for approval of absence of the Public Health Services Director from December 13, 2005 through January 23, 2006 - APPROVED

**Maben-Patrick: All Ayes**

- \*57) Proposed retroactive Agreement with the California Department of Health Services, for Public Health Preparedness and Response to Bioterrorism, from August 31, 2005 through August 30, 2006, in an amount not to exceed \$852,816 (prior notification October 18, 2005) (Fiscal Impact: \$852,816; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 994-2005 AND RELATED DOCUMENTS

**Maben-Patrick: All Ayes**

- \*58) Proposed retroactive Agreement with Clinica Sierra Vista for clinical x-ray services, from December 1, 2005 through November 30, 2006, in an amount not to exceed \$8,000 (Fiscal Impact: \$8,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 995-2005

**Maben-Patrick: All Ayes**

- \*59) Proposed retroactive Agreement with National Health Services, Inc., for clinical x-ray services, from December 1, 2005 through November 30, 2006, in an amount not to exceed \$3,000 (Fiscal Impact: \$3,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 996-2005

**Maben-Patrick: All Ayes**

- \*60) Proposed Agreement with Kern Valley Healthcare District for clinical x-ray services, from January 1, 2006 through December 31, 2006, in an amount not to exceed \$1,000 (Fiscal Impact: \$1,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 997-2005

**Maben-Patrick: All Ayes**

- \*61) Proposed retroactive Agreement with Tehachapi Valley Healthcare District for clinical x-ray services, from December 1, 2005 through November 30, 2006, in an amount not to exceed \$1,000 (Fiscal Impact: \$1,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 998-2005

**Maben-Patrick: All Ayes**

SHERIFF

- \*62) Proposed addition of one (1) Senior Office Services Specialist position, effective December 6, 2005 (Fiscal Impact: \$53,069 full-year; \$29,610 FY 2005-06; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Patrick: All Ayes**

- \*63) Proposed retroactive Amendment No. 1 to Agreement 007-2005 with Questys Solutions, a Division of Decision Management Corporation, to extend existing contract to June 30, 2006 (Fiscal Impact: \$16,875; Budgeted; Discretionary) -

**WITHDRAWN**

- \*64) Proposed Budget transfer establishing fixed asset line item for two database servers in an amount not to exceed \$25,544 (Fiscal Impact: \$25,544; Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

- \*65) Request for appropriation of \$35,000 from Sheriff's Civil Automation Trust Fund 22138 for Civil Administration System Hardware Upgrades and Civil Division Property Room Automated System upgrades (Fiscal Impact: \$35,000; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM SHERIFF'S CIVIL AUTOMATION TRUST FUND 22138 IN THE AMOUNT OF \$35,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$35,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

**Maben-Patrick: All Ayes**

- \*66) Request for appropriation of \$2,935 from Sheriff's Civil Trust Fund 22135 for reimbursement of overtime expenditures for the Sheriff's Department Civil Division (Fiscal Impact: \$2,935; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM THE SHERIFF'S CIVIL TRUST FUND 22135 IN THE AMOUNT OF \$2,935 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$2,935 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

**Maben-Patrick: All Ayes**

- \*67) Request for approval of retroactive unusual travel for Senior Deputy Jeff Harbour to attend training in Rancho Cordova, California, from December 4, 2005 to December 16, 2005, in an amount not to exceed \$2,118 (Fiscal Impact: \$2,118; Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

- \*68) Application to hold parade - Our Lady of Guadalupe Procession (annual) - Saint Augustine Catholic Church on December 11, 2005, 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 PERMIT; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

TREASURER-TAX COLLECTOR

- \*69) Proposed Agreement with the Metropolitan Bakersfield Habitat Conservation Plan for the sale of tax defaulted property in an amount not to exceed \$3,400 plus the cost of giving notice of this Agreement (Fiscal Impact: \$3,400 Property Tax Revenue Recovery; Budgeted; Mandated) - APPROVED; ADOPTED RESOLUTION 2005-492; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1000-2005

**Maben-Patrick: All Ayes**

- \*70) Proposed Agreement with the Arvin Community Redevelopment Agency for the sale of tax defaulted property in an amount not to exceed \$38,400 plus the cost of giving notice of this Agreement (Fiscal Impact: \$38,400 Property Tax Revenue Recovery; Budgeted; Mandated) - APPROVED; ADOPTED RESOLUTION 2005-493; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1001-2005

**Maben-Patrick: All Ayes**

- \*71) Request to approve the 2006 County Treasury Investment Policy (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

- \*72) Proposed revisions to Deferred Compensation Plan 1 documents to comply with latest Internal Revenue Service Regulations and Rulings (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

- \*73) Proposed revisions to Deferred Compensation Plan 2 documents to comply with latest Internal Revenue Service Regulations and Rulings (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

ADJOURNED TO CLOSED SESSION

**Patrick**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 74) Request for Closed Session regarding public employee appointment (interviews) (Government Code Section 54957) - Title: Director of Aging and Adult Services - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)
- 75) Request for Closed Session regarding public employee appointment (recruitment) (Government Code Section 54957) - Title: Director of Agriculture and Measurement Standards -
- 75A) Results of Closed Session regarding public employee appointment (recruitment) (Government Code Section 54957) - Title: Director of Agriculture and Measurement Standards - CONTINUED TO TUESDAY, DECEMBER 13, 2005 AT 9:00 A.M.
- 76) Request for Closed Session regarding public employee performance evaluation (Government Code Section 54957) - Title: Director of Human Services -
- 76A) Results for Closed Session regarding public employee performance evaluation (Government Code Section 54957) - Title: Director of Human Services - CONTINUED TO TUESDAY, DECEMBER 13, 2005 AT 9:00 A.M.

COUNTY COUNSEL

- 77) Request for Closed Session regarding a lawsuit entitled Randall Michael Silva v. County of Kern, KCSC Case No. 254309 SPC (Government Code Section 54956.9(a)) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)
- 78) Request for Closed Session regarding a lawsuit entitled Barbara Moore v. County of Kern, WCAB Case No. 123685 (Government Code Section 54956.9(a)) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)
- 79) Request for Closed Session regarding a lawsuit entitled Pamela Belmore v. County of Kern, WCAB Case No. BAK 0144848 (Government Code Section 54956.9(a)) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)
- 80) Request for Closed Session regarding a lawsuit entitled Sharon Weaver-Stegner v. County of Kern, WCAB Case No. BAK 137848 (Government Code Section 54956.9(a)) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)

(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



## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, December 6, 2005

2:00 P.M.

BOARD RECONVENED

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

#### RESULTS OF CLOSED SESSION

Request for Closed Session regarding public employee appointment (interviews) (Government Code Section 54957 - Title: Director of Aging and Adult Services (from Item No. 74 a.m.) - CHAIRMAN WATSON REPORTED ON RESULTS OF CLOSED SESSION, AGENDA ITEM NO. 74 A.M., AND ANNOUNCED THE APPOINTMENT OF DEBBIE STEVENSON AS DIRECTOR OF AGING AND ADULT SERVICES, EFFECTIVE IMMEDIATELY; DEBBIE STEVENSON HEARD

Request for Closed Session regarding a lawsuit entitled Randall Michael Silva vs. County of Kern, KCSC Case No. 254309 SPC (Government Code Section 54956.9(a)) (from Item No. 77 a.m.) - CHAIRMAN WATSON REPORTED ON RESULTS OF CLOSED SESSION, AGENDA ITEM NO. 77 A.M., WHERE, BY UNANIMOUS VOTE, THE BOARD APPROVED A SETTLEMENT OF \$70,000 THAT WAS NEGOTIATED AT A MANDATORY SETTLEMENT CONFERENCE.

Request for Closed Session regarding a lawsuit entitled Barbara Moore vs. County of Kern, WCAB Case No. 123685 (Government Code Section 54956.9(a)) (from Item No. 78 a.m.) - CHAIRMAN WATSON REPORTED ON RESULTS OF CLOSED SESSION, AGENDA ITEM NO. 78 A.M., WHERE, BY UNANIMOUS VOTE, THE BOARD APPROVED A COMPROMISE AND RELEASE IN A WORKERS' COMPENSATION MATTER IN THE AMOUNT OF \$75,000.

Request for Closed Session regarding a lawsuit entitled Pamela Belmore vs. County of Kern, WCAB Case No. BAK 0144848 (Government Code Section 54956.9(a)) (from Item No. 79 a.m.) - CHAIRMAN WATSON REPORTED ON RESULTS OF CLOSED SESSION, AGENDA ITEM NO. 79 A.M., WHERE, BY UNANIMOUS VOTE, THE BOARD ACCEPTED A PAYMENT OF \$47,000 IN SATISFACTION OF THE COUNTY'S WORKERS' COMPENSATION LIEN AGAINST MS. BELMORE'S PERSONAL INJURY RECOVERY.

Request for Closed Session regarding a lawsuit entitled Sharon Weaver-Stegner vs. County of Kern, WCAB Case No. BAK 137848 (Government Code Section 54956.9(a)) (from Item No. 80 a.m.) - CHAIRMAN WATSON REPORTED ON RESULTS OF CLOSED SESSION, WHERE, BY UNANIMOUS VOTE, THE BOARD APPROVED A COMPROMISE AND RELEASE IN A WORKERS' COMPENSATION MATTER IN THE AMOUNT OF \$40,000.

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

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

**Maben-Patrick: All Ayes**

KERN SANITATION AUTHORITY

- #1) Proposed Agreement with Donald Collins, dba Progress Farms, to farm land owned by Kern Sanitation Authority (KSA) and use effluent water generated by KSA's sewage treatment plant, from January 1, 2006 through December 31, 2015 (Fiscal Impact: \$80,000 rent per year revenue to KSA; Fund 40332; 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 AGREEMENT 1002-2005

**McQuiston-Patrick: All Ayes**

- #2) Bid documents for the Job Order Wastewater Treatment Plant Maintenance/Repair Phase II (Various Projects) (Fiscal Impact: \$400,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JANUARY 19, 2006, AT 11:00 A.M.

**McQuiston-Patrick: All Ayes**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

**McQuiston-Patrick: All Ayes**

PUBLIC PRESENTATIONS

- 3) 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

- 4) 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 COMMENDED THE KERN COUNTY ROADS DEPARTMENT FOR THEIR PROMPT RESPONSE TO IMPROVE TRAFFIC SAFETY CONDITIONS AT GOLDEN VALLEY HIGH SCHOOL AT SOUTH UNION AVENUE AND HOSKING ROAD

NOTE: AGENDA ITEM NO. 49 WAS HEARD OUT OF ORDER AFTER AGENDA ITEM NO. 4

HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- 5) **Request from Bruce and Randi Clark (original applicant - Diane Guignet and Helen Rubin) to appeal the decision of the Planning Commission approving an equestrian facility in an agricultural district on 2-1/2 gross acres located at 1652 South Fire Opal Street, Ridgecrest (SD #1)**

Specific Request:

An appeal of the decision of the Planning Commission approving Conditional Use Permit 6, Map 71-10 (Resolution 225-05; approved October 13, 2005) which allowed an equestrian facility (Section 19.14.030.C) in an A-1 District (Appeal #1, Map #71-10)

(General Rule, Section 15061(b)(3); Published Daily Independent) - OPENED HEARING; HEARD IN SUPPORT OF APPEAL: RONALD WAYNE DOUCETTE; PATRICIA DOUCETTE; ROBERT KIRCHMIER; BARBARA AND GEORGE MASON; RANDI CLARK; AND BRUCE CLARK; HEARD IN OPPOSITION TO APPEAL: DIANE GUIGNET AND HELEN RUBIN; CLOSED HEARING; ADOPTED RESOLUTION 2005-494 UPHOLDING APPEAL AND DENYING CONDITIONAL USE PERMIT; REFERRED TO PLANNING TO REPORT BACK TO THE BOARD WITH A REASSESSMENT OF LARGE ANIMAL DENSITY IN RESIDENTIAL AREAS

**McQuiston-Maben: All Ayes**

- 6) **Request from Jack Richardson (original applicant - Roy and Christel Enstad) to appeal the decision of the Planning Commission approving the installation of a mobile home that does not meet the age requirement in an agriculture mobile home combining district on 5.11 acres located at Windsong Court, south of Gold Run Road, Weldon (SD #1)**

Specific Request:

An appeal to the decision of the Planning Commission approving Conditional Use Permit 5, Map 42-28 (Resolution 214-05; approved September 22, 2005) which allowed the installation of a mobile home that does not meet the age requirement (Section 19.62.030) in an A-1 MH District (Appeal #1, Map #42-28)

(Categorically Exempt, Section 15303; Published Kern Valley Sun) - OPENED HEARING; HEARD IN SUPPORT OF APPEAL: JOSEPH MC IRVIN; GRANT LABARRE; LARRY WIGENT; TASHA MC IRVIN; AND JACK RICHARDSON; HEARD IN OPPOSITION TO APPEAL: LARRY CODY AND ROY ENSTAD; CLOSED HEARING; ADOPTED RESOLUTION 2005-495 UPHOLDING APPEAL AND DENYING CONDITIONAL USE PERMIT

**McQuiston-Maben: All Ayes**

- \*7) **Request from Leroy Marquardt to change the permitted uses from residential mobile home combining to neighborhood commercial on approximately 0.69 acre located at the northeast corner of Locust Avenue and North Third Street, Inyokern (SD #1)**

Specific Request:

A change in zone classification from R-1 MH to C-1 or a more restrictive district (ZCC #15, Map #47-30)  
(Section 15162(b); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2005-496 AND ENACTED ORDINANCE G-7318 APPROVING ZONE CHANGE, WITH THE ADDITION OF THE PD (PRECISE DEVELOPMENT COMBINING) DISTRICT, THE H (AIRPORT APPROACH HEIGHT COMBINING) DISTRICT, AND THE FPS (FLOODPLAIN SECONDARY COMBINING) DISTRICT, TO BECOME EFFECTIVE UPON THE RECORDATION OF AN AVIGATION EASEMENT APPROVED BY COUNTY COUNSEL AFFECTING THE ZONE CHANGE AREA

**Maben-Patrick: All Ayes**

- 8) **Request from Carol Harns by Jason VanCuren to change the permitted uses from 10-acre residential to 2-1/2-acre residential on 10 acres located at 4359 DiGiorgio Road, southwest of Lamont (SD #2)**

Specific Request:

A change in zone classification from E (10) RS MH to E (2-1/2) RS MH or a more restrictive district (ZCC #22, Map #143)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; JASON VAN CUREN HEARD ON BEHALF OF CAROL HARNs; CLOSED HEARING; ADOPTED RESOLUTION 2005-497 DISAPPROVING ZONE CHANGE; DETERMINED THAT ALL PROCESSING FEES WERE PAID IN ERROR AND ORDERED REFUND TO APPLICANT

**Maben-McQuiston: All Ayes**

- 9) **Request from Pioneer Place, LLC, by Delmarter and Deifel to change the permitted uses from 1/2-acre estate residential to 1/4-acre estate on approximately 11.5 acres located on the west side of Park Drive, between Pioneer Drive and Eucalyptus Drive, east Bakersfield (SD #3)**

Specific Request:

A change in zone classification from E (1/2) RS to E (1/4) or a more restrictive district (ZCC #41, Map #103-36)

(Special Situation, Section 15183; Published Bakersfield Californian) - OPENED HEARING; MARK SUMMERHAYS; MARK HOLMES; JIM DELMARTER, REPRESENTING PIONEER PLACE, LLC; AND MARY HOLMES HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2005-498 AND ENACTED ORDINANCE G-7319 APPROVING ZONE CHANGE, TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP

**Patrick-McQuiston: All Ayes**

- \*10) Request from Kern County Planning Department to create a Farmland Security Zone within Agricultural Preserve No. 8 on 40 acres located 1/2 mile north of Seventh Standard Road and 1/2 mile west of Buttonwillow Drive, near Buttonwillow (SD #4)

Specific Request:

Creation of Farmland Security Zones within Agricultural Preserve No. 8 for the purpose of defining the boundary of that area for which a Farmland Security Zone Contract is being considered (Farmland Security Zones)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2005-499 APPROVING FARMLAND SECURITY ZONE

**Maben-Patrick: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Land Use

S.D. #1

- \*11) Proposed Notice of Nonrenewal Petition No. 05-54 by D. George Billings, President of Billings Ranches, Inc., for approximately 118 acres within Agricultural Preserve No. 7 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

- \*12) Proposed Notice of Nonrenewal Petition No. 05-55 by D. George Billings, Trustee for the D. George and Maryann Billings Living Trust, for approximately 116 acres within Agricultural Preserve No. 7 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

- \*13) Proposed Notice of Nonrenewal Petition No. 05-56 by Ronald and Phyllis Quinn for approximately 67.91 acres within Agricultural Preserve No. 7 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

- \*14) Proposed Notice of Nonrenewal Petition No. 05-63 by Ronald Mettler, et al, for approximately 58 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

S.D. #4

- \*15) Proposed Farmland Security Zone Contract No. 05-10 for 2006 Calendar Year with Alfred Palla, Jr., 1/2 mile north of Seventh Standard Road and 1/2 mile west of Buttonwillow Drive, Buttonwillow area, Agricultural Preserve No. 8, 40 acres (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

- \*16) Proposed Williamson Act Land Use Contract No. 05-8 for 2006 Calendar Year with Thomas and Maria Toretta, on the east side of Corcoran Road, approximately 3,000 feet north of the McCombs Road and Corcoran Road intersection, Agricultural Preserve No. 5, 160 acres (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

S.D.'s #1 & #2

- \*17) Report objecting to "Petition to List the Mohave Ground Squirrel as a Federally Endangered Species" submitted by Defenders of Wildlife on September 13, 2005 (Fiscal Impact: None) - AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE; RECEIVED AND FILED REPORT

**Maben-Patrick: All Ayes**

All S.D.'s

- 18) Response to recent proposal from Chumash Council of Bakersfield (CCOB) for Kern County recognition (Fiscal Impact: None) - JAMES LEON, CHAIRMAN, CHUMASH COUNCIL, HEARD; RECEIVED AND FILED

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

All S.D.'s

- \*19) Request to adopt Small Business Affirmative Action Plan for Community Development Block Grant (CDBG) funded activities (Fiscal Impact: None) - ADOPTED; AUTHORIZED USE DURING IMPLEMENTATION OF COUNTY CDBG ACTIVITIES

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #1

- \*20) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6053, Phase 4, northwest corner of West Day Avenue and North Chester Avenue, 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 \$1,200,354 TO \$120,035 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 DECEMBER 6, 2005; REDUCED FAITHFUL PERFORMANCE BOND NO. 1883652, IN THE AMOUNT OF \$1,200,354, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$120,035; ADOPTED RESOLUTION 2005-500 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6053, PHASE 4, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

**Maben-Patrick: All Ayes**

- \*21) Proposed Contract No. 05023 with Brown and Fowler Construction for construction of McFarland Sewer Back-Up Generator Improvements, in an amount not to exceed \$166,000 (Fiscal Impact: \$166,000; CDBG; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1003-2005

**Maben-Patrick: All Ayes**

S.D. #3

- \*22) Request for Release of Lien for Oildale Planned Drainage Area fee, Lot No. 1 of Parcel Map No. 6899 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

S.D. #5

- \*23) Proposed Contract No. 05020, with DOD Construction, Inc., for construction of East Bakersfield Curb and Gutter Improvements, in an amount not to exceed \$234,012.50 (Fiscal Impact: \$234,012.50; CEDD; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1004-2005

**Maben-Patrick: All Ayes**

All S.D.'s

- \*24) Proposed Agreement with Meyer Civil Engineering, Inc., for Improvement Plan Review Services, from December 6, 2005 through December 31, 2007, in an amount not to exceed \$100,000 annually (Fiscal Impact: \$100,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1005-2005

**Maben-Patrick: All Ayes**

- \*25) Proposed Agreement with Willdan for Improvement Plan Review Services, from December 6, 2005 through December 31, 2007, in an amount not to exceed \$100,000 annually (Fiscal Impact: \$100,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1006-2005

**Maben-Patrick: All Ayes**

- \*26) Proposed Agreement with Berryman & Henigar for Plan Review Services, from December 6, 2005 through December 31, 2007, in an amount not to exceed \$100,000 annually (Fiscal Impact: \$100,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1007-2005

**Maben-Patrick: All Ayes**

- \*27) Proposed Agreement with NAFFA International, Inc., for Plan Review Services, from December 6, 2005 through December 31, 2007, in an amount not to exceed \$100,000 annually (Fiscal Impact: \$100,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1008-2005

**Maben-Patrick: All Ayes**

- \*28) Proposed Sole Source Personal/Professional Services Agreement with Latitude Geographics Group, Ltd., for geographic information systems (GIS) online mapping and data warehouse support services, from December 6, 2005 through June 30, 2007, in an amount not to exceed \$50,000 (Fiscal Impact: \$50,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1009-2005

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Environmental Health Services

All S.D.'s

- \*29) Proposed Amendment No. 2 to Agreement 614-2004 with Decade Software Company, LLC, for annual software maintenance support services, to extend term to June 30, 2007, and expand scope of services (Fiscal Impact: \$51,840; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1010-2005

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department  
Hearing

All S.D.'s

- \*30) Proposed adoption of Annual Disadvantaged Business Enterprise (DBE) Plan and Goals for Federal Fiscal Year 2005-2006 (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2005-501

**Maben-Patrick: All Ayes**

S.D. #2

- \*31) Request for Public Hearing on proposed Rosamond/Willow Springs Transportation Impact Fee Program, reconciliation of account (Fiscal Impact: None) - SET HEARING FOR TUESDAY, DECEMBER 20, 2005, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE IN ACCORDANCE WITH GOVERNMENT CODE SECTION 66002

**Maben-Patrick: All Ayes**

- \*32) Proposed Credit Agreement with Edward Lee for developer-constructed improvements (Fiscal Impact: \$351,629.33; Metropolitan Bakersfield Transportation Impact Fee Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1011-2005

**Maben-Patrick: All Ayes**

- \*33) Request to increase Purchase Order with Golden Construction for flood debris removal on David Road, from \$100,000 to \$300,000 (Fiscal Impact: \$200,000; Road Fund; Budgeted; Discretionary) - DIRECTED PURCHASING AGENT TO INCREASE EXISTING PURCHASE ORDER

**Maben-Patrick: All Ayes**



S.D. #3

- \*34) Proposed revision to speed limit on Verdugo Lane, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Patrick: All Ayes**

- \*35) Proposed Contract No. 05016 with DOD Construction for construction on College Avenue, Bakersfield, in an amount not to exceed \$118,250 (Fiscal Impact: \$118,250; Federal TEA Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1012-2005

**Maben-Patrick: All Ayes**

- \*36) Proposed Contract No. 05035 with Maverick Asphalt for construction on Pioneer Drive from Fairfax to Park Drive - Phase 2, Bakersfield, in an amount not to exceed \$411,378.49 (Fiscal Impact: \$411,378.49; Federal CDBG/TEA Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1013-2005

**Maben-Patrick: All Ayes**

S.D. #4

- \*37) Proposed Contract No. 05028 with Granite Construction Company for construction on Stockdale Highway, Bakersfield, in an amount not to exceed \$2,355,993 (Fiscal Impact: \$2,355,993; Federal STP/CMAQ Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1014-2005

**Maben-Patrick: All Ayes**

- \*38) Proposed posting of speed limit on Palm Avenue, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Patrick: All Ayes**

- \*39) Proposed Contract No. 05021 with DOD Construction for construction of Buttonwillow Pedestrian Project, in an amount not to exceed \$250,485 (Fiscal Impact: \$250,485; Federal TEA Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1015-2005

**Maben-Patrick: All Ayes**

S.D. #5

- \*40) Proposed posting of speed limit on Hall Road, Lamont (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Patrick: All Ayes**

- 41) Proposed Contract No. 05015 with Griffith Company for construction on Shalimar Drive and Lexington Street, Bakersfield, in an amount not to exceed \$253,705 (Fiscal Impact: \$253,705; Federal TEA Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1016-2005

**Rubio-McQuiston: All Ayes**

S.D.'s #1 & #4

- \*42) Proposed Contract No. 05019 with Granite Construction for construction on Lerdo Highway, in an amount not to exceed \$1,507,051 (Fiscal Impact: \$1,507,051; Federal CMAQ Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1017-2005

**Maben-Patrick: All Ayes**

S.D.'s #2 & #5

- \*43) Proposed Contract No. 05026 with Granite Construction for construction on Cottonwood Road, DiGiorgio Road and Comanche Drive, Bakersfield, in an amount not to exceed \$2,084,474.50 (Fiscal Impact: \$2,084,474.50; Federal CMAQ/RSTP Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1018-2005

**Maben-Patrick: All Ayes**

All S.D.'s

- \*44) Request for signature authority for Director of Roads Department to sign agreements with, and/or authorize payment of fair and reasonable charges for, Pacific Gas and Electric Company and Southern California Edison to provide electrical service and/or extend electrical energy (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

- \*45) Request for Public Hearing on proposed Metropolitan Bakersfield Transportation Impact Fee Program, reconciliation of account (Fiscal Impact: None) - SET HEARING FOR TUESDAY, DECEMBER 20, 2005, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE IN ACCORDANCE WITH GOVERNMENT CODE SECTION 66002

**Maben-Patrick: All Ayes**

WASTE MANAGEMENT

S.D. #1

- \*46) Report regarding Records Compliance Review for the City of Delano (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

S.D. #2

- \*47) Request by Lee and Stacy Roberts for an exemption from the Land Use Fee for Fiscal Year 2005-2006 for Assessor's Parcel No. 231-370-15-00-6, a mobile home park located at 12156 Kostopoulos Avenue, Boron (Fiscal Impact: \$858 Decrease; Solid Waste Enterprise Fund; Not Budgeted; Mandated) - APPROVED

**Maben-Patrick: All Ayes**

All S.D.'s

- \*48) Recommendation from Solid Waste Management Advisory Committee that legislation be prepared concerning the removal of limits on solid waste diversion credits for "waste-to-energy" conversion technologies (Fiscal Impact: None) - REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO PREPARE LEGISLATION

**Maben-Patrick: All Ayes**

NOTE: AGENDA ITEM NO. 49 WAS HEARD OUT OF ORDER AFTER AGENDA ITEM NO. 4

- 49) United Way County Campaign Kick-Off Plan (Fiscal Impact: None) - HEARD PRESENTATION; MIRIAM KREBLE, UNITED WAY, RECOGNIZED KERN MEDICAL CENTER, KERN COUNTY FIRE DEPARTMENT, AND KERN COUNTY AGING AND ADULT SERVICES FOR THEIR GENEROUS CONTRIBUTIONS AND RECOGNIZED BEVERLY BEASLEY JOHNSON, DEPARTMENT OF HUMAN SERVICES, FOR HER COORDINATION EFFORTS; RECEIVED AND FILED

**Patrick-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- 50) Response to referral on exception to Economic Incentive Program (from 11/15/2005) (Fiscal Impact: None) - CONTINUED TO TUESDAY, JANUARY 10, 2006, AT 2:00 P.M.

**McQuiston-Rubio: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- \*51) Proposed License Agreement with the U.S. Department of Justice, Federal Bureau of Investigation, for use of a portion of El Paso Peak Communications site from October 1, 2005 through September 30, 2015 (Fiscal Impact: \$260 Monthly Revenue to County; 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 AGREEMENT 1019-2005

**Maben-Patrick: All Ayes**

- \*52) Identify apparent low bid of Gospich Construction for the Tot Lot Improvements at Lake Ming and Hart Park, in an amount not to exceed \$207,000 (1960.8263.04B) (Fiscal Impact: \$207,000; Parkland Grant; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO PREPARE CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Maben-Patrick: All Ayes**

- \*53) Request for subcontractor substitution for Lerdo Facility Pump Station Modifications (1650.7037) (Fiscal Impact: None) - FOUND THAT BAKERSFIELD TANK FAILED TO EXECUTE A WRITTEN CONTRACT WITH BROWN & FOWLER CONSTRUCTION; APPROVED SUBSTITUTION OF UCI CONSTRUCTION, INC., TO COMPLETE THE TANK MODIFICATION PORTION OF THE PROJECT

**Maben-Patrick: All Ayes**

S.D. #2

- \*54) Proposed Lease Agreement with Mojave Airport for the County's Kern Regional Transit (Roads Department) to lease space for a dispatch office and bus parking (rent for first year is \$599 monthly; each year thereafter rent is an additional \$20 monthly) (Fiscal Impact: \$599 Monthly Rent; 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 AGREEMENT 1020-2005

**Maben-Patrick: All Ayes**

- \*55) Change Order No. 2 for the Mojave Pre-Engineered Pedestrian Walkway, an increase of \$1,318, for a new total of \$886,620 (1960.8119) (Fiscal Impact: \$1,318; Capital Projects; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

S.D. #3

- \*56) Proposed retroactive License Agreement with the U.S. Department of Justice, Federal Bureau of Investigation, for use of a portion of William E. Whiting Center on Panorama Drive from October 1, 2005 through September 30, 2015 (Fiscal Impact: \$260 Monthly Revenue to County; 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 AGREEMENT 1021-2005

**Maben-Patrick: All Ayes**

- \*57) Change Order No. 1 for Pump Station Modifications at Lerdo Facility, an increase of \$4,255, for a new total of \$211,276 (1650.7037)(Fiscal Impact: \$4,255; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

- \*58) Change Order No. 4 for the Airport Terminal Flight Information and Audio Paging Systems, an increase of \$848, for a new total of \$403,741 (8215.8416) (Fiscal Impact: \$848; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

S.D. #4

- \*59) Request to set hearing for granting of pipeline franchise to Cardinal Pipeline, L.P. (Fiscal Impact: \$1,200 One-time Application Fee and Approximately \$118 Annually; Not Budgeted; Discretionary) - ADOPTED RESOLUTION 2005-502 SETTING HEARING FOR TUESDAY, JANUARY 10, 2006, AT 2:00 P.M.; DIRECTED CLERK OF BOARD TO PUBLISH NOTICE

**Maben-Patrick: All Ayes**

- \*60) Plans and specifications for A. W. Noon Park and BVARA Tot Lot Improvements (1960.8263.04A) (Fiscal Impact: \$286,900; 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, JANUARY 5, 2006, AT 11:00 A.M.

**Maben-Patrick: All Ayes**

- \*61) 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) (from 11/08/2005 & 11/15/2005) (Fiscal Impact: \$402,700; California Library Bond Act 2000; Budgeted; Discretionary) - CONTINUED TO TUESDAY, DECEMBER 13, 2005, AT 2:00 P.M.

**Maben-Patrick: All Ayes**

All S.D.'s

- \*62) Bid Documents for the Job Order Contract Sewer Collection System Maintenance/Repair Phase II (Various Projects) (Fiscal Impact: \$400,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JANUARY 19, 2006, AT 11:00 A.M.

**Maben-Patrick: All Ayes**

- \*63) Job Order Contract project listing update (Various Projects) (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON NOVEMBER 15, 2005

- \*64) Proposed Ordinance adding subsections (209) and (210) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, concerning no stopping zones on the east and west sides of La Cresenta Drive - ENACTED ORDINANCE G-7320

**Maben-Patrick: All Ayes**

- \*65) Proposed Ordinance adding subsection (211) to Section 10.16, Title 10, of the Kern County Ordinance Code, concerning a no stopping zone along the north side of Olive Drive - ENACTED ORDINANCE G-7321

**Maben-Patrick: All Ayes**

- \*66) Proposed Ordinance adding subsections (212) and (213) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, concerning no stopping zones on Manor Street and Manor Street Frontage Road north of China Grade Loop in the Bakersfield area and repealing subsection (177) - ENACTED ORDINANCE G-7322

**Maben-Patrick: All Ayes**

- \*67) Proposed Ordinance adding subsections (214), (215), (216) and (217) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code, establishing no stopping zones along the east side of Fruitvale Avenue and along the north side of Norris Road - ENACTED ORDINANCE G-7323  
**Maben-Patrick: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*68) Budget Transfers - APPROVED NO. 52 THROUGH NO. 59  
**Maben-Patrick: All Ayes**
- \*69) Minutes for the week of October 24, 2005 - APPROVED WITH CORRECTION TO ITEM NO. 29 P.M. TO READ: APPROVED NO. 33 THROUGH **NO. 36**  
**Maben-Patrick: All Ayes**
- \*70) Miscellaneous Letters and Documents - APPROVED  
**Maben-Patrick: All Ayes**
- \*71) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED  
**Maben-Patrick: All Ayes**
- \*72) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED  
**Maben-Patrick: All Ayes**

ADJOURNED TO MONDAY, DECEMBER 12, 2005, AT 2:00 P.M., AT KERN MEDICAL CENTER

**Rubio**

/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.

70) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) 2005-2006 County of Kern Final Budget  
Clerk of the Board
- B) Monthly Referral Report, November 2005
- C) Received, certified and transmitted to Recorder for recordation as follows:
- |                            |         |
|----------------------------|---------|
| 1) Tract Map 6006, Phase 5 | S.D. #2 |
| 2) Tract Map 6149, Phase 4 | S.D. #1 |
| 3) Tract Map 6232, Phase 4 | S.D. #5 |
| 4) Tract Map 6282          | S.D. #4 |
| 5) Tract Map 6289, Unit 2  | S.D. #4 |
| 6) Parcel Map 10419        | S.D. #2 |
| 7) Parcel Map 10995        | S.D. #4 |
| 8) Parcel Map 11016        | S.D. #1 |
| 9) Parcel Map 11025        | S.D. #1 |
| 10) Parcel Map 11080       | S.D. #4 |
| 11) Parcel Map 11103       | S.D. #5 |
| 12) Parcel Map 11165       | S.D. #1 |
| 13) Parcel Map 11221       | S.D. #1 |
| 14) Parcel Map 11278       | S.D. #1 |

County Administrative Office

- D) Letter to Senators Dianne Feinstein and Barbara Boxer and to Representatives Jim Costa and William M. Thomas re proposed reforms in the Temporary Assistance for Needy Families welfare-to-work program (Copies to each Supervisor)

Employers' Training Resource

- E) Workforce Investment Act On-the-Job Training Agreement Amendment No. 1, Mechanical Industries, Inc., WIA Title 201, dated October 7, 2005
- F) Workforce Investment Act On-the-Job Training Agreements:
- |   |
|---|
| 1) David P. Montgomery dba General Plumbing of Kern, WIA Title 201, dated November 1, 2005; |
| 2) Hall Ambulance Service, Inc., WIA Title 201, dated November 16, 2005                     |
| 3) Hall Ambulance Service, Inc., WIA Title 501, dated November 16, 2005                     |
| 4) Oasis Air Conditioning, Inc., WIA Title 201, dated November 7, 2005                      |
| 5) Oasis Air Conditioning, Inc., WIA Title 201, dated November 16, 2005                     |
| 6) Towery Air Conditioning, Inc., WIA Title 201, dated November 7, 2005                     |



Grand Jury

- G) 2005-2006 Final Report re County of Kern Sheriff's Department Narcotics Division (Copies to each Supervisor, CAO and Sheriff)
- H) 2005-2006 Final Report re Kern County California Multijurisdictional Methamphetamine Enforcement Team (Cal-MMET) (Copies to each Supervisor, CAO and Sheriff)

Local Agency Formation Commission

- I) Resolution 05-34 in the matter of Amendment of Sphere of Influence, City of Wasco (Copies to each Supervisor, CAO and Resource Management Agency)
- J) Resolution 05-35, Proceeding No. 1413, in the matter of City of Wasco, Annexation No. 35 (Copies to each Supervisor, CAO and Resource Management Agency)
- K) Resolution 05-36, Proceeding No. 1420, in the matter of City of Bakersfield, Annexation No. 435 (Meany No. 4) (Copies to each Supervisor, CAO and Resource Management Agency)
- L) Resolution 05-37, Proceeding No. 1321, in the matter of Kern Tulare Water District, Detachment S (Copies to each Supervisor, CAO and Resource Management Agency)
- M) Resolution 05-38, Proceeding No. 1414, in the matter of City of Bakersfield, Annexation No. 474 (McKee No. 4) (Copies to each Supervisor, CAO and Resource Management Agency)
- N) Resolution 05-39, Proceeding No. 1418, in the matter of County Service Area No. 81, Annexation No. 2 (Copies to each Supervisor, CAO and Resource Management Agency)
- O) Report and Recommendation, Proceeding No. 1427, in the matter of City of Bakersfield, Annexation No. 483 (Old River No. 2) (Copies to each Supervisor and CAO)
- P) Report and Recommendation, Proceeding No. 1426, in the matter of Mojave Public Utility District, Annexation No. 28 (Copies to each Supervisor and CAO)
- Q) Report and Recommendation, Proceeding No. 1428, in the matter of City of Shafter, Annexation No. 77, North of River Municipal Water District, Annexation No. 7 (Copies to each Supervisor and CAO)
- R) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1433, Annexation No. 489, El Toro Viejo No. 1 (Copies to each Supervisor, CAO and Resource Management Agency)

Roads

- S) Received, prepared Consent to Recordation and transmitted to Recorder for recordation of an Irrevocable Offer of Dedication from Erlan Orkiz and Ana Reyna Orkiz for additional right-of-way on Valley Boulevard required by Precise Development Plan No. 17, Map No. 165-24

Resource Management Agency

- T) Eight (8) thank you letters for donations to the Bakersfield Animal Care Center and the Mojave Animal Shelter (Copies to each Supervisor and CAO)

Treasurer-Tax Collector

- U) Pooled Cash Portfolio Analysis for Month Ended October 2005

Miscellaneous

- V) Letter from Senator Dean Florez re issues involving the Kern County Department of Human Services (DHS) (Copies to each Supervisor, CAO, County Counsel and Human Services)
- W) Letter from Michael L. H. Marsh, Western United Dairymen, re proposed Concentrated Animal Feeding Operation Program (CAFO) (Copies to each Supervisor, CAO, Resource Management Agency and Planning)
- X) Letter from J. R. Odom, California Highway Patrol, re Hazardous Materials Incident Report on Tuesday, October 25, 2005, on I-5, 4 miles south of Lower Water Hole (Copies to each Supervisor, CAO, Environmental Health Services and Fire Haz-Mat)
- Y) Letter from J. R. Odom, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, November 17, 2005, on I-5 north bound at Laval Road west off ramp (Copies to each Supervisor, CAO, Environmental Health Services and Fire Haz-Mat)
- Z) Letter from U.S. Department of the Interior, Fish and Wildlife Service, re reopening of public comment period for five-year reviews of 31 species in California and Nevada currently listed as endangered or threatened under the Endangered Species Act (Copies to each Supervisor, CAO, Planning and County Counsel)
- AA) Letter from U.S. Department of the Interior, Bureau of Land Management, re nominations for five positions on the California Desert District's Advisory Council (Copies to each Supervisor, CAO and Planning)
- BB) Letter from Sean Walsh, Governor's Office of Planning and Research, re release of draft of Advisory Planning Handbook for Community and Military Land Use Compatibility on Wednesday, November 30, 2005 (Copies to each Supervisor, CAO, Planning and County Counsel)
- CC) Letter from Anthony W. Farrington, Lake County Board of Supervisors, re Ordinance No. 2746 concerning the identification of purchasers and storage of over-the-counter products containing Pseudoephedrine (Copies to each Supervisor, CAO, Sheriff and County Counsel)
- DD) Letter from Mike Chrisman, State Resources Agency, re status of Kern County Sheriff's application for Off-Highway Motor Vehicle grant funds (Copies to each Supervisor, CAO and Sheriff)

- EE) Letter from Diane Paulsen, State Department of Aging, re notice of audit determination for fiscal period of July 1, 1999 through June 30, 2002 (Copies to each Supervisor and CAO)
- FF) Letter from Dennis J. O'Bryant, State Department of Conservation, re public agency acquisition of land enrolled in Williamson Act Contract for a new college campus adjacent to the City of Bakersfield Sphere of Influence boundary (Copies to each Supervisor, CAO and Planning)
- GG) Resolution No. 2005-2282 from the City of Wasco approving tax revenue exchange agreement re City of Wasco Annexation No. 36 (Copies to each Supervisor and CAO)
- HH) Notice from Charlie Peters, Clean Air Performance Professionals, re Joint Committee Meeting on Boards, Commissions & Consumer Protection on Wednesday, December 7, 2005 (Copies to each Supervisor and CAO)
- II) Notices from the Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from: B. Dhaliwal, Inc., 1061 W. Mettler Frontage Road, Bakersfield; La Tormenta Night Club, 2711 Taft Highway, Bakersfield; Fast Stop, 1700 Niles Street, Suite A, Bakersfield; Kim Jung Yearn, 2817 Sierra Highway, Rosamond; Tehachapi Stagestop Chevron, 21000 Golden Hills Boulevard, Tehachapi; Johnny Quik 115, 8101 Kern Canyon Road, Bakersfield and Larson's Food Store, 720 Wible Road, Bakersfield (Copies to each Supervisor, CAO and Planning)
- JJ) Notice from County of Los Angeles re public hearing on Tuesday, December 6, 2005, to consider proposal to transfer jurisdiction of property, located east and west of Interstate 5, from Los Angeles County to Kern County (Copies to each Supervisor, CAO and County Counsel)
- KK) Notice from Pacific Gas and Electric Company re 2005 Nuclear Decommissioning Cost Triennial Proceeding and application for an electric revenue increase (Copies to each Supervisor, CAO, Planning and County Counsel)
- LL) Agenda of meeting from the State of California, Fish and Game Commission, on Thursday, December 8, 2005 (Copies to each Supervisor and CAO)
- 71) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from San Joaquin Valley Health Consortium re potential violation of the Ralph M. Brown Act by the Central Valley Immunization Information Commission (CVIIS) - REFERRED TO PUBLIC HEALTH AND COUNTY COUNSEL
- 72) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of George and Marjorie Shanks vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- B) Claim in the matter of Michael Wilhite vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Jeffrey Michael Peterson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Timothy M. Dugan vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Katherine Jeannine Young vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Albesa Lara vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Subrogation claim in the matter of Margie Bodnar by State Farm Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Subpoena in the matter of Derec R. Chumley vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Summons and complaint in the matter of Robert Barnett and Tina Barnett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Letter re transfer of discrimination complaint in the matter of Mary Frances Moreno vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)
- K) Letter re update of discrimination complaint in the matter of Sheryl Adams vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)