

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, February 22, 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: 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 Arlo Thompson, General Services Division, upon his retirement with 34 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO ARLO THOMPSON; BILL WILBANKS, ASSISTANT COUNTY ADMINISTRATIVE OFFICER, GENERAL SERVICES DIVISION, AND ARLO THOMPSON HEARD

Maben-Patrick: All Ayes

- 2) Proclamation proclaiming February 21 - 25, 2005 as Grand Jury Public Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ELIZABETH GOSLING, FOREPERSON, KERN COUNTY GRAND JURY; ELIZABETH GOSLING HEARD

Rubio-McQuiston: All Ayes

- *3) Proclamation proclaiming February 22, 2005 as Spay Day USA in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Patrick-Maben: All Ayes

PUBLIC REQUESTS

- 4) Request from Michael W. Cooper, President, Valley Fever Americas Foundation, to address the Board regarding Valley Fever Vaccine Project Update, February 2005 - PAULINE LARWOOD HEARD; MEMBERS OF THE VALLEY FEVER AMERICAS FOUNDATION WERE INTRODUCED; REFERRED TO BUDGET FILE; REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO INCORPORATE A LINK ON THE KERN COUNTY WEB SITE TO THE VALLEY FEVER AMERICAS FOUNDATION WEB SITE FOR THE PUBLIC BENEFIT, AND FURTHER REFERRED LETTERS OF SUPPORT BE SENT TO AFFECTED SOUTHWESTERN STATES TO ENCOURAGE THEIR PARTICIPATION FOR THIS VITAL PROJECT

Maben-Patrick: All Ayes

APPOINTMENTS

- *5) Appointment of Arthur J. Robinson as First District Member to the Wildlife Resources Commission, term to expire December 31, 2008 - MADE APPOINTMENT

Patrick-Maben: All Ayes

- *6) Appointment of Peter John Belluomini as First District Member to the Planning Commission, term to expire January 1, 2007 - MADE APPOINTMENT

Patrick-Maben: All Ayes

- *7) Appointment of Jeffrey Green as Fifth District Member to the Children and Families Commission, term to expire March 31, 2007 - MADE APPOINTMENT

Patrick-Maben: All Ayes

PUBLIC PRESENTATIONS

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

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]) - CHAIRMAN WATSON COMMENDED THE CLERK OF THE BOARD FOR PUBLISHING WEEKLY AGENDA STAFF REPORTS ON THE INTERNET. DENISE PENNELL, CLERK OF THE BOARD, EXPRESSED APPRECIATION TO INFORMATION TECHNOLOGY SERVICES STAFF MELINDA VALLINE AND HEATHER VOWELL, AND ADMINISTRATIVE COORDINATOR TRACEY CODY, FOR THEIR COMMITMENT AND EFFORTS IN SUCCESSFUL COMPLETION OF THIS PROJECT

CHAIRMAN WATSON ALSO ACKNOWLEDGED SUPERVISOR PATRICK'S TENURE AS CHAIRMAN OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT BOARD OF DIRECTORS, AND DISCUSSED HER MANY CONTRIBUTIONS TO THE AIR POLLUTION CONTROL DISTRICT

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

Maben-Patrick: All Ayes

IHSS PUBLIC AUTHORITY

COUNTY ADMINISTRATIVE OFFICE

- #10) Proposed Memorandum of Understanding with the United Domestic Workers of America for providers of In-Home Supportive Services for a term of 27 months from March 1, 2005 through June 30, 2007, hourly wage increase from \$6.75 to \$8.00 per hour, effective April 1, 2005 (subject to approval by the State Department of Social Services) and \$.55 per hour contribution towards health benefits, effective July 1, 2005 (subject to approval by the State Department of Social Services) (Fiscal Impact: FY 2004-05 \$350,000 County share of cost; Discretionary; Not Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 122-2005; DIRECTED PUBLIC AUTHORITY AND COUNTY ADMINISTRATIVE OFFICE TO IMPLEMENT

Patrick-Maben: All Ayes

ADJOURNED AS IHSS PUBLIC AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

Patrick-Maben: All Ayes

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *11) Proposed Amendment No. 1 to Agreement 670-2004 with California Department of Aging (State Agreement No. HI-0405-33) for Health Insurance Counseling and Advocacy Program (HICAP) FY 2004-05 (Fiscal Impact: \$23,448; State Grant; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 123-2005; AUTHORIZED DIRECTOR TO SIGN ALL RELATED STATE TRANSMITTAL DOCUMENTS; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$23,448 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO AGING AND ADULT SERVICES BUDGET UNIT 5610 IN THE AMOUNT OF \$23,448

Patrick-Maben: All Ayes

AIRPORTS

- *12) Proposed assignment of ground lease Agreement 507-2004 at Meadows Field Airport from James A. Hanson to Rex Martin, et al. (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 124-2005

Patrick-Maben: All Ayes

- *13) Proposed Contract No. 05006, Plans, Specifications, and Notice to Contractors for construction of a parking apron at Kern Valley Airport (Fiscal Impact: \$153,000; Airports Budget; Budgeted; Discretionary) - APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN PLANS; AUTHORIZED ROADS DEPARTMENT TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MARCH 23, 2005, 11:00 A.M.

Patrick-Maben: All Ayes

CHILD SUPPORT SERVICES

- *14) Request to employ retired County employee, George McNinch, as an Investigative Aide, Range 48.7, 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: \$18,000; State Grant Funded) - APPROVED

Patrick-Maben: All Ayes

- 15) Briefing on departmental operations - PHYLLIS NANCE, ASSISTANT DIRECTOR, INTRODUCED; HEARD PRESENTATION; REFERRED TO FISCAL YEAR 2005-06 BUDGET FILE CONSIDERATION OF SUPPLEMENTING THIS BUDGET UNIT DURING CONVERSION TO THE STATE'S NEW AUTOMATION SYSTEM TO ENSURE PERFORMANCE MEASURES ARE MAINTAINED; RECEIVED AND FILED

Maben-Patrick: All Ayes

COUNTY COUNSEL

- *16) Proposed Ordinance adding Subsection (182) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Horace Mann Avenue - WAIVED READING; INTRODUCED ORDINANCE

Patrick-Maben: All Ayes

EMERGENCY MEDICAL SERVICES

- 17) Adoption of "Grandfathering" criteria for the establishment of exclusive operating areas for ambulance service in accordance with Health and Safety Code Section 1797.224 - (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-065

Maben-Patrick: 4 Ayes; 1 No - McQuiston

EMPLOYERS' TRAINING RESOURCE

- *18) Notification of anticipated retroactive Amendment No. 1 to Agreement 562-2004 with La Cooperativa Campesina de California for a no-cost extension for the Migrant and Seasonal Farmworker Permanent Housing Assistance Program (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *19) Notification of anticipated retroactive Amendment No. 1 to Agreement 310-2004 with La Cooperativa Campesina de California for a no-cost extension for the Migrant and Seasonal Farmworker Temporary Housing Assistance Program (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *20) Notification of anticipated retroactive Amendment No. 1 to Agreement 689-2004 with the Mexican American Opportunity Foundation for a no-cost extension for the Migrant and Seasonal Farmworker Temporary Housing Assistance Program (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *21) Notification of anticipated retroactive Amendment No. 1 to Agreement 690-2004 with Proteus, Inc., for a no-cost extension for the Migrant and Seasonal Farmworker Temporary Housing Assistance Program (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

HUMAN SERVICES

- *22) Proposed Amendment No. 1 to Agreement 467-2004 with Kern County Superintendent of Schools Office for the Promoting Safe and Stable Families (PSSF) program to increase the scope of work, access additional funding and increase compensation by \$135,106 in PSSF and \$258,219 in Child Welfare Services (CWS) funding, for a total increase of \$393,325 (Fiscal Impact: Additional non-County \$135,106 in PSSF and \$258,219 in CWS; State and Federal Grants; PSSF Budgeted/CWS Non-Budgeted; PSSF Mandated/CWS Non-Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 125-2005

Patrick-Maben: All Ayes

KERN MEDICAL CENTER

- 23) Proposed retroactive Amendment No. 1 to Agreement 038-2003 with Victor G. Ettinger, M.D., an independent contractor, to expand the scope of services to include endocrinology, extend the term for one month from January 24, 2005 through February 21, 2005, and increase the maximum payable by \$2,500, from \$47,000 to \$49,500 (Fiscal Impact: \$2,500; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 126-2005

Patrick-McQuiston: All Ayes

- 24) Proposed Agreement for Professional Services with Victor G. Ettinger, M.D., a contract employee, for internal medicine sub-specializing in endocrinology, from February 22, 2005 through February 21, 2010, in an amount not to exceed \$170,000 for the 12-month period of the interim Agreement (Fiscal Impact: \$170,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 127-2005

Patrick-McQuiston: All Ayes

- 25) Proposed retroactive Agreement with Randolph Fok, M.D., an independent contractor, for obstetric, gynecologic and perinatal services, from January 1, 2005 through December 31, 2007, in an amount not to exceed \$603,372 (prior notification January 4, 2005) (Fiscal Impact: \$603,372; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 128-2005

McQuiston-Rubio: All Ayes

- 26) Notification of and proposed retroactive Amendment No. 1 to Agreement 144-2004 with Twin Medical Transaction Services, Inc., an independent contractor, for revenue enhancement services, to amend the fee schedule to correct compensation to be paid to inpatient accounts referred by Kern Medical Center to a maximum of \$5,000 per month per account, effective March 8, 2004 (Fiscal Impact: \$960,000; KMC Enterprise Fund; Budgeted; Mandated) (from 2/14/2005) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 129-2005

Rubio-Maben: All Ayes

LIBRARY

- *27) Proposed retroactive Agreement with Experience Works for the purpose of using senior volunteers, from July 1, 2004 through June 30, 2009 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 130-2005

Patrick-Maben: All Ayes

MENTAL HEALTH SERVICES

- *28) Proposed Amendment No. 1 to Agreement 382-2005 with Richard Feldman, M.D., for professional psychiatric services to indigent mentally ill clients residing in the Bakersfield area, to increase service levels and compensation from \$156,000 to an amount not to exceed \$168,000 (an increase of \$12,000) in order to meet the greater than anticipated need for psychiatric services (Fiscal Impact: \$12,000; Grant, AB-2034; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 131-2005

Patrick-Maben: All Ayes

PARKS AND RECREATION DEPARTMENT

- *29) Request to accept grant from the Tree Foundation of Kern through Proposition 12, for the purchase of trees (Fiscal Impact: \$11,930; State Grant; Not Budgeted; Discretionary) - ACCEPTED GRANT IN THE AMOUNT OF \$11,930; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$11,930 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$11,930 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 7100

Patrick-Maben: All Ayes

PROBATION

- *30) Request to employ retired County employee, Denise C. Parks, as Office Services Specialist, Range 47.9, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$15,974.40; Probation; Budgeted; Discretionary) - APPROVED

Patrick-Maben: All Ayes

- *31) Proposed Agreement with California State University, Bakersfield (CSUB) for an internship program, from March 5, 2005 through March 5, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 132-2005

Patrick-Maben: All Ayes

PUBLIC HEALTH SERVICES

- *32) Proposed Amendment No. 1 to Agreement 608-2004 with Panational, Inc., for interpreting and translation services, increasing the maximum payable by \$2,000, for a total amount not to exceed \$9,000 (Fiscal Impact: \$2,000; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 133-2005

Patrick-Maben: All Ayes

RETIREMENT ASSOCIATION

- *33) Request to employ retired County employee, Patricia Meadows, as a Retirement Services Representative, Range 51.5, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$16,900; Retirement Fund; No Net County Cost) - APPROVED

Patrick-Maben: All Ayes

SHERIFF

- *34) Proposed addition of one (1) Departmental Analyst and one (1) Office Services Technician positions, effective February 22, 2005 (Fiscal Impact: \$32,566; Budgeted) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Maben: All Ayes

- *35) Unusual travel request for Evidence Technician II, Tom Fugitt, to attend the Computer Digital Evidence Recovery Course in Sacramento, from April 3, 2005 to April 15, 2005, in an amount not to exceed \$1,968 (Fiscal Impact: \$1,968; Budgeted; Discretionary) - APPROVED

Patrick-Maben: All Ayes

- *36) Request to appropriate unanticipated revenue from the Rural Crime Grant for the purchase of three vehicles (Fiscal Impact: \$114,100; State Grant; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$114,100 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$114,100 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Patrick-Maben: All Ayes

- *37) Proposed addition of one (1) Sheriff's Detentions Senior Deputy, and deletion of one (1) Detention Officer Food Service Supervisor positions, effective February 22, 2005 (Fiscal Impact: \$9,909) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Maben: All Ayes

- *38) Proposed Amendment No. 3 to Agreement 366-2003 with Swanson Commissary Services to extend the term through June 24, 2005 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 134-2005

Patrick-Maben: All Ayes

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 39) Request for Closed Session regarding Meet and Confer, All Unions -
- 40) Request for Closed Session regarding public employee recruitment - Title: County Administrative Officer -

COUNTY COUNSEL

- 41) Request for closed session regarding a lawsuit entitled James Garland, et al. vs. County of Kern, et al., KCSC Case No. 252753 SPC (Government Code Section 54945.9(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.

Patrick-Maben

/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, February 22, 2005

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

PUBLIC REQUESTS

- 1) Request from Mayor Harvey L. Hall to address the Board regarding the Mayor's Youth Advisory Council - MAYOR HARVEY HALL HEARD; MEMBERS OF THE MAYOR'S YOUTH ADVISORY COUNCIL, CORI TUCKER, RIDGEVIEW HIGH SCHOOL; BENNETT RAWICKI, GARCES HIGH SCHOOL; AND JESSIE SIMONSON, LIBERTY HIGH SCHOOL, MADE PRESENTATIONS; MAYOR'S YOUTH ADVISORY COUNCIL MEMBER SARAH VAN ZANDT INTRODUCED

PUBLIC PRESENTATIONS

- 2) 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

- 3) 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 MCQUISTON INTRODUCED AND RECOGNIZED PETE BELLUOMINI, RECENT SECOND DISTRICT APPOINTEE TO THE KERN COUNTY PLANNING COMMISSION

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services
S.D. #1

- *4) Proposed Agreement with Boyle Engineering Corporation for engineering services associated with design of the McFarland Sewer Effluent Pond Expansion and Back-up Generator Improvements, in an amount not to exceed \$92,196 (Fiscal Impact: \$92,196; CDBG; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 135-2005

Patrick-Maben: All Ayes

All S.D.'s

- 5) Proposed addition of two (2) Supervising Building Inspector, one (1) Building Inspector and two (2) Office Services Technician positions and concurrent deletion of one (1) vacant Principle Building Inspector position in Budget Unit 2625, and addition of one (1) Supervising Engineer position with the concurrent deletion of one (1) Engineer I/II/III position in Budget Unit 1900, effective March 5, 2005 (Fiscal Impact: \$248,000 Annually; Building Inspection Fund; No Net County Cost; Budgeted; and \$5,700 Annually; General Fund; Budgeted) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

McQuiston-Patrick: All Ayes

- 6) Report on Illegal Dumping Program and request to authorize continuation of tire remediation projects with the Kern County Farm Bureau (Fiscal Impact: None) - PETE BELLUOMINI, PRESIDENT, KERN COUNTY FARM BUREAU, HEARD; APPROVED

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services - Animal Control Services
All S.D.'s

- *7) Unusual Travel Request for Animal Control Officer Julie Dunlap to attend Animal Law Enforcement Training in Novato, California, from March 6 to March 18, 2005 (Fiscal Impact: \$1,800; Budgeted) - APPROVED

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *8) Proposed Contract No. 05005 with Granite Construction Company for construction on Webb Avenue-Lake Isabella Boulevard, in an amount not to exceed \$79,940 (Fiscal Impact: \$79,940; CDBG; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 136-2005

Patrick-Maben: All Ayes

S.D. #4

- *9) Proposed Contract No. 05007 with Bowman Asphalt for construction on Belle Terrace, South Real Road and Wood Lane, in an amount not to exceed \$65,255.08 (Fiscal Impact: \$65,255.08; Transportation Development Act Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 137-2005

Patrick-Maben: All Ayes

- *10) Plans, Specifications, Notice to Contractors and Negative Declaration for construction on Tracy Avenue, to be funded by Rio Bravo Tomato Company, LLC (Fiscal Impact: None) - APPROVED; ADOPTED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

WASTE MANAGEMENT

Hearing

All S.D.'s

- 11) Public Hearing to consider the report entitled "2005 Solid Waste Administration Fee for Franchise Garbage Haulers", and to establish and assess the Administration Fee for 2005 (Fiscal Impact: \$177,099 Revenue; Solid Waste Enterprise Fund; Budgeted) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2005-066

McQuiston-Patrick: All Ayes

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

- *12) Proposed transfer of excess funds in the amount of \$653,673 from Fund 35050, Account 2186-Buttonwillow Sanitary Landfill Eastin Reserve, to Account 2184-Bakersfield Metropolitan (Bena) Sanitary Landfill Eastin Reserve; the amount of \$87,610 from Fund 35050, Account 2186-Buttonwillow Sanitary Landfill Eastin Reserve, the amount of \$890,154 from Account 2187-China Grade Sanitary Landfill Eastin Reserve and the amount of \$43,214 from Account 2191-Lost Hills Sanitary Landfill Eastin Reserve to Fund 35050, Account 2380-Retained Earnings (Fiscal Impact: None) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER FUNDS

Patrick-Maben: All Ayes

All S.D.'s

- *13) Proposed addition of two (2) full-time Supervising Disposal Site Gate Attendant positions to Budget Unit 8999, effective February 22, 2005; and deletion of two (2) full-time Disposal Site Gate Attendant I/II/III positions from Budget Unit 8999, effective April 29, 2005 (Fiscal Impact: \$650; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- 14) Proposed Amendment No. 1 to Agreement 718-2003 with Catalyst Rx for administration of self-funded prescription drug benefit program to increase discounts on brand name (from 20% to 22%) and generic (from 42% to 52%) drugs and to extend term of the agreement by one year through August 31, 2007 (Fiscal Impact: Unknown Savings) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 138-2005

Patrick-Maben: All Ayes

- *15) Proposed Agreement with Conexis for administration of COBRA Insurance Program effective March 1, 2005 through November 30, 2007, in an amount not to exceed \$48,000 per calendar year (Fiscal Impact: Fiscal Year 2004-2005, \$16,000; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 139-2005

Patrick-Maben: All Ayes

- 16) Quarterly reports on authorized positions and vacancies for Fiscal Year 2004-2005, first and second quarters (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

- 17) Report on organizational options for the Registrar of Voters (elections) function (Fiscal Impact: None) - REFERRED TO COUNTY STAFF TO REPORT BACK REGARDING THE POTENTIAL FOR LEGISLATION IN THE CURRENT LEGISLATIVE SESSION TO ESTABLISH AN APPOINTIVE POSITION OF COUNTY CLERK/REGISTRAR OF VOTERS

Rubio-McQuiston: 2 Ayes; 3 Noes - Patrick, Watson, Maben

MOTION DEFEATED

RECEIVED AND FILED

Maben-Patrick: 4 Ayes; 1 No - Rubio

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- *18) Proposed Agreement with the City of Bakersfield to lease eight acres of County land for park purposes, rent \$1 per year for 99 years (Fiscal Impact: \$99; Not Budgeted) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15304(a)(b); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 140-2005

Patrick-Maben: All Ayes

- *19) Plans and Specifications for the Lerdo Minimum Security Holding Cell (2210.7001ACC) (Fiscal Impact: 221,500; General Fund; Budgeted) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, APRIL 21, 2005, AT 11:00 A.M.

Patrick-Maben: All Ayes

S.D. #3

- *20) Change Order No. 11 for the new airport terminal at Meadows Field, an increase of \$50,906.86, for a new total of \$20,537,542.87 (8215.8415) (Fiscal Impact: \$50,906.86; Airport Enterprise Fund; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

S.D. #4

- *21) Change Order No. 1 for the paving at Lake Webb West and Lake Evans East, an increase of \$8,826.50, for a new total of \$184,754.10. (1960.8163) (Fiscal Impact: \$8,826.50; General Fund; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

All S.D.'s

- 22) Report on Senate Bill 1732 - Court facility transfers to the State (Financial Impact: None) - REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL TO PURSUE LEGISLATION TO AMEND STATE LAW TO ALLOW COUNTIES TO HAVE THE RIGHT OF REFUSAL SHOULD THE STATE DETERMINE THAT COURT FACILITIES THAT HAVE BEEN TRANSFERRED FROM THE COUNTY TO THE STATE ARE NO LONGER NEEDED BY THE STATE; RECEIVED AND FILED

McQuiston-Rubio: All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED ON FEBRUARY 15, 2005

- *23) Proposed Ordinance adding Subsection (180) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning a no stopping zone on Patton Way, Bakersfield, and repealing Subsection (119) of Section 10.16.070 - ENACTED ORDINANCE G-7193

Patrick-Maben: All Ayes

- *24) Proposed Ordinance repealing Subsection (48) of Section 10.16.160 of Chapter 10.16 of the Kern County Ordinance Code concerning a bus loading zone on Foothill Road, Bakersfield - ENACTED ORDINANCE G-7194

Patrick-Maben: All Ayes

- *25) Proposed Ordinance adding Subsection (181) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning a no stopping zone on Norris Road, Bakersfield - ENACTED ORDINANCE G-7195

Patrick-Maben: All Ayes

- *26) Proposed Ordinance adding Subsection (27) to Section 10.24.021 of Chapter 10.24.021 of Chapter 10.24 of the Kern County Ordinance Code concerning a handicap parking zone along the north side of Linda Vista Drive, Bakersfield - ENACTED ORDINANCE G-7196
Patrick-Maben: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *27) Budget Transfers - APPROVED NO. 102 THROUGH NO. 110
Patrick-Maben: All Ayes
- *28) Minutes for week of January 24, 2005 - APPROVED
Patrick-Maben: All Ayes
- *29) Miscellaneous Letters and Documents - APPROVED
Patrick-Maben: All Ayes
- *30) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED
Patrick-Maben: All Ayes
- *31) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED
Patrick-Maben: All Ayes

ADJOURNED TO MONDAY, FEBRUARY 28, 2005, AT 5:30 P.M.

Patrick

/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.

29) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Information Report on 2004-05 Property Tax Administration Costs, Revenue and Taxation Code 95.2

Clerk of the Board

- B) Received, certified and transmitted to Recorder for recordation as follows:

1) Parcel Map 11093 S.D. #5

Environmental Health Services

- C) Two (2) thank you letters for donations to the Bakersfield Animal Care Center and the Mojave Animal Shelter (Copies to each Supervisor and CAO)

Fire

- D) Regional Forester Review - U.S. Department of Agriculture, U.S. Forest Service and Sequoia National Forest

Grand Jury

- E) 2004-2005 Final Report re Clinica Sierra Vista (Copies to each Supervisor, CAO, Mental Health and Auditor-Controller-County Clerk)

Local Agency Formation Commission

- F) Resolution No. 05-02, Proceeding No. 1393, in the matter of City of Bakersfield (Annexation No. 465); NOR Sanitary District (Annexation No. 62), Reorganization (Calloway No. 9) (Copies to each Supervisor and CAO)

- G) Resolution No. 05-01, Proceeding No. 1388, in the matter of City of Delano, Annexation No. 36 (Copies to each Supervisor and CAO)

- H) Resolution No. 05-04, Proceeding No. 1389, in the matter of East Niles C.S.D., Annexation No. 38 (Copies to each Supervisor and CAO)

- I) Resolution No. 04-42, Proceeding No. 1389, in the matter of East Niles C.S.D., Annexation No. 38 (Copies to each Supervisor and CAO)

- J) Resolution No. 05-03, Proceeding No. 1384, in the matter of City of Bakersfield, Annexation No. 455 (Allen Road No. 10) (Copies to each Supervisor and CAO)

- K) Resolution No. 04-37, Proceeding No. 1384, in the matter of City of Bakersfield, Annexation No. 455 (Allen Road No. 10) (Copies to each Supervisor and CAO)

Miscellaneous

- L) Letter from Mark S. Turner, State Department of Transportation, re relinquishment of highway right-of-way, Road 6-KER-14-KP 29.9/30.5, Request No. 213 (Copies to each Supervisor, CAO and Roads)

- M) Letter from Margaret Fain in opposition to Specific Plan Amendment Case No. 9 re apartment complex proposed by Joe Manicia and BDD Properties (Copies to each Supervisor, CAO and Planning)
- N) Agenda of meeting from In-Home Supportive Services on Thursday, February 10, 2005
- O) Minutes of meeting from In-Home Supportive Services on Thursday, January 13, 2005
- 30) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Sue M. Porter, Inyokern Community Services District, re appointment of directors to fill vacancies - REFERRED TO ELECTIONS
 - B) Letter from Angela R. Andreesen, Rosedale-Rio Bravo Water Storage District, re Resolution No. 396 declaring no election be held and requesting Board of Supervisors appoint directors for Divisions 2 and 3 - REFERRED TO COUNTY COUNSEL
 - C) Letter from Margaret England re concerns for patients and closure of Endocrinology Clinic - REFERRED TO KERN MEDICAL CENTER (Copies to each Supervisor, CAO and County Counsel)
 - D) Letter from Joseph D. Hughes, Belridge Water Storage District, re Resolution No. 834 ordering no election be held and requesting Board of Supervisors appoint directors for Divisions 1 and 4 - REFERRED TO COUNTY COUNSEL
- 31) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Mary Ellen Gonzales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Allison and Israel Gonzalez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Robert F. Putney, by and through his Conservator Nancy B. Putney vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Shawn P. Wedertz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Curtis Jensen vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of Lisa Chacon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Claim in the matter of Linda S. Jones vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- H) Summons and complaint in the matter of Mark Saucedo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)