

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

KERN MEDICAL CENTER
1830 Flower Street
Bakersfield, California

Regular Meeting
Monday, April 11, 2005

2:00 P.M.

BOARD RECONVENED

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

NOTE: SUPERVISOR RUBIO WAS PRESENT AT 2:10 P.M. DURING BOARD MEMBER ANNOUNCEMENTS

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 Jesusita Carlson, Kern Medical Center, upon her retirement with 31 years of service to the County of Kern - **ADOPTED RESOLUTION; MADE PRESENTATION TO JESUSITA CARLSON; JESUSITA CARLSON, CEO PETER BRYAN AND STAFF MEMBERS HEARD**

McQuiston-Patrick: 4 Ayes; 1 Absent - Rubio

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]) -

CHAIRMAN WATSON ANNOUNCED THAT KERN MEDICAL CENTER WILL BE PROVIDING MORE DETAILED REPORTS ON THE STATUS OF KERN MEDICAL CENTER DURING REGULAR TUESDAY BOARD MEETINGS

NOTE: SUPERVISOR RUBIO WAS PRESENT AT 2:10 P.M. DURING BOARD MEMBER ANNOUNCEMENTS

SUPERVISOR PATRICK EXPRESSED APPRECIATION TO ALL KERN MEDICAL CENTER STAFF FOR THEIR VALUE, CONTRIBUTIONS AND LEVEL OF CARE TO KERN MEDICAL CENTER AND THE COMMUNITY

DEPARTMENTAL REQUESTS

KERN MEDICAL CENTER

- 4) Update report regarding Kern Medical Center's financial condition (Fiscal Impact: None) - RECEIVED AND FILED
Rubio-Patrick: All Ayes
- 5) Presentation regarding Kern Medical Center's Nursing Shortage: Partnering to Educate More Nurses (Fiscal Impact: None) - TONI SMITH, DIRECTOR OF PATIENT CARE SERVICES, MADE PRESENTATION; MIKE EWALD, DIRECTOR OF HUMAN RESOURCES, HEARD; RECEIVED AND FILED
McQuiston-Maben: All Ayes
- *6) Monthly report from CAO regarding Kern Medical Center's General Fund loan (Fiscal Impact: None) - RECEIVED AND FILED
Maben-Patrick: 4 Ayes; 1 Absent - Rubio
- *7) Request to continue to May 9, 2005 possible revisions to Kern County Resolution No. 88-217 "Revised and Updated Uniform Standards and Procedures for Determination of Ability to Pay for Services Rendered through Kern Medical Center" (Fiscal Impact: None) - CONTINUED TO MONDAY, MAY 9, 2005 AT 2:00 P.M.
Maben-Patrick: 4 Ayes; 1 Absent - Rubio
- *8) Proposed retroactive Amendment No. 1 to Agreement 060-2005 with World Health Staffing, Inc., an independent contractor, for temporary nurse staffing, to include a provision for compensation to be paid for nurses who were assigned to work at Kern Medical Center prior to December 16, 2004 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 213-2005
Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- *9) Proposed Amendment No. 1 to Agreement 045-2005 with Delta Search, LP, an independent contractor, for physician recruitment, to include the specialty of internal medicine (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 214-2005

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- *10) Proposed retroactive Agreement with Mendez Medical Center, Inc., an independent contractor, for obstetric and gynecologic services, from March 14, 2005 through March 13, 2006, in an amount not to exceed \$125,000 (prior notification March 14, 2005) (Fiscal Impact: \$125,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 215-2005

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- 11) Proposed Agreement with James A. Sproul, M.D., a contract employee, for family medicine services, from April 16, 2005 through April 15, 2010, in an amount not to exceed \$785,070 (Fiscal Impact: \$785,070; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 216-2005

Patrick-Maben: All Ayes

- *12) Proposed Agreement with California Office of Statewide Health Planning and Development (State Agreement 05-6003) to accept a grant in the amount of \$103,230 to help support the Family Medicine residency-training program during the period July 1, 2005 through June 30, 2008 (Fiscal Impact: \$103,230 Revenue to the County; KMC Enterprise Fund; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 217-2005

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- *13) Proposed Agreement with Parviz Massarat, M.D., an independent contractor, for radiology services, from April 20, 2005 through April 19, 2006, in an amount not to exceed \$162,000 (Fiscal Impact: \$162,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 218-2005

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- 14) Proposed Agreement with Mia C. M. Lagunda, M.D., a contract employee, for pediatric services, from April 16, 2005 through April 15, 2010, in an amount not to exceed \$592,310 (Fiscal Impact: \$592,310; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 219-2005

Patrick-Maben: All Ayes

- 15) Proposed Agreement with Francisco Velarde, M.D., a contract employee, for psychiatric services, from July 1, 2005 through June 30, 2010, in an amount not to exceed \$925,000 (Fiscal Impact: \$925,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 220-2005

McQuiston-Patrick: All Ayes

- *16) Proposed Agreement with Hall Ambulance Service, Inc., an independent contractor, for medical transportation services, from April 11, 2005 through April 10, 2007, in an amount not to exceed \$100,000 (Fiscal Impact: \$100,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 221-2005

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

- *17) Proposed Agreement with DTSI West, LLC, an independent contractor, for extracorporeal shockwave lithotripsy and holmium laser services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$100,000 (Fiscal Impact: \$100,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 222-2005

Maben-Patrick: 4 Ayes; 1 Absent - Rubio

ADJOURNED TO TUESDAY, APRIL 12, 2005 AT 9:00 A.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 Kern Medical Center Conference Room is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, April 12, 2005

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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

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BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming April 10 - 16, 2005, as National Crime Victims' Rights Week in Kern County - PROCLAIMED; MADE PRESENTATION TO LUPE PEREZ, PROBATION DEPARTMENT; LUPE PEREZ HEARD AND INTRODUCED PROBATION DEPARTMENT STAFF INVOLVED IN THE PROGRAM

Patrick-Maben: All Ayes

APPOINTMENTS

- *2) Appointment of Frederick Prince as Fifth District Member (replacing Peter Lomely) to the Civil Service Commission, term to expire July 9, 2005 - MADE APPOINTMENT

Patrick-Maben: All Ayes

- *3) Reappointment of Calvin Bidwell as At-large Member to the Assessment Appeals Board, term to expire September 2, 2006 - MADE REAPPOINTMENT

Patrick-Maben: All Ayes

- *4) Reappointment of Roy Roland Maier as Fourth District Member to the Children and Families Commission, term to expire March 3, 2007 - MADE REAPPOINTMENT

Patrick-Maben: All Ayes

PUBLIC PRESENTATIONS

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BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 6) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) -

SUPERVISOR MABEN ANNOUNCED THE FIRST 5 COMMISSION AWARDED 51 MINI-GRANTS TOTALING \$450,000 FOR PRE-SCHOOL AND LICENSED DAY CARE FACILITIES, AND THE COMMISSION HEARD A REPORT ON THE HEALTHY KIDS INITIATIVE

SUPERVISOR PATRICK REPORTED ON MEETINGS SHE ATTENDED IN WASHINGTON, D.C., WITH CONGRESSIONAL REPRESENTATIVES TO SECURE FUNDING FOR THE CALIFORNIA OZONE STUDY

CHAIRMAN WATSON REPORTED ON THE BAKERSFIELD SYMPHONY PERFORMANCE HELD IN TAFT LAST WEEKEND; SUPERVISOR MCQUISTON ACKNOWLEDGED A SIMILAR PERFORMANCE WHICH WAS HELD IN RIDGECREST

DEPARTMENTAL REQUESTS

AIRPORTS

- *7) Proposed participation by the Department of Airports in the Federal Surplus Property Program as administered by the California State Agency for Surplus Property (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-141 DESIGNATING DEPARTMENT REPRESENTATIVE AND TO ACQUIRE PROPERTY; AUTHORIZED CHAIRMAN TO SIGN APPLICATION

Patrick-Maben: All Ayes

- *8) Identify apparent low bid from Granite Construction Company for construction of a parking apron at Kern Valley Airport, (Contract 05006) in an amount not to exceed \$118,062 (Fiscal Impact: \$118,062; Airports; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Patrick-Maben: All Ayes

CHILD SUPPORT SERVICES

- *9) Request to employ retired County employee, Alan Annis, as an Accountant III, Range 58.0, 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: \$13,407; State Grant Funded) - APPROVED

Patrick-Maben: All Ayes

CLERK OF THE BOARD

- *10) Amended Conflict of Interest Code for the Kern County Behavioral Health Board (Fiscal Impact: None) - APPROVED

Patrick-Maben: All Ayes

- 11) Report regarding Departmental Referrals by Board of Supervisors (Fiscal Impact: Unknown; Not Budgeted) - DIRECTED CLERK OF THE BOARD TO IMPLEMENT; RECEIVED AND FILED

Maben-Patrick: All Ayes

COUNTY COUNSEL

- *12) Request from Belridge Water Storage District for appointment of Directors for Division Nos. 1 and 4, pursuant to Water Code section 41307 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-142 ORDERING APPOINTMENT OF WILLIAM D. PHILLIMORE, AS DIRECTOR FOR DIVISION NO. 1, AND DAVID K. BANKER, AS DIRECTOR FOR DIVISION NO. 4

Patrick-Maben: All Ayes

- 13) Proposed Ordinance adding Chapter 8.47 to Title 8 of the Ordinance Code of the County of Kern regarding seizure of automobiles used in illegal dumping (Fiscal Impact: unknown) - WAIVED READING; INTRODUCED ORDINANCE AS AMENDED TO MODIFY NOTICING REQUIREMENTS FROM 10 DAYS TO 30 DAYS; REFERRED TO COUNTY COUNSEL FOR REPORT BACK TO THE BOARD IN 30 DAYS WITH RESPECT TO ESTABLISHING A HEARING OFFICER FUNCTION FOR THIS ORDINANCE AND OTHER COUNTY PROGRAMS; AUTHORIZED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH SUMMARY OF THE PROPOSED ORDINANCE PURSUANT TO GOVERNMENT CODE SECTION 25124

Rubio-Maben: 4 Ayes; 1 No - McQuiston

EMERGENCY MEDICAL SERVICES

- *14) Proposed interim Agreements for air ambulance service performance with Hall Ambulance Service, Inc., for Operational Area A; and City of California City, for Operational Area B, from April 12, 2005 through February 28, 2008 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 223-2005 AND 224-2005

Patrick-Maben: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *15) Proposed Amendment No. 1 to Agreement 997-2004 with San Joaquin Valley College to increase Individual Training Account by \$10,000 for an amended total not to exceed \$32,500 (Fiscal Impact: \$10,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 225-2005

Patrick-Maben: All Ayes

- *16) Proposed retroactive Agreement with the Mexican American Opportunity Foundation for a paid work experience program for Department of Human Services CalWORKs clients, from March 1, 2005 through June 30, 2005, in an amount not to exceed \$391,550 (prior notification April 5, 2005) (Fiscal Impact: \$391,550; State Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 226-2005

Patrick-Maben: All Ayes

FARM AND HOME ADVISOR

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

Maben-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *18) Proposed Amendment No. 1 to Agreement 313-2004 with The Drug Store, for pharmacy prescription services for mentally ill clients residing in Kern County, to increase service levels and compensation from \$67,000 to an amount not to exceed \$77,000 (an increase of \$10,000) to meet greater than anticipated needs for pharmacy prescription services (Fiscal Impact: \$10,000 State (Realignment); Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 227-2005

Patrick-Maben: All Ayes

- *19) Proposed Amendment No. 1 to Agreement 875-2004 with College Community Services, Inc., for substance abuse treatment services for clients residing in the Tehachapi, California City and Rosamond areas, to correct the commencement date from September 1, 2004 to October 1, 2004 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 228-2005

Patrick-Maben: All Ayes

- *20) Proposed Amendment No. 1 to Agreement 876-2004 with College Community Services, Inc., for substance abuse treatment services for clients residing in the Ridgecrest area, to correct the commencement date from September 1, 2004 to October 1, 2004 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 229-2005

Patrick-Maben: All Ayes

- *21) Proposed Amendment No. 1 to Agreement 881-2004 with College Community Services, Inc., for substance abuse treatment services for clients residing in the Lake Isabella area, to correct the commencement date from September 1, 2004 to October 1, 2004 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 230-2005

Patrick-Maben: All Ayes

PUBLIC HEALTH SERVICES

- *22) Proposed retroactive Agreement with California Department of Health Services for Medi-Cal Administrative Activities, in an amount not to exceed \$450,000, from July 1, 2004 through June 30, 2005 (Fiscal Impact: \$750,000; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN STANDARD AGREEMENT 231-2005 AND ALL RELATED STATE DOCUMENTS IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-Maben: All Ayes

- *23) Proposed Amendment No. 1 to Agreement 984-2004 with San Diego State University Research Foundation for Kids' Plates Program, to change the institution name to the San Diego State University Research Foundation, authorize inclusion of the Contractor's Release form with the final invoice, and revise the records retention date (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 232-2005 IN SUBSTANTIALLY THE FORM SUBMITTED, SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Patrick-Maben: All Ayes

- *24) Notification of retroactive Agreements with the Kern County Superintendent of Schools for the Public Health Officer to serve as the Medical Authority for school nurses holding school-based immunization clinics (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *25) Request for Board of Supervisors to accept cash donations from San Joaquin Hospital in the amount of \$3,000 and Health Net in the amount of \$2,000 to sponsor Public Health Week Luncheon (Fiscal Impact: \$5,000, Revenue to County)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTERS OF APPRECIATION

Patrick-Maben: All Ayes

- 26) Report Concerning West Nile Virus (Fiscal Impact: None) - ROB QUIRING, KERN COUNTY MOSQUITO AND VECTOR CONTROL HEARD; RECEIVED AND FILED

Patrick-Rubio: All Ayes

ADJOURNED TO CLOSED SESSION

Maben

CLOSED SESSION

COUNTY COUNSEL

- 27) Request for closed session regarding a determination of whether the County will initiate litigation (Government Code Section 54956.9(c)) -

(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-Maben

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Chairman, Board of Supervisors

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Tuesday, April 12, 2005

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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

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

Patrick-McQuiston: All Ayes

KERN SANITATION AUTHORITY

- #1) Request for Kern Sanitation Agency as beneficiary of Deed of trust to consent to proposed Parcel Map No. 10949 for property at Brundage Lane and Quantico Avenue, Bakersfield, California (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Rubio-Maben: All Ayes

- 2) Report concerning the Kern Sanitation Authority (from 4/5/2005) - RECEIVED AND FILED; DIRECTED WASTE MANAGEMENT DEPARTMENT TO PREPARE REPORT AND RECOMMENDATIONS FOR IMPROVING FINANCIAL CONDITIONS BY JUNE 30, 2005; DIRECTED WASTE MANAGEMENT DEPARTMENT TO PREPARE AND PRESENT A LONG-TERM STRATEGIC PLAN

Rubio-Patrick: All Ayes

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

McQuiston-Maben: All Ayes

PUBLIC PRESENTATIONS

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- MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN TAXPAYERS ASSOCIATION, PROVIDED A COPY OF AN AUTOBIOGRAPHY OF ROY WEYGAND, FORMER PRESIDENT OF KERN TAXPAYERS ASSOCIATION, WHO RECENTLY PASSED AWAY

RECEIVED AND FILED

Patrick-Maben: All Ayes

CHAIRMAN WATSON WELCOMED CALIFORNIA STATE UNIVERSITY BAKERSFIELD AND BAKERSFIELD COLLEGE STUDENTS WHO WERE IN ATTENDANCE.

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 MABEN DISCUSSED EFFORTS BY COUNTIES IN THE LOS ANGELES BASIN TO ADDRESS ILLEGAL DUMPING OF CONSTRUCTION MATERIALS.

REFERRED TO WASTE MANAGEMENT DEPARTMENT, ENGINEERING & SURVEY SERVICES AND COUNTY COUNSEL TO INVESTIGATE THE RANGE OF ALTERNATIVES AND POTENTIAL INCENTIVES FOR DIVERSION OF CONSTRUCTION AND DEMOLITION MATERIAL AT KERN COUNTY LANDFILLS TO FURTHER ADDRESS ILLEGAL DUMPING AND REPORT BACK TO THE BOARD IN 45 DAYS

Maben-McQuiston: All Ayes

SUPERVISOR RUBIO REQUESTED THE PLANNING DEPARTMENT REVIEW VACATION OF A PEDESTRIAN EASEMENT BETWEEN CHEATHAM AND REESE STREETS IN EAST BAKERSFIELD FOR PUBLIC SAFETY IMPROVEMENTS IN THAT NEIGHBORHOOD.

SUPERVISOR WATSON DISCUSSED THE ANTI-GRAFFITI HEARING HELD BY BAKERSFIELD CITY OFFICIALS LAST WEEK AND ITS IMPACT ON THE COMMUNITY. HE REQUESTED CONSIDERATION OF A JOINT TASK FORCE WITH THE CITY TO IMPROVE EFFORTS IN THE BAKERSFIELD AREA.

REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE, GENERAL SERVICES DIVISION, TO MEET WITH CITY OFFICIALS ABOUT THE POSSIBILITY OF ESTABLISHING A JOINT TASK FORCE TO EXPAND GRAFFITI ENFORCEMENT PROGRAMS, DEVELOP EDUCATIONAL PROGRAMS FOR ADULTS AND YOUTH, IMPROVE PROSECUTION EFFORTS, PROVIDE INFORMATION ON JUVENILE WORK RELEASE PROGRAMS, AND FURTHER DISCUSS FISCAL RESOURCES AVAILABLE TO ACHIEVE THESE RESULTS.

Patrick-Rubio: All Ayes

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *5) **Request from Johns Brothers by Delmarter and Deifel to change the permitted uses from agriculture to commercial and residential on 80 acres located on the southeast corner of Seventh Standard Road and Calloway Drive, Bakersfield (SD #1)**

Specific Request:

- (a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) RR to Map Code(s) GC, ER, and SR or more restrictive map code designations (GPA #15, Map #102)
(b) A change in zone classification from A to C-2 PD, E (1) RS, and E (1/4) or more restrictive districts (ZCC #122, Map #102)

(Negative Declaration; Published Bakersfield Californian) (from 3/15/2005)- CONTINUED TO TUESDAY, MAY 3, 2005, AT 2:00 P.M.

Patrick-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Streets and Highways

S.D. #1

- *6) Request from Irving and Catherine Schneider for a Summary Vacation of Fotis Lane, south side of Cottontail Road, east of McCray Road, Squirrel Valley area, Map No. 41-35 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-143 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES

Patrick-Maben: All Ayes

S.D. #3

- *7) Request from Kern County Roads Department for a Summary Vacation of an excess portion of Calloway Drive located between the end of Calloway Court and Slikker Drive, Map No. 102-29 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-144 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES

Patrick-Maben: All Ayes

Land Use

S.D. #4

- *8) Proposed Notice of Nonrenewal Petition No. 05-8 by the Old River Enterprises, LP, for approximately 1,746 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #1

- *9) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 23, Shafter (Fiscal Impact: \$240; CSA; Budgeted) - APPROVED; ADOPTED RESOLUTION 2005-145; ENACTED ORDINANCE G-7223

Patrick-Maben: All Ayes

- *10) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 39, Kern Valley (Fiscal Impact: \$750; CSA; Budgeted) - APPROVED; ADOPTED RESOLUTION 2005-146; ENACTED ORDINANCE G-7224

Patrick-Maben: All Ayes

S.D. #5

- *11) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), County Service Area No. 66, Annexation No. 2, Extension of Zone of Benefit No. 1 and establishment of Zone of Benefit Nos. 2, 3 and 4, Tract 6213, Bakersfield (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-147; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE NECESSARY DOCUMENTS WITH LAFCO; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED

Patrick-Maben: All Ayes

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

- *12) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 71, west Bakersfield (Fiscal Impact: \$103,560; CSA; Budgeted) - APPROVED; ADOPTED RESOLUTION 2005-148; ENACTED ORDINANCE G-7225

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #5

- *13) Proposed Resolution to declare a portion of Weedpatch Highway as a public highway and incorporate into the County road system (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-149; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *14) Proposed revisions to County Alcohol and Drug Abuse Policy (Fiscal Impact: None) - APPROVED

Patrick-Maben: All Ayes

- *15) Proposed Standard Agreement for Emergency Medical Services Appropriation funding for Fiscal Year 2004-2005, in an amount up to \$381,361 (Fiscal Impact: \$381,361 Revenue to County; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 233-2005

Patrick-Maben: All Ayes

- *16) Proposed Agreements for issuance of Tax and Revenue Anticipation Notes (TRAN) for Fiscal Year 2005-2006 with Kelling, Northcross & Nobriga for municipal finance consultant services, in an amount not to exceed \$65,000, and with Hawkins, Delafield & Wood for bond and disclosure counsel services, in an amount not to exceed \$18,000 (Fiscal Impact: \$83,000; Discretionary; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 234-2005 AND 235-2005

Patrick-Maben: All Ayes

- *17) Proposed Amendment No. 1 to Agreement 959-2003 for health plan administration with Schaller Anderson of California to provide correction regarding use and payment of the CCN network services including an increase in fixed fees of \$1.50 to \$33.50 per employee per month (PEPM) for the period of April 1, 2004 through December 31, 2004 and to \$35.10 PEPM for the period of January 1, 2005 through May 31, 2005, provide a method to calculate performance compensation and penalties for the period of January 1, 2005 through May 31, 2005, and extend the agreement through May 31, 2005 (Fiscal Impact: Net Estimated Savings \$550,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 236-2005

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *18) Proposed Employee Rental Agreement with Ray Kates for County Residence No. 709 located at Lake Woollomes Park, on a month-to-month basis, not to exceed one year (\$203.66 monthly rent) (Fiscal Impact: Annual Revenue \$2,443.92; Budgeted)- MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 237-2005

Patrick-Maben: All Ayes

- *19) Proposed Employee Rental Agreement with Sherry Jones for County Residence No. 404 located at Camp Owen in Kernville, on a month-to-month basis (\$238.63 monthly rent) (Fiscal Impact: Annual Revenue \$2,863.56; Budgeted) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 238-2005

Patrick-Maben: All Ayes

- *20) Request for authorization to repair security, control and surveillance systems at the Lerdo maximum-medium facility, proposed Resolution dispensing with the competitive bidding requirement, and authorization for Purchasing Agent to negotiate and sign a contract for work, in an amount not to exceed \$36,100 (Fiscal Impact: \$36,100; Major Maintenance; Unbudgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-150; AUTHORIZED PURCHASING AGENT TO PURCHASE NECESSARY MATERIALS AND NEGOTIATE AND SIGN CONTRACT

Patrick-Maben: All Ayes

S.D. #3

- *21) Proposed Agreement with Bakersfield Baseball, LLC, for lease of Sam Lynn Ballpark to conduct professional baseball games and activities for a term of two (2) to seven (7) years, effective September 1, 2005 (Fiscal Impact: \$1,200 per month 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 239-2005

Patrick-Maben: All Ayes

- *22) Proposed Agreement with Lawrence Nye Anderson Associates Consulting Mechanical Engineers, Inc., for the airline office space tenant improvements in the new airport terminal building (8215.8415) (Fiscal Impact: \$12,500; Airport Project Fund; Budgeted; Discretionary) - CONTINUED TO TUESDAY, APRIL 19, 2005, AT 2:00 P.M.

Patrick-Maben: All Ayes

S.D. #4

- *23) Request to set hearing for granting of pipeline franchise to Carneros Energy, Inc. (Fiscal Impact: \$1,200 one time; Approximately \$25 Annually; Budgeted; Discretionary) - ADOPTED RESOLUTION 2005-151 SETTING HEARING FOR TUESDAY, MAY 17, 2005, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE; AUTHORIZED ROADS TO ISSUE ENCROACHMENT PERMIT PENDING GRANTING OF FRANCHISE

Patrick-Maben: All Ayes

- *24) Plans and Specifications for Demolition of Substandard Structures, 101 Buchanan Street, Taft (1640.19925112)(Fiscal Impact: \$27,100; General Fund; 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 PURCHASING AGENT TO SOLICIT BIDS

Patrick-Maben: All Ayes

All S.D.'s

- *25) Request to place plaque in the rotunda of the Kern County Administrative Center in honor of Leroy C. Weygand for his contribution to the community (Fiscal Impact: None) - APPROVED

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

- *26) Proposed Agreement with QuickStart Intelligence, Inc., to provide customized on-site training in the Microsoft.NET Application Development Environment, from April 12, 2005 through May 27, 2006, in an amount not to exceed \$29,480 (Fiscal Impact: \$29,480; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 240-2005
Patrick-Maben: All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED ON APRIL 5, 2005

- *27) Proposed Ordinance amending Subsections (90) and (172) of Section 10.16.041, Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones on Quail Creek Road between Norris Road and Snow Road, Bakersfield - ENACTED ORDINANCE G-7226
Patrick-Maben: All Ayes
- *28) Proposed Ordinance adding Subsection (191) to Section 10.16.041, Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Jenkins Road, Bakersfield - ENACTED ORDINANCE G-7227
Patrick-Maben: All Ayes
- *29) Proposed Ordinance adding Subsection (190) to Section 10.16.041, Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone along the west side of Park Drive, Bakersfield - ENACTED ORDINANCE G-7228
Patrick-Maben: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *30) Budget Transfers - APPROVED NO. 138 THROUGH NO. 140
Patrick-Maben: All Ayes
- *31) Minutes for week of February 28, 2005 - APPROVED
Patrick-Maben: All Ayes
- *32) Miscellaneous Letters and Documents - APPROVED
Patrick-Maben: All Ayes
- *33) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED
Patrick-Maben: All Ayes

ADJOURNED TO MONDAY, APRIL 18, 2005, AT 10:00 A.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.

32) MISCELLANEOUS LETTERS AND DOCUMENTS - FILE

Auditor-Controller-County Clerk

- A) State of California/Board of Corrections Juvenile Treatment Facility Construction Project Grant for period from October 6, 1999 to February 28, 2005
- B) County of Kern Single Audit Report for June 30, 2004
- C) Memorandum from Supervisor Rubio re open government closed sessions concerning issues at Kern Medical Center (Copies to each Supervisor, CAO and Kern Medical Center)

Clerk of the Board

- D) Received, certified and transmitted to Recorder for recordation as follows:
 - 1) Tract Map 6006, Phase 3 S.D. #2
 - 2) Tract Map 6077, Unit 12 S.D. #1
 - 3) Tract Map 6079, Unit 2 S.D. #4
 - 4) Tract Map 6232, Phase 1 S.D. #5
 - 5) Tract Map 6250, Unit 3 S.D. #4
 - 6) Tract Map 6281, Unit 1 S.D. #4
 - 7) Tract Map 6281, Unit 2 S.D. #4
 - 8) Tract Map 6281, Unit 3 S.D. #4
 - 9) Parcel Map 10923 S.D. #3

County Administrative Office

- E) Update to Administrative Policy and Procedures Manual, Chapter 7 re Information Technology Services

Local Agency Formation Commission

- F) Letter from Virginia Gennaro, City of Bakersfield, re McKee No. 2, Annexation No. 460, LAFCO Proceeding No. 1411 (Copies to each Supervisor and CAO)
- G) Letter from Virginia Gennaro, City of Bakersfield, re Henry Lane No. 1 - Muni Farm No. 6, Annexation No. 453, LAFCO Proceeding No. 1404 (Copies to each Supervisor and CAO)

Roads

- H) Received, prepared Consent to Recordation and transmitted to Recorder for recordation of an Irrevocable Offer of Dedication from Stan Ellis and Lynn Gudmundson for additional right-of-way on Patton Way

Sheriff

- I) Response to 2004-2005 Grand Jury Final Report re the Kern County Sheriff's Department K-9 Unit (Copies to each Supervisor and CAO)
- J) Response to 2004-2005 Grand Jury Final Report re the Kern County Sheriff's Department Central Receiving Facility (Copies to each Supervisor and CAO)

Miscellaneous

- K) Letter from Monty Packard, State Department of Transportation, re hazardous waste incident on Tuesday, March 29, 2005, at Inyo and Mono county line at Pearsonville (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- L) Franchise Statement for Calendar Year ending December 31, 2004 from Southern California Edison (Copy to General Services)
- M) Notice from Pacific Gas and Electric re filing of application requesting pre-deployment funds for its Advance Metering Infrastructure (AMI) Project (Copies to each Supervisor, CAO and General Services)
- N) Notice from Amy Transportation, LLC, re filing of application with the Public Utilities Commission to provide on-call, door-to-door shuttle between Los Angeles International Airport or John Wayne Airport, and points in the counties of Los Angeles and Orange, and for the transportation of passengers and their baggage and unaccompanied baggage express between the counties of San Diego, Orange, Los Angeles, Santa Clara, San Francisco, Alameda, Sacramento, Fresno and Kern (Copies to each Supervisor, CAO, Planning, Roads and County Counsel)
- O) Notice from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses as follows: Mojave Chevron, 15800 Sierra Highway, Mojave; Super K Market, 12366 Boron Avenue, Boron (Copies to each Supervisor, CAO and Planning)
- P) Bulletin from Water Education Foundation, Western Water, CALFED at a Crossroads: A Decade of the Bay-Delta Program, March/April, 2005 (Copies to each Supervisor and CAO)
- 33) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVE AND FILE
 - A) Claim in the matter of Michael Steven Blair vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Barak Crawford vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Subrogation claim in the matter of James W. Stolting by Farmers Insurance Exchange vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

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