

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Monday, April 18, 2005

10:00 A.M.

BOARD RECONVENED

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

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

**Rubio**

#### CLOSED SESSION

##### COUNTY ADMINISTRATIVE OFFICE

- 2) Request for Closed Session regarding public employee interviews - Title: Board of Trade Executive Director -
- 3) Results of Closed Session regarding public employee interviews - Title: Board of Trade Executive Director -  
CONTINUED TO TUESDAY, APRIL 19, 2005 AT 9:00 A.M. (See Item No. 30)

**Patrick-McQuiston: All Ayes**

(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 session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; RECESSED TO TUESDAY, APRIL 19, 2005 AT 9:00 A.M.

**Patrick-McQuiston**

/s/ Tracey E. Cody  
Administrative Coordinator

/s/ Ray Watson  
Chairman, Board of Supervisors

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, April 19, 2005

9:00 A.M.

#### BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor 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.

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 April 23, 2005 as The Great American Cleanup Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Maben-Patrick: All Ayes**

- \*2) Proclamation proclaiming April 2005 as Sexual Assault Awareness Month in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Patrick-Maben: 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 WATSON REQUESTED COUNTY ADMINISTRATIVE OFFICE AND KERN MEDICAL CENTER (KMC) TO REVIEW OPTIONS FOR CONTINUING PUBLIC INPUT ON KMC THROUGH AN ADVISORY BOARD, AND TO INCLUDE THIS REQUEST IN THEIR RESPONSE ON PREVIOUS BOARD REFERRALS TO KERN MEDICAL CENTER

DEPARTMENTAL REQUESTS

AIRPORTS

- \*5) Proposed funding for additional air service development opportunities in Fiscal Year 2004-05 (Fiscal Impact: \$100,000; Not Budgeted; Discretionary) - APPROVED CANCELLATION OF \$100,000 FROM AIRPORTS ENTERPRISE FUND RETAINED EARNINGS TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$100,000 FROM AIRPORTS ENTERPRISE FUND APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 8995

**Patrick-Maben: All Ayes**

BOARD OF SUPERVISORS

- \*6) Annual report from Second District Supervisor Don Maben to the United States Air Force on the condition of the F-4C aircraft loaned to Kern County for the Boron Aerospace Museum (Fiscal Impact: None) - RECEIVED AND FILED; AUTHORIZED CHAIRMAN TO SIGN 2005 LOAN AGREEMENT 241-2005 AND NECESSARY U.S. AIR FORCE MUSEUM CERTIFICATION FORM

**Patrick-Maben: All Ayes**

BOARD OF TRADE

- \*7) Report regarding Board of Trade's role in promoting film and tourism (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

COUNTY COUNSEL

- \*8) Proposed contract with Acclimation Insurance Management Services, Inc., (AIMS), for third party workers' compensation claims administration services, from May 1, 2005 through April 30, 2006, in an amount not to exceed \$350,000 (Fiscal Impact: \$350,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 242-2005

**Patrick-Maben: All Ayes**

- \*9) Proposed deletion of one (1) Office Services Assistant position and addition of one (1) Workers' Compensation Claims Adjuster I/II/II position, effective April 12, 2005, Budget Unit 1910 (Fiscal Impact: \$1,478; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Patrick-Maben: All Ayes**

- 10) Report on Board referral from March 8, 2005 regarding the issue of indemnity provisions in proposed vendor contracts (Fiscal Impact: None) - RECEIVED AND FILED; REFERRED TO COUNTY COUNSEL-RISK MANAGEMENT TO REVIEW KERN MEDICAL CENTER AGREEMENTS

**Patrick-Maben: All Ayes**

DISTRICT ATTORNEY

- \*11) Request to accept donation of two (2) Nissan Armada vehicles from the Haddad Automotive Group (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

**Patrick-Maben: All Ayes**

- \*12) Request for sole source procurement of Scanning Electron Microscope in an amount not to exceed \$250,000; appropriation of unanticipated revenue in the amount of \$250,000 from the Sheriff's Department and the Bakersfield Police Department for purchase of the Scanning Electron Microscope (Fiscal Impact: \$250,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$250,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$250,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2200; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$125,000 FROM SHERIFF'S STATE FORFEITURE TRUST FUND 22137 AND \$125,000 FROM THE D.A. - LOCAL ASSET FORFEITURE TRUST FUND 22064 TO THE GENERAL FUND

**Patrick-Maben: All Ayes**

EMERGENCY MEDICAL SERVICES

- 13) Department performance measurements and supplemental information from briefing on departmental operations (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

- 14) Proposed ambulance rates process to establish methodology for determining baseline rates, annual adjustments and evaluating rate change requests (Fiscal Impact: None) - JACQUIE ATT, REPRESENTING HALL AMBULANCE, HEARD; APPROVED; DIRECTED DEPARTMENT TO IMPLEMENT METHODOLOGY TO INCLUDE PUBLIC HEARING COMPONENT FOR ANNUAL CONSUMER PRICE INDEX (CPI) INCREASES AND REVISIONS TO LANGUAGE OF SECTION IIIC TO BE CONSISTENT WITH HIRING INDEPENDENT CONSULTANT TO VERIFY NUMBERS IN APPENDIX C

**Rubio-Patrick: 4 Ayes; 1 No - McQuiston**

REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL TO EVALUATE WHETHER THE BOARD'S ACTION WILL HAVE ANY EQUITY, FINANCIAL OR POLICY IMPACTS ON PUBLIC WORKS-RELATED CONTRACTS; AND TO REVIEW KERN MEDICAL CENTER PHYSICIANS' CONTRACTS TO DETERMINE WHAT PRECEDENT, IF ANY, HAS BEEN ESTABLISHED WITH REGARD TO MALPRACTICE

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

- 15) Status report on the EMS system re-design process (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Rubio: All Ayes**

- \*16) Report regarding broad EMS system re-design concepts (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

FIRE DEPARTMENT

- \*17) Request to continue Local Emergency (Fiscal Impact: None) - APPROVED; EXTENDED LOCAL EMERGENCY FOR AN ADDITIONAL TWO WEEKS

**Patrick-Maben: All Ayes**

KERN MEDICAL CENTER

- \*18) Proposed changes in clinical privilege status for 14 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

**Patrick-Maben: All Ayes**

- \*19) Proposed retroactive Assignment of Agreement with 3M Company, for medical coding compliance software and data for management of hospital billing and compliance issues, effective September 1, 2004 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 243-2005

**Patrick-Maben: All Ayes**

MENTAL HEALTH SERVICES

- \*20) Proposed Amendment No. 2 to Agreement 783-2004 with Kern County Hispanic Commission on Alcohol and Drug Abuse Services, for residential and outpatient substance abuse treatment services, to change the address for notifications and principal place of business in the Agreement (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 244-2005

**Patrick-Maben: All Ayes**

RETIREMENT ASSOCIATION

- 21) Request for approval of half-day paid leave for up to 150 qualified employees to participate in KCERA's Retirement Planning Seminar scheduled for Thursday, May 26, 2005, from 8:30 a.m. to 12 noon (Fiscal Impact: None) - APPROVED

**Rubio-Patrick: All Ayes**

SHERIFF

- \*22) Unusual travel request for Helicopter Mechanic Adam Valdez to attend the 206B Field Maintenance Course in Ft. Worth, Texas from May 8, 2005 to May 21, 2005, in an amount not to exceed \$7,418 (Fiscal Impact: \$7,418; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Patrick-Maben: All Ayes**

- \*23) Request for approval of intent to donate Sheriff's Department surplus property (duty belts and related equipment) to Santiago de Queretaro, Mexico (Fiscal Impact: None) - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH NOTICE OF INTENT TO DONATE

**Patrick-Maben: All Ayes**

- \*24) Application to hold parade - United Farm Workers of America, AFL-CIO on April 24, 2005 in Bakersfield from 2105 Edison Highway and South (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

**Patrick-Maben: All Ayes**

- \*25) Request to employ retired county employee, Delma Morden, as Office Services Technician, Range 45.4, 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: \$14,102; Budgeted; Discretionary) - APPROVED

**Patrick-Maben: All Ayes**

TREASURER-TAX COLLECTOR

- \*26) Transfer of unclaimed money to General Fund (Fiscal Impact: \$118,319.76 Revenue to County) - AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER \$118,319.76 FROM THE SUSPENSE FUND TO THE COUNTY GENERAL FUND

**Patrick-Maben: All Ayes**

- \*27) Cash Receipts and Disbursements for March 2005 (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

- \*28) Notice of Intention to Sell Tax-Defaulted Property Subject to the Power of Sale (Estimated Tax - Revenue Recovery: \$3.3 Million) - APPROVED; ADOPTED RESOLUTION 2005-152

**Patrick-Maben: All Ayes**

- \*29) Request to set hearing regarding proposed fee increase for Cost Recovery for Collection of Delinquent Unsecured Property Taxes (Fiscal Impact: \$20,000 Revenue to the County)- SET HEARING FOR TUESDAY, MAY 10, 2005 AT 9:00 A.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE; REFERRED TO COUNTY COUNSEL TO PREPARE ORDINANCE FOR THE FEE TO BECOME EFFECTIVE JULY 1, 2005

**Patrick-Maben: All Ayes**

ADJOURNED TO CLOSED SESSION

**Patrick**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 30) Request for Closed Session regarding public employee interviews - Title: Board of Trade Executive Director (from Monday, April 18, 2005 at 10:00 a.m., Item No. 2) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)



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

**Patrick-Rubio**

/s/ Tracey E. Cody  
Administrative Coordinator

/s/ Ray Watson  
Chairman, Board of Supervisors

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, April 19, 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 interviews - Title: Board of Trade Executive Director - CHAIRMAN WATSON ANNOUNCED THE APPOINTMENT OF RICK DAVIS AS THE BOARD OF TRADE EXECUTIVE DIRECTOR, EFFECTIVE MAY 1, 2005; RICK DAVIS HEARD AND LILLY DAVIS RECOGNIZED

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

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

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- NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR PATRICK EXPRESSED APPRECIATION TO CRAIG POPE, CHUCK LACKEY, BERT MCCARTHY AND DISTRICT THREE STAFF FOR THEIR PARTICIPATION IN A COMMUNITY MEETING AT OLIVE DRIVE SCHOOL.

SUPERVISOR PATRICK ALSO REPORTED ON HER PARTICIPATION AS THE CALIFORNIA AIR RESOURCES BOARD REPRESENTATIVE AT THE VALLEY AIR POLLUTION HEALTH EFFECTS RESEARCH (VAPHER) SYMPOSIUM.

SUPERVISOR RUBIO RECOGNIZED FIFTH DISTRICT APPOINTEE TO THE PLANNING COMMISSION, WENDY WAYNE.

SUPERVISOR RUBIO EXPRESSED APPRECIATION TO STEVE MCCALLEY, ANIMAL CONTROL STAFF, BAKERSFIELD POLICE DEPARTMENT AND AN EMPLOYEE OF THE AM/PM MARKET AT 34TH AND UNION AVENUE FOR THEIR EFFORTS IN LOCATING HIS LOST AND INJURED DOG, LEVI.

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- \*3) **Request from Steve Hendrix by The Lusich Company to reduce the size of a sump access and drainage easement located on the north side of a cul-de-sac at the west end of Henderson Avenue, east of Rudd Avenue, Rosedale (SD #4)**

Specific Request:

Nonsummary vacation of a sump access and drainage easement located within Lot 46 of Tract 6122 (101-27 3 098 - Streets and Highways)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) (from 4/5/2005) - CONTINUED TO TUESDAY, MAY 17, 2005, AT 2:00 P.M.

**Patrick-Maben: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Hearing

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

- 4) Report on requests from North Bakersfield Recreation and Park District to approve Annual Fiscal Year 2004-2005 Capital Improvement Program Update and fee remittal up to \$507,944 for specific projects in Fiscal Year 2004-2005 (Fiscal Impact: None) - OPENED HEARING; COLON BYWATER, PLANNING AND CONSTRUCTION DIRECTOR, NORTH BAKERSFIELD RECREATION AND PARK DISTRICT, HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-153 APPROVING REQUESTS

**Patrick-Rubio: All Ayes**

Land Use

S.D. #1

- \*5) Notice of Nonrenewal Petition No. 05-9 by Carolyn Camp Pandol and Georgia Camp Bell for 28.49 acres within Agricultural Preserve No. 6 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Maben: All Ayes**

- \*6) Notice of Nonrenewal Petition No. 05-20 by Robert A. Quinn and Andrea Nicole Quinn for 71.53 acres within Agricultural Preserve No. 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Maben: All Ayes**

S.D. #2

- \*7) Notice of Nonrenewal Petition No. 05-19 by the John Hancock Mutual Life Insurance Company for 133.24 acres within Agricultural Preserve No. 9 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Maben: All Ayes**

- \*8) Notice of Nonrenewal Petition No. 05-22 by Paul W. Demkey for 156.36 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Maben: All Ayes**

S.D. #4

- \*9) Notice of Nonrenewal Petition No. 05-21 by Bruce Tiner and Irma Tiner for 71.73 acres within Agricultural Preserve No. 6 (Fiscal Impact: None) -

**WITHDRAWN**

- \*10) Notice of Nonrenewal Petition No. 05-23 of Raymond H. Banducci and Nancy K. Banducci, by California Land Surveys and Mapping, for 72.69 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Maben: All Ayes**

- \*11) Notice of Nonrenewal Petition No. 05-24 of the Alyce V. Hubbard Trust, et al, by California Land Surveys and Mapping, for 88.65 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Maben: All Ayes**

- \*12) Notice of Nonrenewal Petition No. 05-25 of Michael Rossi, et al, by California Land Surveys and Mapping, for 40.05 acres within Agricultural Preserve No. 10 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Patrick-Maben: All Ayes**

Miscellaneous

All S.D.'s

- 13) Briefing on Planning Department Operations (Fiscal Impact: None) - HEARD PRESENTATION; RECEIVED AND FILED

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #5

- \*14) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), County Service Area No. 11, Annexation No. 4, and establishment of Zone of Benefit Nos. 5, 6 and 7, Parcel Map 11093, Bakersfield (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-154; 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**

RESOURCE MANAGEMENT AGENCY

Environmental Health Services

All S.D.'s

- 15) Request for consideration of a letter "grading system" for food establishments (Fiscal Impact: None) - TERRY MAXWELL, RESTAURANT OWNER; MIKE TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION; AND MARTHA GUILLERMO, HEARD

MOTION TO RECEIVE AND FILE; REFER TO ENVIRONMENTAL HEALTH TO WORK WITH RESTAURANT COMMUNITY TO DEVELOP GUIDELINES FOR A GRADING SYSTEM

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

**MOTION FAILED**

RECEIVED AND FILED REPORT

**Patrick-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY

Roads Department

S.D. #3

- \*16) Contract No. 05012, identify apparent low bid of Granite Construction Company for construction at Seventh Standard Road at Wings Way, in an amount not to exceed \$333,552 (Fiscal Impact: \$333,552, Base + Alternate No. 1; HUD Grant; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Patrick-Maben: All Ayes**

S.D. #4

- \*17) Contract No. 05007, Notice of Completion for construction on Belle Terrace, South Real Road and Wood Lane (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

WASTE MANAGEMENT

S.D. #2

- \*18) Proposed Agreement with California City for use of the City's Fire Department parking lot to conduct a Household Hazardous Waste collection event (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 245-2005

**Patrick-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*19) Proposed response to Grand Jury report entitled County Contract Procedures (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

**Patrick-Maben: All Ayes**

- \*20) Proposed Memorandum of Understanding with Kern County Superintendent of Schools to administer grant funding in the amount of \$125,000 to facilitate restoration of the Kern County Museum Main Building (Fiscal Impact: \$125,000; Grant Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 246-2005

**Patrick-Maben: All Ayes**

- \*21) Request to recognize the Kern County Probation Officers' Association as the exclusive bargaining representative (union) for non-management Probation Officer and Probation Group Counselor classifications, effective April 30, 2005 (Fiscal Impact: None) - APPROVED; DIRECTED COUNTY ADMINISTRATIVE OFFICER, DIRECTOR OF PERSONNEL AND AUDITOR-CONTROLLER-COUNTY CLERK TO COMPLETE ADMINISTRATIVE ACTIONS

**Patrick-Maben: All Ayes**

- \*22) Request to recognize the Kern County Detention Officers' Association as the exclusive bargaining representative (union) for non-management Detention Officer and Detention Deputy classifications, effective April 30, 2005 (Fiscal Impact: None) - APPROVED; DIRECTED COUNTY ADMINISTRATIVE OFFICER, DIRECTOR OF PERSONNEL, AND AUDITOR-CONTROLLER-COUNTY CLERK TO COMPLETE ADMINISTRATIVE ACTIONS

**Patrick-Maben: All Ayes**

Legislative Matters

- \*23) Proposed reduction in State financial support for In-Home Supportive Services (IHSS) provider wages (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Patrick-Maben: All Ayes**

- \*24) AB 392 (Chan): Integrated administrative services of health programs - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Patrick-Maben: All Ayes**

- \*25) SB 869 (Bowen): Nurse family partnerships - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Patrick-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- \*26) Identify apparent low bid from Omega Construction for the new restroom facility at Lake Isabella Park, in an amount not to exceed \$281,500 (1960.8261) (Fiscal Impact: \$281,500; Parkland Grant; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO PREPARE CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Patrick-Maben: All Ayes**

S.D. #2

- \*27) Plans and Specifications for the HVAC replacement at the California City Branch Library (1650.7137) (Fiscal Impact: \$124,900; General Fund Major Maintenance; 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 PURCHASING AGENT TO SOLICIT BIDS

**Patrick-Maben: All Ayes**

S.D. #3

- \*28) Change Order No. 13 for the New Airport Terminal at Meadows Field, an increase of \$183,217.75, for a new total of \$20,746,379.17 (8215.8415) (Fiscal Impact: 183,217.75; Airport Enterprise Fund; General Fund; Budgeted; Discretionary) - CONTINUED TO TUESDAY, APRIL 26, 2005, AT 2:00 P.M.

**Patrick-Maben: All Ayes**

- \*29) Change Order No. 1 for the Meadows Field Motel and Restaurant Demolition, an increase of \$9,519.16, for a new total of \$73,873.16, and proposed Resolution authorizing a change order in excess of ten percent (10%) of the contract (8994.8417) (Fiscal Impact: \$9,519.16; Airport Enterprise Fund; Budgeted; Discretionary) -

**WITHDRAWN**

- \*30) 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) (from 4/12/2005) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 247-2005

**Patrick-Maben: All Ayes**

S.D. #5

- \*31) Plans and Specifications for the remodel at the Revenue Recovery Division at Superior Court (9410.7000E) (Fiscal Impact: \$230,900; Superior Courts; 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, MAY 12, 2005, AT 2:00 P.M.

**Patrick-Maben: All Ayes**

NON AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 31A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE ON THURSDAY, APRIL 14, 2005, IT WAS DISCOVERED THE SEWER LINE CONNECTING THE HALL OF RECORDS BUILDING TO THE SEWER MAIN UNDER CHESTER AVENUE HAD RUPTURED AND DELAY IN REPAIR OF THE SEWER LINE WOULD RESULT IN HEALTH CONCERNS AND VIOLATION OF HEALTH CODES.

**Patrick-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #5

- 31A) Report and proposed authorization for sole source Agreement with HPS Mechanical, Inc., for emergency repair services at the Hall of Records, in an amount not to exceed \$30,000 - RECEIVED AND FILED; ADOPTED RESOLUTION 2005-155 AUTHORIZING ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES TO SIGN

**McQuiston-Rubio: All Ayes**

All S.D.'s

- \*32) Request for authorization for Purchasing Agent to sign retroactive Amendment No. 1 to the Engineering Services Agreement with Soils Engineering, Inc., to revise fee schedule (Various Projects) (Fiscal Impact: None) - APPROVED; AUTHORIZED PURCHASING AGENT TO SIGN

**Patrick-Maben: All Ayes**

- \*33) Job Order Contract project update listing (various projects) (Fiscal Impact: None) - APPROVED

**Patrick-Maben: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*34) Budget Transfers - APPROVED NO. 141 THROUGH NO. 149

**Patrick-Maben: All Ayes**

- \*35) Minutes for week of March 7, 2005 - APPROVED

**Patrick-Maben: All Ayes**

- \*36) Miscellaneous Letters and Documents - APPROVED

**Patrick-Maben: All Ayes**



- \*37) Miscellaneous Departmental Referrals by Clerk of the Board -  
APPROVED AND FILED

**Patrick-Maben: All Ayes**

- \*38) Claims and Lawsuits filed with and referred by Clerk of the  
Board - APPROVED AND FILED

**Patrick-Maben: All Ayes**

ADJOURNED TO TUESDAY, APRIL 26, 2005, AT 9:00 A.M.

**Maben**

/s/ Tracey E. Cody  
Administrative Coordinator

/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.

36) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Revised Information Report on 2004-05 Property Tax Administration Costs, Revenue and Taxation Code 95-2
- B) Statement of Money in the County Treasury as of March 2, 2005

Environmental Health

- C) Four (4) thank you letters for donations to the Mojave Animal Shelter and the Bakersfield Animal Care Center (Copies to each Supervisor and CAO)

Grand Jury

- D) 2004-2005 Final Report re Biosolid Use in Kern County (Copies to each Supervisor, CAO, Resource Management Agency and Environmental Health)
- E) 2004-2005 Final Report re Environmental Health Department, Animal Control Division, Animal Control in Kern County (Copies to each Supervisor, CAO, Resource Management Agency and Environmental Health)

Local Agency Formation Commission

- F) Resolution No. 05-10, Proceeding No. 1399, in the matter of City of Delano, Annexation No. 41 (Copies to each Supervisor and CAO)

Treasurer-Tax Collector

- G) Report of Compliance - 2004 Conflict of Interest Statements and Applications for Nomination and Filing for the Treasury Oversight Committee

Miscellaneous

- H) Letter from S. A. Netzer, California Highway Patrol, re Hazardous Materials Incident Report on Saturday, April 2, 2005, at 32829 I-5, Grapevine (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- I) Letter from Pamela Valdez in support of Kern Medical Center staff and facility (Copies to each Supervisor, CAO, Kern Medical Center and County Counsel)
- J) Letter from Peggy J. DeFoor re poor service at Animal Control Services (Copies to each Supervisor, CAO and Environmental Health - Animal Control)
- K) Letter from David A. Roderick, Load Star Investments, in opposition to taxing new homebuyers or renters in the Tehachapi Valley Parks and Recreation District (Copies to each Supervisor, CAO, Resource Management Agency, Planning and County Counsel)
- L) Letter from Benjamin A. Miranda in appreciation of outstanding service provided by the Veterans' Service staff (Copies to each Supervisor, CAO and Veterans' Service)

- M) Letter from Jack M. and Jessie L. Rademacher re detachment proceedings for landowners from the Kern Tulare Water District (Copies to each Supervisor and CAO)
- N) Thank you e-mail from Lloyd Kingham for support of Senator Florez's SB 926 re banning the importation of sewage sludge into Kern County (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- O) Notices from the State Alcoholic Beverage Control re applications for alcoholic beverage licenses: KV Bottle Shop, 5200 Lake Isabella Boulevard, Lake Isabella; Mama Yasani's Pizza, 2100 Alta Vista Drive, Bakersfield; and Saad's Buttermilk Acres, 3565 Inyokern Road, Ridgecrest (Copies to each Supervisor, CAO and Planning)
- P) Notice from State Water Resources Control Board re application to appropriate water by permit, Sleepy Valley Water Company from Mint Canyon Creek Underflow tributary to Santa Clara River in Los Angeles County, Application No. 31208 (Copies to each Supervisor and CAO)
- Q) Notice from State Water Resources Control Board re petition to change the place of use and points of diversion, Gordon Family Ranch to divert water from points on the tributary to Ledgewood Creek thence Peytonia Slough thence Suisun Slough thence Suisun Bay thence San Francisco Bay in Napa County, Application No. 31034 (Copies to each Supervisor and CAO)
- R) Agenda of meeting from In-Home Supportive Services on Thursday, April 14, 2005
- S) Minutes of meeting from In-Home Supportive Services on Thursday, March 10, 2005
- 37) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Annual Estimate of Obligations from Cawelo Water District - REFERRED TO COUNTY COUNSEL
- B) Fax from Marjorie Risi, Congressman Devin Nunes' office, re request of Robert Roman to obtain a permit for Elaine Medrano to place a mobile home behind a present mobile home, Bakersfield area - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
- 38) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Gloria Navarro and Jose Navarro vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Donny Hankins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)