

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, June 21, 2005

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Rubio

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

APPOINTMENTS

- \*1) Appointment of Mark Stephen Boone (replacing William Canessa) as an At-large Member to the Greater Bakersfield Separation of Grade District, term to expire January 10, 2009 - MADE APPOINTMENT

**Patrick-Maben: All Ayes**

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!  
- KERN COUNTY FIRE CHIEF DENNIS THOMPSON ANNOUNCED THAT THE DEPARTMENT WILL PARTICIPATE IN A NATIONAL STANDDOWN AND RESPOND ONLY TO EMERGENCY CALLS, BUT THEY WILL ALSO FOCUS ON INCREASED SAFETY MEASURES FOR FIRE FIGHTERS IN OBSERVANCE OF THE NATIONAL FALLEN FIRE FIGHTERS RECOGNITION EFFORT

MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION, PRESENTED A REPORT ON ESCALATING RETIREMENT PENSION OBLIGATIONS NATIONWIDE

(Continued on Page 2)

(Continued from Page 1)

REFERRED REPORT TO THE COUNTY ADMINISTRATIVE OFFICE IN CONJUNCTION WITH PRIOR REFERRAL RELATING TO RETIREMENT BENEFITS; RECEIVED AND FILED DOCUMENT

**Maben-Patrick: All Ayes**

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 MABEN REPORTED ON THE ACTIVITIES OF THE CHILDREN & FAMILIES COMMISSION, FIRST 5 KERN

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*4) Proposed Agreement with Jelita Macanas, R.D., for nutritionist services, from July 1, 2005 through June 30, 2006, in amount not to exceed \$18,340 (Fiscal Impact: \$18,340; Federal; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 499-2005

**Patrick-Maben: All Ayes**

- \*5) Proposed Agreement with Valley Caregiver Resource Center for Title IIIB homemaker services in Kern River Valley/Lake Isabella, from July 1, 2005 through June 30, 2006, in amount not to exceed \$10,694 (Fiscal Impact: \$10,694; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 500-2005

**Patrick-Maben: All Ayes**

- \*6) Proposed Agreement with City of Delano for Title IIIC nutrition services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$166,619 (Fiscal Impact: \$166,619; Federal/State \$128,542; Local \$38,077; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 501-2005

**Patrick-Maben: All Ayes**

- \*7) Proposed Agreement with Greater Bakersfield Legal Assistance, Inc., (GBLA), for Title IIIB and Title VII ombudsman services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$129,366 (Fiscal Impact: \$129,366; Federal/State; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 502-2005

**Patrick-Maben: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*8) Certification of results of the Special Election for West Side Health Care District and West Side Recreation and Park District held June 7, 2005 (Fiscal Impact: None) - DECLARED JUNE 7, 2005 SPECIAL ELECTION RESULTS OFFICIAL, AS CERTIFIED BY THE AUDITOR-CONTROLLER-COUNTY CLERK, PURSUANT TO ELECTIONS CODE SECTION 15400

**Patrick-Maben: All Ayes**

CHILD SUPPORT SERVICES

- \*9) Proposed confirming purchase order with Informatix, Inc., for hardware and software required for the CASES automated Child Support System conversion, in an amount not to exceed \$21,232.35 (Fiscal Impact: \$21,232.35; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Patrick-Maben: All Ayes**

COUNTY COUNSEL

Hearing

- 10) Request from the Kern County Table Grape Pest and Disease Control District to conduct assessment proceedings on its behalf to fund table grape disease and pest control activities (Fiscal Impact: None) - OPENED HEARING; PAUL GIBONEY, KERN COUNTY TABLE GRAPE PEST & DISEASE CONTROL DISTRICT, HEARD; CLOSED HEARING

FIVE-MINUTE RECESS CALLED TO TALLY BALLOTS RECEIVED AT THE HEARING

RECONVENED WITH ALL MEMBERS PRESENT

CONFIRMED THERE WAS NOT A MAJORITY PROTEST; ADOPTED RESOLUTION 2005-263 CONFIRMING ENGINEER'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$8.00 PER PLANTED ACRE OF TABLE GRAPES

**Patrick-McQuiston: All Ayes**

- \*11) Renewal of County Insurance Coverage for FY 2005-06 (Fiscal Impact: \$2,746,628; Budgeted; Discretionary) - APPROVED PROPOSED INSURANCE COVERAGE RENEWALS; AUTHORIZED RISK MANAGER TO BIND COVERAGE

**Patrick-Maben: All Ayes**

- 12) Indemnity and other provisions in Information Technology Contracts (Referral from April 19, 2005) (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-McQuiston: All Ayes**

- 13) Proposed Amendment No. 2 to Agreement 332-2004 with the Law Firm of Kuhs, Parker & Hughes for legal services because of conflict with County Counsel's Office, to increase the maximum amount payable under the Agreement by \$40,000 (from 6/7/05) (Fiscal Impact: \$40,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 503-2005

**Patrick-Maben: All Ayes**

DISTRICT ATTORNEY

- \*14) Proposed Resolution authorizing submittal of renewal application for the Anti-Drug Abuse Enforcement Program from the Governor's Office of Emergency Services, and authorization for District Attorney to execute grant Agreement (Fiscal Impact: \$403,568 Revenue; Budgeted; Grant; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-264

**Patrick-Maben: All Ayes**

- \*15) Proposed Agreement with Robert W. Allen, Ph.D. as consulting DNA Laboratory Director, from July 1, 2005 through June 30, 2007, in an amount not to exceed \$100,000 (Fiscal Impact: \$50,000 per Fiscal Year; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 504-2005

**Patrick-Maben: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*16) Notification of anticipated retroactive Agreements for employment and training services for in-school and out-of-school youths, migrant and seasonal farmworkers, adults and dislocated workers under the Workforce Investment Act for Program Year 2005-2006 for ACS State and Local Solutions; ARBOR E & T LLC; California State University, Bakersfield; City of Ridgecrest; Delano Joint Union High School District; Employment Development Department; Farm Worker Institute for Education and Leadership Development; Goodwill Industries of South Central California; Henkels & McCoy, Inc.; Kern Community College District; Kern County Superintendent of Schools; Kern High School District; Mexican American Opportunity Foundation; Proteus, Inc.; Tehachapi Unified School District; Wasco Union High School District; and West Side Consortium of Kern County (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

HUMAN SERVICES

- \*17) Proposed Agreement with the Housing Authority of the County of Kern for provision of housing for emancipated foster youth, from July 1, 2005 to June 30, 2006, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; Federal/State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 505-2005

**Patrick-Maben: All Ayes**

- \*18) Proposed Agreement with the Trustees of the California State University for placing Masters of Social Work interns in county facilities for graduate social work experience, from July 1, 2005 to June 30, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 506-2005

**Patrick-Maben: All Ayes**

- \*19) Proposed retroactive Grant Agreement with the Child and Family Policy Institute of California for Phase II of the CalWORKs/Child Welfare Partnership Project, Linkages Program, from May 1, 2005 through April 30, 2006 (Fiscal Impact: \$5,000 Grant Revenue; Discretionary) - APPROVED; AUTHORIZED DIRECTOR OR DESIGNEE TO SIGN AGREEMENT AND RELATED GRANT DOCUMENTS

**Patrick-Maben: All Ayes**

- \*20) Proposed Agreement with Kern County Superintendent of Schools, Administrative Agent for Kern Child and Family Services Agency, for promoting Safe and Stable Families; Child Abuse Prevention, Intervention and Treatment; Children's Trust Fund and Community-Based Child Abuse Prevention Services, from July 1, 2005 to June 30, 2006, in an amount not to exceed \$1,476,911 (Fiscal Impact: \$1,476,911; State/Federal; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 507-2005

**Patrick-Maben: All Ayes**

- \*21) Proposed sole source Agreement with Community Action Partnership of Kern for implementation of the Helpline 2-1-1 Information and Referral Service, from June 21, 2005 to June 30, 2005, in an amount not to exceed \$28,882 (Fiscal Impact: \$28,882; \$28,882 State/Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 508-2005

**Patrick-Maben: All Ayes**

- \*22) Proposed sole source blanket purchase orders for CalWORKs and Child Protective Services participants' bus passes in an amount not to exceed \$500,000 (Fiscal Impact: \$500,000; \$455,000 State/Federal; \$45,000 County; Budgeted; Discretionary) - APPROVED

**Patrick-Maben: All Ayes**

- \*23) Proposed blanket purchase order for California Department of Justice Fingerprinting Services, Fiscal Year 2005-2006, in an amount not to exceed \$150,000 (Fiscal Impact: \$141,000 State/Federal; \$9,000 County; Budgeted; Mandated) - APPROVED

**Patrick-Maben: All Ayes**

- \*24) Proposed retroactive payment for foster care services provided by Dr. Ilene Peiser, Ph.D., for the period January 1, 2004 to May 31, 2004, in an amount of \$21,250 (Fiscal Impact: \$18,062.50 Federal/State; \$3,187.50 County; Not Budgeted; Mandated) - APPROVED

**Patrick-Maben: All Ayes**

KERN MEDICAL CENTER

- \*25) Proposed changes in clinical privilege status for 23 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

**Patrick-Maben: All Ayes**

- \*26) Notification of retroactive Agreement for Medical Consultant Services with The Regents of the University of California, an independent contractor, for consultant services to the KMC pediatric medical and education programs (Fiscal Impact: None) - RECEIVED AND FILED

**Patrick-Maben: All Ayes**

- \*27) Proposed retroactive Agreement for Professional Services with Staff Care, Inc., an independent contractor, for temporary physician staffing, from May 17, 2005 through May 16, 2007, in an amount not to exceed \$100,000 (prior notification May 3, 2005) (Fiscal Impact: \$100,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 509-2005

**Patrick-Maben: All Ayes**

- \*28) Proposed purchase of patient monitoring equipment from Philips Medical Systems, an independent contractor, Fiscal Year 2004-2005, in an amount not to exceed \$327,000 (Fiscal Impact: \$327,000 Fiscal Year 2004/2005; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED PURCHASING AGENT TO NEGOTIATE AND EXECUTE AGREEMENT SUBJECT TO APPROVAL BY COUNTY COUNSEL AS TO FORM

**Patrick-Maben: All Ayes**

- 29) Proposed Agreement for Professional Services with Royce H. Johnson, M.D., a contract employee, for internal medicine services, from June 25, 2005 through June 24, 2010, in an amount not to exceed \$1,252,040 (Fiscal Impact: \$1,252,040; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 510-2005

**Patrick-McQuiston: All Ayes**

- 30) Proposed Agreement for Professional Services with William E. Gilli, M.D., a contract employee, for internal medicine services, from June 25, 2005 through June 24, 2010, in an amount not to exceed \$493,424 (Fiscal Impact: \$493,424; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 511-2005

**Patrick-McQuiston: All Ayes**

- 31) Proposed Agreement for Professional Services with Tha Cha, M.D., a contract employee, for internal medicine services, from June 25, 2005 through June 24, 2010, in an amount not to exceed \$606,995 (Fiscal Impact: \$606,995; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 512-2005

**Patrick-McQuiston: All Ayes**

- 32) Proposed Agreement for Professional Services with Philip L. Dutt, M.D., a contract employee, for pathology services, from June 25, 2005 through June 24, 2010, in an amount not to exceed \$833,586 (Fiscal Impact: \$833,586; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 513-2005

**Patrick-McQuiston: All Ayes**

- 33) Proposed Agreement for Professional Services with Gary L. Zohman, M.D., a contract employee, for orthopedic surgery services, from July 1, 2005 through June 30, 2010, in an amount not to exceed \$2,375,000 (Fiscal Impact: \$2,375,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 514-2005

**Patrick-McQuiston: All Ayes**

MENTAL HEALTH SERVICES

- \*34) Proposed Amendment No. 1 to Agreement 595-2004, with Crestwood Behavioral Health, Inc., to increase service delivery levels and compensation by \$10,000, from \$1,478,250 to an amount not to exceed \$1,488,250, for higher than anticipated need for residential care services for severely mentally ill adults in the Bakersfield area (Fiscal Impact: \$10,000; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 515-2005

**Patrick-Maben: All Ayes**

- \*35) Proposed Amendment No. 2 to Agreement 479-2004, with New Advances for People with Disabilities, to increase service delivery levels and compensation by \$3,800, from \$63,812, to an amount not to exceed \$67,612 for higher than anticipated need for outpatient substance abuse services (Fiscal Impact: \$3,800; State (SACPA); Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 516-2005

**Patrick-Maben: All Ayes**

- \*36) Proposed sole source Agreement with New Advances for People with Disabilities, for outpatient substance abuse services for developmentally disabled county clients eligible under Proposition 36 for treatment as a condition of their probation, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$63,812 (Fiscal Impact: \$63,812; State SACPA; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 517-2005

**Patrick-Maben: All Ayes**

- \*37) Proposed Agreement with Aegis Medical Systems, Inc., for outpatient methadone maintenance services for County court-ordered substance abuse clients residing in the Bakersfield and Delano areas, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$2,112,462 (Fiscal Impact: \$2,112,462; Medi-Cal, State SGF; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 518-2005

**Patrick-Maben: All Ayes**

- \*38) Proposed Agreement with Turning Point of Central California, Inc., for outpatient and residential substance abuse services for County clients in the Bakersfield area who are unable to pay for them, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$925,252 (Fiscal Impact: \$925,252; Drug Medi-Cal, State SGF, SACPA, Grant Funded; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 519-2005

**Patrick-Maben: All Ayes**

- \*39) Proposed sole source Agreement with Bakersfield Rescue Mission, to provide dormitory style housing services for dually diagnosed clients who are undergoing Mental Health and/or Substance Abuse Treatment in the Bakersfield area, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$69,000 (Fiscal Impact: \$69,000; State, Grant funded; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 520-2005

**Patrick-Maben: All Ayes**

- \*40) Proposed authorization to obtain special and professional services that are beyond the capability of employees to provide, are services specialized in nature that are not available at the Department, or are infrequent in occurrence, unpredictable in volume and cost, and therefore, may not be specifically identified in the Department's budget, for Fiscal Year 2005-2006, in an amount not to exceed \$300,000 (Fiscal Impact: \$300,000; Realignment; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY FOR THESE ITEMS WHEN APPROVED BY DIRECTOR OR DESIGNEE

**Patrick-Maben: All Ayes**

PARKS AND RECREATION DEPARTMENT

- \*41) Proposed participation in the Polaris Industries, Incorporated All Terrain Vehicle (ATV) Program for use of one ATV for campground patrol at the Buena Vista Aquatic Recreation Area, at no cost to the County other than operations and damage to the vehicle (Fiscal Impact: None) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Patrick-Maben: All Ayes**

PUBLIC HEALTH SERVICES

- \*42) Proposed Agreement with Society for Disabled Children for bookkeeping services related to maintenance and transportation services for California Children's Services clients, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$120,000 (Fiscal Impact: \$120,000; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 521-2005

**Patrick-Maben: All Ayes**

- \*43) Proposed retroactive Agreement with Kern Chapter, American Red Cross, to facilitate "Together We Prepare" program, from May 2, 2005 through August 30, 2005, in an amount not to exceed \$38,000 (prior notification May 17, 2005) (Fiscal Impact: \$38,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 522-2005

**Patrick-Maben: All Ayes**

- \*44) Proposed Agreement with State Department of Corrections for Transitional Case Management Services for Inmates/Parolees living with HIV disease, from July 1, 2005 through June 30, 2010, in an amount not to exceed \$1,239,617 (Fiscal Impact: \$1,239,617; Fiscal Year 2005-2006 \$246,728; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 523-2005

**Patrick-Maben: All Ayes**

SHERIFF

- \*45) Proposed Agreement with One Legacy, a transplant donor network, for morgue facility use from July 1, 2005 through June 30, 2007 (Fiscal Impact: Unknown) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 524-2005

**Patrick-Maben: All Ayes**

- \*46) Proposed retroactive sole source Agreement with Dr. Thomas Volk for Forensic Pathology (Autopsy Services), for forensic pathology, from May 25, 2005 to September 30, 2005, in an amount not to exceed \$95,000 (Fiscal Impact: \$95,000; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 525-2005

**Patrick-Maben: All Ayes**

ADJOURNED TO CLOSED SESSION

**Maben**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 47) Request for Closed Session re Meet and Confer, All Unions -
- 48) Request for Closed Session re public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center -

COUNTY COUNSEL

- 49) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9(b)(1)(3)(C)) -

- 50) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9(b)(1)(3)(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-Rubio**

/s/ Denise Pennell  
Clerk of the Board

/s/ Ray Watson  
Chairman, Board of Supervisors

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

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Bakersfield, California

Regular Meeting  
Tuesday, June 21, 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

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

**Patrick-Maben: All Ayes**

#### KERN SANITATION AUTHORITY

##### Hearing

- 1) Public Hearing to consider Ordinances establishing the schedule of Sewer Service Charges for Fiscal Year 2005-2006, establishing a formula to set charges for future fiscal years, and providing for collection of Sewer Service Charges on the Tax Roll; and consideration of proposed Resolution approving the Engineer's Report of Sewer Service Charges (Fiscal Impact: \$360,000 [Revenue Increase]; Kern Sanitation Authority; Not Budgeted; Discretionary) - OPENED HEARING; DOLORES CASTANEDA HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER PUBLIC RESOURCES CODE SECTION 21080(8); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ENACTED ORDINANCES S-136 AND S-137; ADOPTED RESOLUTION 2005-265

**Patrick-McQuiston: All Ayes**

- #2) Proposed Contract No. 05024 with Doty Brothers Equipment Company for construction of the Mt. Vernon 18-inch sewer main replacement, in an amount not to exceed \$775,158.30 (Fiscal Impact: \$775,158.30; Kern Sanitation Authority; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 526-2005

**Patrick-Maben: All Ayes**

- #3) Proposed Budget Transfer for Kern Sanitation Authority, Budget Unit 9144, from the PSS Interdepartment Salary Key 7546 to the Mt. Vernon Sewer Line Replacement Key 8114, Meter Vault Grating Cover Installation Key 8118, Ferric Chloride Tank Key 8601 and Distribution Box for Inlet Pipelines Key 8602, in the total amount of \$128,100 (Fiscal Impact: \$128,100; Kern Sanitation Authority; Not Budgeted; Mandated) - APPROVED

**Patrick-Maben: All Ayes**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

**Patrick-McQuiston: All Ayes**

FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

Hearing

- #4) Public Hearing to consider written report concerning collection on the tax roll of Fiscal Year 2005-2006 Sewer Service Charges for Ford City-Taft Heights Sanitation District (Fiscal Impact: \$392,500 [Revenue]; Ford City-Taft Heights Sanitation District; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2005-266

**Maben-McQuiston: All Ayes**

- #5) Proposed Budget Transfer for Ford City-Taft Heights Sanitation District, Budget Unit 9146, from Professional and Specialized Services/City Contract Key 7535 to Manhole Installations Capital Project Key 8264 and Metering Stations Fixed Asset Key 8602, in the total amount of \$27,200 (Fiscal Impact: \$27,200; Ford City-Taft Heights Sanitation District; Not Budgeted; Mandated) - APPROVED

**Maben-McQuiston: All Ayes**

ADJOURNED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT; RECONVENED AS BOARD OF SUPERVISORS

**Maben-McQuiston: All Ayes**

PUBLIC PRESENTATIONS

- 6) 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!  
- LARKIN RAY ADDRESSED THE BOARD REGARDING POOR AIR QUALITY AND THE EFFECT THAT NATURAL GAS MAY HAVE ON THE HEALTH OF THE PUBLIC

(Continued on Page 13)

(Continued from Page 12)

LARRY PEARSON, CITY COUNCILMEMBER, CITY OF WASCO, PRESENTED WRITTEN MATERIAL REGARDING AN EXCESSIVE STOCKPILE OF MATERIAL NEAR WASCO, AND EXPRESSED CONCERN REGARDING THE SAFE DISPOSITION AND DISPOSAL OF THE MATERIAL. STEVE MCCALLEY, DIRECTOR OF ENVIRONMENTAL HEALTH SERVICES, RESPONDED TO QUESTIONS BY THE BOARD

RECEIVED AND FILED DOCUMENT

**Patrick-McQuiston: All Ayes**

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 7) 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]) - NO ONE HEARD

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

All S.D.'s

- \*8) Proposed forgivable loan limit increase for First Time Homebuyer Program in an amount not to exceed \$20,000 per qualified applicant through a combination of American Dream Down Payment Initiative and Home Investment Partnerships Act funds (Fiscal Impact: None in Current Budgets; American Dream Down Payment Initiative and Home Investment Partnerships Programs; Budgeted; Discretionary) - APPROVED; AUTHORIZED DEPARTMENT TO IMPLEMENT

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY

Environmental Health Services

Hearing

S.D. #4

- 9) Request from John VanderPoel to appeal decision of Environmental Health Services Department to place condition requiring annular seals on water well permit No. EH-2809 - OPENED HEARING; JOE VANDERPOEL HEARD ON BEHALF OF JOHN VANDERPOEL; ADAM LACKEY AND BOB LACKEY, WATER WEST DRILLING, HEARD; RICK IGER, KERN COUNTY WATER AGENCY, HEARD; CLOSED HEARING; UPHELD APPEAL RELATING TO REQUIRING A LOWER SEAL AND DELETED CONDITION; AFFIRMED DEPARTMENT'S DECISION REQUIRING APPELLANT TO PLACE AN UPPER SEAL ON WATER WELL; REFERRED TO ENVIRONMENTAL HEALTH SERVICES TO INITIATE REVISION OF KERN COUNTY ORDINANCE CODE SECTION 14.08.260 FOR REPORT BACK TO THE BOARD

**Patrick-McQuiston: All Ayes**

All S.D.'s

- 10) Request to set hearing for proposed Ordinance revising fees for the California Accidental Release Prevention Program and repealing Section 3 of Uncodified Ordinance G-7106; proposed corresponding deletion of two (2) vacant Waste Management Technician positions from Budget Unit 4113, effective June 21, 2005; and approval for Director to credit fee differences (Fiscal Impact: \$162,500 Reduction; Budgeted; Discretionary) - SET HEARING FOR TUESDAY, JULY 5, 2005, AT 2:00 P.M.; WAIVED READING; INTRODUCED ORDINANCE; AUTHORIZED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH SUMMARY OF PROPOSED ORDINANCE AND NOTICE OF HEARING; APPROVED POSITION DELETIONS; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; AUTHORIZED DIRECTOR TO CREDIT FEE DIFFERENCES

**McQuiston-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department  
S.D. #1

- \*11) Proposed no stopping zones on Coffee Road and Snow Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Patrick: All Ayes**

S.D. #2

- \*12) Quitclaim Deed from Golden Hills Community Services District for approximately 2.16 acres of right-of-way for the improvement of Red Apple Avenue, Tehachapi (Fiscal Impact: None) - ACCEPTED DEED; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

S.D. #4

- \*13) Proposed no stopping zones on Nord Avenue and Palm Avenue, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Patrick: All Ayes**

WASTE MANAGEMENT

S.D.'s #1 & #2

- \*14) Contract No. 05025, identify apparent low bid of Wood Brothers, Inc., to construct the South Access Improvements and Module 2 Earthworks at the Bakersfield Metropolitan (Bena) Sanitary Landfill, in an amount not to exceed \$9,043,050.41 (Fiscal Impact: \$9,043,050.41; Solid Waste Enterprise Fund; Budgeted; Mandated) - IDENTIFIED LOW BID; AUTHORIZED WASTE MANAGEMENT TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**Maben-Patrick: All Ayes**

All S.D.'s

- \*15) Proposed Amendment No. 2 to Agreement 202-2002 with Geomatrix Consultants, Inc., for providing burn dump characterization and remediation design services, extending the term to June 30, 2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 527-2005

**Maben-Patrick: All Ayes**

- \*16) Proposed Amendment No. 2 to Agreement 443-2000 with Bakersfield Well and Pump Company and Amendment No. 2 to Agreement 444-2000 with S. A. Camp Pump Company to provide monitoring point maintenance and repair services at County solid waste facilities, extending the terms to June 30, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 528-2005 AND 529-2005

**Maben-Patrick: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*17) Proposed response to 2004-2005 Grand Jury report entitled Kern County Sheriff's Department Wasco Substation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE TO SUPERIOR COURT PRESIDING JUDGE

**Maben-Patrick: All Ayes**

- 18) Proposed sole source Agreement with Eric J. Barthel for employee health benefits consulting services, in an amount not to exceed \$250,000 annually for a two-year term, effective July 1, 2005 through June 30, 2007 (Fiscal Impact: \$250,000 Annually; Budgeted; Discretionary) - APPROVED AS AMENDED FOR A ONE-YEAR TERM, WITH A ONE-YEAR OPTION TO EXTEND THE AGREEMENT WITH THE 30-DAY NO-FAULT TERMINATION; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 530-2005

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

- \*19) Proposed one-year extension to June 30, 2006 military leave benefits program, which includes continuation of twenty-six (26) bi-weekly payroll periods of medical, dental and vision insurance coverage for employees called to active military duty and their eligible dependents, waiver of 20% premium for those affected employees hired after April 1997, and the supplemental salary offset program as defined in Resolution 2002-016 (Fiscal Impact: \$9,500 Group Health Internal Service Fund; Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

- 20) Proposed performance measures for Phase III and Phase IV departments (Fiscal Impact: None) - APPROVED

**McQuiston-Rubio: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

Hearing

S.D. #3

- \*21) Proposed purchase of a fee interest in office/warehouse and storage lot facility located at 4229 Foster Avenue, Bakersfield, from James W. Boylan, Inc., for Household Hazardous Waste Collection facility for a purchase price of \$430,154 plus \$4,897 closing costs, for a total of \$435,051 (Fiscal Impact: \$435,051 Expenditure; Not Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THE PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(B)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2005-267; ACCEPTED GRANT DEED AND AUTHORIZED CHAIRMAN TO SIGN ESCROW INSTRUCTIONS; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT TO STEWART TITLE COMPANY IN THE AMOUNT OF \$435,051

**Maben-Patrick: All Ayes**

S.D. #1

- \*22) Identify apparent low bid of and proposed Agreement with Brown & Fowler Construction for modifications to the pump station at the Lerdo Facility, in an amount not to exceed \$207,021 (1650.7037) (Fiscal Impact: \$207,021; General Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 531-2005

**Maben-Patrick: All Ayes**

S.D. #2

- \*23) Identify apparent low bid of and proposed Agreement with JTS Construction for the Mojave Pre-Engineered Pedestrian Walkway, in an amount not to exceed \$852,500 (1960.8119) (Fiscal Impact: \$852,500; Capital Projects; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 532-2005; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$448,815 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO THE CAPITAL PROJECTS BUDGET UNIT 1960 IN THE AMOUNT OF \$448,815

**Maben-Patrick: All Ayes**

S.D. #3

- \*24) Change Order No. 2 for the New Airport Signal Security System at the New Airport Terminal, an increase of \$23,417, for a new total of \$472,928 (8215.8416) (Fiscal Impact: \$23,417; Airport Project Fund; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

- \*25) Proposed Agreement with John A. Martin & Associates, Inc., for structural engineering services for the International Airlines Terminal, in an amount not to exceed \$19,500 (1960.8121) (Fiscal Impact: \$19,500; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 533-2005

**Maben-Patrick: All Ayes**

S.D. #4

- \*26) Receive and file Safeco Insurance Company Bond No. 6298508 and release of American Casualty Company Bond No. 929274554 (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

All S.D.'s

- \*27) Proposed Agreement with Metro Floors, Inc., for the Job Order Contract Specialty Flooring (Phase IV), in an amount not to exceed \$250,000 (various projects) (Fiscal Impact: \$250,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 534-2005

**Maben-Patrick: All Ayes**

- \*28) Proposed Agreement with Prime Painting Contractors, Inc., for the Job Order Contract Specialty Painting (Phase IV), in an amount not to exceed \$250,000 (various projects) (Fiscal Impact: \$250,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 535-2005

**Maben-Patrick: All Ayes**

- \*29) Proposed Agreement with Ace Engineering for the Job Order Contract (Phase VI), in an amount not to exceed \$1,500,000 (various projects) (Fiscal Impact: \$1,500,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 536-2005

**Maben-Patrick: All Ayes**

- \*30) Proposed Agreement with Wood Bros., Inc., for the Job Order Contract Specialty Site Civil (Phase II), in an amount not to exceed \$1,500,000 (various projects) (Fiscal Impact: 1,500,000; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 537-2005

**Maben-Patrick: All Ayes**

- \*31) Job Order Contract project update listing (various projects) (Fiscal Impact: None) - APPROVED

**Maben-Patrick: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON JUNE 14, 2005

- \*32) Proposed Ordinance adding Chapter 2.145 to the Kern County Ordinance Code regarding establishment of a special County Health Authority - ENACTED ORDINANCE G-7256

**Maben-Patrick: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*33) Budget Transfers - APPROVED NO. 240 THROUGH NO. 259  
**Maben-Patrick: All Ayes**
- \*34) Minutes for week of May 16, 2005 - APPROVED  
**Maben-Patrick: All Ayes**
- \*35) Miscellaneous Letters and Documents - APPROVED  
**Maben-Patrick: All Ayes**
- \*36) Miscellaneous Departmental Referrals by Clerk of the Board -  
APPROVED AND FILED  
**Maben-Patrick: All Ayes**
- \*37) Claims and Lawsuits filed with and referred by Clerk of the  
Board - APPROVED AND FILED  
**Maben-Patrick: All Ayes**

ADJOURNED TO TUESDAY, JUNE 28, 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 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.

35) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Report on Refunds (Government Code Section 26906) of Erroneous Deposits pursuant to Board Resolution 71-4

Clerk of the Board

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

- 1) Tract Map 5884, Phase 1 S.D. #3  
2) Parcel Map 10817 S.D. #3

Environmental Health

- C) Three (3) thank you letters for donations to the Bakersfield Animal Care Center and the Mojave Animal Shelter (Copies to each Supervisor and CAO)

Grand Jury

- D) 2004-2005 Final Report re Kern County Sheriff's Department, Buttonwillow Substation (Copies to each Supervisor, CAO and Sheriff)

Local Agency Formation Commission

- E) Notice of Hearing, Proceeding No. 1414, in the matter of City of Bakersfield, Annexation No. 474 (McKee No. 4) (Copies to each Supervisor and CAO)

Roads

- F) Received, prepared Consent to Recordation and forwarded to Recorder for recordation of an Irrevocable Offer of Dedication from K. S. Development, LLC, for additional right-of-way on Woodford-Tehachapi Road, required for PD Plan No. 16, Map No. 165-24

Miscellaneous

- G) Letter from Stephen W. Schilling, Clinica Sierra Vista, re response to 2004-2005 Grand Jury Final Report (Copies to each Supervisor and CAO)
- H) Letter from Rita L. Robinson, City of Los Angeles, re Kern County Water Agency's Biosolids Request for Proposal (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- I) Letter from CLEAR (Concerned Landowners for Environment and Respect) in opposition to proposed airport expansion for Kern River Valley (Copies to each Supervisor, CAO, Airports, Planning and County Counsel)
- J) Letter from Senator Roy Ashburn in opposition to Los Angeles Department of Water and Power's proposal to close to the public the Haiwee Reservoir in Inyo County (Copies to each Supervisor and CAO)
- K) Letter from Senator Roy Ashburn re potential loss of funding to the Juvenile Justice Crime Prevention Act (Copies to each Supervisor, CAO and Probation)

- L) Letter from Senator Dean Florez re proposed public meeting with elected officials and staff of the County, the City of Bakersfield and the City of Shafter to discuss the Seventh Standard Road corridor on Wednesday, June 29, 2005 (Copies to each Supervisor, CAO, Planning, Roads, Resource Management Agency and County Counsel)
- M) Letter from John and Laurie Fedorsin in opposition to proposed Kern Valley Airport Master Plan and Kern River Valley Specific Plan (Copies to each Supervisor, CAO, Planning, Airports and County Counsel)
- N) Letter from Dennis J. O'Bryant, State Department of Conservation, Division of Land Resource Protection, re public agency acquisition of land enrolled in Williamson Act Contract, Kern Delta Water District, Groundwater Banking Project in Kern County (Copies to each Supervisor, CAO, Planning, Assessor and County Counsel)
- O) E-mail from R. A. Campbell re added cost proposed by County Counsel for the Carl Sparks lawsuit (Copies to each Supervisor, CAO and County Counsel)
- P) Brochure from Citizens for a New Oildale re code compliance violations (Copies to each Supervisor and CAO)
- Q) Notice from U.S. Environmental Protection Agency re request for public comment on a proposed permit modification which regulates the emission of air pollutants (Public Notice No. SJ 85-09) (Copies to each Supervisor, CAO, Planning, Resource Management Agency and County Counsel)
- R) Notice from Pacific Gas and Electric Company re Filing of Application for 2006 Energy Resource Recovery Account (ERRA) and Ongoing Competition Transition Charge (CTC) Forecast Revenue Requirements; Application for Approval of 2006-2008 Demand Response Programs; and Application for Approval of the 2006-2008 Energy Efficiency Programs and Budgets (Copies to each Supervisor and CAO)
- S) Notices from State Department of Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses from: South Fork Inn, 20700 South Street, Unit D, Tehachapi; Bubba's BBQ at South Fork, 20700 South Street, Units B & C, Tehachapi; Sage & Cinnamon, 16241 Askin Drive, 1-3, Frazier Park; and Patrona, 35315 Seventh Standard Road, Suites 110 and 114, Bakersfield (Copies to each Supervisor, CAO and Planning)
- 36) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Patricia A. Ochs, U.S. Department of the Air Force, re reassessment value of the F-4C, 66-7716 and request to provide proof of insurance - REFERRED TO COUNTY COUNSEL - RISK MANAGEMENT (Copies to each Supervisor and CAO)

- B) Letter from Bernard J. Herman, Bakersfield Museum of Art, re request for donation to support Art Smart Program and to expand the Museum on the Move mobile museum - REFERRED TO COUNTY ADMINISTRATIVE OFFICE - BUDGET FILE (Copies to each Supervisor and CAO)
- 37) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Theresa Ouderkirk vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Willis Mitchell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Jerry Davis and Margaret Davis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Daniel L. Reams vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Charles J. Suderman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)