

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, July 5, 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.

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 July 11-17, 2005 as Greater Tehachapi Relay for Life Week in the County of Kern - PROCLAIMED; MADE PRESENTATION TO RON DEPEW, CO-CHAIR; RON DEPEW HEARD; DORIS DEPEW AND KIM ATKIN, EXECUTIVE DIRECTOR, AMERICAN CANCER SOCIETY, INTRODUCED

Maben-Patrick

PUBLIC REQUESTS

- *2) Request of Tammy Burns, Child Care Facilitator, Kern County Child Care Council, for the Board to 1) authorize the Kern County Child Care Council to submit an application for the Early Learning Opportunities Act discretionary grant; 2) designate the Kern County Child Care Council as the eligible council; 3) authorize the Kern County Superintendent of Schools to act as fiscal agent; and 4) authorize the Kern County Child Care Council to administer the grant - APPROVED; DESIGNATED THE KERN COUNTY CHILD CARE COUNCIL AS THE ELIGIBLE COUNCIL; AUTHORIZED CHAIRMAN TO SIGN LETTER

McQuiston-Patrick: All Ayes

APPOINTMENTS

- *3) Appointment of Larry Rhoades as Third District Member to the Civil Service Commission, term to expire July 9, 2009 - MADE APPOINTMENT

McQuiston-Patrick: All Ayes

- *4) Appointments of Jack Griggs as At-large Primary Member and Mack Wimbish as At-large Alternate Member to the Emergency Medical Care Advisory Board, terms to expire at the Pleasure of the Board - MADE APPOINTMENTS

McQuiston-Patrick: All Ayes

PUBLIC PRESENTATIONS

- 5) 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!
- DR. DONALD TERLESKI, DEPUTY DIRECTOR, MENTAL HEALTH DEPARTMENT, ADDRESSED THE BOARD CONCERNING THE PROPOSED SALARY INCREASES FOR NURSES AT KERN MEDICAL CENTER, AND REQUESTED CONSIDERATION OF NURSES EMPLOYED BY ALL COUNTY DEPARTMENTS

DAVE MARTIN; AIDS PROGRAM COORDINATOR, PUBLIC HEALTH DEPARTMENT; JANIE YADON, NURSE, DEPARTMENT OF PUBLIC HEALTH; JANET BUELLER, NURSE, DEPARTMENT OF PUBLIC HEALTH, CCS; ELIZABETH HOWARD, MARY K. SHELL CRISIS UNIT NURSE; CARMEN MORALES, KERN MEDICAL CENTER NURSE; SHARON SULLIVAN, NURSE, DEPARTMENT OF PUBLIC HEALTH; AND DR. JIM WATERMAN, MENTAL HEALTH DEPARTMENT, HEARD REGARDING MENTAL HEALTH AND PUBLIC HEALTH NURSE SALARY INEQUITIES; RECEIVED AND FILED DOCUMENT FROM DONALD TERLESKI

Patrick-Maben: All Ayes

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]) - NO ONE HEARD

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *7) Proposed retroactive Agreement with North of the River Recreation and Park District for homemaker services in Bakersfield, Arvin, and Lamont, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$69,915 (prior notification June 28, 2005) (Fiscal Impact: Federal \$49,406; State \$20,509; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 620-2005

McQuiston-Patrick: All Ayes

- *8) Proposed retroactive Agreement with North of the River Recreation and Park District for nutrition services in North Bakersfield, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$284,997 (prior notification June 28, 2005) (Fiscal Impact: Federal \$164,730; State \$4,032; NSIP \$53,324; County \$62,901; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 621-2005

McQuiston-Patrick: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- *9) Notification of various anticipated retroactive Agreements with California Department of Food and Agriculture for Fiscal Year 2005-2006 (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

- *10) Notification of anticipated retroactive Agreements with United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, and County of Kern - Profession's Health Care for Fiscal Year 2005-2006 (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

- *11) Proposed retroactive Agreement with the California Cantaloupe Advisory Board for inspection of cantaloupes, from June 1, 2005 to October 31, 2005, in an amount not to exceed \$18,850 (Fiscal Impact: \$18,850; Cantaloupe Advisory Board; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 622-2005

McQuiston-Patrick: All Ayes

- *12) Proposed retroactive Agreement with United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, for management of wildlife that cause livestock and property damage, from July 1, 2005 to June 30, 2006, in an amount not to exceed \$87,000 (Fiscal Impact: \$87,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 623-2005

McQuiston-Patrick: All Ayes

NOTE: ITEMS 13 AND 14 WERE HEARD CONCURRENTLY

- 13) Report on the establishment of international flights into Meadows Field Airport, and request to adopt Resolution supporting agricultural mitigations for international flights to Meadows Field Airport, and proposed County augmentation plan for the protection of agriculture (Fiscal Impact: \$99,510; Airport Enterprise Fund; Not Budgeted; Discretionary) - BARRY BEDWELL, PRESIDENT, CALIFORNIA GRAPE AND FRUIT TREE LEAGUE; ART GILBERT, SENIOR AGRICULTURAL BIOLOGIST, CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (FILED DOCUMENTS AND INSECT SAMPLES); JOEL NELSON, PRESIDENT; CALIFORNIA CITRUS MUTUAL; BRUCE KELSEY, CITRUS GROWER, KERN AND TULARE COUNTY; MANUAL CUNHA, NISEI FARMERS LEAGUE, FRESNO; JORGE GOYTORTUA BORES, VICE PRESIDENT, MEXICANA AIRLINES; AND MATTHEW PARK, EXECUTIVE DIRECTOR, KERN COUNTY FARM BUREAU, HEARD; RECEIVED AND FILED; ADOPTED RESOLUTION 2005-287; APPROVED AUGMENTATION PLAN FOR PROTECTION OF AGRICULTURE; RECEIVED AND FILED DOCUMENTS; REFERRED TO AIRPORTS TO REPORT BACK TO THE BOARD RELATIVE TO A NEGOTIATED VOLUNTARY MUTUAL NON-BINDING AGREEMENT WITH MEXICANA AIRLINES REGARDING FLIGHT CANCELLATIONS IF INVASIVE PESTS ARE FOUND ON INCOMING FLIGHTS WHICH WILL REQUIRE QUARANTINE

Rubio-McQuiston: All Ayes

AIRPORTS

- 14) Request for authorization to proceed with an implementation plan to establish a Customs and Border Protection facility at Meadows Field, and establishment of a line of credit from the ACO-General Fund to the Airport Enterprise Fund in the amount of \$2.5 million (Fiscal Impact: \$2.5 million; Not Budgeted; Discretionary) - BARRY BEDWELL, PRESIDENT, CALIFORNIA GRAPE AND FRUIT TREE LEAGUE; ART GILBERT, SENIOR AGRICULTURAL BIOLOGIST, CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (FILED DOCUMENTS AND INSECT SAMPLES); JOEL NELSON, PRESIDENT; CALIFORNIA CITRUS MUTUAL; BRUCE KELSEY, CITRUS GROWER, KERN AND TULARE COUNTY; MANUAL CUNHA, NISEI FARMERS LEAGUE, FRESNO; JORGE GOYTORTUA BORES, VICE PRESIDENT, MEXICANA AIRLINES; AND MATTHEW PARK, EXECUTIVE DIRECTOR, KERN COUNTY FARM BUREAU, HEARD; APPROVED; REFERRED ESTABLISHMENT OF LINE OF CREDIT TO AUDITOR-CONTROLLER-COUNTY CLERK AND COUNTY ADMINISTRATIVE OFFICE

Maben-Patrick: All Ayes

BOARD OF SUPERVISORS

- *15) Request from Second District Supervisor Don Maben for Board support of SB 314 (Romero), which would authorize the Employment Training Panel (ETP) of the State Employment Development Department to award contracts to projects that train workers in seasonal industries (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE

McQuiston-Patrick: All Ayes

COUNTY COUNSEL

- *16) Request of the Department of Human Services for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Patrick: All Ayes

- *17) Request of the Sheriff-Coroner Department for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Patrick: All Ayes

- *18) Request of the Clerk of the Board for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Patrick: All Ayes

- 19) Establishment of a County Hearing Officer Position (Fiscal Impact: Unknown) - RECEIVED AND FILED; NO FURTHER ACTION TAKEN

Rubio-Patrick: All Ayes

DISTRICT ATTORNEY

- *20) Proposed Lease Agreements with Nissan of Bakersfield for two (2) vehicles which were donated to the District Attorney's Office and accepted by the County on April 18, 2005, and proposed Agreement for Lease Payments with Nissan of Bakersfield to make lease payments (Fiscal Impact: None) - APPROVED; AUTHORIZED DISTRICT ATTORNEY TO SIGN LEASE AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN LEASE PAYMENT AGREEMENT 624-2005

McQuiston-Patrick: All Ayes

HUMAN SERVICES

- *21) Proposed Agreement with California State University, Bakersfield for use of housing facilities during the Independent Living Foster Youth Summer Residential Program, from July 26, 2005 to July 28, 2005, in an amount not to exceed \$780 (Fiscal Impact: \$780 State/Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 625-2005

McQuiston-Patrick: All Ayes

KERN MEDICAL CENTER

- *22) Notification of retroactive Agreement for Professional Services with Steven Lovestrand, Ph.D., a contract employee, for psychotherapeutic services in the Department of Family Practice (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

- *23) Request for sole source Blanket Purchase Orders for medical products, tests, and pharmaceuticals (Fiscal Impact: \$3,395,000; KMC Enterprise Fund; Budgeted; Mandated) - AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE BLANKET PURCHASE ORDERS

McQuiston-Patrick: All Ayes

- *24) Proposed Affiliation Agreement with National Health Services, Inc., an independent contractor, for clinical education and continuity of care clinics for residents of the Family Practice residency program, from July 1, 2005 through June 30, 2008, total revenue to County in the amount of \$384,045 (prior notification June 28, 2005) (Fiscal Impact: \$384,045 Revenue; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 626-2005

McQuiston-Patrick: All Ayes

- *25) Proposed Agreement for Professional Services with Westways Staffing Services, Inc., an independent contractor, for temporary nurse staffing, from July 24, 2005 through July 23, 2007, in an amount not to exceed \$1,550,000 (Fiscal Impact: \$1,550,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 627-2005

McQuiston-Patrick: All Ayes

- *26) Proposed Agreement for Professional Services with ComNet Support, Inc., dba ProMeds Professional Medical Services, an independent contractor, for temporary nurse staffing, from July 24, 2005 through July 23, 2007, in an amount not to exceed \$420,000 (Fiscal Impact: \$420,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 628-2005

McQuiston-Patrick: All Ayes

- *27) Proposed Agreement for Professional Services with Med-Staff/Cross Country, Inc. dba Medstaff Healthcare Solutions, an independent contractor, for temporary nurse staffing, from July 24, 2005 through July 23, 2007, in an amount not to exceed \$1,350,000 (Fiscal Impact: \$1,350,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 629-2005

McQuiston-Patrick: All Ayes

- *28) Request for sole source purchase order with Moehlman Boiler Technology, Inc., for replacement of the natural gas burner assembly on the #2 boiler in the high pressure steam plant at Kern Medical Center, in an amount not to exceed \$80,000, and dispensing with bid requirements pursuant to Public Contract Code section 20134 (Fiscal Impact: \$80,000; KMC Enterprise Fund; Budgeted; Mandated) - RECEIVED AND FILED; ADOPTED RESOLUTION 2005-288; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

McQuiston-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *29) Proposed retroactive Agreement with State Department of Health Services for childhood lead poisoning prevention program, from July 1, 2005 through June 30, 2008, in an amount not to exceed \$945,054 (prior notification June 28, 2005) (Fiscal Impact: \$954,054 - FY 2005-2006 \$314,563; State/Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 630-2005

McQuiston-Patrick: All Ayes

- *30) Proposed retroactive Agreement with California State University, Bakersfield for HIV/AIDS alternate test site services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$4,000 (prior notification June 28, 2005) (Fiscal Impact: \$4,000; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 631-2005

McQuiston-Patrick: All Ayes

- *31) Proposed retroactive Agreement with Arnold Chun, M.D. for medical services for the Medical Therapy Program of California Children Services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$15,000 and assumption of malpractice liability (prior notification June 28, 2005) (Fiscal Impact: \$15,000; State Grant; Budgeted; Mandated)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 632-2005; ADOPTED RESOLUTION 2005-289

McQuiston-Patrick: All Ayes

- *32) Proposed retroactive Agreement with State Department of Health Services for immunization project subvention funds, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$766,891 (prior notification June 28, 2005) (Fiscal Impact: \$766,891; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 633-2005

McQuiston-Patrick: All Ayes

- *33) Proposed Agreement with Industrial Strength Advertising to produce animated public service announcements pertaining to emergency preparedness and infectious disease prevention, from July 5, 2005 through August 30, 2005, in an amount not to exceed \$46,615 (Fiscal Impact: \$46,615; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 634-2005

McQuiston-Patrick: All Ayes

RETIREMENT ASSOCIATION

- 34) Proposed employer contribution rates for the retirement system, as recommended by the KCERA's actuary (Fiscal Impact: \$93.1 million) - APPROVED

Patrick-Maben: All Ayes

SHERIFF

- *35) Application to hold a parade - Armed Forces Appreciation Day Parade and Septemberfest - Antelope Valley Chamber of Commerce on September 24, 2005, in Rosamond, California (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Patrick: All Ayes

- *36) Application to hold a parade - Fiesta Days Annual Carnival & Fair - Mountain Memories Association on August 6, 2005, in Frazier Park, California (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Patrick: All Ayes

- *37) Application to a hold parade - Women's March: Women are First Teachers - Delores Huerta Foundation on July 23, 2005, in Lamont, California (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED PERMIT; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Patrick: All Ayes

- *38) Proposed Resolution to authorize the Kern County Sheriff to give honorably retiring detention officers, with 20 or more years of service, their assigned badges and to authorize the sheriff to allow honorably retiring detention officers, with less than 20 years of service, and upon a detention officer becoming detentions deputy, to purchase their assigned badges in special recognition of their dedicated service to Kern County (Fiscal Impact: Negligible Impact to the General Fund) - ADOPTED RESOLUTION 2005-290

McQuiston-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

Maben

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 39) Request for Closed Session re Meet and Confer, All Unions -

COUNTY COUNSEL

- 40) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC S-1500-CV254074 RJA (Government Code Section 54956.9 (a)) -

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

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

Patrick-McQuiston

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Chairman, Board of Supervisors

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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!
- ANGIE MCNEAL HEARD REGARDING THE AUTHORITY OF SHERIFF WIMBISH TO APPOINT A SHERIFF'S EMPLOYEE AS INTERIM CHIEF OF POLICE IN THE CITY OF ARVIN; COUNTY COUNSEL ADVISED A CONTRACT WOULD BE IN ORDER TO ENSURE REIMBURSEMENT TO THE COUNTY.

JIM BANN ADDRESSED THE BOARD REGARDING THE GOLD FRINGE ON THE U.S. FLAG IN THE BOARD CHAMBER; GILBERT TARR HEARD REGARDING THE U.S. FLAG AND WAITING TIME AT KERN MEDICAL CENTER'S EMERGENCY ROOM.

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]) - NO ONE HEARD

HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- *3) **Request from Judy Lagerstrom by Maurice Etchechury to vacate a portion of Mandy Street located between Adolphus Street and River Acres Drive, Bakersfield (SD #1)**

Specific Request:

A Nonsummary Vacation of a portion of Mandy Street (103-2 3 098; Streets and Highways)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2005-291 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES, WITH RESOLUTION TO BE RECORDED UPON WRITTEN CONFIRMATION FROM THE KERN COUNTY PLANNING DIRECTOR TO THE CLERK OF THE BOARD THAT A 40-FOOT-WIDE PRIVATE ACCESS EASEMENT HAS BEEN RECORDED TO PROVIDE ACCESS TO PARCELS 1 THROUGH 4 OF PARCEL MAP 4245 AND PARCELS 1 THROUGH 4 OF PARCEL MAP 4680

Patrick-Maben: All Ayes

- 4) **Request from Don Kinzel Construction by John R. Wilson, Engineer, to appeal the decision of the Hearing Officer to require construction of specific road improvements with the development of a fast-food restaurant on 42,086 square feet located at the southeast corner of Airport Drive and China Grade Loop, Bakersfield (SD #3)**

Specific Request:

An Appeal to the decision of the Hearing Officer to impose Condition 4(a) which requires construction of specific improvements to Airport Drive for this Precise Development Plan (Notice of Decision 47-05; approved May 5, 2005) for a fast-food restaurant in a C-1 PD District (Appeal #6, Map #102-12)

(Categorically Exempt, Section 15303; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2005-292 DENYING APPEAL AND UPHOLDING DECISION OF THE HEARING OFFICER

Patrick-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Streets and Highways

S.D. #1

- 5) Request from Dallas Medley and Marvin Davisson for a Summary Vacation of a portion of Canyon Street and Kirschenmann Street, northeast Bakersfield involving the westerly 25 feet of the easterly 55 feet of Parcel 2 of Parcel Map 5154 and the northerly 30 feet of Parcel 2 of Parcel Map 3045, excepting the easterly 30 feet, thereof (from 6/7/2005) (Fiscal Impact: None) - GLORIA MEDLEY; DALLAS MEDLEY; MIKE WHITE, ENGINEER FOR TRACT 6485; RENALTO ARIANO, THE MONARCH AFFILIATES; AND TERRI BJORN, CLIFFORD & BROWN, HEARD

ADOPTED RESOLUTION 2005-293 APPROVING VACATION, RESERVING AND EXCEPTING AN EASEMENT FOR EXISTING UTILITIES; REFERRED TO PLANNING TO CONTINUE ONGOING DISCUSSIONS WITH THE CITY OF BAKERSFIELD REGARDING FUTURE CITY DEVELOPMENTS IN CLOSE PROXIMITY TO PUBLIC ACCESS EASEMENTS WITHIN ADJACENT COUNTY BOUNDARIES, FOR REPORT BACK TO THE BOARD

McQuiston-Patrick: All Ayes

S.D. #2

- *6) Request from Sonny and Kimberly Perez for a Summary Vacation of a slope easement, on the east side of Mountain Climber Way and south side of Alps Drive in Tehachapi (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-294 APPROVING VACATION, RESERVING AND EXCEPTING AN EASEMENT FOR EXISTING UTILITIES

Patrick-Maben: All Ayes

Miscellaneous

All S.D.'s

- 7) Report regarding Planning Department proposed Environmental Impact Report (EIR) preparation policies, including use of a three-part agreement where County selects and manages the CEQA consultant and applicant compensates consultant; and proposed distribution of EIR's utilizing compact disc (Fiscal Impact: None) - LORRAINE UNGER, KERN KAWEAH CHAPTER OF THE SIERRA CLUB; AND DAVID WEISS, U.S. BORAX, HEARD

APPROVED UTILIZATION OF COMPACT DISCS FOR EIR DOCUMENTS EFFECTIVE IMMEDIATELY; CONTINUED CONSIDERATION OF PROPOSED EIR PREPARATION POLICY TO TUESDAY; AUGUST 2, 2005, AT 2:00 P.M.

Maben-McQuiston: All Ayes

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

All S.D.'s

- *8) Urban County Qualification Process for Fiscal Year 2006-2007 through 2008-2009 and proposed Cooperation Agreements with the Cities of Arvin, California City, Maricopa, Ridgecrest, Shafter and Tehachapi (Fiscal Impact: None) - ACCEPTED U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) DETERMINATION OF QUALIFICATION AND COUNTY COUNSELS CERTIFICATION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 635-2005 THROUGH 640-2005; AUTHORIZED DIRECTOR TO SUBMIT CERTIFICATION AND COOPERATION AGREEMENTS TO HUD
Patrick-Maben: All Ayes

S.D. #5

- *9) Proposed Agreement with the City of Arvin to provide Community Development Block Grant funds for the Neighborhood Academy for Leadership of Arvin, CD No. 12.04.2, in an amount not to exceed \$50,000 (Fiscal Impact: \$50,000; Federal Grant; Budgeted; Discretionary) -
WITHDRAWN

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #1

- *10) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6053, Phase 1, southeast corner of Seventh Standard Road and McCray Street, north Bakersfield; and proposed Resolution for acceptance of roads into the County Road System for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$952,189 TO \$95,219, FOR GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING JULY 5, 2005; REDUCED FAITHFUL PERFORMANCE BOND NO. 1883649, IN THE AMOUNT OF \$952,189, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$95,219; ADOPTED RESOLUTION 2005-295
Patrick-Maben: All Ayes

- *11) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6053, Phase 2, 600 feet south and 289 feet east of the southeast corner of Seventh Standard Road and McCray Street, north Bakersfield; and proposed Resolution for acceptance of roads into the County Road System for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$180,566 TO \$18,057, FOR GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING JULY 5, 2005; REDUCED FAITHFUL PERFORMANCE BOND NO. 1883650, IN THE AMOUNT OF \$180,566, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$18,057; ADOPTED RESOLUTION 2005-296

Patrick-Maben: All Ayes

S.D. #3

- *12) Request to set public hearing to consider levying an assessment for Zone of Benefit No. 3 within County Service Area No. 17; and proposed Resolution of intention to extend Zone of Benefit No. 3, Tracts 5655, 5884 and 5918, north of Pioneer Drive and east of Monica Street, east Bakersfield (Fiscal Impact: \$13,520; CSA's; Budgeted; Mandatory) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(B)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, AUGUST 23, 2005, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2005-297

Patrick-Maben: All Ayes

All S.D.'s

- 13) Report and proposed Ordinance to amend Chapter 10.28 of the Kern County Ordinance Code relating to storage of abandoned, wrecked, dismantled or inoperative vehicles (Fiscal Impact: None) - LARRY BARTLETT; FRED EVENSON; GILBERT TARR; GLENN COWELL; CURTIS HOBBS; DAN THOMPSON; PAT CRISWELL-HAMMETT; KEN PERRY; MIKE PARKER; LAWRENCE JORDAN; JUDY DECKER; FAVIAN BARBOSA; WYMAN HUNT; JAMES SCHMITZ; P.T. LEE; DAVE PATTERSON; AND CARLA HOBBS HEARD; WAIVED READING AND INTRODUCED ORDINANCE; DIRECTED COUNTY COUNSEL TO PREPARE A FAIR AND ADEQUATE SUMMARY OF PROPOSED ORDINANCE; DIRECTED CLERK OF THE BOARD TO POST AND PUBLISH REQUIRED NOTICE AND SUMMARY IN ACCORDANCE WITH SECTIONS 25124(B)(1) AND 65091 OF THE CALIFORNIA GOVERNMENT CODE; SET TUESDAY, AUGUST 2, 2005, AT 2:00 P.M., FOR ENACTMENT OF PROPOSED ORDINANCE

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

- 14) Request for relief from accountability of accounts receivable for code violation penalties and charges in the amount of \$59,053.38 (Fiscal Impact: \$59,053.38; Not Budgeted; Discretionary) - GILBERT TARR HEARD; APPROVED; REFERRED TO ENGINEERING & SURVEY SERVICES TO REPORT BACK ON HISTORICAL PROCESS OF PLACEMENT OF ASSESSMENT LIENS ON PROPERTY FOR CODE VIOLATIONS

McQuiston-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

Hearing

All S.D.'s

- 15) Public hearing on proposed Ordinance establishing revised fees for California Accidental Release Prevention Program (Fiscal Impact: \$162,500 Revenue Reduction; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ENACTED ORDINANCE G-7260; DIRECTED CLERK OF THE BOARD TO PUBLISH ORDINANCE SUMMARY

Maben-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #3

- *16) Proposed Resolution to dedicate a portion of Pioneer Park property in Bakersfield for use as County road right-of-way and incorporate into County Road System (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-298; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

- *17) Contract No. 05034, identify apparent low bid of Granite Construction Company for construction on Red Apple Avenue from Westwood Boulevard to State Route 202 in Tehachapi, in an amount not to exceed \$1,483,841 (Fiscal Impact: \$1,483,841; Road Fund; 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

- *18) Proposed Resolution of acceptance of offers of dedication, declaration as a public highway and incorporation into the County Road System as a portion of Tracy Avenue (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-299; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

S.D.'s #1 & #2

- *19) Proposed Contract No. 05032 with Granite Construction Company for asphalt concrete (windrow stockpile) at various locations in east Kern County, in an amount not to exceed \$371,061 (Fiscal Impact: \$371,061; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 641-2005

Patrick-Maben: All Ayes

S.D.'s #1, #4 & #5

- *20) Proposed Contract No. 05031 with Granite Construction Company for asphalt concrete (windrow stockpile) at various locations in Kern County, in an amount not to exceed \$924,880 (Fiscal Impact: \$924,880; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 642-2005

Patrick-Maben: All Ayes

S.D.'s #3 & #5

- *21) Proposed Resolution to declare portions of Pioneer Drive, Tate Street, Hill Street, Pesante Road, Shalimar Drive, Crane Street, Ansol Lane, and Park Drive in Bakersfield as a public highway and incorporate into the County Road System (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-300; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

WASTE MANAGEMENT

All S.D.'s

- 22) Briefing on Waste Management Department operations (Fiscal Impact: None) - REFERRED BACK TO COUNTY ADMINISTRATIVE OFFICE TO RESCHEDULE WASTE MANAGEMENT DEPARTMENT BRIEFING

Patrick-Maben: All Ayes

- *23) Proposed Agreement with STR Enterprises, Inc., to provide waste tire removal and recycling services from July 5, 2005 through July 4, 2012, in an amount not to exceed \$1,540,000 (Fiscal Impact: \$220,000 per Fiscal Year; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 643-2005

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *24) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 485, Local Agency Formation Commission (LAFCO) Proceeding No. 1420 (Fiscal Impact: Fiscal Year 2006-2007 \$65; General Fund) - ADOPTED RESOLUTION 2005-301 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2005-2006 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Patrick-Maben: All Ayes

- 25) Proposed prepayment of Fiscal Year 2005-2006 retirement contribution to Kern County Employees' Retirement Association in the amount of \$89,500,000 (Fiscal Impact: Net Savings \$3,600,000; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO COMPLETE NECESSARY ACCOUNTING TRANSACTIONS ON OR BEFORE JULY 8, 2005

Patrick-McQuiston: All Ayes

Legislative Matter

- 26) SB 967: Permanent City of Bakersfield seat and one (1) additional city seat on Local Agency Formation Commission (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT OF AN AMENDMENT TO PROVIDE FOR COST-SHARING THAT IS PROPORTIONAL TO THE GREATER NUMBER OF CITY MEMBERS; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE AS AMENDED

Maben-Patrick: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #5

- *27) Proposed Resolution and Ordinance granting an amendment to Franchise Ordinance F-385 for Sequoia Exploration, Inc., to add area at Hermosa Road for two-inch pipeline to transport produced water for disposal (Fiscal Impact: \$1,200 Revenue; Not Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 21080.21; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2005-302 AND ENACTED ORDINANCE F-485

Patrick-Maben: All Ayes

S.D. #1

- *28) Plans and specifications for exterior lighting at the Lake Isabella Senior Center (8920.28041) (Fiscal Impact: \$94,000; Community Economic Development Department; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Patrick-Maben: All Ayes

S.D. #2

- *29) Proposed Resolution to dedicate a portion of Wanda Kirk Branch Library land in Rosamond for use as County Road right-of-way for Stevenson Road and Rosamond Boulevard and incorporate into the County Road System (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-303; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

S.D. #3

- *30) Plans and specifications for Phase 1 of the International Airlines Terminal (1960.8121) (Fiscal Impact: \$376,600; Airport Enterprise Fund; Not 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, AUGUST 4, 2005, AT 11:00 A.M.; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$376,600 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO THE AIRPORT ENTERPRISE FUND, BUDGET UNIT 8994, IN THE AMOUNT OF \$376,600

Patrick-Maben: All Ayes

S.D. #5

- *31) Proposed Amendment No. 1 to Agreement 093-2005 with Kaweah Construction Company for the Job Order Contract Wastewater Treatment Plant Maintenance/Repair Phase I, an increase of \$200,000 (Various Projects) (Fiscal Impact: \$200,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 644-2005

Patrick-Maben: All Ayes

- *32) Proposed Amendment No. 3 to Agreement 147-86 with Nakano International Corporation for lease of the Central Welfare (Human Services) Facility, to provide for an expansion building on the premises and for an extension in the term of the lease for up to fourteen (14) years, with no increase in rent attributable to the expansion building until three years after acceptance (Fiscal Impact for 2005-2006 Not to Exceed \$5,000; Not 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 645-2005 UPON FINAL APPROVAL BY COUNTY COUNSEL

Patrick-Maben: All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED ON JUNE 28, 2005

- *33) Proposed Ordinance adding Sections 10.04.186 and 10.04.189 to Chapter 10.04, Title 10, of the Kern County Ordinance Code concerning 35-mile per hour speed limit on Mt. Pinos Way, Frazier Park - ENACTED ORDINANCE G-7261

Patrick-Maben: All Ayes

- *34) Proposed Ordinance adding Subsections (198), (199) and (200) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no stopping zones on Airport Drive, Seventh Standard Road and North Chester Avenue, Bakersfield - ENACTED ORDINANCE G-7262

Patrick-Maben: All Ayes

- *35) Proposed Ordinance adding Subsection (197) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning a no stopping zone along Fruitvale Avenue, Bakersfield - ENACTED ORDINANCE G-7263

Patrick-Maben: All Ayes

- *36) Proposed Ordinance adding Subsection (192) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning a no stopping zone along the south side of Pioneer Drive, Bakersfield - ENACTED ORDINANCE G-7264

Patrick-Maben: All Ayes

- 37) Proposed Ordinance adding Subsection (232) to Section 10.16.070 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning a two-hour limit for on-street parking zone on Patton Way, Bakersfield - GILBERT TARR HEARD; ENACTED ORDINANCE G-7265

Patrick-McQuiston: All Ayes

- 38) Proposed Ordinance adding Subsections (193), (194), (195) and (196) to Section 10.16.041 of Chapter 10.16, Title 10, of the Kern County Ordinance Code concerning no stopping zones on Patton Way, Bakersfield - GILBERT TARR HEARD; ENACTED ORDINANCE G-7266

Patrick-McQuiston: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *39) Budget Transfers - APPROVED NO. 275 THROUGH NO. 284

Patrick-Maben: All Ayes

- *40) Minutes for week of June 6, 2005 - APPROVED

Patrick-Maben: All Ayes

- *41) Miscellaneous Letters and Documents - APPROVED

Patrick-Maben: All Ayes

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

Patrick-Maben: All Ayes

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

McQuiston

/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.

41) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Monthly Referral Report, June 2005
- B) Received, certified and forwarded to Recorder for recordation as follows:
 - 1) Parcel Map 10771 S.D. #2
 - 2) Parcel Map 11117 S.D. #1
 - 3) Parcel Map 11295 S.D. #2

Environmental Health Services

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

Grand Jury

- D) 2004-2005 Final Report re Kern County Parks and Recreation Department (Copies to each Supervisor, CAO, Parks and County Counsel)
- E) 2004-2005 Final Report

Local Agency Formation Commission

- F) Report and Recommendation, Proceeding No. 1402, in the matter of Berrenda Mesa Water District / Lost Hills Water District, Reorganization (Copies to each Supervisor and CAO)
- G) Report and Recommendation, Proceeding No. 1414, in the matter of City of Bakersfield, Annexation No. 474, McKee No. 4 (Copies to each Supervisor and CAO)
- H) Report and Recommendation, Proceeding No. 1415, in the matter of City of Bakersfield, Annexation no. 479, Panama No. 15 (Copies to each Supervisor and CAO)

Treasurer-Tax Collector

- I) Pooled Cash Portfolio analysis for the Month Ended May 2005

Miscellaneous

- J) Letter from Jennifer Hamar in opposition to proposed airport expansion in Kernville (Copies to each Supervisor, CAO, Planning, Airports and County Counsel)
- K) Letter from Joseph P. Kennedy re cost of November special election (Copies to each Supervisor, CAO and Elections)
- L) Letter from Janet S. Cobb, California Oak Foundation, re inaccuracies associated with oak woodlands mitigation for the H. Lima Company Mine project (Copies to each Supervisor, CAO, Planning and County Counsel)
- M) Letter from Kimberly Belshe, State Health and Human Services Agency, re 2005-2006 budget proposal for the In-Home Supportive Services (IHSS) Program (Copies to each Supervisor, CAO and Aging & Adult Services)

- N) Letter from Denny Martin, California Association of Public Hospitals and Health Systems, re negotiations between the State and Federal government over new Medicaid hospital financing waiver (Copies to each Supervisor, CAO, Kern Medical Center and County Counsel)
- O) Letter from Connie Whitman, Stradling Yocca Carlson & Rauth, re California Community College Financing Authority 2005 Tax and Revenue Anticipation Bonds, Kern Community College District (Copies to County Counsel and Treasurer-Tax Collector)
- P) Letter from Renee Donato Nelson, Concerned Citizens to Stop Outside Dumping (CCSOD), re South Kern Industrial Center, LLC, waste discharge requirements (Copies to each Supervisor, CAO, Resource Management Agency, Engineering & Survey Services, Environmental Health and County Counsel)
- Q) Letter from Dana Karcher, Tree Foundation of Kern, re Grand Jury report concerning Parks Department (Copies to each Supervisor, CAO and Parks)
- R) Letter from Daniel N. Raytis, McMurtrey, Hartsock & Worth, re response to comments concerning Kern Delta Water District land acquisitions (Copies to each Supervisor, CAO, Planning and County Counsel)
- S) Notice from Southern California Gas Company re proposed rate increase (Copies to each Supervisor, CAO and General Services)
- T) Notices from State Department of Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses from: Al Market, 329 Roberts Lane, Bakersfield; Vallarta Mexican Grill, 1011 Columbus Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- U) Minutes of meeting from Kern County Child Care Council on Wednesday, June 1, 2005
- 42) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Danny Gene Jones vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Harold P. Boushell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Regina Gail Dryden vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Don C. Luz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- E) Summons and Complaint in the matter of Piper Sarad, Piper Sarad, as Successor in Interest to Chad Albitre, and Addie Sarad, by and through her Guardian ad Litem, Piper Sarad vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)