

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, August 2, 2005

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Patrick

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 August 2005 as Child Support Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO JOHN NILON, DIRECTOR CHILD SUPPORT SERVICES; JOHN NILON HEARD
McQuiston-Patrick: All Ayes
- 2) Proclamation proclaiming August 7, 2005 as National Kids Day in Kern County - PROCLAIMED; MADE PRESENTATION TO BRIAN MENDIBURU; BRIAN MENDIBURU HEARD
McQuiston-Patrick: All Ayes
- 3) Proclamation proclaiming August 1-7, 2005 as World Breastfeeding Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ENID PHILLIPS, CLINICA SIERRA VISTA; ENID PHILLIPS HEARD
Patrick-Maben: All Ayes
- 4) Proclamation proclaiming August 7-13, 2005 as National Health Center Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ENID PHILLIPS, CLINICA SIERRA VISTA; ENID PHILLIPS HEARD
Rubio-Maben: All Ayes
- 5) Certificate of Recognition recognizing Clinica Sierra Vista for their 34 years of dedicated service to the constituents of Kern County - MADE PRESENTATION TO ENID PHILLIPS, CLINICA SIERRA VISTA; ENID PHILLIPS HEARD

PUBLIC REQUESTS

- 6) Request from Justin Doss to address the Board regarding Respiratory Therapists' salary inequities and staff turnover - JUSTIN DOSS HEARD; SCOTT BABB INTRODUCED
- 7) Request from Stanley L. Shires to address the Board regarding management of Kern County Parks Department - STANLEY SHIRES HEARD

PUBLIC PRESENTATIONS

- 8) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - CURTIS DALTON ADDRESSED THE BOARD REGARDING DUMPING OF BIOSOLIDS IN KERN COUNTY, SANTA BARBARA COUNTY'S PROGRAM ON BIOSOLIDS, AND REQUESTED AN EMERGENCY ORDINANCE PROVIDING FOR TAXATION ON ALL TRUCKLOADS OF BIOSOLIDS TRANSPORTED TO KERN COUNTY FOR DISPOSAL

REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO CONTACT SANTA BARBARA COUNTY REGARDING THEIR PROGRAM; RECEIVED AND FILED DOCUMENT

Rubio-Patrick: All Ayes

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 9) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR WATSON REPORTED ON THE SENATE'S PASSAGE OF THE TRANSPORTATION BILL AND THE POSITIVE IMPACT THAT WILL RESULT FROM THE \$726 MILLION EARMARKED FOR KERN COUNTY; ADDITIONALLY, HE REPORTED ON THE CONTINUED NEED FOR THE ONE-HALF CENT SALES TAX TO OFFSET ADDITIONAL OUTSTANDING TRANSPORTATION NEEDS

SUPERVISOR PATRICK COMMENTED ON THE OPPORTUNITY TO ADDRESS TRANSPORTATION ISSUES AND THE NEED FOR THE ONE-HALF CENT SALES TAX FOR MATCHING FUNDS

REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO PREPARE A RESOLUTION IN HONOR OF CONGRESSMAN WILLIAM THOMAS FOR HIS EFFORTS IN OBTAINING FUNDING FOR KERN COUNTY

Patrick-Maben: All Ayes

(Continued on page 3)

(Continued from page 2)

SUPERVISOR WATSON DISCUSSED CONGRESSMAN THOMAS' EFFORTS IN ACQUIRING \$1.5 MILLION FOR REXLAND ACRES SEWER SYSTEM IMPROVEMENTS

SUPERVISOR RUBIO ADDRESSED THE NEED FOR ADDITIONAL FUNDING FOR THE REXLAND ACRES PROJECT AND EXPRESSED APPRECIATION TO CONGRESSMAN THOMAS AND COUNTY STAFF FOR THEIR EFFORTS

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *10) Proposed retroactive Agreement with Catholic Healthcare West for provision of communication devices services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$35,000 (prior notification June 28, 2005) (Fiscal Impact: \$35,000; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 680-2005

McQuiston-Patrick: All Ayes

- *11) Proposed Amendment No. 2 to Agreement 645-2004 with California Department of Aging (State Agreement No. AP-0405-33) for Title III/VII, Title IIIE and State Funded Community Based Services Programs, to transfer funds between programs (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 681-2005; AUTHORIZED INTERIM DIRECTOR TO SIGN ALL RELATED STATE TRANSMITTAL DOCUMENTS

McQuiston-Patrick: All Ayes

AIRPORTS

- *12) Report on Department of Airports Annual Performance Measures (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

- *13) Proposed Assignment of Ground Lease (Agreement 181-98) at Meadows Field Airport from John Krueger to Paul Pence (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 682-2005

McQuiston-Patrick: All Ayes

- *14) Proposed Aircraft Hangar Ground Lease Agreement with James A. Hanson and Consent to Assignment with Bos Dairies, LLC, at Meadows Field Airport, from August 2, 2005, and ending 20 years from the date of completion of construction of the hangar, at an annual rate of \$1,200 (Fiscal Impact: \$1,200 Annual Revenue; Not Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN LEASE AGREEMENT 683-2005 AND CONSENT TO ASSIGNMENT AGREEMENT 684-2005

McQuiston-Patrick: All Ayes

- *15) Proposed Amendment No. 3 to Lease Agreement 510-86 with Inland Meadows at Meadows Field to increase monthly rent to \$4,213 per month and Consent to Assignment to Chris and Erin Posey, (Fiscal Impact: \$4,213 Revenue per month; Not Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN LEASE AMENDMENT AGREEMENT 685-2005 AND CONSENT TO ASSIGNMENT AGREEMENT 686-2005

McQuiston-Patrick: All Ayes

COUNTY COUNSEL

- *16) Resolution authorizing the issuance and sale of Arvin Union School District General Obligation Bonds, Election of 2004, Series 2005 in the aggregate principal amount not to exceed \$4,000,000 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-321

McQuiston-Patrick: All Ayes

- *17) Resolution authorizing the issuance and sale of Taft City Elementary School District General Obligation Bonds, Election of 2001, Series 2005A in the aggregate principal amount not to exceed \$6,000,000 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-322

McQuiston-Patrick: All Ayes

- *18) Resolution authorizing the issuance and sale of Arvin Union School District General Obligation Bonds, Election of 1989, Series 2005 in the aggregate principal amount not to exceed \$770,000 (Fiscal Impact: None) - ADOPTED RESOLUTION 2005-323

McQuiston-Patrick: All Ayes

FARM AND HOME ADVISOR

- *19) Report on Department of Farm and Home Advisor's Annual Performance Measures - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

KERN MEDICAL CENTER

- *20) Notification of retroactive Agreement with Women's Cancer Center, an independent contractor, for gynecologic oncology services in the Department of OB/GYN (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

- *21) Proposed Contract Supplement 1-EKN6W to Agreement 276-99 with McKesson Information Solutions LLC, for upgrade of the STAR Hospital Information System and EC2000 claims processing system from Release ER8.0 to Release ER10.0, in an amount not to exceed \$536,748 (Fiscal Impact: \$536,748; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 687-2005

McQuiston-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *22) Proposed Amendment No. 1 to Agreement 647-2004 with U.S. Department of Housing and Urban Development (HUD) for redistribution of costs between various cost item categories, Project No. CA16B304-003/Project ID Number CA7313, for Fiscal Years 2004-2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 688-2005

McQuiston-Patrick: All Ayes

- *23) Proposed Agreement with Milhous Children's Service, Inc., to provide intensive day treatment and other mental health services to Kern County children who are placed in level 13/14 facilities, from August 2, 2005 through June 30, 2006, in an amount not to exceed \$250,000 (Fiscal Impact: \$250,000; Medi-Cal, State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 689-2005

McQuiston-Patrick: All Ayes

- *24) Proposed Agreement with Data Systems International for license, installation, implementation, software support and maintenance of a Homeless Management Information System, from August 20, 2005 through June 30, 2010, in an amount not to exceed \$213,479 (Fiscal Impact: \$170,783 Grant Funded, \$42,696 Realignment; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 690-2005

McQuiston-Patrick: All Ayes

- *25) Proposed approval of the Substance Abuse Crime Prevention Act of 2000 (Prop 36) Work Plan for Fiscal Year 2005-2006 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-324

McQuiston-Patrick: All Ayes

PARKS AND RECREATION DEPARTMENT

- *26) Proposed Agreement with the Friends of Jawbone, Inc., for a grant award of \$21,113 of Off Highway Vehicle (OHV) License Funds for recreation enhancement from August 2, 2005 through December 31, 2005 (Fiscal Impact: \$21,113; OHV License Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 691-2005

McQuiston-Patrick: All Ayes

PROBATION

- *27) Request to employ retired County employee James O'Harra, as Group Counselor III, Range 52.9, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$20,486; Budgeted; Discretionary) - APPROVED

McQuiston-Patrick: All Ayes

- *28) Request for extension to report back to the Board on monitoring of sex offenders with Global Positioning Satellite (GPS) to Tuesday, August 23, 2005 (Fiscal Impact: None) - APPROVED

McQuiston-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *29) Retroactive request to employ retired County employee, Theresa Burchfield, as Public Health Nurse, Range 57.1, Step B, for the period of June 27, 28, and 29, 2005 and authorize the Auditor-Controller-County Clerk to pay her salary (Fiscal Impact: \$544; Budgeted; Discretionary) - APPROVED

McQuiston-Patrick: All Ayes

- *30) Proposed retroactive Agreement with Sierra Sands SELPA for School-Based Medi-Cal Administrative Activities, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$500,000 (prior notification June 28, 2005) (Fiscal Impact: \$500,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 692-2005

McQuiston-Patrick: All Ayes

- *31) Proposed retroactive Agreement with Lost Hills Union School District for School-Based Medi-Cal Administrative Activities, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$500,000 (prior notification June 28, 2005) (Fiscal Impact: \$500,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 693-2005

McQuiston-Patrick: All Ayes

- *32) Notification of retroactive Agreement with County of Marin concerning Medi-Cal Administrative Activities and Targeted Case Management programs (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

SHERIFF

- *33) Proposed Agreement with the 15th District Agricultural Association for law enforcement services (Deputy Sheriffs) at the 2005 Kern County Fair, from September 21 through October 2, 2005, in an amount not to exceed \$120,330.48 (Fiscal Impact: \$120,330.48 Revenue; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 694-2005

McQuiston-Patrick: All Ayes

- *34) Proposed Agreement with the 15th District Agricultural Association and the Kern County Sheriff's Reserves for law enforcement services at the 2005 Kern County Fair, from September 21 through October 2, 2005, in an amount not to exceed \$37,800 (Fiscal Impact: \$37,800 Revenue; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 695-2005

McQuiston-Patrick: All Ayes

- *35) Proposed Agreement with the 15th District Agricultural Association and the Kern County Sheriff's Citizen Service Unit for law enforcement services at the 2005 Kern County Fair, from September 21 through October 2, 2005, in an amount not to exceed \$2,000 (Fiscal Impact: \$2,000 Revenue; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 696-2005

McQuiston-Patrick: All Ayes

- *36) Proposed Agreement with the 15th District Agricultural Association and the Kern County Sheriff's Explorers for law enforcement services at the 2005 Kern County Fair, from September 21 through October 2, 2005, in an amount not to exceed \$3,000 (Fiscal Impact: \$3,000 Revenue; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 697-2005

McQuiston-Patrick: All Ayes

- *37) Unusual travel request for Sergeant Bart Camps, and Deputies Jeff Dumas and Bill Hull to attend training in Dublin, California, from August 14, 2005 to August 26, 2005, in an amount not to exceed \$3,822 each (Fiscal Impact: \$11,466; Budgeted; Discretionary) - APPROVED

McQuiston-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

Maben

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 38) Request for Closed Session re Meet and Confer, All Unions -
- 39) Request for Closed Session re public employee performance evaluation - Title: County Administrative Officer -

COUNTY COUNSEL

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

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

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

McQuiston-Maben

/s/ 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, August 2, 2005

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

PUBLIC 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

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 Rajvir Singh Gill to appeal the decision of the Hearing Officer disapproving Precise Development Plan 2, Map 143-18 (Notice of Decision 60-05, disapproved June 2, 2005) to allow an auto and truck fueling and commercial center in a general commercial - precise development combining zoning district on 15.27 acres of property located at the southeast corner of Highway 99 and Houghton Road, south Bakersfield (SD #2)**

Specific Request:

An Appeal to the decision of the Hearing Officer disapproving Precise Development Plan 2, Map 143-18 (Notice of Decision 60-05; disapproved June 2, 2005) to allow an auto and truck fueling and commercial center in C-2 PD District (Appeal #1, Map #143-18)

(Negative Declaration; Published Bakersfield Californian) -
CONTINUED TO TUESDAY, SEPTEMBER 6, 2005, AT 2:00 P.M.

Patrick-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Miscellaneous

All S.D.'s

- 4) **Request to approve Environmental Impact Report (EIR) preparation policy requiring County-retained EIR consultants for private development projects, with the exception of those applications having applicant-retained EIR consultants that are deemed complete for processing an EIR as of Tuesday, August 2, 2005, and public agency applicants (from 7/5/2005) (Fiscal Impact: None) - WILLIAM NELSON AND GORDON NIPP REPRESENTING THE SIERRA CLUB, HEARD; APPROVED**

Patrick-Rubio: 4 Ayes; 1 No - Watson

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #4

- *5) **Proposed Amendment No. 4 to Agreement 438-2000 with the City of Wasco for use of Community Development Block Grant funds for modification of street lighting improvements (CD Nos. 21.99.2 and 21.99.3) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 698-2005**

Patrick-Maben: All Ayes

All S.D.'s

- *6) **Annual Performance Measures Report (Fiscal Impact: None) - RECEIVE AND FILE**

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #1

- 7) Proposed Resolution ordering the extension of Zone of Benefit No. 5 in County Service Area No. 71, determining to adopt and accept an Ordinance enacting an assessment for the area included within the boundaries extended herein, Tract 4887, south of Snow Road and west of Quail Creek Road, northwest Bakersfield (Fiscal Impact: \$1,152; CSA's; Budgeted; Mandatory) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENT; ENACTED ORDINANCE G-7274 ESTABLISHING ASSESSMENT; ADOPTED RESOLUTION 2005-325 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$12 PER PARCEL FOR STREET SWEEPING; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENT FOR THE AREA INCLUDED WITHIN THE BOUNDARIES HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NO. 5 IN COUNTY SERVICE AREA NO. 7

McQuiston-Maben: All Ayes

All S.D.'s

- 8) Hearing on Fiscal Year 2005-2006 service charges for all County Service Areas (Fiscal Impact: \$2,061,356; CSA's; Budgeted; Mandated & Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED ASSESSMENTS AND FEES; ADOPTED RESOLUTION 2005-326 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT TO SET FEES FOR FISCAL YEAR 2005-2006; ENACTED ORDINANCE G-7275 ESTABLISHING COUNTY SERVICE AREA FEES FOR FISCAL YEAR 2005-2006; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED

Maben-Patrick: All Ayes

S.D. #5

- *9) Proposed Resolution for acceptance of roads within Tract 5388 into the County Road System, as County Road No. 3967, Lamont, Carriage Homes, Inc. (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-327; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- *10) Proposed deletion of Hazardous Materials Specialist I/II/III position and addition of Environmental Health Specialist In-Training/I/II/III position, Budget Unit 4113, effective August 6, 2005 (Fiscal Impact: None) -

WITHDRAWN

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *11) Contract No. 05014, Plans, Specifications and Notice to Contractors for construction on Jacks Ranch Road from Ridgecrest Boulevard to State Route 178 (Fiscal Impact: \$300,000; Transportation Efficiency Act Funds; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(C); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, SEPTEMBER 7, 2005, AT 11:00 A.M.

Patrick-Maben: All Ayes

S.D. #3

- *12) Contract No. 05016, Plans, Specifications and Notice to Contractors for construction on College Avenue from Mt. Vernon Avenue to Cypress Circle (Fiscal Impact: \$116,000; Transportation Efficiency Act Funds & Road Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(C); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, SEPTEMBER 7, 2005, AT 11:00 A.M.

Patrick-Maben: All Ayes

S.D. #4

- *13) Easement Deed from Eloy Renfrow for 17,751 square feet of property for improvement of Renfrow Road at Rosedale Highway (Fiscal Impact: None) - ACCEPTED; DIRECTED CLERK OF THE BOARD TO RECORD

Patrick-Maben: All Ayes

S.D. #5

- *14) Proposed Agreement with Arvin Community Services District for adjustment of utility facilities on Comanche Drive (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 699-2005

Patrick-Maben: All Ayes

- *15) Contract No. 05013, Plans, Specifications and Notice to Contractors for construction on Mt. Vernon Avenue and Oswell Street (Fiscal Impact: \$965,000; Road Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(C); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, SEPTEMBER 7, 2005, AT 11:00 A.M.

Patrick-Maben: All Ayes

S.D.'s #3 & #5

- *16) Proposed Contract No. 05033 with Bowman Asphalt for construction on various streets in Oildale, Alta Vista and Pioneer Park areas, in an amount not to exceed \$1,335,949 (Fiscal Impact: \$1,335,949; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 700-2005

Patrick-Maben: All Ayes

- *17) Proposed Agreement with East Niles Community Services District for adjustment of utility facilities on various streets in the Pioneer Park area of Bakersfield (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 701-2005

Patrick-Maben: All Ayes

All S.D.'s

- *18) Proposed Federal Apportionment Exchange Program and State Match Program Agreement (No. X05-5950 [214]) with California Department of Transportation (Fiscal Impact: \$405,044; State Aid; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 702-2005

Patrick-Maben: All Ayes

WASTE MANAGEMENT

All S.D.'s

- *19) Proposed Agreement with 15th District Agricultural Association to waive up to \$5,000 in disposal fees from September 6, 2005 through October 17, 2005, in exchange for public education outreach opportunities at the 2005 Kern County Fair (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 703-2005

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *20) Proposed response to Grand Jury final reports on Sheriff's Department Frazier Park and Taft Substations (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TRANSMITTING RESPONSE TO SUPERIOR COURT PRESIDING JUDGE

Patrick-Maben: All Ayes

- *21) Monthly report on Kern Medical Center's General Fund Operating Loan (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Maben: All Ayes

- 22) Presentation of report on Animal Control Services Division (Fiscal Impact: None) - HEARD PRESENTATION; HAL STECKBAUER; DR. PRUITT, PRESIDENT OF TAXPAYERS FOR RESPONSIBLE AND ETHICAL ANIMAL TREATMENT (TREAT); LIZ KEOGH; FLORENCE DUNAGAN; MARILYN STEWART, ALPHA CANINE AND TREAT; KAREN ANDERSON, LIMO GROUP, ACCESS COMMITTEE AND COLLIE CLUB OF AMERICA; DUETTA REILLY, ANIMAL CONTROL VOLUNTEER; JANICE ANDERSON, ANDERSON ACRES; SHIKARA MCCOMBS; SUSAN BENNETT, SPAY AND NEUTER DIRECTOR FOR KERN HUMANE SOCIETY; PAM PRUITT; JOHN LINFORD, ATTORNEY, TREAT; BONNIE HERNANDEZ, FORMER ANIMAL CONTROL OFFICER, HEARD; RECEIVED AND FILED; REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND RESOURCE MANAGEMENT AGENCY FOR DEVELOPMENT OF AN IMPLEMENTATION PLAN FOR REPORT BACK IN 30 DAYS; REFERRED TO BUDGET FILE

Maben-Rubio: All Ayes

RECESSED FOR 15 MINUTES

BOARD RECONVENED WITH ALL MEMBERS PRESENT

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #5

- *23) Change Order No. 1 for the Public Services Building Reroof, an increase of \$9,610, for a new total of \$397,276 (1650.7027) (Fiscal Impact: \$9,610; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

S.D. #1

- *24) Proposed utility easement to Pacific Gas & Electric Company for portion of Kern River Golf Course to allow relocation of an existing power line on County property (Fiscal Impact: \$1,600 Revenue; General Fund; Not Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; MADE FINDING THAT EASEMENT IS IN THE PUBLIC INTEREST AND DOES NOT SUBSTANTIALLY CONFLICT OR INTERFERE WITH COUNTY'S USE OF THE PROPERTY; APPROVED EASEMENT; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

S.D. #3

- *25) Change Order No. 1 for the telecom systems at the New Airport Terminal, an increase of \$2,822, for a new total of \$277,147, and to allow for additional time (8215.8416) (Fiscal Impact: \$2,822; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

- *26) Proposed retroactive payment of \$22,330 to Soils Engineering for services provided through July 2005 and proposed Engineering Services Agreement with Soils Engineering for testing and inspection services at the New Airport Terminal at Meadows Field, in an amount not to exceed \$100,000 from August 2, 2005 through February 1, 2006 (8215.7500) (Fiscal Impact: \$122,330; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 704-2005

Patrick-Maben: All Ayes

- *27) Change Order No. 15 for New Airport Terminal at Meadows Field, an increase of \$310,262, for a new total of \$21,520,814; and request for approval of a proposed Resolution to dispense with bidding requirements for Change Orders in excess of 10% of contract amount (8215.8415) (Fiscal Impact: \$310,262; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-328; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

- *28) Proposed Agreement for Lease with Victor R. Young Trust for use of 3400 Unicorn Road, Suite 113, Bakersfield, as a Sheriff's field office, commencing September 1, 2005 until August 31, 2010, for \$6,800 per month for the first year (Fiscal Impact: \$6,800 Per Month Rent; General Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 705-2005

Patrick-Maben: All Ayes

S.D. #5

- *29) Request for subcontractor substitution for Public Services Building Reroof (1650.7027) (Fiscal Impact: None) - FOUND THAT STC, INC., FAILED TO EXECUTE A WRITTEN CONTRACT WITH BEST ROOFING & WATERPROOFING, INC.; APPROVED SUBSTITUTION OF EMPIRE CONTRACTING ROOF SERVICES TO COMPLETE THE DEMOLITION PORTION OF THE PROJECT

Patrick-Maben: All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED JULY 5, 2005

- 30) Proposed Ordinance to amend Chapter 10.28 of the Kern County Ordinance Code relating to storage of abandoned, wrecked, dismantled or inoperative vehicles - FLORENCE DUNAGAN; CURTIS HOBBS; KEN PERRY; WALTER WHITE; RON SCHILLER; JUDIE DECKER; SCOTT PIPKIN; GORDON WHITE; DR. DONALD DECKER; LAWRENCE JORDAN; AND DONALD DURHAM, HEARD; ENACTED ORDINANCE G-7276

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

MATTERS FOR EXECUTIVE APPROVAL

- *31) Minutes for week of June 20, 2005 - APPROVED

Patrick-Maben: All Ayes

- *32) Miscellaneous Letters and Documents - APPROVED

Patrick-Maben: All Ayes

- *33) Miscellaneous Departmental Referrals by Clerk of the Board -
APPROVED AND FILED
Patrick-Maben: All Ayes
- *34) Claims and Lawsuits filed with and referred by Clerk of the
Board - APPROVED AND FILED
Patrick-Maben: All Ayes

ADJOURNED TO THURSDAY, AUGUST 4, 2005, AT 6:00 P.M. IN ARVIN
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.

32) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Recovery of LAFCO's operating costs for Fiscal Year 2005-2006
- B) Kern County Hispanic Commission on Alcohol and Drug Abuse Services, Inc., report on costs allocated to Kern County Mental Health Programs for Fiscal Years 2001-2002 and 2002-2003
- C) Kern County Hispanic Commission on Alcohol and Drug Abuse Services, Inc., report on costs allocated to Kern County Mental Health Programs for Fiscal Years 2003-2004

Clerk of the Board

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

1) Parcel Map 11258 S.D. #1

Local Agency Formation Commission

- E) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1425, Snow Road No. 2, Annexation No. 484 (Copies to each Supervisor and CAO)
- F) Proceeding No. 1416, Report and Recommendation in the matter of Lamont Public Utility District, Annexation No. 26 (Copies to each Supervisor and CAO)
- G) Proceeding No. 1422, Report and Recommendation in the matter of Lost Hills Utility District, Annexation No. 9 (Copies to each Supervisor and CAO)

Sheriff

- H) Response to Grand Jury Final Report re Kern County Sheriff's Department Buttonwillow Substation (Copies to each Supervisor and CAO)

Treasurer-Tax Collector

- I) Pooled Cash Portfolio Reporting for Quarter Ended June 2005

Miscellaneous

- J) Letter from Deb Hill, Board of Supervisors, Coconino County, Arizona, re financial support for Valley Fever Vaccine Project of the Americas (Copies to each Supervisor and CAO)
- K) Letter from Leonard and Nancy Becker, Sacred Sites International Foundation, in opposition to proposed water and wind energy development project for Jawbone Canyon (Copies to each Supervisor, CAO, Planning and County Counsel)
- L) Letter from Jeffrey L. McGuire, State Board of Equalization re Initial Discussion Paper on proposed regulatory changes for issuance of seller's permits to "buying companies" per Regulation 1699 (Copies to each Supervisor, CAO and Assessor)

- M) Letter from Russell E. Fuller, Antelope Valley-East Kern Water Agency, re reduction in cost of Priority 2 water (Copies to each Supervisor, CAO, Planning and Agricultural Commissioner)
- N) Letter from Victoria Ewing Ware and Michael Spann, DS Waters of America, LP, re standardization of disbursement procedures (Copies to each Supervisor, CAO and Purchasing)
- O) Letter from C. H. Williams, Kern River Watermaster, re supplemental written comments concerning Draft Environmental Assessment for Proposed Designation of Critical Habitat and Final Draft Economic Analysis of Critical Habitat for the Southwestern Willow Flycatcher (Copies to each Supervisor, CAO, Planning and Resource Management Agency)
- P) Thank you letter to Chairman Watson from Morgan Clayton, Workforce Investment Board, and Verna Lewis, Employers' Training Resource, for supporting national grant for employment and training services to farmworkers and families under Title 1, Section 167, of Workforce Investment Act (Copies to each Supervisor, CAO and Employers' Training Resource)
- Q) Resolution 4: 2005/2006 from Arvin Union School District, Board of Trustees, re issuance and sale of 2005 refunding of General Obligation Bonds of the District (Copies to Auditor-Controller-County Clerk, Treasurer-Tax Collector and County Counsel)
- R) Bulletin from Water Education Foundation, Western Water, July-August, 2005 (Copies to each Supervisor and CAO)
- S) Agenda of meeting from Commission On Aging on Monday, July 18, 2005
- 33) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Jeanette Richardson, The Arts Council of Kern, re request for funding - REFERRED TO COUNTY ADMINISTRATIVE OFFICE - BUDGET FILE (Copies to each Supervisor)
 - B) Letter from James R. Leon, Chumash Council of Bakersfield, re introduction of the Chumash Council and its Board of Directors - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
 - C) Resolution 1-2005-2006 from Taft City Elementary School District re request to sell District bonds - REFERRED TO COUNTY COUNSEL
 - D) Preliminary Official Statement re Taft City Elementary School District General Obligation Bonds, Election 2001, Series 2005A - REFERRED TO COUNTY COUNSEL
 - E) Resolution 2: 2005/2006 from Arvin Union School District re request to issue and sell General Obligation Bonds of the District, Election of 2004, Series 2005 - REFERRED TO COUNTY COUNSEL

- F) Resolution 3: 2005/2006 from Arvin Union School District re request to issue and sell General Obligation Bonds of the District, Election of 1989, Series 2005 - REFERRED TO COUNTY COUNSEL
- 34) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Terry B. Lockett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Samantha Duhart vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Bradford McArthur vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Cross complaint in the matter of Carl Sparks vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Discrimination complaint in the matter of Chafonda Rucker vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)