

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, August 23, 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.

NOTE: CHAIRMAN WATSON RECOGNIZED AND INTRODUCED LEE OLSON, FOURTH DISTRICT APPOINTEE TO THE HERITAGE COMMISSION

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring Congressman Bill Thomas for his continued support of Kern County through funding of local transportation needs - ADOPTED RESOLUTION; MADE PRESENTATION TO CONGRESSMAN BILL THOMAS; CONGRESSMAN THOMAS' WIFE, SHARON AND FAMILY WERE INTRODUCED; CONGRESSMAN THOMAS HEARD

Patrick-Maben: All Ayes

- *2) Retroactive Resolution honoring the Friendship Force of Moscow, Russia - ADOPTED RESOLUTION; REFERRED TO CLERK OF THE BOARD FOR DISTRIBUTION

Maben-Patrick: All Ayes

- *3) Retroactive Resolution honoring the Friendship Force of Novgorod, Russia - ADOPTED RESOLUTION; REFERRED TO CLERK OF THE BOARD FOR DISTRIBUTION

Maben-Patrick: All Ayes

- *4) Retroactive Resolution honoring and commending Sherman Leon Tyler, Jr. for his service to Kern County - ADOPTED RESOLUTION; REFERRED TO CLERK OF THE BOARD FOR DISTRIBUTION

Maben-Patrick: All Ayes

PUBLIC REQUESTS

- *5) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council to submit April 1, 2005 to June 30, 2005 quarterly report - RECEIVED AND FILED

Maben-Patrick: All Ayes

APPOINTMENTS

- *6) Appointment of Leon (Lee) Duane Olson as Fourth District Member to the Heritage Commission, term to expire at the pleasure of the Board - MADE APPOINTMENT

Maben-Patrick: All Ayes

- *7) Appointment of Jesse Reinhardt Collins as Third District Consumer Member to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2007 - MADE APPOINTMENT

Maben-Patrick: All Ayes

- *8) Reappointment of Mitchell R. Byers as At-large Member to the West Side Cemetery District, term to expire July 11, 2009 - MADE REAPPOINTMENT

Maben-Patrick: All Ayes

- *9) Reappointments of J. Edward Duggan and Hal Romanowitz, terms to expire November 2006, and Solveig Thompson and Joe Sasia, Jr., terms to expire November 2008, to the Tehachapi Resource Conservation District - MADE REAPPOINTMENTS

Maben-Patrick: All Ayes

- *10) Reappointment of Jerri Lee Alvarado as Community Representative, Fifth District Member to the Kern County Local Child Care and Development Planning Council, term to expire June 30, 2008 - MADE REAPPOINTMENT

Maben-Patrick: All Ayes

- *11) Reappointment of Marti Overfield as Second District Member to the Commission on Aging, term to expire September 29, 2007 - MADE REAPPOINTMENT

Maben-Patrick: All Ayes

- *12) Reappointment of Janet Dianne Skibinski as Fourth District Member to the Adult Day Health Care Board, term to expire August 15, 2007 - MADE REAPPOINTMENT

Maben-Patrick: All Ayes

- *13) Reappointment of Bernice Hothersall as Second District Member to the Adult Day Health Care Board, term to expire August 15, 2007 - MADE REAPPOINTMENT

Maben-Patrick: All Ayes

PUBLIC PRESENTATIONS

- 14) 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!
- STAN SHIRES, EXECUTIVE DIRECTOR, NORTH OF THE RIVER CHAMBER OF COMMERCE, EXPRESSED APPRECIATION TO RAY BISHOP, DIRECTOR OF AIRPORTS, FOR HIS SERVICE TO THE COMMUNITY

MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION, EXPRESSED CONCERN WITH VACANT SEATS IN THE NURSING PROGRAM AT CALIFORNIA STATE UNIVERSITY BAKERSFIELD (CSUB)

KERN MEDICAL CENTER CHIEF EXECUTIVE OFFICER, PETER BRYAN, RESPONDED THE COUNTY IS WORKING WITH BAKERSFIELD COLLEGE AND CSUB TO DEVELOP SCHOLARSHIP PROGRAMS FOR NURSING, AND HE WILL BE REPORTING TO THE BOARD IN THE NEAR FUTURE. DR. B.A. JINADU, DIRECTOR OF PUBLIC HEALTH, ASKED THE BOARD TO INCLUDE PUBLIC HEALTH NURSES IN THE REPORT

REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE AND KERN MEDICAL CENTER TO REPORT BACK TO THE BOARD IMMEDIATELY ON THE STATUS OF OPENINGS FOR THE NURSING PROGRAM AT BAKERSFIELD COLLEGE AND CSUB

Patrick-Maben: All Ayes

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 15) 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 RECENT SOUTHWEST DEFENSE ALLIANCE MEETING HE ATTENDED, AND DISCUSSED SECURITY ISSUES EXPRESSED BY ARIZONA OFFICIALS RELATIVE TO INDIVIDUALS CROSSING OVER OPEN BORDERS AT THE MARINE CORPS AIR FACILITY AT YUMA, ARIZONA

REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE TO PREPARE CORRESPONDENCE TO THE PRESIDENT TO ENCOURAGE SECURING AND PROTECTING SOUTHWEST U.S. BORDERS, FOR FUTURE BOARD CONSIDERATION

Maben-McQuiston: All Ayes

SUPERVISOR RUBIO DISCUSSED THE METHAMPHETAMINE CRISIS RELATING TO USE OF OVER-THE-COUNTER COLD MEDICATION

REFERRED TO THE CAO TO REPORT BACK REGARDING DEVELOPMENT OF AN ORDINANCE TO RESTRICT THE SALE OF COMMON COLD MEDICATIONS THAT CAN BE CONVERTED TO METHAMPHETAMINES

Rubio-McQuiston: All Ayes

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- 16) Department Performance Measures Report (Fiscal Impact: None)
- RECEIVED AND FILED

McQuiston-Maben: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- 17) Department Performance Measures Report (Fiscal Impact: None)
- RECEIVED AND FILED

McQuiston-Patrick: All Ayes

AIRPORTS

- *18) Request for retroactive authorization of unusual travel for travel to Mexico City, Mexico, on August 22, 2005, through August 26, 2005, by Raymond C. Bishop and Teresa L. Hitchcock, to meet with Mexicana Airlines at a cost not to exceed \$3,260 (Fiscal Impact: \$3,260; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: All Ayes

- *19) Proposed aircraft Hangar Ground Lease for Site 12, with Oildale Million Air, LLC, at Meadows Field Airport, with a term of 20 years with two five-year options beginning August 23, 2005, at an annual base rate of \$1,200, subject to annual CPI reviews - (Fiscal Impact: \$1,200 Annual Revenue; Not Budgeted; Discretionary) - MADE FINDING THAT THE 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 AGREEMENT 707-2005

Maben-Patrick: All Ayes

ASSESSOR-RECORDER

- *20) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *21) Request to employ retired County employee Carol Anderson as Fiscal Support Specialist, Range 49.9, 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: \$17,903; Budgeted; Discretionary) - APPROVED

Maben-Patrick: All Ayes

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

McQuiston-Patrick: All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *23) Proposed calculation of Proposition 4 Appropriations Limit for Fiscal Year 2005-2006 by selection of, change in California per capita personal income, in determining the Fiscal Year 2005-2006 Appropriations Limit and selection of, the change in population within the incorporated area of the County, as the population factor and setting Proposition 4 Appropriations Limit for FY 2005-2006 for Kern County at \$606,156,623 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-338

Maben-Patrick: All Ayes

- *24) Resolution from the Elk Hills School District requesting the Elections Official to conduct their Recall Election to be held November 8, 2005 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Maben-Patrick: All Ayes

- *25) Resolution from the Delano Joint Union High School District requesting the Elections Official to conduct their Bond Election to be held November 8, 2005 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Maben-Patrick: All Ayes

- *26) Resolution for the El Tejon Unified School District requesting the Elections Official to conduct their Bond Election to be held November 8, 2005 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Maben-Patrick: All Ayes

- *27) Resolution from the Beardsley School District requesting the Elections Official to conduct their Bond Election to be held November 8, 2005 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Maben-Patrick: All Ayes

- *28) Resolution from the City of Delano requesting the Elections Official to conduct their Tax Election to be held November 8, 2005 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTION-RELATED SERVICES REQUESTED

Maben-Patrick: All Ayes

- *29) Proposed Resolution setting the 2005/2006 tax rates for all agencies included on the County Tax Roll (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-339

Maben-Patrick: All Ayes

BOARD OF TRADE

- *30) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

CHILD SUPPORT SERVICES

- 31) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Maben: All Ayes

CLERK OF THE BOARD

- *32) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

COUNTY COUNSEL

- *33) Proposed Ordinance repealing subsection (2) of Section 10.16.090 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no parking zone on Segrue Road in Lamont (Fiscal Impact: None) -

WITHDRAWN

- *34) Proposed Ordinance adding subsection (2) to Section 10.24.025 of Chapter 10.24, Title 10 of the Kern County Ordinance Code concerning a handicap parking zone on Sequoia Drive in Oildale (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Patrick: All Ayes

- *35) Proposed Ordinance adding subsections (201) and (202) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones along Segrue Road in Lamont (Fiscal Impact: None) -

WITHDRAWN

- *36) Proposed Ordinance adding subsection two (2) to Section 10.16.200 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a Loading and Unloading Zone on Segrue Road, Lamont (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Patrick: All Ayes

- *37) Department Performance Measures Report for County Counsel, Risk Management, and Internal Service Funds (General Liability and Workers' Compensation) (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

DISTRICT ATTORNEY

- *38) Request for additional funds in the amount of \$7,500 for sole source procurement of Forensic Science laboratory equipment from McBain Instruments (Fiscal Impact: \$7,500; Budgeted; Grant funded) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Maben-Patrick: All Ayes

EMERGENCY MEDICAL SERVICES

- 39) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *40) Request for retroactive authorization to apply for Department of Labor Workforce Investment Act, Limited English Proficiency and Hispanic Worker Initiative Demonstration Grant (Fiscal Impact: Estimated \$799,126; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED ETR AS FISCAL AGENT FOR RECEIPT OF GRANT FUNDS; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED GRANT DOCUMENTS

Maben-Patrick: All Ayes

- *41) Proposed retroactive Amendment No. 1 to Agreement 175-2005 with LaCooperativa Campesina de California for the 167 Migrant and Seasonal Farmworker (MSFW) Temporary/Permanent Housing Assistance Program, to extend the Agreement through August 31, 2005 to complete services and expend program funds (prior notification June 28, 2005) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 708-2005

Maben-Patrick: All Ayes

- *42) Proposed retroactive Amendment No. 1 to Agreement 197-2005 with the Mexican American Opportunity Foundation for a Migrant and Seasonal Farmworker (MSFW) Temporary Housing Assistance Program, to extend short-term and emergency housing assistance to eligible farmworkers through August 31, 2005, to ensure expenditure of program funds and completion of planned services (prior notification June 28, 2005) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 709-2005

Maben-Patrick: All Ayes

- *43) Proposed retroactive Amendment No. 1 to Agreement 199-2005 with Proteus, Inc., for a Migrant and Seasonal Farmworker (MSFW) Temporary Housing Assistance Program, to extend short-term and emergency housing assistance to eligible farmworkers through August 31, 2005, to ensure expenditure of program funds and completion of planned services (prior notification June 28, 2005) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 710-2005

Maben-Patrick: All Ayes

- *44) Proposed retroactive Subgrant Agreement with Arbor E&T to provide a comprehensive career center program, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$77,964 (prior notification June 21, 2005) (Fiscal Impact: \$77,964; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 711-2005

Maben-Patrick: All Ayes

- *45) Proposed retroactive Agreement with the State of California Employment Development Department to conduct employment and training services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$85,142 (prior notification June 21, 2005) (Fiscal Impact: \$85,142; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 712-2005

Maben-Patrick: All Ayes

- *46) Proposed retroactive Subgrant Agreement with the Mexican American Opportunity Foundation to provide training opportunities for Workforce Investment Act-eligible customers, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$1,293,188 (prior notification June 21, 2005) (Fiscal Impact: \$1,293,188; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 713-2005

Maben-Patrick: All Ayes

- 47) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Maben: All Ayes

FIRE DEPARTMENT

- 48) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

- 49) Quarterly Report of Overtime Expenditures (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Rubio: All Ayes

- *50) Request authorization to submit Hazard Mitigation grant application (Fiscal Impact: None) - APPROVED

Maben-Patrick: All Ayes

HUMAN SERVICES

- *51) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

KERN MEDICAL CENTER

- 52) Update report regarding Kern Medical Center's financial condition (Fiscal Impact: None) - RECEIVED AND FILED

Patrick-Rubio: All Ayes

- 53) Proposed Organizational Structure for Kern Medical Center (Fiscal Impact: None) -

MOTION TO RECEIVE AND FILE

Patrick

MOTION WITHDRAWN

MOTION TO RECEIVE AND FILE WITH REVISION TO THE PROPOSED ORGANIZATIONAL STRUCTURE TO PROVIDE FOR DIRECT LINE AUTHORITY BY THE CHIEF MEDICAL OFFICER (CMO) OVER THE MEDICAL DEPARTMENTS

Rubio

MOTION DIED DUE TO LACK OF A SECOND

RECEIVED AND FILED; REFERRED TO KERN MEDICAL CENTER TO REPORT BACK AT THE NEXT JOINT CONFERENCE COMMITTEE MEETING REGARDING THE CMO'S AUTHORITY AND REPORT BACK TO THE BOARD, AND DIRECTED FUTURE ORGANIZATIONAL CHANGES BY KMC BE PRESENTED TO THE BOARD OF SUPERVISORS BEFORE IMPLEMENTATION

McQuiston-Maben: All Ayes

- *54) Notification of retroactive Agreement for Professional Services with Certus Corporation, an independent contractor, for consulting services to identify Medicaid eligible days and obtain additional Medicare disproportionate share reimbursement (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

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

Maben-Patrick: All Ayes

- *56) Proposed retroactive Request for Confirming Purchase Order for services and software licenses being provided by Datalink Corporation, an independent contractor, in the amount of \$19,838.71 (Fiscal Impact: \$19,838.71; KMC Enterprise Fund; Budgeted; Mandated) - AUTHORIZED PURCHASING TO ISSUE PURCHASE ORDER

Maben-Patrick: All Ayes

- *57) Proposed approval of Amendment No. 4 to Letter of Agreement with Health Net of California, Inc., an independent contractor, for health care services rendered to Health Net Medi-Cal Managed Care and Healthy Families members (Fiscal Impact: Confidential) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 714-2005

Maben-Patrick: All Ayes

- 58) Proposed retroactive Amendment No. 1 to Agreement 636-2004 with Daniel M. D'Amico, M.D., a contract employee, for orthopedic surgery services, to increase his annual compensation by \$50,000, from \$325,000 to \$375,000, with a maximum not to exceed amount of \$1,851,360 over the remaining five-year term of the Agreement, which runs from July 24, 2004 through July 23, 2010; to establish a cap on total core physician compensation; to clarify malpractice liability coverage; to reflect the KMC Faculty Practice Board requirement that all core physicians participate in a practice group; and to revise the job description to reflect current clinical assignments and incorporate medical record documentation requirements (Fiscal Impact: \$194,251; KMC Enterprise Fund; Budgeted; Mandated) -

WITHDRAWN

AUTHORIZED THE CEO OF KERN MEDICAL CENTER TO OFFER AN EXTENSION OF SIX (6) MONTHS ON EXISTING CONTRACT, AND TO COORDINATE WITH THE CAO AND COUNTY COUNSEL TO REVIEW FORM OF CONTRACTS AND COMPENSATION LEVELS

Patrick-Maben: All Ayes

- 59) Proposed retroactive Amendment No. 1 to Agreement 635-2004 with Donald V. Jagger, M.D., a contract employee, for orthopedic surgery services, to increase his annual compensation by \$75,000, from \$135,000 to \$210,000, with a maximum not to exceed amount of \$1,058,403 over the remaining five-year term of the Agreement, which runs from July 24, 2004 through July 23, 2010; to establish a cap on total core physician compensation; to clarify malpractice liability coverage; to reflect the KMC Faculty Practice Board requirement that all core physicians participate in a practice group; and to revise the job description to incorporate medical record documentation requirements (Fiscal Impact: \$291,376; KMC Enterprise Fund; Budgeted; Mandated) -

WITHDRAWN

AUTHORIZED THE CEO OF KERN MEDICAL CENTER TO OFFER AN EXTENSION OF SIX (6) MONTHS ON EXISTING CONTRACT, AND TO COORDINATE WITH THE CAO AND COUNTY COUNSEL TO REVIEW FORM OF CONTRACTS AND COMPENSATION LEVELS

Patrick-Maben: All Ayes

- 60) Proposed retroactive Amendment No. 1 to Agreement 634-2004 with Vahdatyar Amirpour, M.D., a contract employee, for orthopedic surgery services, to increase his annual compensation by \$53,000, from \$247,000 to \$300,000, with a maximum not to exceed amount of \$1,552,021 over the remaining five-year term of the Agreement, which runs from July 24, 2004 through July 23, 2010; to establish a cap on total core physician compensation; to clarify malpractice liability coverage; to reflect the KMC Faculty Practice Board requirement that all core physicians participate in a practice group; and to revise the job description to reflect current clinical assignments and incorporate medical record documentation requirements (Fiscal Impact: \$184,367; KMC Enterprise Fund; Budgeted; Mandated) -

WITHDRAWN

AUTHORIZED THE CEO OF KERN MEDICAL CENTER TO OFFER AN EXTENSION OF SIX (6) MONTHS ON EXISTING CONTRACT, AND TO COORDINATE WITH THE CAO AND COUNTY COUNSEL TO REVIEW FORM OF CONTRACTS AND COMPENSATION LEVELS

Patrick-Maben: All Ayes

- *61) Proposed retroactive Contract Supplement 1-GLJVO to Agreement 276-99 with McKesson Information Solutions LLC, an independent contractor, for hardware support of the interface engine Hewlett Packard server, effective July 1, 2005, with a not to exceed annual cost of \$9,926 (Fiscal Impact: \$9,926; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 715-2005

Maben-Patrick: All Ayes

- *62) Proposed Agreement for Professional Services with Clinica Sierra Vista, an independent contractor, for faculty call coverage and resident education in the Department of OB/GYN (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 716-2005

Maben-Patrick: All Ayes

- *63) Proposed Agreement for Professional Services with Daniel J. Burke, an independent contractor, for psychotherapeutic services to KMC patients and psychosocial training to resident physicians of KMC, from September 9, 2005 through September 8, 2008, in an amount not to exceed \$156,000 (Fiscal Impact: \$156,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 717-2005

Maben-Patrick: All Ayes

- *64) Proposed Agreement for Professional Services with Jaafar C. I. Zada, M.D., a contract employee, for psychiatric services, from September 26, 2005 through September 25, 2010, in an amount not to exceed \$983,000 (Fiscal Impact: \$983,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 718-2005

Maben-Patrick: All Ayes

- *65) Proposed Agreement for Professional Services with Valley Health Care Systems, Inc., an independent contractor, for temporary nurse staffing, from August 23, 2005 through August 22, 2007, in an amount not to exceed \$2,000,000 (Fiscal Impact: \$2,000,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 719-2005

Maben-Patrick: All Ayes

- *66) Proposed Agreement for Professional Services with Kenneth L. Kaylor, M.D., a contract employee, for orthopedic surgery services, from October 17, 2005 through October 16, 2010, in an amount not to exceed \$2,175,000 (Fiscal Impact: \$2,175,000; KMC Enterprise Fund; Budgeted; Mandated) -

WITHDRAWN

LIBRARY

- *67) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

MENTAL HEALTH SERVICES

- *68) Proposed Amendment No. 2 to Agreement 261-2005 with the State Department of Alcohol and Drug Program for alcohol and drug prevention services, from July 1, 2004 through June 30, 2008, to decrease funding for FY 2004-2005 from \$9,090,065 to an amount not to exceed \$8,666,153 (a decrease of \$423,912) (Fiscal Impact: \$423,912 decrease; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 720-2005

Maben-Patrick: All Ayes

- *69) Proposed Agreement with Dean Haddock, Licensed Marriage, Family & Child Counselor, dba Community Counseling and Psychological Services, for Hearing Officer services, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$7,000 (Fiscal Impact: \$7,000; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 721-2005

Maben-Patrick: All Ayes

- *70) Proposed Agreement with Connie Giannantonio, for Hearing Officer services, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$11,300 (Fiscal Impact: \$11,300; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 722-2005

Maben-Patrick: All Ayes

- *71) Proposed Agreement with Ray Yinger, for Hearing Officer services, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$14,340 (Fiscal Impact: \$14,340; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 723-2005

Maben-Patrick: All Ayes

- *72) Proposed Agreement with Carolyn Kellogg, for Hearing Officer services, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$8,000 (Fiscal Impact: \$8,000; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 724-2005

Maben-Patrick: All Ayes

- *73) Proposed Agreement with Jay Rider, for Hearing Officer services, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$8,000 (Fiscal Impact: \$8,000; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 725-2005

Maben-Patrick: All Ayes

- *74) Proposed Agreement with Gail Ezra-Cary, for Hearing Officer services, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$7,800 (Fiscal Impact: \$7,800; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 726-2005

Maben-Patrick: All Ayes

- *75) Proposed Agreement with Kern Community College District, for support and advocacy services for students with psychiatric disabilities matriculated at Bakersfield College, from August 23, 2005 through June 30, 2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 727-2005

Maben-Patrick: All Ayes

- *76) Proposed Agreement with William Marion, to provide Hearing Officer services, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$11,500 (Fiscal Impact: \$11,500; State Realignment; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 728-2005

Maben-Patrick: All Ayes

- *77) Proposed retroactive Agreement with California Department of Mental Health (State Agreement No. 05-75132-000), to provide funding for the Forensic Conditional Release Program (CONREP), from July 1, 2005 through June 30, 2006, in an amount not to exceed \$433,000 (Fiscal Impact: \$433,000; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 729-2005

Maben-Patrick: All Ayes

- *78) Proposed retroactive Agreement with California Department of Mental Health (State Agreement No. 05-75079-000), to provide medically necessary services to beneficiaries, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$8,022,281 (Fiscal Impact: \$8,022,281; State Funds; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 730-2005

Maben-Patrick: All Ayes

- *79) Proposed approval of an alternative payment process to fund or reimburse stakeholders for expenses incurred as a direct result of their participation in the community planning process for the Mental Health Services Act, from August 23, 2005 through June 30, 2006, in an amount not to exceed \$31,150 (Fiscal Impact: \$31,150; State MHSA funding; Mandated) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS PAYMENTS APPROVED BY DIRECTOR OR DESIGNEE

Maben-Patrick: All Ayes

- *80) Relief from accountability of patient accounts totaling \$22,804.72 (Fiscal Impact: \$22,804.72; Realignment) - APPROVED

Maben-Patrick: All Ayes

- *81) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

PARKS AND RECREATION DEPARTMENT

- *82) Proposed Agreement with Park Ranger Michael Pope, Dog Handler, for Transfer of Ownership of Parks and Recreation Department K-9, Connex (Fiscal Impact: \$1.00 revenue to County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 731-2005

Maben-Patrick: All Ayes

- 83) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Patrick: All Ayes

PERSONNEL

- 84) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Maben: All Ayes

- *85) Classification of positions recommended by the Civil Service Commission effective September 3, 2005 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Patrick: All Ayes

PROBATION

- *86) Department Performance Measures Report (Fiscal Impact: None)
- RECEIVED AND FILED

Maben-Patrick: All Ayes

- *87) Response to Board referral regarding establishing a program to track sex offenders on Probation via Global Positioning Satellite (GPS) (Fiscal Impact: Unknown) - RECEIVED AND FILED

Maben-Patrick: All Ayes

- *88) Proposed retroactive Agreement with California State University, Bakersfield, Applied Research Center, for evaluation services for programs, from July 1, 2005 to June 30, 2006, in an amount not to exceed \$60,000 (Fiscal Impact: \$60,000; State Allocation; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 732-2005

Maben-Patrick: All Ayes

- *89) Proposed retroactive Agreement with Kern County Superintendent of Schools for High Risk Youth Education and Public Safety Program, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$334,000 (Fiscal Impact: \$334,000 Revenue; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 733-2005

Maben-Patrick: All Ayes

PUBLIC DEFENDER

- *90) Department Performance Measures Report (Fiscal Impact: None)
- RECEIVED AND FILED

Maben-Patrick: All Ayes

PUBLIC HEALTH SERVICES

- *91) Proposed Amendment No. 1 to Agreement 1049-2004 with State Department of Health Services for the Housing Opportunities for Persons With AIDS program, an increase of \$32,742 for a total amount not to exceed \$1,077,282 (Fiscal Impact: \$32,742; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 734-2005

Maben-Patrick: All Ayes

- *92) Proposed Amendment No. 1 to Agreement 887-2004 with State Department of Health Services for the Ryan White CARE Act Title II program, an increase of \$313,688 for a total amount not to exceed \$1,066,034 (Fiscal Impact: \$313,688, Current Year \$156,844; Federal/State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 735-2005

Maben-Patrick: All Ayes

- *93) Request to accept funding from the California Department of Health Services, Tuberculosis Control Branch, for local assistance and \$19,000 in Food, Shelter, Incentives and Enablers Allotment for a total of \$227,696 for Fiscal Year 2005-2006 (Fiscal Impact \$227,696; Federal/State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN GRANT ACCEPTANCE AND RELATED DOCUMENTS

Maben-Patrick: All Ayes

- *94) Request to accept from the California Department of Health Services, Tobacco Control Section, \$180,608 for local assistance to support tobacco control activities for Fiscal Year 2005-2006 (Fiscal Impact \$180,608; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN GRANT ACCEPTANCE AND RELATED DOCUMENTS

Maben-Patrick: All Ayes

- *95) Proposed retroactive Agreement with Independent Living Center of Kern County for tenant-based rental assistance services to HIV-infected persons, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$51,693 (prior notification June 28, 2005) (Fiscal Impact: \$51,693; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 736-2005

Maben-Patrick: All Ayes

- *96) Proposed retroactive Agreement with Kern County Superintendent of Schools for professional services by the Child Care Health Consultancy Program, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$223,765 (prior notification June 28, 2005) (Fiscal Impact: \$223,765; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 737-2005

Maben-Patrick: All Ayes

- *97) Proposed retroactive Agreement with Community Action Partnership of Kern for HIV/AIDS Education and Prevention Program services, from July 1, 2005 to June 30, 2006, in an amount not to exceed \$32,436 (prior notification June 28, 2005) (Fiscal Impact: \$32,436; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 738-2005

Maben-Patrick: All Ayes

- *98) Proposed Agreement with American Fundware, Inc., for cost accounting and budget monitoring software and maintenance, from August 23, 2005 through August 23, 2006, in an amount not to exceed \$128,539 (Fiscal Impact: \$128,539; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 739-2005

Maben-Patrick: All Ayes

- *99) Department Performance Measures Report (Fiscal Impact: None)
- RECEIVED AND FILED

Maben-Patrick: All Ayes

RETIREMENT ASSOCIATION

- *100) Proposed Revised Elections Procedures with clarification on the eligibility of an Active Member to run for a position on KCERA Board of Retirement (Fiscal Impact: None) - APPROVED

Maben-Patrick: All Ayes

SHERIFF

- *101) Department Performance Measures Report (Fiscal Impact: None)
- RECEIVED AND FILED

Maben-Patrick: All Ayes

- *102) Request to employ retired County employee, Glenda Wigginton, as extra-help Office Services Technician, Range 45, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$13,824; Budgeted; Discretionary) - APPROVED

Maben-Patrick: All Ayes

- *103) Proposed sole source Agreement with NEC Technologies for the purchase and maintenance of equipment and services to upgrade the Automated Fingerprint Identification System (AFIS) - (Fiscal Impact: \$734,779.05; Sheriff's Cal ID Trust Fund 22127; Budgeted; Discretionary) -

WITHDRAWN

- *104) Proposed Annual Certification Report for property and funds received under the Federal Equitable Sharing Agreement for FY 2004-2005 (Fiscal Impact: None) -

WITHDRAWN

- *105) Application to hold a parade - Inyokern's 96th Birthday Celebration - Inyokern Chamber of Commerce on September 24, 2005, in Inyokern, 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

Maben-Patrick: All Ayes

- *106) Request for approval of retroactive unusual travel request for Sergeant Brian Wheeler and Deputy Dustin Downey to attend Training in Redstone Arsenal, Alabama, from August 21, 2005 to September 24, 2005, in an amount not to exceed \$7,553 each (Fiscal Impact: \$15,106; Budgeted; Discretionary) - APPROVED

Maben-Patrick: All Ayes

- *107) Unusual travel request for Deputies Abel Lombera and Jackie Rosso to attend training in San Diego, California, from September 18, 2005 to November 11, 2005, in an amount not to exceed \$11,692 each (Fiscal Impact: \$23,384; Budgeted; Discretionary) - APPROVED

Maben-Patrick: All Ayes

- 108) Proposed Agreement with the City of Arvin for Law Enforcement Services to provide one (1) full-time Sheriff Commander (Commander Craig Porter) to serve as Interim Police Chief for the City of Arvin, for a period of ninety (90) days at a rate of \$1,526.77 payable every two weeks - (Fiscal Impact: Approximately \$10,688 - off set by revenues; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 740-2005

Rubio-Maben: All Ayes

VETERANS' SERVICES

- 109) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Patrick: All Ayes

ADJOURNED TO CLOSED SESSION

Maben

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 110) Request for Closed Session re Meet and Confer, All Unions -
- 110A) Results of Closed Session re Meet and Confer, All Unions - CONTINUED TO TUESDAY, AUGUST 23, 2005 AT 2:00 P.M., ITEM 85
- Maben-Rubio: All Ayes**
- 111) Request for Closed Session re Performance Evaluation - Director, Resource Management Agency -
- 111A) Results of Closed Session re Performance Evaluation - Director, Resource Management Agency - CONTINUED TO TUESDAY, AUGUST 23, 2005 AT 2:00 P.M., ITEM 86

Maben-Rubio: All Ayes

COUNTY COUNSEL

- 112) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. S-1500-CV254074 RJA (Government Code Section 54945.9(a)) -
- 112A) Results of Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. S-1500-CV254074 RJA (Government Code Section 54945.9(a)) - CONTINUED TO TUESDAY, AUGUST 23, 2005 AT 2:00 P.M., ITEM 87

Maben-Rubio: All Ayes

- 113) Request for Closed Session regarding a claim/lawsuit entitled Steven L. Baer (Government Code Section 54945.9(a)) -
- 113A) Results of Closed Session regarding a claim/lawsuit entitled Steven L. Baer (Government Code Section 54945.9(a)) - CONTINUED TO TUESDAY, AUGUST 23, 2005 AT 2:00 P.M., ITEM 88

Maben-Rubio: All Ayes

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

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

Maben-Rubio

/s/ Denise Pennell
Clerk of the Board

/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 23, 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-Rubio: All Ayes

KERN SANITATION AUTHORITY

- #1) Proposed plans for sewer system improvements at the residential/commercial complex known as Comunidad 16 de Septiembre 1965, located on Washington Street south of California Avenue, Bakersfield area (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Patrick: All Ayes

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

Maben-Patrick: 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!
- NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 3) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - NO ONE HEARD

NOTE: ITEMS NO. 16 AND NO. 5 WERE HEARD OUT OF ORDER BEFORE ITEM NO. 4

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- 4) **Request from Kern County Planning Department for the adoption of South Beltway Transportation Corridor alignment located at Interstate 5 east, near Houghton Road, past Highway 99 to Oswell Street, then north near Muller Road, and east to connect to Highway 58 (approximately) (All SD's)**
Specific Request:

Amend the Circulation Element of the Metropolitan Bakersfield General Plan for a new location of the South Beltway Transportation Corridor alignment and adopt a Specific Plan Line describing the exact alignment as well as interchanges. The proposed project would establish the right-of-way that would be preserved for the future construction of an east-west transportation facility in the southern portion of the metropolitan Bakersfield area. The proposed project would accommodate the projected future growth in the vicinity, providing additional capacity in the area and a direct freeway link between State Route 58 in the east and Interstate 5 to the west and help maintain an adequate Level of Service for traffic movement for the metropolitan Bakersfield area (GPA #114, Map #500) (Environmental Impact Report; Published Bakersfield Californian) (from 6/14/2005) - OPENED HEARING; GEORGE GONZALES; BILL PUETTE, KLEIN, DENATALE, GOLDNER, REPRESENTING STULL FARMS; CHYRILL SANDRINI; RANDY ABBOTT, REPRESENTING GEORGE BORBA, BORBA DAIRIES; GRAHAM KAYE-EDDIE; AND DAN LAMB, HEARD IN OPPOSITION TO ALTERNATIVE I; MIKE RYDER HEARD IN SUPPORT OF ALTERNATIVE I; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, CERTIFIED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 ENVIRONMENTAL FINDINGS AND SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED REVISED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2005-340 APPROVING GENERAL PLAN AMENDMENT AND SPECIFIC PLAN LINE FOR ALTERNATIVE I; DIRECTED COUNTY STAFF TO CONDUCT FURTHER REVIEW OF RURAL PROPERTIES SOUTH OF TAFT HIGHWAY, REVIEW FLOOD ISSUES ON POSSIBLE EAST SIDE ALTERNATIVE ALIGNMENT, AND REVIEW FEASIBILITY OF EXTENDING THE ALIGNMENT FROM COMANCHE DRIVE TO HIGHWAY 178; RECEIVED AND FILED DOCUMENT SUBMITTED BY BILL PUETTE

Rubio-Maben: All Ayes

NOTE: ITEM NO. 5 WAS HEARD BEFORE ITEM NO. 4

HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- 5) **Request from Ronald Holcomb (original applicant - Bakersfield Lassen, LLC, by Quad Knopf) to appeal the decision of the Planning Commission approving Vesting Tentative Tract 6335 proposing to divide approximately 22 acres into 33 residential lots, four limited design variations, and a development variation to delete equestrian trails within the tract, located on the west side of Lassen Drive, approximately 500 feet north of Rosedale Highway, Bakersfield (SD #4)**

Specific Request:

An appeal to the decision of the Planning Commission approving Vesting Tentative Tract 6335 (Resolution 163-05; approved July 14, 2005) proposing to divide approximately 22 acres into 33 residential lots, four limited design variations, and a development variation to delete equestrian trails within the tract (TR #6335 [Appeal])

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; BECKY KAISER AND RON HOLCOMB HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED NEGATIVE DECLARATION; ADOPTED RESOLUTION 2005-341 DENYING THE APPEAL AND APPROVING VESTING TENTATIVE TRACT SUBJECT TO CONDITIONS; RECEIVED AND FILED DOCUMENTS

Patrick-Rubio: All Ayes

- *6) **Request from Barry Bender to change the permitted uses from residential to neighborhood commercial; to allow five (5) parking spaces where eight(8) parking spaces are required; and a convenience market on a 13,000-square-foot site, located at 900 Sterling Road, east Bakersfield (SD #5)**

Specific Request:

(a) A change in zone classification from R-1 to C-1 PD or a more restrictive district (ZCC #33, Map #103-26)

(b) A Zone Variance to allow five parking spaces, where eight parking spaces are required (Section 19.82.020), in a C-1 PD District; (ZV #45, Map #103-26)

(c) A Precise Development Plan for a convenience market in a C-1 PD District (PD Plan #12, Map #103-26)

(Categorically Exempt, Section 15303; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2005-342, 2005-343 AND 2005-344 AND ENACTED ORDINANCE G-7277 APPROVING ZONE CHANGE, APPROVING ZONE VARIANCE SUBJECT TO CONDITIONS, AND APPROVING PRECISE DEVELOPMENT PLAN SUBJECT TO CONDITIONS

Maben-Rubio: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #1

- *7) Proposed Williamson Act Land Use Contract No. 05-4 with Joe M. Bervel and Louis Bervel for 2005 Calendar Year, located one mile southeast of the intersection of Highway 43 and Highway 155, southwest of Delano, Agricultural Preserve No. 7, 200 acres (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Rubio: All Ayes

All S.D.'s

- *8) Annual confirmation of the boundaries of Agricultural Preserves (Fiscal Impact: None) - ADOPTED RESOLUTIONS 2005-345 THROUGH 2005-364 CONFIRMING THE BOUNDARIES OF EACH OF THE 20 AGRICULTURAL PRESERVES; DIRECTED CLERK OF THE BOARD TO RECORD; DIRECTED CLERK OF THE BOARD TO TRANSMIT A COPY OF EACH RESOLUTION AND MAP TO THE STATE OF CALIFORNIA, DIRECTOR OF THE DEPARTMENT OF CONSERVATION

Maben-Rubio: All Ayes

Miscellaneous

All S.D.'s

- *9) County Administrative Office and Planning Department Report on proposed expansion of the Sphere of Influence for the City of Bakersfield (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

- *10) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- *11) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #5

- 12) 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) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 741-2005

Rubio-Patrick: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #1

- *13) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at Sunset Street, Inyokern, APN 084-070-18, \$1,600 (Fiscal Impact: \$1,600; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-365 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Maben-Rubio: All Ayes

- 14) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at Pasadena Lane, Lake Isabella, APN 263-282-06, \$3,720 (Fiscal Impact: \$3,720; Budgeted; General Fund; Discretionary) - OPENED HEARING; LARRY MCGEE HEARD; CONTINUED TO TUESDAY, SEPTEMBER 27, 2005, AT 2:00 P.M.

McQuiston-Rubio: All Ayes

S.D. #2

- *15) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 8528 70th Street West, Rosamond, APN 345-142-25, \$7,932.50 (Fiscal Impact: \$7,932.50; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-366 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Maben-Rubio: All Ayes

NOTE: ITEM NO. 16 WAS HEARD OUT OF ORDER BEFORE ITEM NO. 4

S.D. #3

- 16) Proposed Resolution ordering the extension of Zone of Benefit No. 3 in County Service Area No. 17, determining to adopt and accept an Ordinance enacting an assessment for the area included within the boundaries herein, Tract Nos. 5655, 5884 and 5918, north of Pioneer Drive and east of Monica Street, east Bakersfield (Fiscal Impact: \$13,520; 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-7278 ESTABLISHING ASSESSMENT; ADOPTED RESOLUTION 2005-367 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$40 PER PARCEL FOR STREET SWEEPING; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING AN ASSESSMENT FOR THE AREA INCLUDED WITHIN THE BOUNDARIES HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NO. 3 IN COUNTY SERVICE AREA NO. 17

Patrick-McQuiston: All Ayes

S.D. #4

- *17) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 4232 Willow Trail, Frazier Park, APN 259-122-042, estimated cost \$6,500 (Fiscal Impact: \$6,500; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2005-368 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Maben-Rubio: All Ayes

- *18) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 216 Pico Street, Taft, APN 039-271-17, estimated cost \$6,500 (Fiscal Impact: \$6,500; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2005-369 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 60 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Maben-Rubio: All Ayes

- *19) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 312 Shattuck Avenue, Taft, APN 039-312-053, estimated cost \$6,500 (Fiscal Impact: \$6,500; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2005-370 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Maben-Rubio: All Ayes

- *20) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 714 S. 10th Street, Taft, APN 039-322-375, estimated cost \$6,500 (Fiscal Impact: \$6,500; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2005-371 DECLARING ABANDONED STRUCTURE(S) AND REAL PROPERTY A PUBLIC NUISANCE; DIRECTED ENGINEERING & SURVEY SERVICES TO POST AND MAIL NOTICE OF DETERMINATION PURSUANT TO ORDINANCE CODE 8.44.100; IF NUISANCES ARE NOT ABATED WITHIN 30 DAYS AFTER POSTING AND MAILING OF NOTICE OF DETERMINATION, AUTHORIZED ENGINEERING & SURVEY SERVICES TO USE ABATEMENT FUNDS TO AWARD BIDS FOR DEMOLITION AND REMOVAL AND TO PERFORM NECESSARY INSPECTIONS IN PERFORMANCE OF THE DEMOLITION CONTRACT

Maben-Rubio: All Ayes

S.D. #5

- *21) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 2211 Nelson Street, Bakersfield, APN 126-231-13, \$6,916.25 (Fiscal Impact: \$6,916.25; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2005-372 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Maben-Rubio: All Ayes

S.D. #1

- *22) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 5990, Phase 4, Lenox Homes, and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$1,587,564 TO \$158,756, FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING AUGUST 23, 2005; RELEASED FAITHFUL PERFORMANCE LETTER OF CREDIT NO. 09-03-010, IN THE AMOUNT OF \$1,587,564, AND RETURNED TO THE ISSUING INSTITUTION, BANK OF THE SIERRA; RECEIVED AND FILED AMENDED LETTER OF CREDIT NO. 09-03-010, ISSUED BY BANK OF THE SIERRA, IN THE AMOUNT OF \$158,756; ADOPTED RESOLUTION 2005-373 FOR ACCEPTANCE OF ROADS WITHIN TRACT 5990, PHASE 4, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Rubio: All Ayes

- *23) Request from North Country Meadows, Inc., to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6053, Phase 8, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *24) Request from North Country Meadows, Inc., to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6054, Phase 1, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *25) Request from Denela, LLC, to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6054, Phase 2, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *26) Request from Denela, LLC, to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6054, Phase 3, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *27) Request from Denela, LLC, to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6054, Phase 4, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *28) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6063, Phase 2, North Country Meadows; and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$297,605 TO \$29,760 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING AUGUST 23, 2005; REDUCED FAITHFUL PERFORMANCE BOND NO. 1886560, IN THE AMOUNT OF \$297,605, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$29,760; ADOPTED RESOLUTION 2005-374 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6063, PHASE 2, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Rubio: All Ayes

- *29) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of faithful performance security in Subdivision Improvement Agreement, Tract 6063, Phase 3, North Country Meadows; and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED THE EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$249,257 TO \$24,926 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING AUGUST 23, 2005; REDUCED FAITHFUL PERFORMANCE BOND NO. 1886561, IN THE AMOUNT OF \$249,257, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$24,926; ADOPTED RESOLUTION 2005-375 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6063, PHASE 3, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Rubio: All Ayes

- *30) Request from North Country Meadows, Inc., to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6138, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *31) Request from North Country Meadows, Inc., to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6142, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *32) Request from North Country Meadows, Inc., to approve Agreement Extending and Amending Subdivision Improvement Agreement, Tract 6171, Phase 1, extending time to complete required improvement work to Wednesday, August 23, 2006, and retaining existing improvement securities in full force and effect (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

S.D. #3

- *33) Request from Unicorn Properties, LLC, to approve Agreement Extending and Amending Subdivision Improvement Agreement, Parcel Map 10859, extending time to complete required improvement work to Sunday, December 11, 2005 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; RETURNED LETTER OF CREDIT NOS. 24-03-003 AND 24-03-004, DATED DECEMBER 12, 2003, TO THE ISSUING INSTITUTION, BANK OF THE SIERRA; RECEIVED AND FILED BANK OF THE SIERRA LETTER OF CREDIT NOS. 24-03-003 AND 24-03-004, DATED APRIL 28, 2005

Maben-Rubio: All Ayes

- *34) Purchasing Agent Contract, Plans, Specifications, and Notice to Contractors for Landscape Completion for Tract 5930, Phase 1 (Fiscal Impact: \$30,000 from Developer's Bond; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ENGINEERING & SURVEY SERVICES TO PREPARE NECESSARY REQUISITION AND GENERAL SERVICES TO SOLICIT BIDS

Maben-Rubio: All Ayes

S.D. #4

- *35) Request to approve final map for Tract No. 6027, Unit Two, west of Rudd Avenue on Sequoia Grove Avenue, western Rosedale, Type A Subdivision, SmithTech USA for Heath Road Partners, LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-376 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDER PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE), ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY TURNAROUND EASEMENT AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "B" IN TRACT 6027, UNIT ONE; APPROVED FINAL MAP; AUTHORIZED CLERK OF BOARD TO SIGN; APPROVED AGREEMENT EXTENDING SUBDIVISION IMPROVEMENT AGREEMENT TRACT 6027, UNIT ONE, AND AMENDMENT TO ALSO INCLUDE TRACT 6027, UNIT TWO; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED SEWAGE MONITORING EASEMENT; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Maben-Rubio: All Ayes

S.D. #5

- *36) Request to approve final map for Tract No. 6123, Unit A, south side Virginia Avenue, 1,320 feet west of Oswell Street, east Bakersfield, Type A Subdivision, Delmarter and Deifel for Marisol II Tract 6123, LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-377 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE), ACKNOWLEDGE ABANDONMENT OF TEMPORARY TURNAROUND EASEMENT RECORDED IN DOCUMENT NO. 0195097042 OFFICIAL RECORDS, AND RESTORATION OF INGRESS AND EGRESS ACROSS LOTS "C" AND "D" IN TRACT NO. 5469, UNIT A; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Maben-Rubio: All Ayes

- *37) Request to approve final map for Tract No. 6123, Unit B, south side Virginia Avenue, 1,320 feet west of Oswell Street, east Bakersfield, Type A Subdivision, Delmarter and Deifel for Marisol II Tract 6123, LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-378 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNERS WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDER PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE), ACKNOWLEDGE ABANDONMENT OF TEMPORARY TURNAROUND EASEMENT RECORDED IN DOCUMENT NO. 0195097043 OFFICIAL RECORDS, AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "E" IN TRACT NO. 5469, UNIT A; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Maben-Rubio: All Ayes

All S.D.'s

- *38) Performance Measures Report for Engineering & Survey Services Department, Building Inspection Division and Code Compliance Division (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- 39) Performance Measures Report for Environmental Health Services Department and Animal Control Services Division (Fiscal Impact: None) - SUSAN BENNETT HEARD; RECEIVED AND FILED

McQuiston-Rubio: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #3

- *40) Easement Deed and proposed Right-of-Way Contract with Juan Manuel Garcia for approximately 200 square feet of property required for the improvement of Pioneer Drive (Fiscal Impact: \$800; Road Fund; Budgeted; Discretionary) - APPROVED; ACCEPTED DEED; DIRECTED CLERK OF THE BOARD TO RECORD; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 742-2005; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT IN AN AMOUNT NOT TO EXCEED \$800

Maben-Rubio: All Ayes

S.D. #4

- *41) Proposed Resolution to accept a portion of an Offer of Dedication, declaration as public highway and incorporation into County Road System as a portion of Meacham Road (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-379; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Rubio: All Ayes

- *42) Contract No. 05021, Plans Specifications and Notice to Contractors for construction of Buttonwillow Pedestrian Project (Fiscal Impact: \$250,000; Transportation Enhancement Act Grant; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY 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 21, 2005, AT 11:00 A.M.

Maben-Rubio: All Ayes

S.D. #5

- *43) Proposed Agreement with the City of Arvin for adjustment of utility facilities on Comanche Drive (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 743-2005

Maben-Rubio: All Ayes

S.D.'s #1 & #4

- *44) Contract No. 05019, Plans, Specifications and Notice to Contractors for construction on Lerdo Highway from State Route 99 to State Route 65 and on Seventh Standard Road from Rowlee Road to Wasco Avenue (Fiscal Impact: \$1,386,455; CMAQ Funds; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY 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 21, 2005, AT 11:00 A.M.

Maben-Rubio: All Ayes

All S.D.'s

- *45) Proposed sponsorship of Kern Transportation Foundation's Forum 2005, "Transportation Issues in Kern County", in an amount not to exceed \$500 (Fiscal Impact: \$500; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

Maben-Rubio: All Ayes

- *46) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

- *47) Department Performance Measures Report for Kern Regional Transit (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

- *48) Request to employ retired County employee, W. C. Stampes, as a Road Maintenance Worker III, 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: \$25,000; Road Fund; Budgeted; Discretionary) - APPROVED

Maben-Rubio: All Ayes

- *49) Report regarding contract change orders (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

WASTE MANAGEMENT

S.D. #1

- *50) Report concerning Franchise Hauler Compliance Review for Thomas Refuse Service (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

S.D.'s #1 & #4

- *51) Report concerning Franchise Hauler Compliance Review for South Tulare-Richgrove Refuse (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

All S.D.'s

- *52) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *53) Proposed response to Grand Jury final reports on Camp Erwin Owen and Fire Department Arson Unit (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

Maben-Rubio: All Ayes

- *54) Proposed response to Grand Jury final reports on Cities of Bakersfield, California City and Ridgecrest (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

Maben-Rubio: All Ayes

- 55) Proposed response to Grand Jury final report on Parks and Recreation Department (Fiscal Impact: None) - CHUCK WAIDE, CENTRAL CALIFORNIA ASSOCIATION OF PUBLIC EMPLOYEES (CCAPE), HEARD; REFERRED BACK TO COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL FOR FURTHER REVIEW AND REPORT BACK TO THE BOARD

McQuiston-Maben: All Ayes

- *56) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 483, Local Agency Formation Commission (LAFCO) Proceeding No. 1427 (Fiscal Impact: Fiscal Year 2006-2007 \$242; General Fund; Discretionary) - ADOPTED RESOLUTION 2005-380 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT OF CITY OF BAKERSFIELD COMMENCING FY 2006-2007 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Maben-Rubio: All Ayes

- *57) Transfer of property tax entitlement related to City of Wasco Annexation No. 35, Local Agency Formation Commission (LAFCO) Proceeding No. 1413 (Fiscal Impact: Fiscal Year 2006-2007 \$5,630; General Fund; Discretionary) - ADOPTED RESOLUTION 2005-381 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT OF CITY OF BAKERSFIELD COMMENCING FY 2006-2007 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Maben-Rubio: All Ayes

- *58) Proposed Citizen Academy Program (Fiscal Impact: None) - APPROVED

Maben-Rubio: All Ayes

- *59) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Rubio: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *60) Proposed Agreement for Sublease with Clinica Sierra Vista to place staff in the Employers' Training Resource Career Services' Center at 1816 Cecil Avenue, Delano, to offer counseling for One-Stop clients; term of 3 years, concurrent with Master Lease term of Agreement 758-2000 (Fiscal Impact: \$6,400 Annual Revenue to Employers' Training Resource; 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 744-2005

Maben-Rubio: All Ayes

- *61) Plans and Specifications for Lake Isabella Senior Center Parking Lot Sealing (8920.28041B) (Fiscal Impact: \$109,900; Community Development Block Grant Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Maben-Rubio: All Ayes

S.D. #2

- *62) Proposed Amendment No. 1 to Agreement 1005-2004 with Martin & HBL for structural engineering services at the Rosamond Fire Station No. 15, an increase of \$1,000, for a new total of \$26,000 (8235.8365) (Fiscal Impact: \$1,000; Tobacco Secured Proceeds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 745-2005

Maben-Rubio: All Ayes

- *63) Change Order No. 1 for the Rosamond Fire Station No. 15, an increase of \$146,680, for a new total of \$2,304,680 (8235.8365) (Fiscal Impact: \$146,680; Tobacco Secured Proceeds Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

S.D. #3

- *64) Report on evaluation of RFP for gift shop concession at Meadows Field and request for authorization to negotiate a lease with Omni Goods (Fiscal Impact: None) - APPROVED

Maben-Rubio: All Ayes

- *65) Proposed Amendment No. 1 to Agreement 533-2005 with John A. Martin & Associates for structural engineering services for the International Airlines Terminal, an increase of \$6,500, for a new total of \$26,000 (8994.8422) (Fiscal Impact: \$6,500; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 746-2005

Maben-Rubio: All Ayes

- *66) Plans and Specifications for Panorama Park Irrigation & Landscaping Phase II (1960.8245A) (Fiscal Impact: \$612,100; Proposition 12 State Bond Act; 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, SEPTEMBER 22, 2005, AT 11:00 A.M.

Maben-Rubio: All Ayes

- *67) Change Order No. 1 for the Airport Terminal Flight Information and Audio Paging Systems, an increase of \$5,140, for a new total of \$400,348 (8215.8416) (Fiscal Impact: \$5,140; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

- *68) Change Order No. 3 for new airport terminal signal security systems at Meadows Field, an increase of \$9,896, for a new total of \$482,823.29; and proposed Resolution to dispense with bidding requirements for change orders in excess of 10 percent of the contract amount (8215.8416) (Fiscal Impact: \$9,896; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-382; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

S.D. #4

- *69) Plans and Specifications for Lake Evans East Parking Lot Sealing (1960.8163) (Fiscal Impact: \$47,400; Parkland Grant; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Maben-Rubio: All Ayes

- *70) Proposed transfer of title to the State of California and proposed Right-of-Way Contract with the State Department of Transportation for construction of road improvements at the intersection of Highway 46 and Lost Hills Road (Fiscal Impact: \$500 Revenue; General 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 GRANT DEED AND AGREEMENT 747-2005

Maben-Rubio: All Ayes

S.D. #5

- *71) Proposed Agreement for Lease with C D & D Investments for 10215 Stobaugh Street, Lamont, for Department of Human Services offices, from September 2, 2005 through August 31, 2013, for \$13,864 per month the first year (Fiscal Impact: \$15,278 Monthly Rent; State and Federally Funded; 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 748-2005

Maben-Rubio: All Ayes

- *72) Request to set hearing for granting of pipeline franchise to Kern Ridge Growers (Fiscal Impact: \$1,200 Revenue; General Fund; Not Budgeted; Discretionary) - ADOPTED RESOLUTION 2005-383 SETTING HEARING FOR TUESDAY, SEPTEMBER 20, 2005, AT 2:00 P.M.; DIRECTED CLERK OF BOARD TO PUBLISH NOTICE

Maben-Rubio: All Ayes

- *73) Change Order No. 2 for the Public Services Building Reroof, an increase of \$9,610, for a new total of \$405,722 (1650.7027) (Fiscal Impact: \$9,610; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Rubio: All Ayes

S.D.'s #1, #2, #3 & #4

- *74) Change Order No. 6 for the Communications Towers & Site Improvements, Phase II, a decrease of \$18,788, for a new total of \$287,585 (8235.8361A) (Fiscal Impact: None; Tobacco Proceeds Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN
Maben-Rubio: All Ayes

All S.D.'s

- *75) Proposed Agreement with Kern County Air Pollution Control District for Department of Motor Vehicles Project Grant No. 03-100-2005 to purchase a hybrid vehicle, in an amount not to exceed \$24,000 (Fiscal Impact: \$24,000; APCD Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 749-2005; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$24,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$24,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 8950
Maben-Rubio: All Ayes

- *76) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED
Maben-Rubio: All Ayes

- *77) Proposed project listing update for all Job Order Contracts (Various Projects) (Fiscal Impact: None) - APPROVED
Maben-Rubio: All Ayes

COUNTY ADMINISTRATIVE OFFICE
Information Technology Services

- *78) Department Performance Measures Report (Fiscal Impact: None) - RECEIVED AND FILED
Maben-Rubio: All Ayes

- *79) Proposed Memorandum of Understanding with the California Department of Highway Patrol, Bakersfield area, for license access to Kern County's Criminal Justice Information System (CJIS), in an amount not to exceed \$2,040 annually (Fiscal Impact: \$1,700 Revenue for 10 months in Fiscal Year 2005-2006; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 750-2005
Maben-Rubio: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *80) Budget Transfers - APPROVED NO. 1 AND NO. 2
Maben-Rubio: All Ayes
- *81) Minutes for week of June 27, 2005 - APPROVED
Maben-Rubio: All Ayes
- *82) Miscellaneous Letters and Documents - APPROVED
Maben-Rubio: All Ayes

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

Maben-Rubio: All Ayes

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

Maben-Rubio: All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 85) Request for Closed Session to Meet and Confer, All Unions (from 9:00 a.m., Item No. 110) -
- 86) Request for Closed Session re Performance Evaluation - Director, Resource Management Agency (from 9:00 a.m., Item No. 111) -

COUNTY COUNSEL

- 87) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al, KCSC Case No. S-1500-CV254074 RJA (Government Code Section 54945.9(a)) (from 9:00 a.m., Item No. 112) -
- 88) Request for Closed Session regarding a claim/lawsuit entitled Steven L. Baer (Government Code Section 54945.9(a)) (from 9:00 a.m., Item No. 113) -

(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 9:00 a.m. session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; ADJOURNED TO TUESDAY, AUGUST 30, 2005, AT 9:00 A.M.

Maben-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.

82) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report of Child Abduction and Recovery Program for period July 1, 1999 through June 30, 2002
- B) Audit report of Handicapped and Disabled Students Program for period July 1, 2000 through June 30, 2002

Clerk of the Board

- C) Received, certified and transmitted to Recorder for recordation as follows:
 - 1) Tract Map 6169, Unit 2 S.D. #4
 - 2) Tract Map 6196, Unit 2 S.D. #4
 - 3) Tract Map 6250, Unit 4 S.D. #4
 - 4) Tract Map 6303, Phase 1 S.D. #4
 - 5) Tract Map 6303, Phase 2 S.D. #4
 - 6) Tract Map 6303, Phase 3 S.D. 4
 - 7) Tract Map 6303, Phase 4 S.D. #4
 - 8) Parcel Map 10450 S.D. #2
 - 9) Parcel Map 11111 S.D. #1
 - 10) Parcel Map 11114 S.D. #5
 - 11) Parcel Map 11115 S.D. #5
 - 12) Parcel Map 11128 S.D. #2

Employers' Training Resource

- D) Workforce Investment Act On-the-Job Training Agreement with Larry M. Cho, M.D., Inc., dba The Industrial Medical Group, WIA Title 201, dated July 25, 2005
- E) Modification No. 7 to WIA Subgrant Agreement R588725 with the State of California Employment Development Department to add the third and final increment of WIA 15% NWI funding into grant code 638
- F) Modification No. 18 to WIA Subgrant Agreement R485279 with the State of California Employment Development Department to extend the term end date of the WIA 15% NWI funding in grant code 638 through September 30, 2005
- G) Modification No. 1 to WIA Subgrant Agreement R692476 with the State of California Employment Development Department to add remaining youth and adult and dislocated worker formula funding for FY 2005-2006

Engineering & Survey Services

- H) Received, prepared and transmitted to Recorder for recordation a Consent to Recordation of an Irrevocable Offer of Dedication from Torabi Family Trust Inter Vivos Trust, for a drainage easement, Parcel Map No. 10665

Environmental Health

- I) Six (6) thank you letters to individuals for donations to the Bakersfield Animal Care Center and the Mojave Animal Shelter (Copies to each Supervisor and CAO)

Library

- J) California State Library LSCA Final Narrative Report for "Live Homework Help Program"
- K) California State Library LSCA Final Narrative Report for "Global Language Materials Grant Program"

Local Agency Formation Commission

- L) Resolution No. 05-22, Proceeding No. 1416, in the matter of the Lamont Public Utility District, Annexation No. 26 (Copies to each Supervisor and CAO)
- M) Resolution No. 05-23, Proceeding No. 1422, in the matter of the Lost Hills Utility District, Annexation No. 9 (Copies to each Supervisor and CAO)
- N) Proceeding No. 1418, Notice of Hearing, in the matter of County Service Area No. 81, Annexation No. 2 (Copies to each Supervisor and CAO)
- O) Letter from Virginia Gennaro, City of Bakersfield, re Old River No. 2, Annexation No. 483, LAFCO Proceeding No. 1427 (Copies to each Supervisor and CAO)

Roads

- P) Received, prepared and transmitted to Recorder for recordation, a Consent to Recordation of an Irrevocable Offer of Dedication from Roy D. Mason for additional right-of-way at 538 Willow Drive, Bakersfield, as required for Encroachment Permit No. 0913-05
- Q) Received, prepared and transmitted to Recorder for recordation, a Consent to Recordation of an Irrevocable Offer of Dedication from John and Ruth Ann Basham for additional right-of-way on Niles Street, Bakersfield, required for Conditional Use Permit No. 83, Map No. 103-26
- R) Received, prepared and transmitted to Recorder for recordation, a Consent to Recordation of an Irrevocable Offer of Dedication from Southern Kern Unified School District for additional right-of-way on Holiday Avenue, Rosamond, required for Encroachment Permit No. 0884-05

Treasurer-Tax Collector

- S) Pooled Cash Portfolio Analysis for month ended July 2005

Miscellaneous

- T) Letter from Al Wright, State Department of Fish and Game, Wildlife Conservation Board, re proposed acquisition of land for habitat protection and preservation, Canebrake Ecological Reserve (Scodie Canyon Unit) (Copies to each Supervisor, CAO, Planning, Engineering & Survey Services and Resource Management Agency)
- U) Letter from Al Wright, State Department of Fish and Game, Wildlife Conservation Board, re proposed acquisition of land for preservation and enhancement of wildlife habitat, Walker Basin (Copies to each Supervisor, CAO, Planning, Engineering & Survey Services and Resource Management Agency)

- V) Letter from Lynne McGarity, ADHOC Airport Committee, re request for Environmental Impact Report and/or Environmental Impact Statement for proposed Kernville Airport Project (Copies to each Supervisor, CAO, Planning and Airports)
- W) Letter from Robert H. Freilich, Paul, Hastings, Janofsky & Walker, LLP, re preparation of Environmental Impact Reports by the County or by the applicant (Copies to each Supervisor, CAO, Planning, Resource Management Agency and County Counsel)
- X) Letter from Marilyn L. Mettler, Antelope Valley - East Kern Water Agency (AVEK) re Resolution No. R-05-06 concerning 2005-2006 tax levies in Los Angeles, Kern and Ventura Counties (Copies to each Supervisor, CAO, Auditor-Controller-County Clerk, Treasurer-Tax Collector and County Counsel)
- Y) Letter from James D. Movius, City of Bakersfield, re preliminary site plan for the Bakersfield State Vehicular Recreation Area (Copies to each Supervisor, CAO and Planning)
- Z) Letter from Dennis J. O'Bryant, State Department of Conservation, Division of Land Resource Protection, re public agency acquisition of land enrolled in a Williamson Act Contract, Kern Delta Water District, Groundwater Banking Project (Copies to each Supervisor, CAO, Planning and County Counsel)
- AA) Letter from Gloria D. Brown, U.S. Department of Agriculture, Forest Service, Los Padres National Forest, re future oil and gas leasing within Los Padres National Forest (Copies to each Supervisor, CAO, Resource Management Agency, Planning and County Counsel)
- BB) Letter from Flora Walker, United Domestic Workers of America (UDWA), re AFL-CIO Article 20 decision concerning bargaining representatives for UDWA (Copies to each Supervisor, CAO and County Counsel)
- CC) Two (2) letters from Nancy Colunga re inmate health and safety conditions at Lerdo facility (Copies to each Supervisor, CAO, Sheriff and County Counsel)
- DD) Letter from Luis Camacho, State Department of Health Services, re Fiscal Year 2004-2005 California Healthcare for Indigents Program (CHIP) Description of Proposed Expenditures (Copies to each Supervisor and CAO)
- EE) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, July 21, 2005, on Tejon Highway, north of Mountain View Road (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- FF) Letter from R. E. Clements, California Highway Patrol, re Hazardous Materials Incident Report on Wednesday, June 29, 2005, on North Chester Avenue at Manor Street (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)

- GG) Letter from Douglas Campbell re licensing cats (Copies to each Supervisor, CAO, Environmental Health-Animal Control and Resource Management Agency)
- HH) Letter from John B. Linford in support of Citygate audit report and Board's endorsement of the audit and recommendations (Copies to each Supervisor, CAO, Environmental Health, Resource Management Agency and Animal Control)
- II) Letter from Larry E. Reider, Kern County Superintendent of Schools, in support of Bakersfield Museum of Art funding for the Art Smart and Museum on the Move programs (Copies to each Supervisor and CAO)
- JJ) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re Federal Emergency Management Agency's decision to not include Individual Assistance (IA) under major disaster declaration (Copies to each Supervisor, CAO, Fire, Emergency Services and County Counsel)
- KK) Letter from Henry R. Renteria, Governor's Office of Emergency Services re grant of a Secretarial disaster designation for the counties of Fresno, Kern, Madera, Merced and Tulare, and the contiguous counties of Inyo, Kings, Los Angeles, Mariposa, Mono, Monterey, San Benito, San Bernardino, San Luis Obispo, Santa Barbara, Santa Clara, Stanislaus, Tuolumne and Ventura due to agriculture losses caused by rain and hailstorms occurring from April 28, 2005 through May 9, 2005 (Copies to each Supervisor, CAO, Emergency Services, Fire, Agricultural Commissioner and County Counsel)
- LL) Letter from Daniel N. Raytis, McMurtrey, Hartsock & Worth, re response to comments for Kern Delta Water District land acquisition (Copies to each Supervisor, CAO, Planning, Assessor-Recorder and County Counsel)
- MM) Letter from Terry Mack Swisher re safety concerns North of the River (Copies to each Supervisor, CAO, Sheriff and County Counsel)
- NN) E-mail from Deirdre Pride re using San Luis Obispo Animal Control as a model for Kern County (Copies to each Supervisor, CAO, Environmental Health Services - Animal Control, and County Counsel)
- OO) E-mail from Lloyd Wiens re County selecting consultants for Environmental Impact Report preparation (Copies to each Supervisor, CAO, Planning and County Counsel)
- PP) Memorandum from San Joaquin Valley Air Pollution Control District re Citizens Advisory Committee (CAC) Attendance Record for meeting of Tuesday, August 2, 2005 (Copies to each Supervisor, CAO and Clerk of the Board)
- QQ) News Release from Los Padres National Forest re open houses scheduled to highlight changes in Adventure Pass Program (Copies to each Supervisor and CAO)

- RR) Notices from the State Department of Alcoholic Beverage Control re applications for Alcoholic Beverage Licenses from: Tehachapi Minute Serve Dairy, Inc., 20521 State Highway 202, Tehachapi; Dollar & More, 431 Roberts Lane, Bakersfield; Wooddale Market, 250 So. Stine Road, Bakersfield; Sounanas Inyokern Chevron, 6260 Highway 178, Inyokern; Vallarta Mexican Grill, 1011 Columbus Street, Bakersfield; The Homestead, 2409 No. Highway 14, Inyokern; Smith's Corner Market, 18487 So. Shafter Avenue, Shafter; Short Stop Shopping Center, 10000 Main Street, Lamont (Copies to each Supervisor, CAO and Planning)
- SS) Notices from State Department of Alcoholic Beverage Control re applications for Daily Licenses from: Bakersfield Community Theater on Sunday, August 21, 2005, and Friday, September 9, 2005 (Copies to each Supervisor, CAO and Planning)
- TT) Agenda of meeting from Kern County Child Care Council on Wednesday, August 3, 2005
- UU) Agenda of meeting from State Department of Fish and Game, Wildlife Conservation Board, on Thursday, August 25, 2005 (Copies to each Supervisor and CAO)
- 83) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Resolution No. 1 from Beardsley Elementary School District ordering an election to authorize issuance of school bonds - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor and CAO)
- B) Letter from Nancy Colunga re complaint concerning mail at the Lerdo facility - REFERRED TO SHERIFF (Copies to each Supervisor, CAO and County Counsel)
- C) Letter from John R. Smith re lawsuit Kern County vs. Sparks - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor and CAO)
- D) Letter from Mona D. Hebert, ConocoPhillips, re transfer of Union Pipeline Company into ConocoPhillips Pipe Line Company - REFERRED TO GENERAL SERVICES (Copies to each Supervisor, CAO and County Counsel)
- E) Inmate Grievance Form from H-Pod Group Grievance related to prisoners held in custody for the Bureau of Federal Prisons - REFERRED TO SHERIFF (Copies to each Supervisor, CAO and County Counsel)
- 84) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Milagros Medina vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Daniel Robert Owens vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- C) Claim in the matter of Lionel Davis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Laura A. Mariotti vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Michael Maughan vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Bradford McArthur vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Wayne Alan Harr vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Beverly Neal vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Doris M. Walters vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Woodrow Wilson Jones vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Mary Turner vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Mimi Wollitz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of Tabatha Pictou, a minor, by and through her mother and Guardian ad Litem, Sara Pictou vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Nidia Abonce vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Claim in the matter of Marsha Jo Wiswall vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Claim in the matter of Daniel R. Bray vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Claim in the matter of Gabriel Echavarria vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Claim in the matter of Dawn D. Estre vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Claim in the matter of Brian Corman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Claim in the matter of Cheryl L. Kelley vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- U) Claim in the matter of Elizabeth Escobar vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- V) Claim in the matter of Luis G. Gaurano vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- W) Claim in the matter of Patty Brown vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- X) Claim in the matter of Scot Hine vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Y) Claim in the matter of Guadalupe Mendez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Z) Claim in the matter of Guadalupe Mendez (re-notice) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- AA) Subrogation claim in the matter of Laurie F. Scott by Geico General Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- BB) Subrogation claim in the matter of Luthemy Ruffin by Hagerty Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- CC) Subrogation claim in the matter of Tobias Polanco Peraza by Sutter Insurance Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- DD) Summons and complaint in the matter of Ray Torres vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- EE) Summons and complaint in the matter of Kern Delta Water District vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)