

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, September 6, 2005

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

NOTE: The vote is displayed in bold below each item. For example, Patrick-Maben denotes Supervisor Patrick made the motion and Supervisor Maben seconded the motion.

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

BOARD ACTION SHOWN IN CAPS

#### RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming September 12-16, 2005 as Attendance Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DARYL THIESEN, KERN COUNTY SUPERINTENDENT OF SCHOOLS; DARYL THIESEN HEARD  
**Patrick-McQuiston: All Ayes**
- 2) Proclamation proclaiming September 2005 as Recovery Happens Month in Kern County - PROCLAIMED; MADE PRESENTATION TO DIANE KODITEK, DIRECTOR, MENTAL HEALTH SERVICES; DIANE KODITEK, ANN KELLEY, 98.5 FOX RADIO, BILL KINNETT, EXECUTIVE DIRECTOR, STEPS PROGRAM, AND MARK ANGELOS, HEARD  
**Maben-Patrick: All Ayes**
- 3) Proclamation proclaiming September 21 - October 2, 2005 as Kern County Fair Days - PROCLAIMED; MADE PRESENTATION TO WILLIAM BLAIR, CHIEF EXECUTIVE OFFICER, KERN COUNTY FAIR; WILLIAM BLAIR HEARD  
**Rubio-Maben: All Ayes**

PUBLIC REQUESTS

- \*4) Request from Thomas J. Corson, Executive Director, Kern County Network for Children, for approval of Kern County's Child Abuse Prevention, Intervention and Treatment (CAPIT); Children's Trust Fund (TRUST); Community Based Child Abuse Prevention (CBCAP); and promoting Safe and Stable Families (PSSF) FY 2005-2008 Plan (Fiscal Impact: \$1,461,513; \$1,010,168 PSSF Federal Funds; \$254,369 CAPIT State and Federal; \$160,000 Local Trust Funds; \$36,976 CBCAP Federal Funds; Mandated) - APPROVED NOTICE OF INTENT TO CONTRACT FOR SERVICES; AUTHORIZED CHAIRMAN TO SIGN; ADOPTED RESOLUTION 2005-390  
**Patrick-Maben: All Ayes**

APPOINTMENTS

- \*5) Appointment of Kathryn R. Leathers as Fifth District Consumer Member to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2007 - MADE APPOINTMENT  
**Patrick-Maben: All Ayes**
- \*6) Appointment of Gurujodha Singh Khalsa as Fifth District Member to the Human Relations Commission, term to expire January 8, 2007 - MADE APPOINTMENT  
**Patrick-Maben: All Ayes**
- \*7) Appointment of Regina Renteria as Fifth District Member to the Commission on Aging, term to expire June 17, 2007 - MADE APPOINTMENT  
**Patrick-Maben: All Ayes**
- \*8) Reappointment of Edward Scott Swenson as Third District Member to the Kern County AIDS Advisory Board, term to expire August 16, 2008 - MADE REAPPOINTMENT  
**Patrick-Maben: All Ayes**

PUBLIC PRESENTATIONS

- 9) 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

- 10) 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]) -

CHAIRMAN WATSON RECOGNIZED KERN COUNTY FIRE CHIEF DENNIS THOMPSON, OFFICE OF EMERGENCY SERVICES MANAGER GEORGIANNA ARMSTRONG, AND RED CROSS EXECUTIVE DIRECTOR RICHARD TEMPLE, WHO ARE INVOLVED IN THE RELIEF EFFORT ALONG THE GULF COAST AS A RESULT OF HURRICANE KATRINA

CHIEF THOMPSON, GEORGIANNA ARMSTRONG, AND RICHARD TEMPLE BRIEFED THE BOARD ON LOCAL, STATE AND FEDERAL EFFORTS TO DATE. COUNTY ADMINISTRATIVE OFFICER RON ERREA WILL COORDINATE A MEETING OF THE EMERGENCY SERVICES COUNCIL THIS WEEK AND WILL REPORT BACK TO THE BOARD NEXT TUESDAY

REFERRED TO THE EMERGENCY SERVICES COUNCIL TO REPORT BACK TO THE BOARD WITH AN ASSESSMENT OF THE EXISTING EMERGENCY PREPAREDNESS PLAN, IMPLEMENTATION PLAN FOR ALL COMMUNITIES IN KERN COUNTY, AND AN EVALUATION OF THE CURRENT EMERGENCY SERVICES SITE LOCATION WITH OPTIONS TO UPGRADE AND EXPAND THE FACILITY

**Rubio-McQuiston: All Ayes**

THE CHAIRMAN ALSO REPORTED ON THE PRESIDENTIAL DECLARATION TO FLY FLAGS AT HALF STAFF IN RECOGNITION OF THE DISASTER ALONG THE GULF COAST AND TO RECOGNIZE THE PASSING OF SUPREME COURT CHIEF JUSTICE WILLIAM REHNQUIST

DEPARTMENTAL REQUESTS

ASSESSOR-RECORDER

- \*11) Proposed addition of two (2) Appraisal Assistant positions and concurrent deletion of two (2) Appraiser I/II/III positions in Budget Unit 1130, and addition of one (1) Appraisal Assistant position and concurrent deletion of one (1) Auditor-Appraiser I/II/III position in Budget Unit 1140, effective September 17, 2005 (Fiscal Impact: Savings of \$15,708 Annually; General Fund; Budgeted; Discretionary; and Savings of \$12,409 Annually; State Grant; Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Patrick-Maben: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- 12) Request for authorization to apply for Governor's 15 Percent Discretionary Funds for industries with statewide need - Nursing shortage in healthcare (Fiscal Impact: \$800,000; State Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED ETR AS FISCAL AGENT FOR RECEIPT OF GRANT FUNDS; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED GRANT DOCUMENTS

**Patrick-Rubio: All Ayes**

- \*13) Proposed Amendment No. 2 to Agreement 1013-2004 with La Cooperativa Campesina de California for the Agricultural Dislocated Worker Program to extend the term through June 30, 2006, and increase the amount by \$145,355 for a total amount not to exceed \$381,127 (Fiscal Impact: \$145,355; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 777-2005

**Patrick-Maben: All Ayes**

- \*14) Proposed retroactive Subgrant Agreement with the Delano Joint Union High School District to provide services for youth, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$119,350 (prior notification June 21, 2005) (Fiscal Impact: \$119,350; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 778-2005

**Patrick-Maben: All Ayes**

- \*15) Proposed retroactive Subgrant Agreement with Goodwill Industries of South Central California to provide training to eligible participants, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$94,375 (prior notification June 21, 2005) (Fiscal Impact: \$94,375; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 779-2005

**Patrick-Maben: All Ayes**

- \*16) Proposed retroactive Subgrant Agreement with Kern Community College District to provide training to eligible participants, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$674,333 (prior notification June 21, 2005) (Fiscal Impact: \$674,333; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 780-2005

**Patrick-Maben: All Ayes**

MENTAL HEALTH SERVICES

- \*17) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention of mentally disordered individuals per Welfare and Institutions Code, Section 5150 (Fiscal Impact: None) - APPROVED

**Patrick-Maben: All Ayes**

PERSONNEL

- \*18) Proposed annual Resolution establishing the authorized departmental positions by classification and salary range for Fiscal Year 2005-2006, as of August 18, 2005 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-391

**Patrick-Maben: All Ayes**

PUBLIC HEALTH SERVICES

- \*19) Proposed Interagency Agreement between the Special Education Local Plan Areas (SELPA) of Kern County and California Children Services of Kern County for providing guidelines and standards, effective September 8, 2005, in an amount not to exceed \$246,966 (Fiscal Impact: \$246,966; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 781-2005; AUTHORIZED DIRECTOR OF PUBLIC HEALTH SERVICES TO SIGN RELATED DOCUMENTS  
**Patrick-Maben: All Ayes**

SHERIFF

- \*20) Proposed sole source Agreements with NEC Solutions (America), Inc., for the purchase and maintenance of equipment and services to upgrade the Automated Fingerprint Identification System (AFIS) in an amount not to exceed \$734,779.05 (Fiscal Impact: \$734,779.05; Trust Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 782-2005 AND 783-2005  
**Patrick-Maben: All Ayes**
- \*21) Request for approval of payment for invoice from Rappe's Janitorial in the amount of \$1,600 for confirming order (Fiscal Impact: \$1,600; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE PAYMENT THROUGH THE CLAIM FOR PAYMENT PROCESS  
**Patrick-Maben: All Ayes**
- \*22) Unusual travel request for Regina Mancera to attend training in Santa Ana, California, from September 25, 2005 to October 7, 2005, in an amount not to exceed \$2,459 - (Fiscal Impact: \$2,459; Budgeted; Mandated) - APPROVED  
**Patrick-Maben: All Ayes**
- \*23) Request to accept Grant from U.S. Department of Justice Office of Community Oriented Policing Services for the Law Enforcement Technology Program (Fiscal Impact: \$295,993; Federal Grant; Not Budgeted) - ACCEPTED GRANT; AUTHORIZED CHAIRMAN TO SIGN; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$295,993 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$295,993 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210  
**Patrick-Maben: All Ayes**
- \*24) Request to accept a donation of \$600 toward reimbursement of travel expenses from Dodgen Industries, Inc. (Fiscal Impact: \$600 Revenue; Not Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION  
**Patrick-Maben: All Ayes**

TREASURER-TAX COLLECTOR

- 25) Briefing on departmental operations (Fiscal Impact: None) - HEARD PRESENTATION; RECEIVED AND FILED  
**Maben-Rubio: All Ayes**

- \*26) Proposed Agreement with the City of Tehachapi for the Sale of Tax Defaulted Property, in an amount not to exceed \$2,600, plus the Cost of Giving Notice (Fiscal Impact: \$2,600 Revenue; Property Tax Revenue Recovery) - APPROVED; ADOPTED RESOLUTION 2005-392; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 784-2005

**Patrick-Maben: All Ayes**

ADJOURNED TO CLOSED SESSION

**Rubio**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 27) Request for Closed Session re Meet and Confer, CCAPE-CJU, KCDOA, KCFFU, KCPOA, KLEA -
- 28) Request for Closed Session re public employee recruitment - Title: Director of Aging and Adult Services -
- 29) Request for Closed Session re public employee recruitment - Title: Director of Parks and Recreation -
- 30) Request for Closed Session re public employee recruitment - Title: Agricultural Commissioner/Sealer -

COUNTY COUNSEL

- 31) Request for Closed Session regarding a determination of whether the County will initiate or intervene in litigation or join as amicus curiae in a lawsuit (Government Code Section 54956.9(c)) -
- 32) County Counsel requests an executive session of your Board pursuant to Government Code 54956.9(b)(3)(B) to discuss exposure to litigation arising out of threatened litigation by the Attorney General of the State of California pertaining to access for the disabled to election polling sites -
- 33) County Counsel requests an executive session of your Board pursuant to Government Code 54956.9(b)(3)(B) to discuss exposure to litigation arising out of injuries sustained by James Woodrow Moore while at the Central Receiving Facility -
- 34) Request for Closed Session regarding a lawsuit entitled Patricia Lock v. County of Kern, KCSC S-1500-CV-254024 LPE (Government Code Section 54956.9(a)) -

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

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

**Rubio-Maben**

/s/ Denise Pennell  
Clerk of the Board

/s/ Ray Watson  
Chairman, Board of Supervisors

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

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2:00 P.M.

BOARD RECONVENED

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ROLL CALL: All Present

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

BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

**Patrick-Maben: All Ayes**

KERN SANITATION AUTHORITY

- #1) Proposed Agreement with San Joaquin Composting to remove and compost biosolids from Kern Sanitation Authority, from September 6, 2005 through June 30, 2006, in an amount not to exceed \$35,000 (Fiscal Impact: \$35,000; Kern Sanitation Authority; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 785-2005

**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]) - SUPERVISOR MABEN REPORTED A SITUATION IN MOJAVE WHERE RESIDENTS IDENTIFIED A VEHICLE THAT WAS ILLEGALLY DISPOSING OF TRASH IN VIOLATION OF THE COUNTY ORDINANCE. THE VEHICLE DESCRIPTION AND LICENSE PLATE WAS REPORTED TO THE SHERIFF'S DEPARTMENT HOWEVER THE DEPARTMENT STATED THERE WAS NO PROCEDURE IN PLACE TO FOLLOW-UP ON THE INCIDENT.

REFERRED TO COUNTY ADMINISTRATIVE OFFICER AND COUNTY COUNSEL TO DEVELOP PROCEDURES THAT ENSURE IMPLEMENTATION BY AFFECTED COUNTY DEPARTMENTS OF ALL COUNTY ORDINANCES ENACTED BY THE BOARD

**Maben-Patrick: All Ayes**

CONTINUED HEARING

RESOURCE MANAGEMENT AGENCY  
Planning Department

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

Specific Request:

An Appeal to the decision of the Hearing Officer disapproving Precise Development Plan 2, Map 143-18 (Notice of Decision 60-05; disapproved June 2, 2005) to allow an auto and truck fueling and commercial center in C-2 PD District (Appeal #1, Map #143-18 )  
(Negative Declaration; Published Bakersfield Californian)  
(from 8/2/2005) - CONTINUED TO TUESDAY, SEPTEMBER 20, 2005, AT 2:00 P.M.

**Maben-Patrick: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Land Use

S.D. #1

- \*5) Proposed Williamson Act Land Use Contract No. 05-6 with Maria Dulcich for 2006 Calendar Year, southwest corner of Brooks Avenue and Driver Road, southeast of Delano, approximately 77 acres, and a Contract Amending Land Use Contract for 18.63 acres, Agricultural Preserve No. 7 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD LAND USE CONTRACT AND CONTRACT AMENDING LAND USE CONTRACT

**Maben-Patrick: All Ayes**

S.D. #2

- 6) Proposed Interim Ordinance to prohibit uses in conflict with proposed Mojave Airport B-1 and B-2 Zone designations of the Kern County Airport Land Use Compatibility Plan (Fiscal Impact: None) - BILL DEEVER, PRESIDENT, MOJAVE TOWN COUNCIL AND SECRETARY, MOJAVE CHAMBER OF COMMERCE; STUART WITT, GENERAL MANAGER, EAST KERN AIRPORT DISTRICT; TOM FALLGATTER, KLEIN, DENATALE & GOLDNER, REPRESENTING STEVEN AND FRANK OLIVER; AND DAVE SMITH, PRESIDENT, WATER RESORTS, HEARD; ENACTED INTERIM ORDINANCE G-7282; RECEIVED AND FILED DOCUMENT; REFERRED TO PLANNING TO FACILITATE DISCUSSIONS WITH ALL AFFECTED PARTIES

**Maben-Patrick: All Ayes**

- 7) Request from Water Resorts, Inc., for a three-year extension of time for recording final map for Tract 6041, north and south sides of Douglas Street, Mojave (Fiscal Impact: None) - DAVE SMITH, PRESIDENT, WATER RESORTS, HEARD; CONTINUED TO TUESDAY, OCTOBER 18, 2005, AT 2:00 P.M.

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- 8) Proposed Implementation Plan for Animal Control Division Study (Fiscal Impact: \$481,000; Not Budgeted) - BILL PRUITT; LIZ KEOGH; KAREN ANDERSON, ACCESS COMMITTEE AND KERN PARTNERSHIP FOR ANIMALS; SUSAN BENNETT, KERN HUMANE SOCIETY AND KERN PARTNERSHIP FOR ANIMALS; DUETTA RILEY; MARILYN MISTRICK, KERN HUMANE SOCIETY; MARILYN STEWART; AND JOANNE ROWLES, PRESIDENT, BAKERSFIELD OBEDIENCE CLUB, HEARD; REASSIGNED ANIMAL CONTROL SERVICES DIVISION AS A DIVISION OF THE RESOURCE MANAGEMENT AGENCY, EFFECTIVE SEPTEMBER 6, 2005; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO CONDUCT A COMPENSATION STUDY OF THE CLASSIFICATIONS PERFORMING ANIMAL CARE AND ANIMAL CONTROL ACTIVITIES; APPROVED ADDITION OF ONE (1) VETERINARIAN, ONE (1) REGISTERED VETERINARY TECHNICIAN, TWO (2) ANIMAL CONTROL OFFICER AND THREE (3) ANIMAL CARE WORKER POSITIONS IN BUDGET UNIT 2760; REFERRED TO PERSONNEL TO CREATE JOB CLASSIFICATIONS OF VETERINARIAN AND REGISTERED VETERINARY TECHNICIAN AND AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; APPROVED BUDGET TRANSFER; REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND RESOURCE MANAGEMENT AGENCY FOR IMPLEMENTATION

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

Hearing

All S.D.'s

- \*9) Public hearing regarding proposed Amendments to the County of Kern's Fiscal Year (FY) 2002-2003 Annual Action Plan to cancel Community Development Block Grant (CDBG) Project No. 36.02.1, Countywide Economic Development Revolving Loan Fund Program, Multi-Year, and FY 2003-2004 Annual Action Plan to cancel Project No. 36.03.1, Countywide Economic Development Revolving Loan Fund, Multi-Year, and to create CDBG Project No. 36.05.1, Kern Microenterprise Opportunity Program, Multi-Year, to allow for completion of the Kern Microenterprise Opportunity Program Administrative Plan (Fiscal Impact: None) - CONTINUED TO TUESDAY, OCTOBER 18, 2005, AT 2:00 P.M.

**Maben-Patrick: All Ayes**

- \*10) Kern County Economic Development Strategy, Implementation Progress Report (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #1

- \*11) Request to approve final map for Tract 6188, southeast corner of Park Meadows Drive and West Day Avenue, north Bakersfield, DeWalt Corporation for Parkview West Tract No. 6188, LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-393 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); ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY TURNAROUND, SLOPE, AND FLOWAGE EASEMENTS AND RESTORATION OF INGRESS AND EGRESS ACROSS LOTS "A" AND "B" IN TRACT NO. 4924, UNIT "H"; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; APPROVED CONSENT TO COMMON USE AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 786-2005; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-Patrick: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*12) Proposed parking limitation on McCray Street, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Patrick: All Ayes**

S.D. #2

- \*13) Proposed speed limits on Country Club Drive, Mariposa Road, Old Town Road and White Pine Drive, Golden Hills (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Patrick: All Ayes**

S.D. #4

- \*14) Proposed Resolution to accept an Offer of Dedication, declaration as public highway and incorporation into the County Road System as a portion of Allen Road (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2005-394; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Patrick: All Ayes**

WASTE MANAGEMENT

All S.D.'s

- \*15) Proposed Agreement with URS Corporation, dba URS Corporation Americas, to provide environmental, civil and geotechnical engineering services, from September 6, 2005 through August 31, 2007, in an amount not to exceed \$200,000 (Fiscal Impact: \$200,000; Solid Waste Enterprise Fund; Budgeted; Discretionary) -

**WITHDRAWN**

- \*16) Request to employ retired employee, Fred Payne, as an Engineer III, Step E, effective September 7, 2005, for a term not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$31,478; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED

**Maben-Patrick: All Ayes**

- \*17) Proposed Resolution to set public hearing to consider a report concerning the Annual Review of Garbage Franchises and establishing the schedule of Refuse Service and Recycling Rates for Calendar Year 2006 (Fiscal Impact: None) - RECEIVED AND FILED; ADOPTED RESOLUTION 2005-395; SET HEARING FOR TUESDAY, OCTOBER 4, 2005, AT 2:00 P.M.; DIRECTED COUNTY COUNSEL TO PREPARE, AND CLERK OF THE BOARD TO PUBLISH, HEARING NOTICE

**Maben-Patrick: All Ayes**

- \*18) Proposed termination of Agreement 067-2005 with Golden By Products to provide waste tire recycling (Fiscal Impact: None) - APPROVED; AUTHORIZED DIRECTOR OF WASTE MANAGEMENT TO ISSUE LETTER OF TERMINATION

**Maben-Patrick: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*19) Proposed Standard Agreement for Emergency Medical Services Appropriation (EMSA) funding for Fiscal Year 2005-2006, in an amount not to exceed \$381,365 (Fiscal Impact: \$381,365 Revenue to County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 787-2005

**Maben-Patrick: All Ayes**

- \*20) Report on use of Consumer Price Index and other indices for fee adjustment and contract negotiations (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Patrick: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*21) Proposed extension of Lease Agreement 758-2000 with Randolph Village, LLC, by Employees' Training Resource for use of 1816 Cecil Avenue, Delano, as a Career Services Center, for an additional three-year period, from January 1, 2006 to December 31, 2008 (Fiscal Impact: \$7,757 per month; State and Federally Funded; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; AUTHORIZED GENERAL SERVICES TO NOTIFY RANDOLPH VILLAGE, LLC, OF COUNTY'S INTENTION TO EXTEND TERM OF LEASE AGREEMENT

**Maben-Patrick: All Ayes**

- \*22) Proposed extension of Lease Agreement 759-2000 with Randolph Village, LLC, by the Human Services Department for use of 1816 Cecil Avenue, Delano, as a Career Services Center, for an additional three-year period, from January 1, 2006 to December 31, 2008 (Fiscal Impact: \$8,397 per month; State and Federally Funded; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; AUTHORIZED GENERAL SERVICES TO NOTIFY RANDOLPH VILLAGE, LLC, OF COUNTY'S INTENTION TO EXTEND TERM OF LEASE AGREEMENT

**Maben-Patrick: All Ayes**

S.D. #3

- \*23) Proposed transfer to City of Bakersfield, by Quitclaim Deed, of an 18-foot strip of vacant property on Olive Drive on the east property line of County property sold to McMillan Investments, Assessor's Parcel Number 365-020-33 (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

- \*24) Proposed Estoppel Certificate for Victor Young Trust regarding lease of a portion of 3400 Unicorn Road (Agreement 705-2005), occupied by Sheriff's Department (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

- \*25) Proposed Contract with JTS Construction for concrete earthwork, fencing and construction of a 3,300 square foot metal building as part of the International Airlines Terminal Phase I, in an amount not to exceed \$495,600 (8994.8442) (Fiscal Impact: \$495,600; Airport Enterprise Fund; Budgeted; Discretionary) - CONTINUED TO TUESDAY, SEPTEMBER 13, 2005, AT 2:00 P.M.

**Maben-Patrick: All Ayes**

- \*26) Proposed retroactive Agreement with Ruettggers & Schuler for the lavatory dump at the New Airport Terminal, in an amount not to exceed \$10,869, from April 5, 2005 through July 30, 2006 (8215.7500) (Fiscal Impact: \$10,869; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 788-2005

**Maben-Patrick: All Ayes**

- \*27) Change Order No. 17 for New Airport Terminal at Meadows Field, an increase of \$17,580, for a new total of \$21,682,446; and proposed Resolution to dispense with bidding requirements for Change Orders in excess of 10% of contract amount (8215.8415) (Fiscal Impact: \$17,580; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2005-396; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

S.D. #4

- \*28) Plans and Specifications for installation of skate park equipment at Frazier Mt. Park (1960.8202) (Fiscal Impact: \$206,000; Capital Projects, 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 PURCHASING AGENT TO SOLICIT BIDS

**Maben-Patrick: All Ayes**

S.D. #5

- \*29) Change Order No. 1 for the remodel at the Superior Court Revenue Recovery Division, an increase of \$7,400, for a new total of \$141,400 (9410.7000E) (Fiscal Impact: \$7,400; Superior Courts; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

- \*30) Change Order No. 3 for the reroof at the Public Services Building, an increase of \$633, for a new total of \$406,355 (1650.7027) (Fiscal Impact: \$633; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Patrick: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON AUGUST 30, 2005

- \*31) 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 Segreue Road, Lamont - ENACTED ORDINANCE G-7283

**Maben-Patrick: All Ayes**

- \*32) 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, Lamont - ENACTED ORDINANCE G-7284  
**Maben-Patrick: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*33) Budget Transfers - APPROVED NO. 8 THROUGH NO. 13  
**Maben-Patrick: All Ayes**
- \*34) Minutes for week of July 25, 2005 - APPROVED WITH CORRECTION TO ITEM NO. 39 A.M., DELETING **AGREEMENT 659-2005** AND INSERTING **CERTIFICATION STATEMENT**  
**Maben-Patrick: All Ayes**
- \*35) Miscellaneous Letters and Documents - APPROVED  
**Maben-Patrick: All Ayes**
- \*36) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED  
**Maben-Patrick: All Ayes**
- \*37) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED  
**Maben-Patrick: All Ayes**

ADJOURNED TO MONDAY, SEPTEMBER 12, 2005, AT 2:00 P.M. AT KERN MEDICAL CENTER

**Rubio**

/s/ Denise Pennell  
Clerk of the Board

/s/ Ray Watson  
Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT  
(Government Code Section 54953.2)**

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.



35) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Received, certified and transmitted to Recorder for recordation as follows:

- 1) Tract Map 6118, Phase 6 S.D. #1
- 2) Tract Map 6195, Phase 5 S.D. #1
- 3) Tract Map 6291, Phase 1 S.D. #2
- 4) Tract Map No. 6291, Phase 2 S.D. #2
- 5) Tract Map 6301 S.D. #1
- 6) Tract Map 6348 S.D. #4
- 7) Parcel Map 10898 S.D. #3

Employers' Training Resource

- B) Workforce Investment Act On-the-Job Training Agreements:

- 1) Ace Hydraulic Sales and Service, Inc., WIA Title 201, dated August 8, 2005
- 2) J. S. Cagle, Inc., WIA Title 201, dated August 15, 2005

Grand Jury

- C) 2004-2005 Final report on Kern County Sheriff's Department, Central Receiving Facility (Copies to each Supervisor, CAO and Sheriff)

Treasurer-Tax Collector

- D) Pooled Cash Portfolio Analysis for Month Ended July 2005

Waste Management

- E) Response to referral to Mildred C. Gibson re senior rebate for waste hauling services (Copies to each Supervisor and CAO)

Miscellaneous

- F) Letter from Senator Roy Ashburn re reimbursement for the November 8, 2005, special election (Copies to each Supervisor, CAO, Auditor-Controller and Elections)
- G) Letter from Jeannie Gillen, Todd Rappaport, Judith Ann Murch, David and Emily Powell, Kathy and Tom Smith, Tracy Sig, Wendy Wasilko and Carol and Daryl White commending Kern County Fire Department for containing fire that threatened 20 homes near the Hale Ranch in Twin Oaks (Copies to each Supervisor, CAO and Fire)
- H) Letter from Doyle Green, California Highway Patrol, re report of hazardous materials incident on Monday, August 22, 2005, at State Route 33, north of State Route 58 (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- I) E-mail from Catherine Moser re problems with insurance from Healthy Families, Kern Family Health (Copies to each Supervisor and CAO)

- J) Notice from State Department of Alcoholic Beverage Control re Daily License Application/Authorization from Empty Space Productions (Copies to each Supervisor, CAO and Planning)
- 36) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Mildred C. Gibson re senior rebates for garbage pick up in the County - REFERRED TO WASTE MANAGEMENT (Copies to each Supervisor and CAO)
- B) Letter from Allen E. Lyda, Tejon-Castac Water District, re appointment of candidates for the Tejon-Castac Water District Board of Directors - REFERRED TO COUNTY CLERK-ELECTIONS
- 37) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Jack B. Hislop vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Patricia Provencio vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Priscilla Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Suzanne Bachman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Cary H. Freeman vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Stacy Brown vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Lionel Davis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Destiny A. Bailey by Loretta Bailey vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Late claim in the matter of Lionel Davis, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Letter re transfer of complaint in the matter of Sheryl Adams vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)