

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Monday, January 9, 2006

12:00 NOON

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Patrick

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.

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!**
- NO ONE HEARD
- 2) Board of Supervisors reorganization and selection of Chairman and Vice Chairman - **SELECTED THIRD DISTRICT SUPERVISOR BARBARA PATRICK AS 2006 CHAIRMAN OF THE BOARD OF SUPERVISORS, AND CONFIRMED FOURTH DISTRICT SUPERVISOR RAY WATSON AS VICE-CHAIRMAN**

CHAIRMAN WATSON WELCOMED SUPERVISOR BARBARA PATRICK AS THE 2006 CHAIRMAN OF THE BOARD AND EXPRESSED APPRECIATION TO THE CLERK OF THE BOARD, COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL FOR THEIR SUPPORT AND GUIDANCE DURING HIS TERM AS CHAIRMAN

McQuiston-Maben: All Ayes

ADJOURNED TO TUESDAY, JANUARY 10, 2006 AT 9:00 A.M.

McQuiston

/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, January 10, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Watson

NOTE: The vote is displayed in bold below each item. For example, McQuiston-Watson denotes Supervisor McQuiston made the motion and Supervisor Watson 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) Resolution honoring Fourth District Supervisor Ray Watson for his numerous accomplishments as 2005 Chairman of the Board of Supervisors - ADOPTED RESOLUTION; MADE PRESENTATION TO SUPERVISOR RAY WATSON; SUPERVISOR WATSON HEARD; ALL SUPERVISORS ADDED THEIR APPRECIATION FOR SUPERVISOR WATSON'S YEAR OF SERVICE AS CHAIRMAN

Maben-Rubio: All Ayes

- 2) Resolution honoring Dr. Donald R. Terleski, Mental Health Department, upon his retirement with 33 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO DR. DONALD TERLESKI; DONALD TERLESKI AND DIANE KODITEK, DIRECTOR, MENTAL HEALTH SERVICES, HEARD

McQuiston-Watson: All Ayes

- 3) Certificate of Recognition recognizing Ben Estill, for his athletic and academic achievements - MADE PRESENTATION TO BEN ESTILL; COACH MARTINEZ, TAFT UNION HIGH SCHOOL AND BEN ESTILL HEARD; MR. AND MRS. ESTILL AND BEN'S FAMILY INTRODUCED
- *4) Proclamation proclaiming February 11, 2006 as San Joaquin Community Hospital Day in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

Maben-Watson: All Ayes

PUBLIC REQUESTS

- *5) Request from Kern County Child Care Council to approve Certification Statement Regarding Composition of Local Planning Council (LPC) Membership and submission to California Department of Education - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

APPOINTMENTS

- *6) Appointment of William (Bill) B. Matthew as Fourth District Member to the Behavioral Health Board, term to expire December 31, 2008 - MADE APPOINTMENT

Maben-Watson: All Ayes

- *7) Reappointments to the Tehachapi Public Cemetery District of Michael Martinez, term to expire December 15, 2007, Louise Mantoth, term to expire December 15, 2009, Margie Gilliland, term to expire December 15, 2009, Coy Blair, term to expire December 15, 2008, and Tommy Allred, term to expire December 15, 2008 - MADE REAPPOINTMENTS

Maben-Watson: All Ayes

- *8) Reappointments of Donald A. Hall and Jeffrey B. Cutherell as At-large Members to the Greater Bakersfield Separation of Grade District, terms to expire January 11, 2010 - MADE REAPPOINTMENTS

Maben-Watson: All Ayes

- *9) Reappointments of Les Clark as Industry/Ag Member and Suzanne Noble as Alternate Industry/Ag Member to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee, terms to expire January 31, 2009 - MADE REAPPOINTMENTS

Maben-Watson: All Ayes

PUBLIC PRESENTATIONS

- 10) 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!
- JEFF CLARK, PRESIDENT, UPPER KERN COUNTY CHAPTER OF NORML, ADDRESSED THE BOARD REGARDING A TIME WAIVER ON A CODE COMPLIANCE NUISANCE ABATEMENT ORDER. HE FURTHER EXPRESSED HIS CONCERN WITH THE INCREASED LAW ENFORCEMENT PRESENCE DURING THE DECEMBER 20, 2005 BOARD MEETING

REFERRED TO ENGINEERING AND SURVEY SERVICES AND RESOURCE MANAGEMENT AGENCY TO MEET WITH MR. CLARK AND REPORT BACK TO THE BOARD ON THE HISTORY OF THIS CODE VIOLATION

McQuiston-Rubio: All Ayes

RALPH KENNEDY, VICE PRESIDENT, UPPER KERN COUNTY CHAPTER OF NORML, APOLOGIZED FOR HIS BEHAVIOR AT THE DECEMBER 20, 2005 MEETING, AND REQUESTED CONSIDERATION TO HAVE WATER AVAILABLE FOR THE PUBLIC IN THE BOARD CHAMBERS

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 11) 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 RUBIO ANNOUNCED HE WILL BE INTRODUCING THE VICTIMS OF GANG VIOLENCE ACT OF 2006 IN THE NEAR FUTURE RESULTING FROM AN INCREASE IN VIOLENT CRIMES IN 2005

SUPERVISOR PATRICK COMMENTED ON NEGOTIATIONS BETWEEN THE CITY OF BAKERSFIELD AND FRUITVALE SCHOOL DISTRICT TO PURCHASE PROPERTY NEAR ENDEAVOR SCHOOL TO CONSTRUCT A FIRE STATION TO REPLACE STATION 65 ON ROSEDALE HIGHWAY. SHE REQUESTED BOARD SUPPORT TO CONVEY TO THE CITY OF BAKERSFIELD THAT THE COUNTY HAS NO OBJECTION TO THE PURCHASE OF PROPERTY, BUT THE COUNTY SHOULD RETAIN THE RIGHT OF NEGOTIATION WITH THE FIRE JPA FOR CONSTRUCTION AND STAFFING OF THE STATION

REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND FIRE DEPARTMENT TO DRAFT A LETTER TO THE CITY OF BAKERSFIELD CONVEYING THE COUNTY'S SUPPORT AND INTENT TO NEGOTIATE AND RETURN TO THE BOARD TO AUTHORIZE THE CHAIRMAN TO SIGN

Maben-Watson: All Ayes

DIRECTED THE COUNTY ADMINISTRATIVE OFFICE TO PLACE THIS MATTER ON THE FEBRUARY 27, 2006 AGENDA FOR THE JOINT CITY/COUNTY MEETING

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

- *12) Proposed retroactive Agreement with California Department of Food and Agriculture for glassy-winged sharpshooter/Pierce's Disease Control Program in the amount of \$201,314.79 (Fiscal Impact: \$201,314.79; Revenue; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 001-2006

Maben-Watson: All Ayes

- *13) Notification of anticipated retroactive Agreement with United States Department of Agriculture for area wide management of glassy-winged sharpshooter (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

- *14) Notification of anticipated retroactive Agreement with Tehachapi Resource Conservation District for weed management services (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

AIRPORTS

- *15) Proposed Amendment No. 1 to Lease and Concession Agreement 548-98 with Vanguard Car Rental USA, Inc. at Meadows Field Airport to extend term to June 30, 2013 and assuming space at new terminal parking lot - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE THE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 002-2006

Maben-Watson: All Ayes

- *16) Request to appropriate unanticipated revenue from U. S. Department of Housing and Urban Development Grant for construction of the intersection at Wings Way and 7th Standard Road in the amount of \$429,054 (Fiscal Impact: \$429,054 revenue; Federal Grant; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$429,054 TO AIRPORTS ENTERPRISE FUND APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$429,054 FROM AIRPORTS ENTERPRISE FUND APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 8994

Maben-Watson: All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- *17) Proposed Resolutions authorizing County Treasurer to effect a temporary transfer of funds in or after January 2006 to the County General Fund in the amount of \$200,000,000 and the County Fire Fund in the amount of \$21,000,000 to cover cash flow requirements for the Fiscal Year 2005-2006 County budget (Fiscal Impact: \$221,000,000) - APPROVED; ADOPTED RESOLUTIONS 2006-001 AND 2006-002

Maben-Watson: All Ayes

BOARD OF SUPERVISORS

*18) CHAIRMAN'S COMMITTEE ASSIGNMENTS 2006

- | | |
|--|---|
| 1) Air Pollution Control District | McQuiston
Maben
Watson |
| 2) Behavioral Health Board
(Chairman's staff) | Betty Erickson |
| 3) CSAC Board of Directors
*Alternate | McQuiston
Watson |
| 4) Carrizo Plain Advisory Committee (BLM) | Watson |
| 5) Children and Families Commission | Maben |
| 6) Community Action Partnership of Kern | Rubio |
| 7) Criminal Justice Cabinet | Chairman |
| 8) Criminal Justice Grant Advisory Board | Chairman |
| 9) Emergency Medical Care Advisory Board
*Alternate | Maben
*Rubio |
| 10) Endangered Species & Bio-Regional
Work Group
SJV Supervisors Association | McQuiston |
| 11) Hazardous Waste Management Plan
Local Advisory Committee | McQuiston
Rubio |
| 12) Intergovernmental Relations Committee

*Alternate | Maben
Patrick
*All Other
Supervisors |
| 13) Juvenile Justice Coordinating Council | Chairman |
| 14) Kern Council of Governments (Kern COG)

*Alternate | McQuiston
Rubio
*All Other
Supervisors |
| 15) Kern County Network for Children | Watson |
| 16) Kern Economic Development Corp. (KEDC)

*Alternate | Chairman
Watson
*McQuiston |
| 17) KMC Joint Conference Committee | Chairman
Vice Chairman |
| 18) Local Agency Formation Commission
(LAFCO)
*Alternate | Maben
Watson
*Patrick |

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- | | |
|---|------------------------------|
| 19) Museum Authority | Patrick
Rubio |
| 20) Parks and Recreation
*Alternate | Maben
Rubio |
| 21) Region 5 Local Emergency Planning
Commission
*Alternate | Maben
*Rubio |
| 22) Retirement Board | Maben |
| 23) San Joaquin Valleywide Air Pollution
Study Agency
*Alternate | Patrick
*Watson |
| 24) San Joaquin Valley Unified Air
Pollution District
*Alternate | Patrick
Watson |
| 25) San Joaquin Valley Rail Committee
*Alternate | Rubio
*Maben |
| 26) San Joaquin Valley Regional
Association of California Counties-
Executive Committee | Patrick |
| 27) San Joaquin Valley Water Coalition
*Alternate | Watson
*Maben |
| 28) Solid Waste Independent Hearing Panel | McQuiston |
| 29) Solid Waste Management Advisory
Committee (SWMAC)
*Alternate | Maben
Rubio
*McQuiston |
| 30) Southern California Water Committee
*Alternate | Watson
*Maben |
| 31) Tejon Ranch Public Facilities
Financing Authority | Maben |
| 32) Tobacco Funding Corporation,
Kern County | Chairman
Vice Chairman |
| 33) Treasury Oversight Committee | Chairman |
| 34) Water Resources Committee | Maben
Rubio |
| 35) Wildlife Resources Commission
*Alternate | Maben
*Rubio |
| 36) Workforce Investment Board Youth
Council Subgroup | Rubio |

- APPROVED

Maben-Watson: All Ayes

CHILD SUPPORT SERVICES

- *19) Proposed addition of six (6) Family Support Officer IV, one (1) Information Systems Specialist I/II/III/Senior, one (1) Graphic Artist, and one (1) Office Services Specialist positions, and proposed deletion of six (6) vacant Family Support Officer I/II/III, and one (1) vacant Systems Analyst I/II positions effective January 10, 2006; request to cease automatic addition of Family Support Officer I/II/III upon vacancy and concurrent deletion of Office Services Assistant positions (Fiscal Impact: \$181,146.12 Annually; State Grant; Budgeted; Discretionary; No County General Fund Impact) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Watson: All Ayes

COUNTY COUNSEL

- *20) Proposed local regulation of retail sales of pseudoephedrine (Fiscal Impact: None) - RECEIVED AND FILED REPORT; REFERRED TO SHERIFF AND PUBLIC HEALTH DEPARTMENT TO WORK WITH COUNTY COUNSEL TO DEVELOP AN ORDINANCE REGULATING RETAIL SALES OF PSEUDOEPHEDRINE

Maben-Watson: All Ayes

- 21) Report on Board options for review of near-fatal cases involving dependent children (Fiscal Impact: None) - MINISTER WESLEY CRAWFORD AND TERRI FOLEY, CITIZEN'S REVIEW PANEL HEARD; RECEIVED AND FILED; REFERRED TO COUNTY COUNSEL AND COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD IN 30 - 45 DAYS REGARDING ESTABLISHING AN INDEPENDENT MULTI-DISCIPLINARY TEAM TO INVESTIGATE NEAR-FATAL CASES INVOLVING DEPENDENT CHILDREN; RECEIVED AND FILED DOCUMENT

Rubio-Watson: All Ayes

- 22) Report on Board referral concerning indemnification and other provisions in information technology and other contracts that shift risk to the County (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Watson: All Ayes

- 23) Report on Board referral concerning the waiver of business license fees for certain non-profit organizations (Fiscal Impact: None) - MIKE LUDIKER, PRESIDENT, KERNVILLE CHAMBER OF COMMERCE, AND RICH PELLETREAU, WILDLIFE GALLERY AND STUDIO, KERN RIVER VALLEY, HEARD; RECEIVED AND FILED; DIRECTED COUNSEL TO PREPARE AN URGENCY ORDINANCE AMENDMENT FOR THE JANUARY 24, 2006 AGENDA TO PROVIDE FOR A 90-DAY MORATORIUM RELATING TO BUSINESS LICENSE FEES PURSUANT TO KERN COUNTY ORDINANCE CODE SECTION 5.04.160, EXCLUDING PROFESSIONAL CARNIVALS AND FOR A 90-DAY MORATORIUM OF THE PLANNING DEPARTMENT \$70 FEE; REFERRED TO BOARD OF TRADE, SHERIFF, PARKS, PLANNING AND COUNTY COUNSEL TO REVIEW THE SCOPE OF THE ORDINANCE AND REPORT BACK TO THE BOARD WITH POSSIBLE REVISIONS TO THE BUSINESS LICENSE FEE PROVISIONS; RECEIVED AND FILED DOCUMENT

Maben-McQuiston: All Ayes

DISTRICT ATTORNEY

- *24) Request to employ retired County employee Ronald Shumaker, as a Deputy District Attorney, Range 68.8, 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: \$49,000; Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

KERN MEDICAL CENTER

- *25) Notification of proposed retroactive Agreement with Jim Malone, D.P.M., APC, an independent contractor, for podiatry services (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

- *26) Proposed Agreement with Jamshid Tehranzadeh, M.D., an independent contractor, for radiology services, from January 10, 2006 through January 9, 2008, in an amount not to exceed \$86,400 (Fiscal Impact: \$86,400; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 003-2006

Maben-Watson: All Ayes

MENTAL HEALTH SERVICES

- *27) Proposed Amendment No. 1 to Agreement 260-2005 with Komoto Pharmacy, Inc., to revise language regarding mandatory meeting requirements, compliance with the Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 004-2006

Maben-Watson: All Ayes

- *28) Proposed Amendment No. 1 to Agreement 277-2005 with North Chester Drugs, Inc., dba North Chester Pharmacy, to revise language regarding mandatory meeting requirements, compliance with the Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 005-2006

Maben-Watson: All Ayes

- *29) Proposed Amendment No. 1 to Agreement 295-2005 with Independent Living Center of Kern County, to revise language regarding mandatory meeting requirements, compliance with the Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 006-2006

Maben-Watson: All Ayes

- *30) Proposed Amendment No. 1 to Agreement 365-2005 with ASC Treatment Group, dba The Ann Sippi Clinic, to revise language regarding mandatory meeting requirements, compliance with the Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 007-2006

Maben-Watson: All Ayes

- *31) Proposed Amendment No. 1 to Agreement 366-2005 with ASC Treatment Group, dba The Ann Sippi Clinic, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 008-2006

Maben-Watson: All Ayes

- *32) Proposed Amendment No. 1 to Agreement 367-2005 with College Community Services, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 009-2006

Maben-Watson: All Ayes

- *33) Proposed Amendment No. 1 to Agreement 368-2005 with College Community Services, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 010-2006

Maben-Watson: All Ayes

- *34) Proposed Amendment No. 1 to Agreement 369-2005 with College Community Services, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 011-2006

Maben-Watson: All Ayes

- *35) Proposed Amendment No. 1 to Agreement 467-2005 with Vince Saldias and Elizabeth Saldias, dba Positive Visions for Men, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 012-2006

Maben-Watson: All Ayes

- *36) Proposed Amendment No. 1 to Agreement 468-2005 with College Community Services, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 013-2006

Maben-Watson: All Ayes

- *37) Proposed Amendment No. 1 to Agreement 469-2005 with College Community Services, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 014-2006

Maben-Watson: All Ayes

- *38) Proposed Amendment No. 1 to Agreement 470-2005 with College Community Services, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 015-2006

Maben-Watson: All Ayes

- *39) Proposed Amendment No. 1 to Agreement 518-2005 with Aegis Medical Systems, Inc., to revise language regarding mandatory meeting requirements, compliance with the Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 016-2006

Maben-Watson: All Ayes

- *40) Proposed Amendment No. 1 to Agreement 590-2005 with Clinica Sierra Vista, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 017-2006

Maben-Watson: All Ayes

- *41) Proposed Amendment No. 1 to Agreement 591-2005 with Clinica Sierra Vista, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 018-2006

Maben-Watson: All Ayes

- *42) Proposed Amendment No. 1 to Agreement 592-2005 with Clinica Sierra Vista, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 019-2006

Maben-Watson: All Ayes

- *43) Proposed Amendment No. 1 to Agreement 656-2005 with United In Christ Ministries, dba Hadassah House Treatment Facility, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 020-2006

Maben-Watson: All Ayes

- *44) Proposed Amendment No. 1 to Agreement 730-2005 with the State Department of Mental Health (State Agreement 05-75079-000), to increase compensation from \$8,022,281 to a new total of \$8,355,604 (an increase of \$333,323) for Managed Care Services (Fiscal Impact: \$333,323; State Funds; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 021-2006

Maben-Watson: All Ayes

- *45) Proposed Amendment No. 1 to Agreement 902-2005 with Seven Fold, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 022-2006

Maben-Watson: All Ayes

- *46) Request to employ retired County employee, Donald R. Terleski, Ph.D., as Deputy Director of Mental Health Services Department for Clinical Services, Range 68.1, Step E, Budget Unit 4120, effective January 11, 2006, 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: \$43,742.98; Not Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

PERSONNEL

- *47) Classification of positions recommended by Civil Service Commission effective January 21, 2006 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Watson: All Ayes

PROBATION

- *48) Proposed donation of surplus property, ballistic vests and Sam Browne leather duty belts, to the United States Army (Fiscal Impact: None) - APPROVED DONATION

Maben-Watson: All Ayes

SHERIFF

- *49) Proposed acquisition of Fixed Asset - Flatbed Trailer in the amount of \$6,221 (Fiscal Impact: \$6,221; Not Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

- *50) Request for approval of payment in the amount of \$5,285.18 for automotive repairs by Ridgecrest Automotive (Fiscal Impact: \$5,285.18; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Maben-Watson: All Ayes

- *51) Proposed acquisition of fixed asset - Police K-9, in the amount of \$12,000, and costs of dog training in the amount of \$5,000 (Fiscal Impact: \$17,000; Not Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

- *52) Request to accept Grant Funding from the Office of Emergency Services (OES) for the California Multi-jurisdictional Methamphetamine Enforcement Team (CAL-MMET), Kern County Task Force from July 1, 2005 to June 30, 2006, in the amount of \$1,297,074 (Fiscal Impact: \$1,297,074; State Grant; Budgeted, \$593,005; Not Budgeted, \$704,069; Discretionary) - ACCEPTED GRANT; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$704,069 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$704,069 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Maben-Watson: All Ayes

- *53) Proposed retroactive Agreement with agencies participating in the Grant-funded California Multi-jurisdictional Methamphetamine Enforcement Team (CAL-MMET) Task Force, from July 1, 2005 to June 30, 2006, in the amount of \$704,069 (Fiscal Impact: \$704,069; State Grant; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 023-2006

Maben-Watson: All Ayes

- *54) Proposed acquisition of Fixed Assets - Storage Area Network (SAN) Equipment in the amount of \$45,615 (Fiscal Impact: \$45,615; Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 55) Request for Closed Session regarding conference with designated labor negotiators, Ronald M. Errea, County Administrative Officer and designated staff - Employee organizations: Central California Association of Public Employees, Kern County Probation Officers' Association, Kern County Fire Fighters Union (Government Code Section 54957.6) -
- 56) Request for Closed Session regarding public employee performance evaluation - Title: Director of Human Services (Government Code Section 54957) (from 12/20/05) -

WITHDRAWN

- 57) Request for Closed Session regarding public employee performance evaluation - Title: County Counsel (Government Code Section 54957) (from 12/20/05) -
- 58) Request for Closed Session regarding public employee performance evaluation - Title: County Administrative Officer (Government Code Section 54957) (from 12/20/05) -

COUNTY COUNSEL

- 59) Request for Closed Session regarding a lawsuit entitled County of Kern v. City of Fresno, et al., Fresno County Superior Court Case No. 05-CECG04045 (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.

McQuiston-Rubio

/s/ Denise Pennell
Clerk of the Board

/s/ Barbara Patrick
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, January 10, 2006

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!
- NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *3) **Request from Ray Buss to vacate a 30-foot-wide, approximately 660' long, public access easement located approximately 660 feet south of Orange Street and 660 feet east of 20th Street West, Rosamond (SD #2)**
Specific Request:
Nonsummary vacation of a 30-foot-wide public access easement (230-21 3 098 Streets and Highways) (General Rule, Section 15061(b)(3); Published Rosamond Weekly News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2006-003 APPROVING NONSUMMARY VACATION
Maben-Watson: All Ayes
- *4) **Request from Joyce Weingarden, Emma Sandrini, and the Trustees of the Robert C. Allan and Ada N. Allan Family Trust by Marino and Associates to cancel 22.58 acres of contracted land within Agricultural Preserve 10 located on the south side of Taft Highway, east of Wible Road, south of Bakersfield (SD #2)**
Specific Request:
Cancellation of 22.58 acres of contracted land within Agricultural Preserve 10 (Cancellation #5-05; Map # 142-1) (General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-004 APPROVING CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEE; DIRECTED CLERK OF THE BOARD TO ISSUE A TENTATIVE CERTIFICATE OF CANCELLATION REQUIRING PAYMENT OF PENALTY FEES, TO BECOME EFFECTIVE ONLY UPON ANNEXATION OF PROPERTY INTO CITY OF BAKERSFIELD, AND APPROVAL OF CITY GENERAL PLAN AMENDMENT TO AN URBAN DESIGNATION, AND ISSUE A CERTIFICATE OF CANCELLATION SUBJECT TO PAYMENT OF PENALTY FEES AND WRITTEN CONFIRMATION FROM PLANNING DEPARTMENT THAT ALL OTHER CONDITIONS CONTAINED IN TENTATIVE CERTIFICATE OF CANCELLATION HAVE BEEN SATISFIED
Maben-Watson: All Ayes
- *5) **Request from ADAVCO, Inc., by SmithTech/USA, Inc., to change permitted uses from limited agriculture to estate residential with 2-1/2-acre parcel sizes on 37.75 acres located on the north side of Tiata Avenue, 632.64 feet west of Nord Road, western Rosedale (SD #4)**
Specific Request:
A change in zone classification from A-1 to E (2-1/2) RS PE or a more restrictive district (ZCC #150, Map #101) (Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2006-005 AND ENACTED ORDINANCE G-7331 APPROVING ZONE CHANGE, TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP
Maben-Watson: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D.'s #1 & #2

- *6) Proposed Notice of Nonrenewal Petition No. 06-2 by Arciero Ranch for approximately 3,315 acres within Agricultural Preserve No. 17 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Watson: All Ayes

All S.D.'s

- *7) Report regarding new land use, planning and environmental legislation (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

Hearing

S.D. #5

- *8) Public Hearing for proposed amendments to the County of Kern's Fiscal Year (FY) 2004-2005 and FY 2005-2006 Annual Action Plans to cancel Community Development Block Grant Project No. 12.04.2, Neighborhood Academy for Leadership of Arvin, Multi-Phase/Phase I, County Agreement 741-2005, and Project No. 12.05.2, Neighborhood Academy for Leadership of Arvin, Multi-Phase/Phase II and direct use of budget balances from said projects to Project No. 12.05.1, Arvin Street Reconstruction Improvements (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENTS TO FY 2004-2005 AND FY 2005-2006 ANNUAL ACTION PLANS, CANCELLATION OF AGREEMENT, AND REPROGRAMMING OF FUNDS; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Maben-Watson: All Ayes

S.D. #1

- *9) Proposed Amendment No. 1 to Agreement 180-2005 with the City of McFarland to provide an additional \$135,158 of Community Development Block Grant funds for construction of the McFarland Test Water Well, CD No. 16.04.1, for a new total amount not to exceed \$158,198 (Fiscal Impact: \$135,158; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 024-2006

Maben-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services
S.D. #3

- *10) Request for approval of completed street and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Parcel Map 10037, Mosasco Street, 330 feet north of Rosedale Highway, and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$69,486 TO \$16,652 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP, AND TO SECURE COMPLETION OF DRAINAGE IMPROVEMENTS, FOR A ONE-YEAR PERIOD STARTING JANUARY 10, 2006; REDUCED FAITHFUL PERFORMANCE BOND NO. 929167019, IN THE AMOUNT OF \$69,486, ISSUED BY WESTERN SURETY COMPANY, TO \$16,652; ADOPTED RESOLUTION 2006-006 FOR ACCEPTANCE OF MOSASCO STREET, AS SHOWN ON PARCEL MAP 10037, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Watson: All Ayes

- *11) Request for approval of completed street improvements for Mosasco Street, within Parcel Map 11177, and proposed Resolution for acceptance of Mosasco Street into the County road system for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET IMPROVEMENTS; ADOPTED RESOLUTION 2006-007 FOR ACCEPTANCE OF MOSASCO STREET, WITHIN PARCEL MAP 11177, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Watson: All Ayes

- *12) Request for approval of completed street improvements for Landco Drive (County Road No. 3199), within Parcel Map 11207, and proposed Resolution for County Road System for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET IMPROVEMENTS; ADOPTED RESOLUTION 2006-008 FOR ACCEPTANCE OF LANDCO DRIVE (COUNTY ROAD NO. 3199), WITHIN PARCEL MAP 11207, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

Maben-Watson: All Ayes

S.D. #5

- *13) Proposed Agreement with Quad Knopf, Inc., for engineering services associated with design for the Rexland Acres Wastewater System Improvements, in an amount not to exceed \$340,000 (Fiscal Impact: \$340,000; Grant Funding; Budgeted; Discretionary) -

WITHDRAWN

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *14) Proposed Conveyance Contract and Grant Deed from FranMar Company, L.P., et al, and escrow instructions, for approximately 1.86 acres of property for the construction of Quinn Road, in an amount not to exceed \$182,143 (Fiscal Impact: \$182,143; Road Fund; Budgeted; Discretionary) - AUTHORIZED CHAIRMAN TO SIGN ESCROW INSTRUCTIONS AND AGREEMENT 025-2006; ACCEPTED GRANT DEED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

Maben-Watson: All Ayes

S.D. #5

- *15) Proposed no stopping zones on Cottonwood Road and Casa Loma Drive (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Maben-Watson: All Ayes

All S.D.'s

- 16) Briefing on departmental operations (Fiscal Impact: None) - RECEIVED AND FILED

Rubio-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *17) Proposed response to Grand Jury Report entitled Kern County Sheriff's Department Narcotics Unit (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

Maben-Watson: All Ayes

- *18) Proposed response to Grand Jury Report entitled Kern County Sheriff's Department California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

Maben-Watson: All Ayes

- *19) Transfer of property tax entitlement related to City of Delano Annexation No. 45, Local Agency Formation Commission (LAFCO) Proceeding No. 1442 (Fiscal Impact: FY 2007-2008 \$859 General Fund, \$672 Fire Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-009

Maben-Watson: All Ayes

- *20) Description of Proposed Expenditures of California Healthcare for Indigents Program (CHIP) Funds for Fiscal Year 2005-2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- 21) Response to referral on exception to Economic Incentive Program (from 11/15/2005 & 12/6/2005) (Fiscal Impact: None) - CONTINUED TO TUESDAY, JANUARY 24, 2006, AT 2:00 P.M.

Watson-Rubio: All Ayes

Legislative Matter

- *22) Opposition to proposed changes in automobile insurance rate formulas (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Maben-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

Hearing

S.D. #4

- *23) Proposed Resolution and Ordinance granting pipeline franchise to Cardinal Pipeline, L.P. (Fiscal Impact: \$1,200 one time application fee and approximately \$117.50 annually; Not Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2006-010; ENACTED ORDINANCE F-487

Maben-Watson: All Ayes

S.D. #2

- *24) Change Order No. 3 for the Mojave Pre-Engineered Pedestrian Walkway, an increase of \$931, for a new total of \$887,551 (1960.8119) (Fiscal Impact: \$931; Capital Projects; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *25) Plans and Specifications for North Edwards and Twin Oaks Parks Tot Lot Improvements (1960.8263.04D) (Fiscal Impact: \$196,700; 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 GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, FEBRUARY 2, 2006, AT 11:00 A.M.

Maben-Watson: All Ayes

S.D. #3

- *26) Proposed Amendment No. 1 to Agreement 704-2005 with Soils Engineering, Inc., extending expiration date to June 2006, for testing and inspection services at the New Airport Terminal at Meadows Field (8215.7500) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 026-2006

Maben-Watson: All Ayes

S.D. #4

- *27) Plans and Specifications for Taft Veterans Hall Reroof (1650.7017.04) (Fiscal Impact: \$137,716; General Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, FEBRUARY 9, 2006, AT 11:00 A.M.

Maben-Watson: All Ayes

CONSIDERATION OF ORDINANCES INTRODUCED ON DECEMBER 20, 2005

- *28) Proposed Ordinance adding Section 10.04.441 to Chapter 10.04, Title 10, of the Kern County Ordinance Code, concerning a 40-mile per hour speed limit on Palm Avenue, Bakersfield - ENACTED ORDINANCE G-7332

Maben-Watson: All Ayes

- *29) Proposed Ordinance adding Section 10.04.262 to Chapter 10.04, Title 10, of the Kern County Ordinance Code, concerning a 35-mile per hour speed limit on Verdugo Lane, Bakersfield, and rescinding Section 10.04.069 - ENACTED ORDINANCE G-7333

Maben-Watson: All Ayes

- *30) Proposed Ordinance adding Section 10.04.164 to Chapter 10.04, Title 10, of the Kern County Ordinance Code, concerning a 35-mile per hour speed limit on Hall Road, Lamont - ENACTED ORDINANCE G-7334

Maben-Watson: All Ayes

- *31) Proposed Ordinance adding Chapter 2.150 and amending sections 7.04.020 and 7.08.280 of the Kern County Ordinance Code creating an Animal Control Commission and designating the Commission to hear appeals of animal control decisions - ENACTED ORDINANCE G-7335

Maben-Watson: All Ayes

- *32) Proposed Ordinance repealing and adding a new Chapter 7.20 and amending sections 8.04.010 and 8.04.060 of the Kern County Ordinance Code concerning Concentrated Animal Feeding Operations - ENACTED ORDINANCE G-7336

Maben-Watson: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *33) Budget Transfers - APPROVED NO. 69 THROUGH NO. 75

Maben-Watson: All Ayes

- *34) Minutes for week of November 14, 2005 - APPROVED

Maben-Watson: All Ayes

- *35) Miscellaneous Letters and Documents - APPROVED

Maben-Watson: All Ayes

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

Maben-Watson: All Ayes

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

Maben-Watson: All Ayes

ADJOURNED TO TUESDAY, JANUARY 17, 2006, AT 9:00 A.M.

McQuiston

/s/ Denise Pennell
Clerk of the Board

/s/ Barbara Patrick
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) Letter from Deirde Terleski, Aging & Adult Services, to Dennis Lewis re his resignation from In-Home Supportive Services Advisory Committee (Copies to each Supervisor and CAO)
- B) Received, certified and transmitted to Recorder for recordation as follows:
- 1) Tract Map 6169, Unit 6 S.D. #4
 - 2) Tract Map 6290, Unit 1 S.D. #2
 - 3) Tract Map 6413, Phase 1 S.D. #5
 - 4) Tract Map 6471, Unit A S.D. #1
 - 5) Tract Map 6448, Unit 1 S.D. #4
 - 6) Tract Map 6448, Unit 2 S.D. #4
 - 7) Tract Map 6448, Unit 3 S.D. #4
 - 8) Tract Map 6448, Unit 4 S.D. #4
 - 9) Tract Map 6448, Unit 5 S.D. #4
 - 10) Parcel Map 11024 S.D. #1
 - 11) Parcel Map 11033 S.D. #1
 - 12) Parcel Map 11145 S.D. #3
 - 13) Parcel Map 11177 S.D. #3
 - 14) Parcel Map 11207 S.D. #3
 - 15) Parcel Map 11259 S.D. #4

Community & Economic Development

- C) County Loan Agreement with Sonia Lopez re HOME Investment Partnerships Program, Owner Rehabilitation Program
- D) County Loan Agreement with Leticia Melendez re HOME Investment Partnerships Program, Owner Rehabilitation Program

County Administrative Office

- E) Fiscal Year 2004-2005 Annual Disclosure Report
- F) Memorandum re State reimbursement for counties' 2003 recall election costs

Local Agency Formation Commission

- G) Report and Recommendation, Proceeding No. 1400, in the matter of City of Bakersfield, Annexation No. 467, Rio Bravo No. 3 (Copies to each Supervisor, CAO and Resource Management Agency)
- H) Report and Recommendation, Proceeding No. 1417, in the matter of Greenfield County Water District, Annexation No. 37 (Copies to each Supervisor, CAO and Resource Management Agency)

- I) Report and Recommendation, Proceeding No. 1403, in the matter of City of Bakersfield, Annexation No. 440, Panama No. 14 (Copies to each Supervisor, CAO and Resource Management Agency)

Planning

- J) Letter to San Joaquin Valley Air Pollution Control District re Proposed Rule 9513 (indirect source review) and Proposed Rule 3180 (administrative fees for Air Impact Assessment applications) (Copies to each Supervisor, CAO and County Counsel)

Resource Management Agency

- K) Twelve (12) thank you letters for donations to the Bakersfield Animal Care Center and the Mojave Animal Shelter (Copies to each Supervisor and CAO)

Treasurer-Tax Collector

- L) Pooled Cash Portfolio Analysis for Month Ended November 2005

Miscellaneous

- M) Letter from Linda Tom, State Department of Health Services, re Child Health and Disability Prevention (CHDP) Program Plan and Administrative Budgets Approval for Fiscal Year 2005-2006 (Copies to each Supervisor, CAO, Public Health and Auditor-Controller-County Clerk)
- N) Letter from Florence Dunagan re the Kern County Animal Control Commission (Copies to each Supervisor, CAO, Resource Management Agency and Animal Control)
- O) Letter from Michael Flood, Antelope Valley-East Kern Water Agency, re extension of 2005 Wet Year Special Pricing Program (Copies to each Supervisor, CAO and County Counsel)
- P) Letter from Charles G. Boyd, Sr., NRR Energy, Inc., re one-stop waste processing and conservation centers (Copies to each Supervisor, CAO, Planning, Waste Management and General Services)
- Q) Notice from Pacific Gas and Electric Company re 2007 General Rate Case (GRC) application filing (Copies to each Supervisor and CAO)
- R) Notice from Pacific Gas and Electric Company re filing of Pension Contribution Application (Copies to each Supervisor, CAO and General Services)
- S) Notice from County of Los Angeles re revised hearing time for County of Los Angeles/County of Kern proposed boundary change from December 6, 2005, to January 17, 2006 (Copies to each Supervisor, CAO, Planning and County Counsel)
- T) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from: Chevron 98551, 21981 Highway 46, Lost Hills; and Prince Market, 2222 North Chester Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)

- U) Fact sheet from State Department of Toxic Substances Control re investigation results for the Osage 60th Street West site in Rosamond (Copies to each Supervisor, CAO, Resource Management Agency, County Counsel and Environmental Health)
- V) Agenda of meeting from Kern County Child Care Council on Wednesday, January 4, 2006
- W) Minutes of general meeting from Kern County Child Care Council on Wednesday, November 2, 2005
- X) Minutes of meeting from Kern County Commission On Aging on Thursday, October 6, 2005
- 36) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Dr. R. Mark Root re recredentialing at Millennium Surgery Center - REFERRED TO KERN MEDICAL CENTER AND COUNTY COUNSEL (Copies to each Supervisor, CAO, Kern Medical Center and County Counsel)
 - B) Letter from Bob Lackey, Water West Drilling, re sealing decision on Permit No. EH 3223 - REFERRED TO ENVIRONMENTAL HEALTH (Copies to each Supervisor, CAO, County Counsel and Resource Management Agency)
- 37) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Gregory Dennis Robinson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of James W. Moore, Jr., by and through his Guardian ad Litem, Alicia Moore vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Juan Carlos Valadez-Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Colette Craan vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Deborah H. McDowell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Claim in the matter of James D. Mattingly vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - G) Claim in the matter of Linda Krolnik vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - H) Claim in the matter of Cristal Dech vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - I) Claim in the matter of Jose Juan Nunez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- J) Claim in the matter of Angela M. Smith vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Rita Ricciardi-Ramos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Brittany A. Weksler and Heather M. Weksler, a minor, by and through her Guardian ad Litem, Sheryll L. Weksler vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of Clinton D. Minor vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Bryce J. Moore, by and through his Guardian ad Litem, Michelle Tripp vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Claim in the matter of Deray Charles Mitchell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Claim in the matter of Mike Cody vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Claim in the matter of Corporation for Better Housing vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Late claim in the matter of Bennesha Renti vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Summons and complaint in the matter of Diana L. Delprete vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Summons and complaint in the matter of Daniel L. Ream vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- U) Discrimination complaint in the matter of Nidia Abonce vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)