

**SUMMARY OF PROCEEDINGS**

**BOARD OF SUPERVISORS - COUNTY OF KERN**

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, January 17, 2006

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Rubio  
ROLL CALL: 4 Present; 1 Absent - McQuiston

SALUTE TO FLAG - Led by Supervisor Maben

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 Ted Davis, Kern County Agricultural Commissioner/Sealer, upon his retirement with 30 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO TED DAVIS; TED DAVIS HEARD  
**Maben-Watson: 4 Ayes; 1 Absent - McQuiston**
- 2) Resolution honoring Barbara Swanson, Deputy Director of Libraries, upon her retirement with 35 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO BARBARA SWANSON; DIANE DUQUETTE, DIRECTOR OF LIBRARIES, AND BARBARA SWANSON HEARD  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**
- 3) Proclamation proclaiming January 23 - 27, 2006 as National Eligibility Workers Recognition Week in Kern County - PROCLAIMED; MADE PRESENTATION TO PAT CHEADLE, ASSISTANT DIRECTOR, DEPARTMENT OF HUMAN SERVICES, AND DEBBIE SPEARS, PRESIDENT, KERN COUNTY CHAPTER, NATIONAL ELIGIBILITY PROFESSIONALS; PAT CHEADLE AND DEBBIE SPEARS HEARD  
**Rubio-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*4) Ratify Proclamation proclaiming the week of January 16 - 22, 2006 as Dr. Martin Luther King, Jr. Week in Kern County - RATIFIED PROCLAMATION; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*5) Resolution honoring the 2005 Burroughs High School Football Team for winning the Southern Section Division VIII Championship Title - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PUBLIC REQUESTS

- 6) Request from Sue Benham, Executive Director, Golden Empire Gleaners to address the Board regarding 2005 contributions to the Gleaners' Christmas Can Tree Drive - SUE BENHAM HEARD; RECEIVED AND FILED

**Watson-Rubio: 4 Ayes; 1 Absent - McQuiston**

APPOINTMENTS

- \*7) Appointment of Richard Rudnick and reappointment of Dale Creighton as At-large members to the Grazing Advisory Board (Section 3), and reappointment of Karl Johnson as At-large member to the Grazing Advisory Board (Section 15), terms to expire December 20, 2008 - MADE APPOINTMENT AND REAPPOINTMENTS

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*8) Reappointments of At-large members Morgan Clayton (business), James Dozier (business), Susan Handy (education), Sherrill Hufnagel (education), Barry Koerner (education), Regina Benavides (community-based organization), Tom Corson (community-based organization), David Villarino (community-based organization), Beverly Beasley Johnson (public agency), and Michael J. Rubio (public agency), terms to expire December 31, 2008 and appointments of At-large student representatives Millan Arellano, term to expire June 30, 2007 and Nicole Walker, term to expire December 31, 2008 to the Workforce Investment Board Youth Council - MADE APPOINTMENTS AND REAPPOINTMENTS

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

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!  
- JEFF CLARK, PRESIDENT, KERN COUNTY CHAPTER OF NORML, REPORTED ON THE RESULTS OF A MEETING WITH ENGINEERING AND SURVEY SERVICES AND RESOURCE MANAGEMENT AGENCY REGARDING HIS CODE COMPLIANCE ISSUE; HE FURTHER COMMENTED ON HIS TEENAGE DAUGHTER WHO HAS BEEN MISSING FOR 13 DAYS AND THE NEED FOR INCREASED LAW ENFORCEMENT IN THE KERN RIVER VALLEY AREA

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]) - SUPERVISOR RUBIO EXTENDED BIRTHDAY GREETINGS TO HIS WIFE; RECOGNIZED KAREN GOH FOR HER EFFORTS TO CURB GANG ACTIVITY IN THE COMMUNITY, AND COMMENTED ON THE UNIQUE PRODUCTION OF WEST SIDE STORY

DEPARTMENTAL REQUESTS

AIRPORTS

- \*11) Request to approve continuation of the "Think Meadows Field First" travel agent incentive program and associated expenses in an amount not to exceed \$7,500 (Fiscal Impact: \$7,500; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*12) Proposed addition of one (1) Office Services Tech (OST) and deletion of one (1) Office Services Assistant (OSA) positions to Elections Division, effective January 17, 2006 (Fiscal Impact: Estimated \$2,604 annually; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- 13) Certification of signatures for Initiative Ordinance for Biosolids Land Application Ban (Fiscal Impact: Unknown) - DIRECTED THE ORDINANCE BE SUBMITTED, WITHOUT ALTERATION, TO THE VOTERS ON THE JUNE 6, 2006 BALLOT

**Rubio-Maben: 4 Ayes; 1 Absent - McQuiston**

REFERRED TO WASTE MANAGEMENT AND RESOURCE MANAGEMENT AGENCY TO REPORT BACK TO THE BOARD ON THE CURRENT AND PROPOSED DISPOSAL AND TREATMENT OF KERN COUNTY BIOSOLIDS

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

COUNTY COUNSEL

- \*14) Proposed Joint Agreement of Kern County Employees Retirement Association and the County for the legal services of the Law Firm of Jones Day relating to the potential liability of Public Pension Professionals, Inc., in an amount not to exceed \$50,000 (Fiscal Impact: \$50,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 027-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*15) Request of Kern County Water Agency to set hearing on proposed Zones of Benefit numbers 7-07, 17-07, 18-07 and 19-07 and assessments to be levied thereon - ADOPTED RESOLUTION 2006-011 SETTING HEARING FOR TUESDAY, FEBRUARY 14, 2006 AT 9:00 A.M.

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

DISTRICT ATTORNEY

- \*16) Proposed retroactive Agreement with Bakersfield City School District for District Attorney Services, from November 16, 2005 through November 15, 2006, in the amount of \$10,000 (Fiscal Impact: \$10,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 028-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*17) Appropriation of unanticipated revenue in the amount of \$71,352 from the United States Department of Justice, Office of Justice Programs for the DNA Capacity Enhancement Program, and request for sole source procurement of two BioRobot EZ1 from Qiagen, Inc., in an amount not to exceed \$68,000 (Fiscal Impact: \$71,352; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$71,352 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$71,352 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2200; APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- 18) Proposed addition of three (3) Deputy District Attorney positions, effective January 17, 2006, and proposed Budget Transfer from Appropriations for Contingencies in the amount of \$76,575 to Budget Unit 2180 for enhancement of gang prosecution (Fiscal Impact: \$76,575 in FY 2005-06, annualized thereafter \$261,500; Not Budgeted; General Fund) - WESLEY CRAWFORD; SHERIFF MACK WIMBISH; JOHN ROBERTS, KERN COUNTY CHIEF PROBATION OFFICER; BAKERSFIELD POLICE CHIEF BILL RECTOR; JOHN MITCHELL, PRESIDENT, KERN COUNTY PROSECUTOR'S ASSOCIATION; MARY ANN HESTER; AND RAVEN MAHDEE HEARD; APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD REGARDING ESTABLISHING A TASK FORCE COMPRISED OF ALL AFFECTED AGENCIES AND TWO MEMBERS OF THE BOARD OF SUPERVISORS TO DEVELOP A COMPREHENSIVE STRATEGIC PLAN ADDRESSING THE GANG VIOLENCE ISSUE IN KERN COUNTY; RECEIVED AND FILED DOCUMENT

**Rubio-Watson: 4 Ayes; 1 Absent - McQuiston**

HUMAN SERVICES

- \*19) Proposed Agreement with Garden Pathways, Inc., for the Family to Family Youth Mentoring program, from January 17, 2006 through June 30, 2006, in an amount not to exceed \$25,000 (Fiscal Impact: \$25,000 State/Federal; \$0 County; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 029-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

KERN MEDICAL CENTER

- \*20) Request to continue proposed Amendment No. 1 to Agreement 1008-2003 with M. Javad Naderi, M.D., a contract employee, and extending the term of that Agreement to January 24, 2006 (from December 20, 2005) (Fiscal Impact: None) - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*21) Request to continue proposed Amendment No. 2 to Agreement 1007-2003 with Javed M. Syed, M.D., a contract employee, and extending the term of that Agreement to January 24, 2006 (from December 20, 2005) (Fiscal Impact: None) - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*22) Request to continue proposed Amendment No. 1 to Agreement 1009-2003 with Chester K. Lau, M.D., a contract employee, and extending the term of that Agreement to January 24, 2006 (from December 20, 2005) (Fiscal Impact: None) - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*23) Proposed retroactive Agreement with Jim Malone, D.P.M., APC, an independent contractor, for podiatry services, from January 1, 2006 through December 31, 2007, in an amount not to exceed \$300,000 (prior notification January 10, 2006) (Fiscal Impact: \$300,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 030-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

MENTAL HEALTH SERVICES

- \*24) Proposed Amendment No. 1 to Agreement 303-2005 with Henrietta Weill Memorial Child Guidance Clinic, Inc., in the North Bakersfield area, 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 031-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*25) Proposed Amendment No. 1 to Agreement 304-2005 with Henrietta Weill Memorial Child Guidance Clinic, Inc., in the Delano and surrounding areas, 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 032-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*26) Proposed Amendment No. 1 to Agreement 364-2005 with Henrietta Weill Memorial Child Guidance Clinic, Inc., in the West Bakersfield area, 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 033-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*27) Proposed Amendment No. 1 to Agreement 463-2005 with Kern Psychological Services, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 034-2005

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*28) Proposed Amendment No. 1 to Agreement 464-2005 with Citizens for the Betterment of Community and Country, 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 035-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*29) Relief from accountability of patient accounts totaling \$13,266.73 (Fiscal Impact: \$13,266.73; Realignment; Not Budgeted; Discretionary) - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PARKS AND RECREATION DEPARTMENT

- \*30) Request to accept donation of fencing from Rosamond Little League, Inc., at a value of \$3,560 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PROBATION

- \*31) Request for relief from accountability of 287 delinquent Kern County Juvenile Traffic Court accounts totaling \$139,287 (Fiscal Impact: \$139,287; Budgeted; Discretionary) - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PUBLIC DEFENDER

- \*32) Proposed addition of two (2) full time Deputy Public Defender I-V, and one (1) full time Public Defender Investigator positions, and appropriation of unanticipated revenue in the amount of \$71,400 (Fiscal Impact: \$90,000 in FY 2005-06 and \$216,000 in FY 2006-07; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL DEPARTMENT TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$71,400 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$71,400 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2190

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

PUBLIC HEALTH SERVICES

- \*33) Proposed addition of one (1) full-time Social Services Supervisor I, one (1) full-time Public Health Program Specialist, one (1) full-time Public Health Project Specialist, one (1) full-time Microbiologist Trainee, and one (1) full-time Medical Investigator positions, effective January 17, 2006, and appropriation of unanticipated revenue in the amount of \$331,598 (Fiscal Impact: \$331,598; State Grant; Not Budgeted; \$72,670: Federal Grant; Not Budgeted; \$258,928; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$331,598 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$331,598 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 4110

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*34) Proposed Amendment No. 2 to Agreement 385-2005 with State Department of Health Services for AIDS Master Grant, from July 1, 2004 through June 30, 2007, a decrease of \$9,882, to an amount not to exceed \$2,966,810 (Fiscal Impact: \$9,882 decrease; State Grant; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 036-2006 AND RELATED DOCUMENTS

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*35) Proposed Agreement with Health Net for Medi-Cal Managed Care (Fiscal Impact: \$20,000 revenue; State; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 037-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

SHERIFF

- \*36) Proposed addition of one (1) Office Services Technician position, effective January 17, 2006 (Fiscal Impact: \$42,694 Annually; Inmate Welfare Fund; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*37) Proposed Amendment No. 4 to Agreement 184-2000 with Public Communications Services, Inc., for the Inmate Telephone System, to extend the term for three (3) years through May 31, 2009 (Fiscal Impact: \$1,400,000 revenue minimum amount guaranteed; Inmate Welfare Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 038-2006

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*38) Request for approval of proposed Form of Release and Waiver of Liability, Assumption of Risk, and Indemnity Agreement Form for use by Sheriff's Department Search and Rescue Unit for the testing and training of applicants (Fiscal Impact: None) - APPROVED; AUTHORIZED SHERIFF OR HIS DESIGNEE TO EXECUTE

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

- \*39) Request for Budget Transfer for Acquisition of Fixed Assets for use by the Off Highway Vehicle Enforcement Team - two quads and three motorcycles in the amount of \$39,600 (Fiscal Impact: \$39,600; Budgeted; Discretionary) - APPROVED

**Watson-Maben: 4 Ayes; 1 Absent - McQuiston**

ADJOURNED TO CLOSED SESSION

**Maben**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 40) 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) -
- 41) Request for Closed Session regarding public employee performance evaluation (establish performance goals) - Title: Director of Aging and Adult Services (Government Code Section 54957) -
- 42) Request for Closed Session regarding public employee performance evaluation - Title: Fire Chief (Government Code Section 54957) -
- 43) Request for Closed Session regarding public employee performance evaluation - Title: Director of Human Services (Government Code Section 54957) -

COUNTY COUNSEL

- 44) Request for Closed Session regarding a lawsuit entitled Joyce Dishman, et al. vs. County of Kern, Kern County Superior Court Case No. 254647 (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.

**Watson-Maben**

/s/ Denise Pennell  
Clerk of the Board

/s/ Barbara Patrick  
Chairman, Board of Supervisors

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### BOARD OF SUPERVISORS - COUNTY OF KERN

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Bakersfield, California

Regular Meeting  
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2:00 P.M.

#### BOARD TO RECONVENE

Supervisors: McQuiston, Maben, Patrick, Watson, Rubio  
ROLL CALL: 4 Present; 1 Absent - McQuiston

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

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Land Use

- \*3) Request from Manjinder Kaur for determination of public convenience for the issuance of an off-sale general liquor license at 720 Wible Road, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-012

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #5

- \*4) Request for Release of Funds (RROF) for CAL 8-6b Little Village II Housing Rehabilitation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED DIRECTOR TO SUBMIT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ON BEHALF OF THE HOUSING AUTHORITY OF THE COUNTY OF KERN

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*5) Request for Release of Funds (RROF) for CD Activity No. 29.05.1, Lamont Boys & Girls Club Renovation Improvements (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED DIRECTOR TO SUBMIT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

S.D. #1

- \*6) Contract No. 06005, identify apparent low bid of Johnson Drilling Company for construction of McFarland Test Water Well (Fiscal Impact: \$159,700; CDBG; Budgeted; Discretionary) - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D.'s #1 & #2

- \*7) Request to apply for funding from Kern County Air Pollution Control District for purchase of advanced technology partial zero emission vehicle (Fiscal Impact: \$26,000; \$23,400 District Grant, \$2,600 Department; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED ENGINEERING & SURVEY SERVICES TO APPLY FOR GRANT FUNDING IN THE AMOUNT OF \$23,400 FROM KERN COUNTY AIR POLLUTION CONTROL DISTRICT, WITH A MATCH OF \$2,600 FROM THE 2006-2007 CODE COMPLIANCE BUDGET; AUTHORIZED DIRECTOR TO SIGN ALL APPLICABLE DOCUMENTS; REFERRED TO 2006-2007 BUDGET FILE

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

RESOURCE MANAGEMENT AGENCY

Roads Department

S.D. #1

- \*8) Contract No. 05014, Notice of Completion for Maverick Asphalt and Construction for construction on Jacks Ranch Road in Ridgecrest (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D. #2

- \*9) Contract No. 05034, Notice of Completion for Granite Construction Company for construction on Red Apple Avenue in Tehachapi (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D. #3

- \*10) Proposed Resolution to incorporate a portion of Wings Way into the County Road System (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-013; DIRECTED CLERK OF THE BOARD TO RECORD  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D. #5

- \*11) Proposed Quitclaim Deed to Corporation for Better Housing to obtain quiet title to a private road easement on real property located at the northeast corner of Cottonwood Road and Casa Loma Drive (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D.'s #2, #3, #4 & #5

- \*12) Contract No. 06015, Plans, Specifications and Notice to Contractors for asphalt concrete (stockpile) at various locations in Kern County (Fiscal Impact: \$315,000; Road Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA, PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; 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, FEBRUARY 8, 2006, AT 11:00 A.M.  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

All S.D.'s

- \*13) Proposed Amendment No. 2 to Personal/Professional Services Agreement 950-2005 with Compass Rose Archaeological, Inc., to increase maximum amount payable by \$100,000 for a new total not to exceed \$140,000 (Fiscal Impact: \$100,000; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 039-2006  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

WASTE MANAGEMENT

S.D.'s #1 & #2

- \*14) Contract No. 06017; Proposed Plans, Special Provisions and Notice to Contractors for construction of Phase 2A, Module 2 liner system at the Bakersfield Metropolitan (Bena) Sanitary Landfill (Fiscal Impact: \$7,928,977; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301(c); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; AUTHORIZED WASTE MANAGEMENT TO PUBLISH NOTICE TO CONTRACTORS; BID OPENING TO BE WEDNESDAY, FEBRUARY 22, 2006, AT 11:00 A.M.

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

All S.D.'s

- \*15) Proposed Amendment No. 1 to Agreement 048-2003 with SCS Engineers, Inc., to provide air permitting, regulatory compliance, environmental impact, risk assessment and landfill gas investigation services, extending the term to January 21, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 040-2006

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

COUNTY ADMINISTRATIVE OFFICE

- \*16) Proposed retroactive Standard Agreement for California Healthcare for Indigents Program funding for Fiscal Year 2005-2006 (Fiscal Impact: \$876,344 Revenue; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 041-2006

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*17) Proposed Memorandum of Understanding with Central California Association of Public Employees Criminal Justice Unit for Bargaining Unit J and S for the term of July 1, 2005 through June 30, 2006 to provide retroactive salary increase of 5% effective July 9, 2005 (Fiscal Impact: \$65,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 042-2006; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, DIRECTOR OF PERSONNEL AND COUNTY ADMINISTRATIVE OFFICER TO IMPLEMENT

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

Legislative Matters

- \*18) Proposed 2006 County Legislative Platform (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*19) Proposed Resolution requesting legislation prohibiting CalWORK's Child Care provider payments until Trustline criminal background clearance is received and requesting increased Trustline funding (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-014; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*20) Proposed Resolution requesting introduction of legislation authorizing work time credit for work release participants (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-015; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

COUNTY ADMINISTRATIVE OFFICE

General Services Division

Hearing

S.D. #1

- \*21) Proposed Resolution and Ordinance granting a non-exclusive cable television franchise in the Randsburg/Johannesburg area to Clearwave Communications, Inc. (Fiscal Impact: \$1,400; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2006-016; ENACTED ORDINANCE F-488  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D. #1

- \*22) Proposed Agreement with Sierra Range Construction for the Delano Memorial Park & Lake Woollomes Tot Lot Improvements, in an amount not to exceed \$145,719 (1960.8263.04C) (Fiscal Impact: \$145,719; Parkland Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 043-2006  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D. #3

- \*23) Change Order No. 1 for Phase II irrigation and landscaping upgrades at Panorama Park, an increase of \$5,714, for a new total of \$592,989 (1960.8152) (Fiscal Impact: \$5,714; Proposition 12 State Bond Act; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*24) Change Order No. 23 for the New Airport Terminal at Meadows Field, an increase of \$92,556, for a new total of \$21,948,461; and proposed Resolution to dispense with bidding requirements for Change Orders in excess of 10% of contract amount (8215.8415) (Fiscal Impact: \$92,556; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-017; AUTHORIZED CHAIRMAN TO SIGN  
**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

S.D. #5

- \*25) Change Order No. 4 for the reroof at Public Services Building, a decrease of \$50,000, for a new total of \$356,355 (1650.7027) (Fiscal Impact: \$50,000 Decrease; General Fund; Budgeted; Discretionary) -  
**WITHDRAWN**

- \*26) Report and proposed authorization for sole source Agreement with A.C. Electric, Inc., for emergency replacement of the water system controls at 1415 Truxtun Avenue, in an amount not to exceed \$25,000 (Fiscal Impact: \$25,000; General Fund; Not Budgeted; Discretionary) - RECEIVED AND FILED; ADOPTED RESOLUTION 2006-018 FINDING THAT THE EMERGENCY WOULD NOT PERMIT A DELAY RESULTING FROM COMPETITIVE BIDDING; AUTHORIZED COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES TO EXECUTE SOLE SOURCE CONTRACT WITH A.C. ELECTRIC, INC.

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

All S.D.'s

- \*27) Request for Purchasing Agent to enter into an Agreement with Datamatx, Inc., for property tax bill preparation and services, not to exceed \$288,089 (over a 3-year period) (Fiscal Impact: \$288,089; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO SIGN

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

MATTERS FOR EXECUTIVE APPROVAL

- \*28) Budget Transfers - APPROVED NO. 76 THROUGH NO. 86

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*29) Minutes for week of December 5, 2005 - APPROVED WITH CORRECTION TO TUESDAY, DECEMBER 6, 2005, ITEM NO. 11 A.M., TO DELETE THE WORDING "SPECIAL ELECTION HELD IN NOVEMBER" AND TO ADD THE WORDING "2003 RECALL ELECTION"

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*30) Miscellaneous Letters and Documents - APPROVED

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*31) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

- \*32) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Maben-Rubio: 4 Ayes; 1 Absent - McQuiston**

ADJOURNED TO TUESDAY, JANUARY 24, 2006, AT 9:00 A.M.

**Maben**

/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.

30) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Environmental Health

- A) Letter from Steve McCalley re response to referral of letter from Bob Lackey, Water West Drilling (Copies to each Supervisor, CAO and County Counsel)
- B) E-mail from Matt Constantine to Adelyne Satyadi re response to referral concerning status of proposal for restaurant grading system (Copies to each Supervisor, CAO and County Counsel)

Local Agency Formation Commission

- C) Notice of Protest Hearing, Proceeding No. 1428, in the matter of City of Shafter, Annexation No. 77; North of the River Municipal Water District, Annexation No. 7 (Copies to each Supervisor, CAO and Resource Management Agency)
- D) Letter from Virginia Gennaro, City of Bakersfield, re LAFCO Proceeding No. 1440, Calloway No. 12, Annexation No. 478 (Copies to each Supervisor, CAO and Resource Management Agency)
- E) Resolution No. 05-45, 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)
- F) Resolution No. 05-46, Proceeding No. 1417, in the matter of Greenfield Co. Water District, Annexation No. 37 (Copies to each Supervisor, CAO and Resource Management Agency)
- G) Resolution No. 05-44, 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) Resolution No. 05-48, Proceeding No. 1420, in the matter of City of Bakersfield, Annexation No. 485 (Copies to each Supervisor, CAO and Resource Management Agency)
- I) Resolution No. 05-36, Proceeding No. 1420, in the matter of City of Bakersfield, Annexation No. 485 (Meany No. 4) (Copies to each Supervisor, CAO and Resource Management Agency)
- J) Resolution No. 05-47, Proceeding No. 1413, in the matter of City of Wasco, Annexation No. 35 (Copies to each Supervisor, CAO and Resource Management Agency)
- K) Resolution No. 05-35, Proceeding No. 1413, in the matter of City of Wasco, Annexation No. 35 (Copies to each Supervisor, CAO and Resource Management Agency)

Probation

- L) Minutes of meeting of Kern County Juvenile Justice Coordinating Council on Wednesday, November 23, 2005

Resource Management Agency

- M) Thank you letter to Kern Faculty Medical Group, Inc., for their donation to the Mojave Animal Shelter and the Bakersfield Animal Care Center (Copies to each Supervisor and CAO)

Treasurer-Tax Collector

- N) Cash Receipts and Disbursements for December 2005

Miscellaneous

- O) Letter from Brian W. Hockett, North West Kern Resource Conservation District, re 2005 Annual Report (Copies to each Supervisor, CAO and Agricultural Commissioner)
- P) Letter from James K. Rummell re manpower within the County Fire Department (Copies to each Supervisor and CAO)
- Q) E-mail from Joe Appleton re salaries within the County Fire Department (Copies to each Supervisor and CAO)
- R) E-mail from Jim Calhoun re needs of the County Fire Department (Copies to each Supervisor and CAO)
- S) Revised Hazardous Materials Incident Report from California Highway Patrol re incident on Sunday, November 27, 2005, on State Route 99, south bound, just north of State Route 65 (Copies to each Supervisor, CAO, Environmental Health Services and Fire Haz-Mat)
- T) Notice from State Water Resources Control Board re public workshop concerning salinity issues in the Central Valley on Tuesday, January 31, 2006 (Copies to each Supervisor and CAO)
- U) Notice from State Department of Alcoholic Beverage Control re application for alcoholic beverage license from Tumble Weed Café, 24870 Highway 33, Derby Acres (Copies to each Supervisor, CAO and Planning)
- V) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, January 12, 2006
- W) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, December 8, 2005
- 31) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Letter from Eileen and Roger Sanchez re building construction in backyard of 101 Cortez Court, Bakersfield - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
  - B) Letter from Jeffrey B. Cutherell, Greater Bakersfield Separation of Grade District, re identification and acquisition of rights-of-way for future Grade Separation Projects in the northwest metropolitan area - REFERRED TO ROADS (Copies to each Supervisor, CAO, Planning and County Counsel)

- C) E-mail from Adelyne Satyadi re plans for implementing restaurant grading system - REFERRED TO ENVIRONMENTAL HEALTH SERVICES (Copies to each Supervisor and CAO)
- 32) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Valerie Montgomery vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Audrey M. Haight vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Baudelia Arias vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Luis Tortola vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Rita Ricciardi-Ramos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Ricky Andrew Windham vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Denise Miller vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Letter from State Department of Fair Employment & Housing re update of complaint in the matter of Michelle Ann Nash vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)