

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, January 31, 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) Proclamation proclaiming April 1 - 7, 2006 as Scottish Heritage Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DONALD GRAY, CHIEFTAN, KERN COUNTY SCOTTISH SOCIETY; DONALD GRAY HEARD

**Maben-Rubio: All Ayes**

#### PUBLIC REQUESTS

- \*2) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council, to submit October 1, 2005 to December 31, 2005 quarterly report - RECEIVED AND FILED

**Watson-Maben: All Ayes**

#### PUBLIC PRESENTATIONS

- 3) 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

- 4) 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 IS WORKING WITH ENVIRONMENTAL HEALTH SERVICES TO BRING A PROPOSAL TO THE BOARD RELATIVE TO RESTAURANT GRADING, AND HE INVITED ALL BOARD MEMBERS TO PARTICIPATE IN THE PROCESS IN THEIR RESPECTIVE DISTRICTS

SUPERVISOR WATSON DISCUSSED AN INCREASED INTEREST BY RESIDENTS OF FRAZIER PARK AND PINE MOUNTAIN CLUB FOR PARAMEDIC TRAINING OF FIRE FIGHTERS IN OUTLYING AREAS

REFERRED TO FIRE, EMERGENCY MEDICAL SERVICES, COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL TO REPORT BACK TO THE BOARD WITH THE FISCAL IMPACT ON ALL COUNTY DEPARTMENTS TO PROVIDE PARAMEDIC SERVICES IN OUTLYING COMMUNITIES, AND FURTHER PROVIDE RESPONSE TIME ESTIMATES FOR THE RELATED SERVICES; RECEIVED AND FILED

**Watson-Maben: All Ayes**

DEPARTMENTAL REQUESTS

AIRPORTS

- \*5) Proposed Amendment No. 4 to Agreement 077-97 for parking management services at Meadows Field Airport with Republic Parking Systems, Inc. (Fiscal Impact: \$1,385,000 Revenue; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF CEQA; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION IF REQUESTED BY THE DIRECTOR OF AIRPORTS; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 072-2006

**Watson-Maben: All Ayes**

- \*6) Proposed retroactive Amendment No. 1 to the Planning Services Contract (Agreement 903-2004) with DMJM Aviation, Inc., for additional services related to public comments, in the amount of \$31,242 (Fiscal Impact: \$31,242 Expenditure; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 073-2006

**Watson-Maben: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*7) Request to employ retired County employee, Larry Paddock, as an Office Services Assistant, Range 43.2, Step E, for a period not to exceed 120 days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$12,633.60; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

COUNTY COUNSEL

- \*8) Request of Auditor-Controller-County Clerk for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Watson-Maben: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*9) Proposed sole source procurement and notification of anticipated retroactive Agreement with Kern Economic Development Corporation for cluster coordination implementation (Fiscal Impact: \$75,000; Federal Grant; Budgeted; Discretionary) - APPROVED; RECEIVED AND FILED

**Watson-Maben: All Ayes**

- \*10) Proposed retroactive approval of consent to assignment of duties and assumption of obligations with ACS State & Local Solutions, Inc., and Arbor E&T/Res-Care for the continuing provision of training and employment activities for youths under the Workforce investment Act per subgrant Agreement 981-2005 (prior notification December 6, 2005) (Fiscal Impact: \$230,695; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 074-2006

**Watson-Maben: All Ayes**

FIRE DEPARTMENT

- \*11) Appropriation of unanticipated revenue in the amount of \$34,000 from Mobile Fire Kitchen Trust Fund for repairs to mobile fire kitchen (Fiscal Impact: \$34,000; Mobile Fire Kitchen Trust Fund; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$34,000 FROM THE MOBILE FIRE KITCHEN TRUST FUND TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$34,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2415

**Watson-Maben: All Ayes**

- \*12) Proposed sole source Agreement with American Homeland Solutions, Incorporated for National Incident Management System (NIMS) training services, in an amount not to exceed \$31,150 (Fiscal Impact: \$31,150; Homeland Security Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 075-2006

**Watson-Maben: All Ayes**

- \*13) Request for authorization to apply for funding from Kern County Air Pollution Control District for purchase of a hybrid vehicle (Fiscal Impact: \$29,575; Fire Fund; Not Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

- 14) Request for continuance of response to Board referral to evaluate the disparities and inequities that exist relative to redevelopment agency agreements similar to methodology used for city fire contracts (Fiscal Impact: None) - JOHN CIANI HEARD FROM RIDGECREST; APPROVED; CONTINUED TO TUESDAY, MARCH 21, 2006, AT 9:00 A.M.

**McQuiston-Watson: All Ayes**

KERN MEDICAL CENTER

- \*15) Proposed Amendment No. 4 to Agreement 067-2003 with Superior Consultant Company, Inc., an independent contractor, to add the management services of one Information Systems Manager (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 076-2006

**Watson-Maben: All Ayes**

- \*16) Proposed Agreement with Shabbir A. Shakir, M.D., an independent contractor, for urology coverage in the Department of Surgery, from February 5, 2006 through February 4, 2008, in an amount not to exceed \$44,000 (Fiscal Impact: \$44,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 077-2006

**Watson-Maben: All Ayes**

- \*17) Proposed sole source Agreement with Cejka Search, an independent contractor, for search consultant services in the search and placement of a Department Chairman for Obstetrics and Gynecology, from February 1, 2006 through January 31, 2007, in an amount not to exceed \$95,000 (Fiscal Impact: \$95,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 078-2006

**Watson-Maben: All Ayes**

NON-AGENDA ITEM #17A

MOTION TO CONSIDER NON-AGENDA ITEM 17A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED BECAUSE ON FRIDAY, JANUARY 27, 2006, COUNTY COUNSEL LEARNED THAT THE STATE DEPARTMENT OF HEALTH SERVICES WILL MAKE AN INTERIM PAYMENT OF FUNDS DUE TO KERN MEDICAL CENTER FOR FISCAL YEAR 2004-05 IF A LETTER TO THAT AGENCY SETS FORTH THE PARAMETERS OF THE CRITICAL NEED

**McQuiston-Maben: All Ayes**

- 17A) Proposed letter to State Department of Health Services requesting interim payment of \$39 million to Kern County because of critical cash flow problems as a result of loans to Kern Medical Center Enterprise Fund for operating capital in the amount of \$49.5 million - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Rubio: All Ayes**

LIBRARY

- \*18) Proposed deletion of one (1) Fiscal Support Technician and addition of one (1) Senior Office Services Specialist positions, effective January 31, 2006 (Fiscal Impact: \$6,274 at Step A and \$7,659 at Step E annually for salary and benefits; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Watson-Maben: All Ayes**

MENTAL HEALTH SERVICES

- \*19) Proposed Amendment No. 1 to Agreement 258-2005 with The Drug Store, 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 079-2006

**Watson-Maben: All Ayes**

- \*20) Proposed Amendment No. 1 to Agreement 290-2005 with Komoto Pharmacy, 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 080-2006

**Watson-Maben: All Ayes**

- \*21) Proposed Amendment No. 1 to Agreement 301-2005 with Richard N. Feldman, M.D., 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 081-2006

**Watson-Maben: All Ayes**

- \*22) Proposed Amendment No. 1 to Agreement 359-2005 with Jagdeep Garewal, M.D., 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 082-2006

**Watson-Maben: All Ayes**

- \*23) Proposed Amendment No. 1 to Agreement 360-2005 with Peter E. Mazur, M.D., 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 083-2006

**Watson-Maben: All Ayes**

- \*24) Proposed Amendment No. 1 to Agreement 363-2005 with Marjorie Tavoularis, M.D., Ph.D., 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 084-2006

**Watson-Maben: All Ayes**

- \*25) Proposed Amendment No. 1 to Agreement 420-2005 with Turning Point of Central California, 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)

**WITHDRAWN**

- \*26) Proposed Amendment No. 1 to Agreement 519-2005 with Turning Point of Central California, Inc., to revise language regarding mandatory meeting requirements, and compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation, cost reporting and reimbursable salary limits for executive employees (Fiscal Impact: None)

**WITHDRAWN**

- \*27) Proposed Amendment No. 1 to Agreement 963-2005 with Angela L. McKinney, L.M.F.T., to revise language regarding mandatory meeting requirements, and compliance with the Immigration Reform and Control Act (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 085-2006

**Watson-Maben: All Ayes**

- \*28) Request to employ retired County employee De An Drakos, as Mental Health Nurse, Step E, Range 63.3, Budget Unit 4120, for a period not to exceed 120 working days or 960 hours in the 12-month period following the date of employment (Fiscal Impact: \$34,429.92; Not Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

PROBATION

- \*29) Proposed retroactive Agreement with Bakersfield City School District for truancy prevention and truancy reduction services, from January 26, 2006 through June 1, 2006, in an amount not to exceed \$33,325 (Fiscal Impact: \$33,325 Revenue; Bakersfield City School District; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 086-2006

**Watson-Maben: All Ayes**

SHERIFF

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

**Watson-Maben: All Ayes**

- \*31) Request for authorization to award vehicle purchase for three (3) Sheriff Search and Rescue Vehicles for Fiscal Year 2005-2006 to other than low bidder and establish class 245Dpolice as a standard county class for the Sheriff's Department for future bids (Fiscal Impact: \$83,105; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING TO ALLOW A SPLIT AWARD FOR COUNTY VEHICLE CLASS 245D TO THE OTHER THAN LOWEST RESPONSIVE BIDDER FOR THREE (3) CHEVROLET SILVERADO 2500 HD FOR SHERIFF DEPARTMENT SEARCH AND RESCUE

**Watson-Maben: All Ayes**

ADJOURNED TO CLOSED SESSION

**Watson**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 32) Request for Closed Session regarding conference with designated labor negotiators, Ronald M. Errea, County Administrative Officer and designated staff - Employee organization: Central California Association of Public Employees, Kern County Fire Fighters Union (Government Code Section 54957.6) -

COUNTY COUNSEL

- 33) Request for Closed Session regarding a lawsuit entitled Rebecca Rivera v. Kern Medical Center, et al. (Government Code Section 54956.9(a) -
- 34) Request for Closed Session regarding a lawsuit entitled James Woodrow Moore v. County of Kern, USDC (E) Case No. CIV F 05 01100 AWI TAG (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-McQuiston**

/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 31, 2006

2:00 P.M.

#### BOARD RECONVENED

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

#### RESULTS OF CLOSED SESSION

Request for Closed Session regarding a lawsuit entitled Rebecca Rivera vs. Kern Medical Center, et al (Government Code Section 54956.9(a) (from Item No. 33 a.m.) - CHAIRMAN PATRICK REPORTED ON RESULTS OF CLOSED SESSION, AGENDA ITEM NO. 33 A.M., WHERE, BY UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED SETTLEMENT NEGOTIATED THROUGH A MEDIATION PROCESS IN THE AMOUNT OF \$400,000 AS THE COUNTY'S CONTRIBUTION TO AN OVERALL SETTLEMENT OF \$550,000, WITH THE BALANCE BEING CONTRIBUTED BY FOUR PHYSICIANS AT KERN MEDICAL CENTER TO RESOLVE CLAIMS ARISING FROM THEIR PRIVATE MEDICAL PRACTICE.

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]) - SUPERVISOR WATSON ANNOUNCED THAT AERA ENERGY WILL BE PRESENTING A \$100,000 DONATION FOR THE VALLEY FEVER VACCINE PROJECT AT KERN MEDICAL CENTER THIS AFTERNOON, AND EXPRESSED APPRECIATION FOR THE GENEROUS DONATION.

SUPERVISOR RUBIO ACKNOWLEDGED A CONSTITUENT, MRS. TRIPLITT, WHO ALSO EXPRESSED HER CONCERNS REGARDING VALLEY FEVER.

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Streets and Highways

S.D. #1

- 3) Request from Howard and Vickey Swenson and Tim Knollhoff for a Summary Vacation of various public easements located east and west of Swenson Ranch Road, including the west side of Stickman Road south of Paul's Place, Weldon, Map Nos. 42-22 and 22-23 (from 1/24/2006) (Fiscal Impact: None) - RICHARD MONJI, ON BEHALF OF HOWARD AND VICKEY SWENSON AND TIM KNOLLHOFF; TONY CLICK, ON BEHALF OF ADJACENT PROPERTY OWNERS; LANNY BORTHICK; TALBOT MALONE; AND ROMIRO VILLARREAL, HEARD; APPLICANTS WITHDREW REQUEST FOR SUMMARY VACATION FOR ALL EASEMENTS EXCEPT 30-FOOT WIDE EASEMENT LOCATED ON THE NORTHERLY AND EASTERLY SIDES OF THE S/2 OF THE W/2 OF THE SE/4 OF THE SE/4 OF THE NE/4 OF SECTION 22, T26S, R34E, MDB&M, EXCLUDING THE SOUTH 30 FEET THEREOF; ADOPTED RESOLUTION 2006-026 DENYING KNOLLHOFF'S REMAINING SUMMARY VACATION REQUEST WITHOUT PREJUDICE

**McQuiston-Maben: All Ayes**

Miscellaneous

S.D. #1

- \*4) Proposed Agreement with Indian Wells Valley to participate in the Cooperative Groundwater Management Planning Program for the watershed and aquifer system surrounding the communities of Ridgecrest and Inyokern (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 087-2006

**Maben-Watson: All Ayes**

S.D. #3

- \*5) Request from Yasmin Hirani for determination of public convenience for the issuance of an off-sale beer and wine license at 2222 North Chester Avenue, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-027

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Animal Control Services

All S.D.'s

- 6) Quarterly Report on Animal Control Division activities (Fiscal Impact: None) - RECEIVED AND FILED; MADE FINDING THAT THE CURRENT REPORTING SCHEDULE COMPLIES WITH ORDINANCE CODE SECTION 7.08.440

**Maben-Rubio: All Ayes**

- 7) Proposed rules to govern operation of the Animal Control Commission (Fiscal Impact: None) - ADOPTED RULES AS MODIFIED EXPANDING SECTION II, 2.01, TO INCLUDE PUBLIC AWARENESS OUTREACH FOR RESPONSIBLE ANIMAL OWNERSHIP

**Watson-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

Hearing

S.D.'s #4 & #5

- \*8) Public Hearing for proposed amendment to the County of Kern's Fiscal Year (FY) 2005-2006 Annual Action Plan to revise the Community Development Block Grant (CDBG) project funding for project Nos. 03.05.1, Section 108 Loan Payment, and 30.05.1, Lost Hills Drainage and Street Improvements, Multi-Phase/Phase II (Fiscal Impact: \$685,000; CDBG and General Fund; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENT TO FY 2005-2006 ANNUAL ACTION PLAN TO REVISE FUNDING AND FUNDING SOURCES FOR PROJECT NOS. 03.05.1 AND 30.05.1; AUTHORIZED DIRECTOR TO SUBMIT ALL DOCUMENTATION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Maben-Watson: All Ayes**

S.D. #5

- \*9) Proposed Resolution supporting application by the Farmworkers Institute of Education and Leadership Development, Inc., doing business as South Sequoia Regional Conservation Corps (SSRCC), to the State of California to become certified as a Local Community Conservation Corps (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-028

**Maben-Watson: All Ayes**

S.D.'s #4 & #5

- \*10) Request for Release of Funds (RROF) for CD Activity No. 37.05.2, Architectural Barrier Removal Program, Multi-Year (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED DIRECTOR TO SUBMIT RROF AND CERTIFICATION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Maben-Watson: All Ayes**

All S.D.'s

- \*11) Kern County Economic Development Strategy Implementation Progress Report (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

All S.D.'s

- 12) Report regarding use of assessment liens for Code Compliance recovery of cost (Fiscal Impact: None) - RECEIVED AND FILED

**McQuiston-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Environmental Health Services

All S.D.'s

- \*13) Notification of retroactive Agreement with State of California, Water Resources Control Board, for County to operate the Local Oversight Program for leaking underground storage tanks (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #3

- \*14) Request to repeal subsection 1 of Chapter 10.24.025 of Kern County Ordinance Code to remove handicap parking at 110 Woodrow Avenue (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

S.D. #4

- \*15) Proposed Agreement with Calle Cerca Investment, LLC, for roadway improvements along Rudd Avenue at Goose Lake Slough, to be constructed by the County, in an amount not to exceed \$111,550 (Fiscal Impact: \$111,550 Revenue to Road Fund) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 088-2006

**Maben-Watson: All Ayes**

S.D. #5

- \*16) Contract No. 05013, Notice of Completion for construction on Mt. Vernon Avenue and Oswell Street (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

- \*17) Proposed Resolution to accept Offer of Dedication for road widening, and declaration as public highway and incorporation into the County road system as a part of Cottonwood Road, between Casa Loma Drive and State Route 58 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-029

**Maben-Watson: All Ayes**

S.D.'s #1 & #3

- \*18) Contract No. 06004, identify apparent low bid from Loop Electric for construction of a traffic signal and lighting system on Norris Road at Patton Way, in an amount not to exceed \$118,361.96 (Fiscal Impact: \$118,361.96; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Maben-Watson: All Ayes**

All S.D.'s

- \*19) Report regarding contract change orders approved during the fourth quarter of 2005 (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

WASTE MANAGEMENT

All S.D.'s

- \*20) Proposed termination of Agreements 704-96 and 904-98 with Dee Jasper and Associates to provide general engineering services for County solid waste facilities (Fiscal Impact: None) - APPROVED; AUTHORIZED DIRECTOR OF WASTE MANAGEMENT TO ISSUE LETTER OF TERMINATION

**Maben-Watson: All Ayes**

- \*21) Proposed termination of Agreements 673-96 and 418-98 with Porter-Robertson Engineering and Surveying, Inc., to provide general engineering services for County solid waste facilities (Fiscal Impact: None) - APPROVED; AUTHORIZED DIRECTOR OF WASTE MANAGEMENT TO ISSUE LETTER OF TERMINATION

**Maben-Watson: All Ayes**

- \*22) Proposed Amendment No. 1 to Agreement 498-2005 with Vector Engineering, Inc., to provide environmental, civil and geotechnical engineering services for solid waste facilities, to increase the compensation to allow compliance with additional regulatory mandates, provide supplemental design work, Quality Assurance/Quality Control and Master Plan revisions, an increase of \$350,000 for a new total not to exceed \$950,000 (Fiscal Impact: \$350,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 089-2006

**Maben-Watson: All Ayes**

- \*23) Proposed Amendment No. 1 to Agreement 168-97 with Clean Harbors Environmental Services, Inc., for providing household hazardous waste collection services, to modify the compensation to include an annual adjustment of the hazardous waste collection service charge based upon the Consumer Price Index (Fiscal Impact: \$3,000 additional compensation for FY 2005-2006; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 090-2006

**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*24) Request to set Committee of the Whole meeting on Monday, February 6, 2006, at 10:00 A.M., for County Strategic Plan update (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- \*25) Request to designate Tuesday, March 14, 2006, as Teen Government Day in Kern County (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- 26) Quarterly Report on Authorized Positions and Vacancies for FY 2005-2006, Second Quarter (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-McQuiston: All Ayes**

- \*27) Proposed Amendment No. 1 to Memorandum of Understanding (Agreement 972-2005) with Kern County Probation Officers' Association to provide specified salary increases for Group Counselor positions (Fiscal Impact: \$600,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 091-2006; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, COUNTY ADMINISTRATIVE OFFICER, AND PERSONNEL DIRECTOR TO IMPLEMENT

**Maben-Watson: All Ayes**

- \*28) Proposed salary adjustment for Assistant Chief District Attorney Investigator (Safety Manager position) to increase by 5%, retroactive to July 9, 2005 (Fiscal Impact: \$6,700; Not Budgeted; Discretionary) - APPROVED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, COUNTY ADMINISTRATIVE OFFICER, AND PERSONNEL DIRECTOR TO IMPLEMENT

**Maben-Watson: All Ayes**

- \*29) Transfer of property tax entitlement related to City of McFarland, Annexation No. 11, Local Agency Formation Commission (LAFCO) Proceeding No. 1441 (Fiscal Impact: FY 2007-2008 \$449; General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-030

**Maben-Watson: All Ayes**

Legislative Matter

- \*30) Request to adopt position in support of South Delta Improvement Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Watson: All Ayes**

Employee Suggestion Award

- \*31) Consideration of awards recommended by Employee Suggestion Award Committee: an intangible award in the amount of \$100 to Ms. Ruthie Brunt and a tangible award in the amount of \$222 to Ms. Pamela Martina (Fiscal Impact: \$322; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #3

- \*32) Proposed Amendment No. 3 to Agreement 533-2005 with John A. Martin & Associates for structural engineering services for the International Airlines Terminal, an increase of \$5,500, for a new total of \$29,500 (8994.8422) (Fiscal Impact: \$5,500; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 092-2006

**Maben-Watson: All Ayes**

- \*33) Change Order No. 3 for the telecom system at the new Airport Terminal, an increase of \$6,152, for a new total of \$289,815 (8215.8416) (Fiscal Impact: \$6,152; Airport Project Fund; Budgeted; Discretionary) - CONTINUED TO TUESDAY, FEBRUARY 7, 2006, AT 2:00 P.M.

**Maben-Watson: All Ayes**

S.D. #4

- \*34) Identify apparent low bid from Brown & Fowler Construction for tot lot improvements at AW Noon Park and BVARA, in the amount of \$205,381 (1960.8263.04A) (Fiscal Impact: \$205,381; Parkland Grant; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO PREPARE CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Maben-Watson: All Ayes**

S.D. #5

- \*35) Proposed sole source Agreement with John A. Martin & Associates for structural engineering services for two new court rooms at Superior Court, in an amount not to exceed \$55,500 (1960.8164) (Fiscal Impact: \$55,500; General Fund; Capital Projects; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 093-2006

**Maben-Watson: All Ayes**

- \*36) Plans and specifications for the reroof at Kern Medical Center D Wing (8997.7001.05FE) (Fiscal Impact: \$405,000; Kern Medical Center Enterprise 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, MARCH 2, 2006, AT 11:00 A.M

**Maben-Watson: All Ayes**

All S.D.'s

- \*37) Proposed sole source Agreement with Frank Cantelmi for engineering services for the Fire Station Diesel Exhaust Extraction Systems, in an amount not to exceed \$45,000 (2415.8153.05) (Fiscal Impact: \$45,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 094-2006

**Maben-Watson: All Ayes**

- \*38) Proposed Amendment No. 1 to Agreement with BSK & Associates for testing and inspection services for various projects, an increase of \$20,000, for a new total of \$40,000 (Various Projects) (Fiscal Impact: \$20,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 095-2006

**Maben-Watson: All Ayes**

- \*39) Request for Purchasing Agent to issue a purchase order to Advanced Document Conversion for scanning services, in an amount not to exceed \$113,000 (Fiscal Impact: \$113,000; Fund 00198; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE A PURCHASE ORDER

**Maben-Watson: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON JANUARY 24, 2006

- \*40) Proposed Ordinance adding Chapter 18.104 to Title 18 of the Kern County Ordinance code regarding park land dedication, Buttonwillow Recreation and Park District - ENACTED ORDINANCE G-7341

**Maben-Watson: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*41) Budget Transfers - APPROVED NO. 94 THROUGH NO. 96

**Maben-Watson: All Ayes**

- \*42) Minutes for week of December 19, 2005 - APPROVED WITH CORRECTION TO ITEM NO. 44 A.M. TO DELETE THE RECOMMENDATION "APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1072-2005" AND ADD THE WORDING "**APPROVED EXTENSION OF CONTRACTS FOR A 30-DAY PERIOD; REFERRED TO KERN MEDICAL CENTER TO REPORT BACK TO THE BOARD IN 30 DAYS WITH CONTRACT REVISIONS**"; AND TO CORRECT ITEM NO. 45 A.M. TO DELETE THE RECOMMENDATION "APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 1073-2005" AND ADD THE WORDING "**APPROVED EXTENSION OF CONTRACTS FOR A 30-DAY PERIOD; REFERRED TO KERN MEDICAL CENTER TO REPORT BACK TO THE BOARD IN 30 DAYS WITH CONTRACT REVISIONS**"

**Maben-Watson: All Ayes**

- \*43) Miscellaneous Letters and Documents - APPROVED

**Maben-Watson: All Ayes**

- \*44) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

- \*45) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

ADJOURNED TO MONDAY, FEBRUARY 6, 2006, AT 10:00 A.M. TO MEET AS COMMITTEE OF THE WHOLE

**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.

43) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Information report on 2005-2006 Property Tax Administration Costs, Revenue and Taxation Code 95.2

Clerk of the Board

- B) Letter from Howard Thurston re resignation as Commissioner of the Housing Authority of the County of Kern (Copies to each Supervisor and CAO)

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

1) Tract Map 6400, Phase 1 S.D. #5

2) Parcel Map 11164 S.D. #2

Local Agency Formation Commission

- D) Report and recommendation, Proceeding No. 1429, in the matter of North of the River Sanitation District, Annexation No. 68 (Copies to each Supervisor, CAO and Resource Management Agency)

- E) Report and recommendation, Proceeding No. 1430, in the matter of City of Bakersfield, Annexation No. 490, Brimhall No. 12 (Copies to each Supervisor, CAO and Resource Management Agency)

- F) Report and recommendation, Proceeding No. 1431, in the matter of City of Bakersfield, Annexation No. 484; North of the River Sanitary District No. 1, Annexation No. 70 (Snow No. 2) (Copies to each Supervisor, CAO and Resource Management Agency)

Retirement

- G) Proposed letter to members of Kern County Employees' Retirement Association re Funding Policy Statement Revisions (Copies to each Supervisor and CAO)

Treasurer

- H) Independent Auditor's Reports for Deferred Compensation Plans 1 and 2 Financial Statements for Years Ended June 30, 2004 and June 30, 2005

Miscellaneous

- I) Letter from Karen Plaskett in opposition to proposed paintball facility at South Granite Road and Round Mountain Road, north Bakersfield (Copies to each Supervisor, CAO, Planning and County Counsel)

- J) Letter from Daniel Vaughn, U.S. Department of the Interior, Bureau of Land Management, re notice concerning land exchange in the central California area in the Chimney Peak/Kennedy Meadows area in the Sierra Nevada Range (Copies to each Supervisor, CAO, Resource Management Agency and Planning)

- K) Letter from Mehdi Morshed, California High-Speed Rail Authority, re public Board Meeting in San Jose on Wednesday, January 25, 2006 (Copies to each Supervisor and CAO)
- L) Letter from Pamela H. Patenaude, U.S. Department of Housing and Urban Development, re Fiscal Year 2006 allocations for the Office of Community Planning and Development's programs for Community Development Block Grants (CDBG); HOME Investment Partnerships; the American Dream Downpayment Initiative (ADDI); Housing Opportunities for Persons with AIDS (HOPWA); and Emergency Shelter Grants (ESG) (Copies to each Supervisor, CAO and Community and Economic Development)
- M) Letter from John Garamendi, State Insurance Commissioner, in response to correspondence regarding proposed changes in regulations concerning automobile rating factors for insurance (Copies to each Supervisor and CAO)
- N) Letter from Melinda Brown re unsafe road condition resulting from flooding on Renfro Road (Copies to each Supervisor, CAO, Engineering & Survey Services and Roads)
- O) Handbook from U.S. Department of Commerce re Census 2010 (Copies to each Supervisor and CAO)
- P) Report from Los Padres National Forest re Schedule of Proposed Action (SOPA) from January 1, 2006 to March 31, 2006 (Copies to each Supervisor, CAO, Planning and County Counsel)
- Q) Notices from the State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses: Banacek's Lounge, 4601 State Road, Bakersfield; Columbus Market, 2701 Alta Vista Drive, Bakersfield; Zachary Development, Inc., Zachary Avenue & Merced Road, Bakersfield; Bear Valley Market, 26900 Bear Valley Road, Tehachapi; Rite Aid 6489, Panama Road & Weedpatch Highway, Lamont; A-1 Market, 329 Roberts Lane, Bakersfield; and Gill Mart, 390 Bernard Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- R) Agenda of meeting from Central Valley Regional Water Quality Control Board on Thursday, January 26, 2006 (Copies to each Supervisor and CAO)
- 44) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) E-mail from Adelyne Satyadi, student at Touro University, requesting information re Kern County's policies and programs to assure food safety, to maintain support for food borne illness prevention and to educate community about food borne illnesses - REFERRED TO ENVIRONMENTAL HEALTH SERVICES (Copies to each Supervisor and CAO)

- 45) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Guillermina Valle vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Maria Osorio Antonio; Teresita de Jesus Cruz, a minor; Jose Luis Cruz, a minor; and Israel Rolando Cruz, a minor vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Maria Celia Herrera vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Martha Lee Edgmon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Larry B. Moore vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Claim in the matter of Olivia Gandy vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - G) Claim in the matter of James DeHoyos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - H) Claim in the matter of Jason Aaron Wright Wood vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - I) Claim in the matter of Martha Gomez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - J) Notice of motion and motion for discovery of Peace Officer personnel records in the matter of David Palmer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)