

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, February 21, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

NOTE: The vote is displayed in bold below each item. For example, 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 February 20 - 24, 2006 as Grand Jury Public Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ROSS ANDERSON, FOREPERSON, KERN COUNTY GRAND JURY; ROSS ANDERSON HEARD AND RECOGNIZED MEMBERS OF THE GRAND JURY; ETHEL WELLS, FOREPERSON PRO-TEM, HEARD

**McQuiston-Watson: All Ayes**

- 2) Proclamation proclaiming February 19 - 25, 2006 as National Engineers' Week in Kern County - PROCLAIMED; MADE PRESENTATION TO BRIAN FULCE, PRESIDENT, AMERICAN SOCIETY OF CIVIL ENGINEERS, SOUTHERN SAN JOAQUIN BRANCH; BRIAN FULCE HEARD

**Rubio-Maben: All Ayes**

- 3) Proclamation proclaiming February 28, 2006 as Spay Day USA in Kern County - PROCLAIMED; MADE PRESENTATION TO PAM PRUITT AND CINDY FRYE, KERN COUNTY ANIMAL SHELTERS FOUNDATION; PAM PRUITT AND MARGARET KALAR, MARKETING AND PROMOTIONS ASSOCIATE FOR KERN COUNTY ANIMAL CONTROL, HEARD

**Maben-Rubio: All Ayes**

APPOINTMENTS

- \*4) Appointment of Monte Albalos as First District Consumer Member to the Kern County Local Child Care and Development Planning Council, term to expire June 30, 2008 - MADE APPOINTMENT

**Maben-Watson: All Ayes**

- \*5) Appointment of Sharon M. Foreman as At-large Member to the West Side Cemetery District, term to expire July 11, 2009 - MADE APPOINTMENT

**Maben-Watson: All Ayes**

- \*6) Reappointment of Ken Edward Kerr as At-large Member to the West Side Mosquito and Vector Control District, term to expire January 1, 2008 - MADE REAPPOINTMENT

**Maben-Watson: All Ayes**

- \*7) Reappointment of Wetona A. Olson as Fourth District Member to the Adult Day Health Care Board, term to expire August 15, 2007 - MADE REAPPOINTMENT

**Maben-Watson: All Ayes**

PUBLIC PRESENTATIONS

- 8) 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

- 9) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR MABEN DISCUSSED CURRENT STATE LAW THAT REQUIRES VETERINARIANS ONLY TO PERFORM SPAY AND NEUTER SERVICES.

REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND ANIMAL CONTROL TO PURSUE LEGISLATION THAT WOULD EXEMPT ANIMAL CONTROL SHELTERS FROM THE CURRENT REQUIREMENT AND ALLOW LICENSED VETERINARY TECHNICIANS TO PERFORM SPAY AND NEUTER PROCEDURES

**Maben-Watson: All Ayes**

SUPERVISOR RUBIO ACKNOWLEDGED CLINICA SIERRA VISTA FOR THE "GIVE KIDS A SMILE" EVENT HELD IN THE ARVIN AREA WHERE MORE THAN 400 CHILDREN RECEIVED FREE DENTAL SERVICES WITH CONTINUED FOLLOW-UP BY LOCAL DENTISTS

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

- \*10) Request to employ retired County employee, Roval C. Wells, as Agricultural/Weights and Measures Technician, 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: \$11,900; State Agreement; Budgeted; Mandated) - APPROVED

**Maben-Watson: All Ayes**

AIRPORTS

- \*11) Request to submit the Master Plan for the Lost Hills Airport to the FAA for administrative review, and approve the commencement of the necessary environmental study (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- \*12) Request to submit the Master Plan for the Wasco Airport to the FAA for administrative review, and approve commencement of the necessary environmental study (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*13) Request to employ retired County employee, Mary Munoz, as an Office Services Assistant, 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

**Maben-Watson: All Ayes**

- \*14) Proposed deletion of one (1) Senior Information Systems Specialist position and addition of one (1) Programmer I/II position, effective February 21, 2006 (Fiscal Impact: Estimated \$10,934; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Watson: All Ayes**

COUNTY COUNSEL

- \*15) Resolution authorizing the issuance and sale of bonds of the Lost Hills Union School District, Election of 2005, Series A in the aggregate principal amount of not to exceed \$3,500,000 (Fiscal Impact: None) - CONTINUED TO TUESDAY, FEBRUARY 28, 2006 AT 9:00 A.M.

**Maben-Watson: All Ayes**

- \*16) Proposed appointment of John Mellow to serve as Alternate Director on the Board of Directors of CSAC Excess Insurance Authority (EIA) (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- \*17) Request of the Department of Human Services 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

**Maben-Watson: All Ayes**

- \*18) Proposed Ordinance repealing Subsection (1) of Section 10.24.025 of Chapter 10.24, Title 10 of the Kern County Ordinance Code concerning a handicap parking zone in front of 110 Woodrow Avenue that is no longer needed - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Watson: All Ayes**

EMERGENCY MEDICAL SERVICES

- \*19) Appropriation of unanticipated revenue in the amount of \$540,517 and request to approve grant Agreement with California Department of Health Services for Bioterrorism Hospital Preparedness (Fiscal Impact: \$540,517, State Grant; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$540,517 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$540,517 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 4200; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 139-2006

**Maben-Watson: All Ayes**

FIRE DEPARTMENT

- \*20) Appropriation of unanticipated revenue in the amount of \$475,000 for purchase of support vehicles for wildland fire, helicopter and mobile fire kitchen programs (Fiscal Impact: \$475,000; Fire Hazard Reduction Trust Fund, Helicopter Trust Fund, and Fire Cost Reimbursements; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$475,000 [\$200,000 FROM HAZARD REDUCTION TRUST FUND (24022), \$200,000 FROM HELICOPTER TRUST FUND (24047), AND \$75,000 FROM FIRE COST REIMBURSEMENTS (00011)] TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$475,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2415

**Maben-Watson: All Ayes**

- \*21) Proposed Resolution adopting the Multi-Jurisdictional Kern County Hazard Mitigation Plan (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-044

**Maben-Watson: All Ayes**

KERN MEDICAL CENTER

- \*22) Proposed changes in clinical privilege status for 27 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- \*23) Proposed changes in clinical privilege status for one (1) Allied Health Professional (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

MENTAL HEALTH SERVICES

- \*24) Proposed Amendment No. 2 to Agreement 467-2005 with Vince Saldias and Elizabeth Saldias, dba Positive Visions for Men, to increase service levels to match actual service demand and increase maximum compensation from its original amount of \$96,569 to a new total of \$100,494 (increase of \$3,925) (Fiscal Impact: \$3,925; Grant Funded; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 140-2006

**Maben-Watson: All Ayes**

- \*25) Proposed retroactive Agreement with The California Department of Mental Health (State Agreement No. 05-75376-000), for state hospital bed purchase and usage, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$807,033 (Fiscal Impact: \$807,033; Realignment; Budgeted; Mandated) -

**WITHDRAWN**

PROBATION

- \*26) Request to accept grant funding from Stewardship Council Youth Investment Program for wards in the Camp Erwin Owen Orchard program (Fiscal Impact: \$13,000 Revenue; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO EXECUTE GRANT DOCUMENTS; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$13,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$13,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2340

**Maben-Watson: All Ayes**

PUBLIC HEALTH SERVICES

- \*27) Proposed Amendment No. 1 to Agreement 108-2005 (State Agreement No. 04-35974) with California Department of Health Services for Preventive Health Care for the Aging Program, for an increase of \$6,720 to an amount not to exceed \$70,720 (Fiscal Impact: \$6,720; State Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 141-2006

**Maben-Watson: All Ayes**

SHERIFF

- \*28) Unusual travel request for Deputies Mike Booker, Dustin Downey, Julio Garcia, Jay Heisey, Raul Murillo, and Avery Simpson to attend training in Elk Grove, California from March 25, 2006 to April 7, 2006, in an amount not to exceed \$2,645 each (Fiscal Impact \$15,870; Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

- \*29) Retroactive unusual travel request for Sergeant Curtis Cornelison to attend training in Quantico, Virginia from February 13, 2006 to February 24, 2006 (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- \*30) Proposed retroactive Agreement with Bakersfield City School District for law enforcement services, from January 25, 2006 through June 2, 2006, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 142-2006

**Maben-Watson: All Ayes**

ADJOURNED TO CLOSED SESSION

**McQuiston**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 31) 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 (Government Code Section 54957.6) -
- 32) Request for Closed Session regarding conference with real property negotiators concerning negotiations with the following owners relating to their respective properties: Sill Properties, Inc. et al for 8.9 acres, APN # 482-010-32; Small Trust for portion of 16.3 acre parcel, APN #483-010-15; Leon G. Frost for portions of two 2.6 acre parcels, APN #483-010-10 and 11; JR and Sonya Brady for portion of 16.7 acre parcel, APN #483-010-13; Western District of United Pentecostal for portion of 16.7 acre parcel, APN #483-010-14; and Felipe Blake, George Martin and Jimmy Yee for portion of 151.7 acre parcel, APN #483-010-19; agency negotiators, Ronald M. Errea, County Administrative Officer, and designated staff; provide direction to the negotiators on price, terms of payment and conditions of transfer for purchase, sale, exchange or lease (Government Code Section 54956.8) -
- 33) Request for Closed Session regarding public employee recruitment - Title: Director of Parks and Recreation Department (Government Code Section 54957) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)
- 34) Request for Closed Session regarding public employee recruitment - Title: Director of Agriculture and Measurement Standards (Government Code Section 54957) -
- 34A) Results of Closed Session regarding public employee recruitment - Title: Director of Agriculture and Measurement Standards (Government Code Section 54957) - CONTINUED TO TUESDAY, FEBRUARY 21, 2006 AT 2:00 P.M. (SEE ITEM #39)

- 35) Request for Closed Session regarding public employee performance evaluation - Title: Director of Public Health Services (Government Code Section 54957) -

COUNTY COUNSEL

- 36) Request for Closed Session regarding significant exposure to litigation against the County in the opinion of the Board on the advice of legal counsel, based on existing facts and circumstances (Government Code Section 54956.9(b)(1)) -

(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-Watson**

/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, February 21, 2006

2:00 P.M.

BOARD RECONVENED

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

#### RESULTS OF CLOSED SESSION

Results of Closed Session from February 21, 2006, at 9:00 A.M., Item No. 33, regarding public employee recruitment - Title: Director of Parks & Recreation Department - CHAIRMAN PATRICK ANNOUNCED THE APPOINTMENT OF BOB LERUDE AS KERN COUNTY DIRECTOR OF PARKS & RECREATION DEPARTMENT, EFFECTIVE IMMEDIATELY

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

BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

**Maben-Watson: All Ayes**

#### KERN SANITATION AUTHORITY

##### S.D. #5

- #1) Proposed Agreement with Kaweah Construction Company for Job Order Contract Wastewater Treatment Plant Maintenance/Repair Phase II, in an amount not to exceed \$400,000 (Various Projects) (Fiscal Impact: \$400,000; Kern Sanitation Authority; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 143-2006

**Watson-Maben: All Ayes**

##### All S.D.'s

- #2) Proposed Escrow Agreement with Kaweah Construction Company for Job Order Contract Wastewater Treatment Plant Maintenance/Repair Phase II (Fiscal Impact: None) (from 2/14/2006) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 144-2006

**Watson-Maben: All Ayes**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

**Watson-Maben: All Ayes**

PUBLIC REQUESTS

- 3) Request from Eugene Albitre to address the Board regarding displaying of artifacts recovered in the ground excavation in Elk Hills - EUGENE ALBITRE HEARD; REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO PREPARE A LETTER OF SUPPORT TO THE DEPARTMENT OF ENERGY TO ENCOURAGE A TRANSFER OF NATIVE AMERICAN ARTIFACTS FROM CALIFORNIA STATE UNIVERSITY BAKERSFIELD TO THE BUENA VISTA MUSEUM FOR PUBLIC DISPLAY; RECEIVED AND FILED DOCUMENT

**Maben-Watson: All Ayes**

PUBLIC PRESENTATIONS

- 4) 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

- 5) 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 DISCUSSED THE SALE OF TOBACCO PRODUCTS TO MINORS IN KERN COUNTY

REFERRED TO COUNTY COUNSEL TO REPORT BACK TO THE BOARD ON APRIL 4, 2006, REGARDING THE AGENCY RESPONSIBLE FOR ENFORCING EXISTING LAWS PROHIBITING THE SALE OF TOBACCO PRODUCTS TO MINORS, AND OPTIONS AVAILABLE FOR MORE STRINGENT ENFORCEMENT LOCALLY

**Rubio-Watson: All Ayes**

SUPERVISOR RUBIO ALSO REQUESTED THE KERN COUNTY SHERIFF'S DEPARTMENT EXPAND ENFORCEMENT OF EXISTING REGULATIONS RELATIVE TO THE SALE OF SPRAY PAINT TO MINORS DUE TO AN INCREASE IN GRAFFITI IN THE COMMUNITY

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*6) **Request from Kern County Planning Department to establish a permitted use of exclusive agriculture on approximately 18,600 acres of land formerly within the boundaries of California City (SD 2)**

Specific Request:

The establishment of zone classification A on approximately 18,600 acres of 8.5 designated land formerly within the boundaries of California City (ZCC #3, Map #135; ZCC #2, Map #136; ZCC #1, Map #154; ZCC #1, Map #155; ZCC #3, Map #171; ZCC #3, Map #172; ZCC #2, Map #176; ZCC #9, Map #193) (General Rule, Section 15061(b)(3); Published Mojave Desert News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-045 AND ENACTED ORDINANCES G-7346 THROUGH G-7353 APPROVING THE ESTABLISHMENT OF THE A (EXCLUSIVE AGRICULTURE) DISTRICT AS REQUESTED

**Maben-Watson: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Streets and Highways

S.D. #1

- \*7) Request from Valerie Colb for a Summary Vacation of Julie Street, south of Walker Basin Road, approximately 11 miles northeast of Caliente - ADOPTED RESOLUTION 2006-046 APPROVING SUMMARY VACATION AS REQUESTED, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Animal Control Services

All S.D.'s

- \*8) Proposed Agreement with Friends of the Kern County Animal Shelters Foundation for donations of funds and services (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 145-2006

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

S.D. #1

- \*9) Proposed Amendment No. 3 to Agreement 710-2003, CD Nos. 18.02.3 & 18.03.1, with the City of Shafter to provide additional funds of \$100,000 for construction of offsite improvements for a new total amount not to exceed \$708,278 (Fiscal Impact: \$100,000; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 146-2006

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #2

- \*10) Request to approve final map for Tract No. 6285, east side of 15th Street West at Monte Vista Avenue, Rosamond, Type "A" subdivision, David R. Brown for M & M Sales, a California Company (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-047 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-Watson: All Ayes**

S. D. #4

- \*11) Request for approval of completed street, drainage, water and landscaping improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 5858, southwest corner Johnson Road and Wegis Avenue, western Rosedale area, and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER AND LANDSCAPING IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$267,853 TO \$26,785 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING FEBRUARY 21, 2006; REDUCED FAITHFUL PERFORMANCE BOND NO. SU5006080, IN THE AMOUNT OF \$267,853, ISSUED BY ARCH INSURANCE COMPANY, TO \$26,785; ADOPTED RESOLUTION 2006-048 FOR ACCEPTANCE OF JOHNSON ROAD AND WEGIS AVENUE, WITHIN TRACT 5858, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*12) Proposed establishment of 45 mile-per-hour speed limits on James Road from Petrol Road to North Chester Avenue, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION ORDINANCE

**Maben-Watson: All Ayes**

- \*13) Proposed establishment of 45 mile-per-hour speed limits on North Chester Avenue south of James Road for 673 feet, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

S.D. #3

- \*14) Proposed Conveyance Contract, Grant Deed, and Access and Drainage Easement Deed from Stan Ellis and Lynn Gudmundson, and escrow instructions to purchase approximately 0.86 total acres of property off Patton Way for the construction of a drainage sump, access road and drainage facilities, in an amount not to exceed \$102,046 (Fiscal Impact: \$102,046; Road Fund; Budgeted; Discretionary) -

**WITHDRAWN**

- \*15) Contract No. 06023, Plans, Specifications and Notice to Contractors for Patton Way drainage improvements (Fiscal Impact: estimated \$380,000; Road Fund; Budgeted; Discretionary) -

**WITHDRAWN**

S.D. #4

- \*16) Proposed Resolution of Acceptance of Offer of Dedication, declaration as public highway and incorporation into the County road system as part of Old Farm Road (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-049; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*17) Proposed no stopping zone on Heath Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

S.D. #5

- \*18) Proposed Contract No. 06003 with A-C Electric for construction of traffic signal and lighting system on Edison Highway at Chamberlain Avenue, in an amount not to exceed \$108,160.60 (Fiscal Impact: \$108,160.60; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 147-2006

**Maben-Watson: All Ayes**

S.D.'s #1 & #3

- \*19) Proposed Contract No. 06004 with Loop Electric Company 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) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 148-2006

**Maben-Watson: All Ayes**

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

- \*20) Contract No. 06015 identify apparent low bid from Granite Construction for asphalt concrete stockpile at various locations in Kern County, in an amount not to exceed \$422,300 (Fiscal Impact: \$422,300; 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

- \*21) Contract No. 05017 Notice of Completion for Granite Construction Company for manufacture and delivery of asphalt concrete (stockpile) to various locations in Kern County (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

- \*22) Recognition of unanticipated revenue and request for approval of sole source purchase of digital elevation data from Intermap Technologies, Inc., in an amount not to exceed \$351,000 (Fiscal Impact: \$351,000; Road Fund; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$351,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$351,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 3000; APPROVED SOLE SOURCE PURCHASE; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 149-2006; AUTHORIZED PURCHASING TO ISSUE PURCHASE ORDER; AUTHORIZED DIRECTOR OF ENGINEERING AND SURVEY SERVICES TO SIGN COUNTY APPROVALS WITH OTHER PUBLIC AGENCIES IN KERN COUNTY TO DISTRIBUTE THE DATA TO THEM UPON RECEIPT OF AGREED UPON PAYMENT FOR THEIR PORTION OF THE DATA

**Maben-Watson: All Ayes**

WASTE MANAGEMENT

Hearing

All S.D.'s

- \*23) Public Hearing to approve Annual Review of Garbage Franchises report and refuse service and recycling rates; establish the mid-year 2006 schedule of Refuse Service rates effective March 1, 2006, and establish calendar year 2007 schedule of Refuse Service and Recycling Rates, effective January 1, 2007 (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ADOPTED RESOLUTION 2006-050

**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*24) Proposed amendment to Citizens Advisory Committee on Annexations By-Laws (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- \*25) Proposed Memorandum of Understanding with Kern County Fire Fighters Union, Inc., for Bargaining Units F and 7, from July 1, 2005 through June 30, 2006, to provide a 5% salary increase, retroactive to July 9, 2005, and a 5% increase in Fire Science Certificate pay to 12%, effective February 18, 2006 (Fiscal Impact: \$3.5 million; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 150-2006; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, DIRECTOR OF PERSONNEL AND COUNTY ADMINISTRATIVE OFFICER TO IMPLEMENT

**Maben-Watson: All Ayes**

- \*26) Proposed retroactive salary adjustments for Fire Safety managers to provide a salary increase of 5% for specified managers, effective July 9, 2005, and increase in Fire Science Certificate pay to 12%, effective February 18, 2006 (Fiscal Impact: \$80,000; Not Budgeted; Discretionary) - APPROVED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, DIRECTOR OF PERSONNEL AND COUNTY ADMINISTRATIVE OFFICER TO IMPLEMENT

**Maben-Watson: All Ayes**

Legislative Matters

- \*27) AB 1858 (McCarthy): Relinquishment of Rosedale Highway portion of State Route 58 to City and County (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Watson: All Ayes**

- \*28) SB 411 (Alarcon): Limiting use of green waste as alternate daily landfill cover (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #2

- \*29) Proposed Agreement with Malibu Pacific Tennis Courts, Inc., for tot lot improvements at North Edwards and Twin Oaks Parks, in an amount not to exceed \$149,000 (1960.8263.04D) (Fiscal Impact: \$149,000; Parkland Grant; Budgeted; Discretionary) - CONTINUED TO TUESDAY, FEBRUARY 28, 2006, AT 2:00 P.M.

**Maben-Watson: All Ayes**

S.D. #5

- \*30) Request for subcontractor substitution for Superior Court, 1415 Truxtun, door and chair rail (1650.7057.05H) (Fiscal Impact: None) - FOUND THAT CUSTOM ELECTRIC FAILED TO EXECUTE A WRITTEN CONTRACT WITH ACE ENGINEERING; APPROVED SUBSTITUTION OF JAY KIM ELECTRIC TO COMPLETE ELECTRICAL PORTION OF PROJECT

**Maben-Watson: All Ayes**

- \*31) Request for subcontractor substitution for Superior Court, 1415 Truxtun, door and chair rail (1650.7057.05H) (Fiscal Impact: None) - FOUND THAT C&H CONSTRUCTION FAILED TO EXECUTE A WRITTEN CONTRACT WITH ACE ENGINEERING; APPROVED SUBSTITUTION OF ACE ENGINEERING, INC., TO COMPLETE CARPENTRY PORTION OF PROJECT

**Maben-Watson: All Ayes**

- \*32) Change Order No. 4 for the reroof at the Public Services Building, a decrease of \$30,050, for a new total of \$376,305 (1650.7027) (Fiscal Impact: \$30,050 Decrease; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Watson: All Ayes**

- \*33) Proposed Transfer Agreement and Quitclaim Deed transferring ownership of County's property located at 8301 Segreue Road, Lamont, to the Boys Club to operate youth activities to benefit the general public (Fiscal Impact: None) (from 2/7/2006 & 2/14/2006) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2006-051 APPROVING TRANSFER; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 151-2006 AND TRANSFER DOCUMENTS SUBJECT TO APPROVAL AS TO FORM BY COUNTY COUNSEL

**Maben-Watson: All Ayes**

CONSIDERATION OF ORDINANCE INTRODUCED FEBRUARY 14, 2006

- \*34) Proposed Ordinance amending Section 2.150.020 of the Kern County Ordinance Code concerning duties of the Animal Control Commission (Fiscal Impact: None) - ENACTED ORDINANCE G-7354

**Maben-Watson: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*35) Budget Transfers - APPROVED NO. 104 THROUGH NO. 108

**Maben-Watson: All Ayes**

- \*36) Minutes for week of January 23, 2006 - APPROVED WITH CORRECTION TO ITEM NO. P.M. 6, ADDING RESOLUTION 2006-025

**Maben-Watson: All Ayes**

- \*37) Miscellaneous Letters and Documents - APPROVED

**Maben-Watson: All Ayes**

- \*38) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

ADJOURNED TO CLOSED SESSION

**McQuiston**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 39) Request for Closed Session regarding public employee recruitment - Title: Director of Agriculture and Measurement Standards (Government Code Section 54957) (from 2/21/2006, Item No. 34 A.M.) -

RECONVENED FROM CLOSED SESSION WITH ALL MEMBERS PRESENT

RESULTS OF CLOSED SESSION

- 40) Results of Closed Session, Item No. 39, regarding public employee recruitment - Title: Director of Agriculture and Measurement Standards - CHAIRMAN PATRICK ANNOUNCED THE APPOINTMENT OF DAVID MOORE AS DIRECTOR OF AGRICULTURE AND MEASUREMENT STANDARDS, EFFECTIVE IMMEDIATELY; DAVID MOORE HEARD

ADJOURNED TO MONDAY, FEBRUARY 27, 2006, AT 5:30 P.M., JOINT CITY/COUNTY MEETING, BAKERSFIELD CITY COUNCIL CHAMBERS

**Watson**

/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.

37) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Clerk of the Board

- A) Letter from Diane G. Koditek, Mental Health Department, regarding resignation of Edith Montano, District 5 appointee, to the Behavioral Health Board (Copies to each Supervisor and CAO)
- B) Received, certified and transmitted to Recorder for recordation as follows:
  - 1) Parcel Map 11218, S.D. #1
  - 2) Parcel Map 11310, S.D. #4

Grand Jury

- C) 2005-2006 Grand Jury Final Report re Kern County Board of Supervisors Continuity and Tracking Committee (Copies to each Supervisor and CAO)

Retirement

- D) Kern County Employees' Retirement Association (KCERA) Comprehensive Annual Financial Report

Treasurer-Tax Collector

- E) Cash Receipts and Disbursements for January 2006

Miscellaneous

- F) Letter to Chairman Barbara Patrick from Stan Rosenstein, Deputy Director, Medical Care Services, Department of Health Services, re interim case relief concerning hospital cash flow issues (Copies to each Supervisor, CAO, KMC, and County Counsel)
- G) Letter from Adrienne Burgess regarding pig castration in California classroom (Copies to each Supervisor, CAO, Environmental Health and County Counsel)
- H) Letter from Marilynne Masino regarding pig castration in schools (Copies to each Supervisor, CAO, Environmental Health and County Counsel)
- I) Letter from Carol K. Hobbs regarding pig castration in schools (Copies to Each Supervisor, CAO, Environmental Health and County Counsel)
- J) Copy of letter from Assemblyman Bill Maze to Director Sandra Shewry, California Department of Health Services, regarding Kern Medical Center's financial situation (Copies to each Supervisor, CAO and Kern Medical Center)
- K) Letter from Frank L. Watkins regarding appeal of paintball facility (Copies to each Supervisor, CAO, Planning and County Counsel)
- L) Copy of letter to Mayor Harvey Hall from Fran Florez, Mayor, City of Shafter, regarding Letter of Commitment to participate in funding and completion of Seventh Standard Road project (Copies to each Supervisor, CAO, Roads, and Resource Management Agency)

- M) Copy of letter to John Garamendi, Insurance Commissioner, California Department of Insurance, from Frank Bigelow, Chairman, Madera County Board of Supervisors, in opposition to proposed changes to auto insurance rating factors (Copies to each Supervisor and CAO)
- N) Letter from Linda Willingham, CNA Surety, regarding Pilot Travel Center #154, Pilot Corporation, Bond #929 18 94 21 - \$142,859, Storm Drain and Street Improvement and Landscaping, release of liability (Copy to each Supervisor, CAO and Engineering and Survey Services)
- O) Letter from Khatchik H. "Katcho" Achadjian, Chairperson, San Luis Obispo Board of Supervisors, regarding letter of support to the California Energy Commission re accumulation of spent fuel at California's operating nuclear power plants (Copies to each Supervisor and CAO)
- P) Letter of Transmittal from Boyle Engineering Corporation regarding East Niles Community Services District 2005 Urban Water Management Plan, Resolution 2005-10 (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- Q) Pacific Gas and Electric Company's (PG&E) Notice of Filing of Optional Climate Protection Program (Copies to each Supervisor and CAO)
- 38) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Nicholas Brewer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Marty Cologna-Farrell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Audrey M. Haight vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Ijeoma Iruke vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Amparo Perez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Claim in the matter of Ernest L. Sanchez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - G) Claim in the matter of Diane Alayne Stricklen vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - H) Claim in the matter of Gilbert Tarr vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - I) Summons and Complaint in the matter of Bradley Dahl vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- J) Summons and Complaint in the matter of Samantha Duhart vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
- K) Summons and Complaint in the matter of Linda Krolnik vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
- L) Summons and Complaint in the matter of Bryce J. Moore, by and through his guardian ad litem, Michelle Tripp, individually and as a Successor in Interest of James W. Moore vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)