

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, February 28, 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

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.

NOTE: CHAIRMAN PATRICK RECOGNIZED BRENT RUSH, THIRD DISTRICT APPOINTEE TO THE BOARD OF TRADE

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring Yelonda K. Benson, Department of Human Services, upon her retirement with 35 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO YELONDA BENSON; YELONDA BENSON, BEVERLY BEASLEY JOHNSON, DIRECTOR, DEPARTMENT OF HUMAN SERVICES, AND DENA BREASHEARS, ASSISTANT PROGRAM DIRECTOR, HEARD

Watson-Rubio: 4 Ayes; 1 Absent - McQuiston

- *2) Resolution honoring Roberta Guyon, Department of Human Services, upon her retirement with 30 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *3) Resolution honoring Linda Keller, Department of Human Services, upon her retirement with 26 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *4) Resolution honoring Susan Moore, Roads Department, upon her retirement with 30 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- 5) Proclamation proclaiming March, 2006 as Red Cross Month in Kern County - PROCLAIMED; MADE PRESENTATION TO RICHARD TEMPLE, CEO, AMERICAN RED CROSS, KERN CHAPTER; RICHARD TEMPLE HEARD

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

APPOINTMENTS

- *6) Appointments of Robert Ormal Wayne, Jr. and Roy Roland Maier as At-large Members to the West Side Recreation and Park District, terms to expire January 26, 2010 - MADE APPOINTMENTS

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *7) Appointments of Brent Rush as Third District Member, and Carmen Handy as Fifth District Member, to the Board of Trade, terms to expire at the Pleasure of the Board - MADE APPOINTMENTS

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *8) Appointment of Marie (Mickey) Louise Sturdivant as Fifth District Member to the Human Relations Commission, term to expire January 8, 2008 - MADE APPOINTMENT

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *9) Appointments to the Animal Control Commission of Janice Kiseskey Anderson as At-Large Member, term to expire February 28, 2007, and Michael Joseph Yraceburn as At-large Member, term to expire February 28, 2009 - MADE APPOINTMENTS

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *12) Proposed Amendment No. 1 to Agreement 539-2005 with California Department of Aging for Title III and VII Programs for Fiscal Year 2005-2006 (Fiscal Impact: \$129,934; Federal Funding; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 152-2006; AUTHORIZED DIRECTOR OF AGING AND ADULT SERVICES TO SIGN ALL RELATED STATE TRANSMITTAL DOCUMENTS; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$129,934 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$129,934 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 5610

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

AIRPORTS

- *13) Proposed retroactive Amendment No. 1 to Agreement 123-2003 with Information Technology Design for Ad Hoc Consulting Services, increasing compensation by \$29,719 to an amount not to exceed \$69,099 and extending the term to March 30, 2006 (Fiscal Impact: \$29,719; Not Budgeted; Discretionary) -

WITHDRAWN

AUDITOR-CONTROLLER-COUNTY CLERK

- *14) Proposed Resolution from Vineland School District requesting Elections Official to conduct their special election to be held June 6, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO PERFORM ELECTIONS-RELATED SERVICES REQUESTED

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *15) Proposed Amendment No. 9 to Agreement 327-2004 with Brown Armstrong Accountancy Corporation to provide for the audits of Public Health grants of KATCH/Application Assisters, from July 1, 2004 to June 30, 2005; C.H.D.P. Dental Component and Nurse Family Partnership, from November 1, 2003 to June 30, 2005, in an amount not to exceed \$11,000 (Fiscal Impact: \$11,000 Public Health; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 153-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

BOARD OF SUPERVISORS

- *16) Annual report from Second District Supervisor Don Maben to the United States Air Force on the condition of the F-4C aircraft loaned to Kern County for the Boron Aerospace Museum (Fiscal Impact: None) - RECEIVED AND FILED; AUTHORIZED CHAIRMAN TO SIGN 2006 LOAN AGREEMENT 154-2006 AND NECESSARY U.S. AIR FORCE MUSEUM CERTIFICATION FORM

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

CHILD SUPPORT SERVICES

- *17) Proposed Amendment No. 4 to Agreement between Superior Court of Kern County and Advanced Technologies to add twenty (20) additional seat licenses and prepay maintenance costs for all seventy (70) licenses, from July 1, 2006 to June 30, 2009, to increase Class Act program access to Department of Child Support Services (Fiscal Impact: \$109,703.00; State Grant Funded; No County General Fund Impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 155-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

COUNTY COUNSEL

- *18) 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) (from 2/21/2006) - ADOPTED RESOLUTION 2006-053

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

EMERGENCY MEDICAL SERVICES

- *19) Proposed Agreements with Delano Regional Medical Center and Kern Valley Healthcare District, for deployment of emergency response and surge capacity resources, from February 28, 2006 for an ongoing term (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 156-2006 AND 157-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

EMPLOYERS' TRAINING RESOURCE

- *20) Request to appropriate unanticipated revenue from Kern County Department of Human Services to provide paid work experience training for CalWORKs participants, from November 5, 2005 through June 30, 2006, in an amount not to exceed \$1,000,000, and revenue from the State to provide work experience and training to disadvantaged youths, in an amount not to exceed \$62,500 - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$1,062,500 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$1,062,500 FROM APPROPRIATIONS FOR CONTINGENCIES TO EMPLOYERS' TRAINING RESOURCE WORKFORCE INVESTMENT ACT BUDGET UNIT 8907

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

HUMAN SERVICES

- *21) Proposed Professional Services Agreement with Marie Sturdivant for a Parent Leader position, from March 1, 2006 through February 28, 2007, in an amount not to exceed \$31,653 (Fiscal Impact: \$26,905 State/Federal; \$4,748 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 158-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

KERN MEDICAL CENTER

- 22) Proposed Cash Advance Increase (Fiscal Impact: \$10 Million; County General Fund) - MICHAEL TURNIPSEED, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD

MOTION TO APPROVE WITH A MODIFIED CASH ADVANCE INCREASE OF \$7.5 MILLION

Watson

MOTION WITHDRAWN

APPROVED ORIGINAL REQUEST AS SUBMITTED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PROCESS INTER-FUND CASH TRANSFER; DIRECTED KERN MEDICAL CENTER, COUNTY ADMINISTRATIVE OFFICE AND AUDITOR-CONTROLLER-COUNTY CLERK, TO PROVIDE A WEEKLY UPDATE ON KMC FISCAL OPERATIONS; RECEIVED AND FILED DOCUMENT

Rubio-Watson: 4 Ayes; 1 Absent - McQuiston

- *23) Proposed Amendment No. 6 to Agreement 304-2004 with Health Net of California, Inc., an independent contractor, for health care services rendered to Health Net Medi-Cal Managed Care and Healthy Families members (Fiscal Impact: Confidential; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 159-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

LIBRARY

- *24) Request to employ retired county employees Linda Self, Office Services Technician, Step E, and Kristie Coons, Librarian II, Step E, for a period not to exceed 120 working days or 960 hours in the 12-month period following date of employment (Fiscal Impact: \$37,741; Budgeted; Discretionary) - APPROVED

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

MENTAL HEALTH SERVICES

- *25) Proposed Amendment No. 1 to Agreement 302-2005 with Komal Desai, M.D., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and the impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 160-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

NOTE: ITEMS 26 AND 27 WERE HEARD CONCURRENTLY

- 26) Proposed Amendment No. 1 to Agreement 722-2005 with Connie Giannantonio, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation, and to allow for the provision of Riese Capacity Hearings (Fiscal Impact: None) - TERRI FOLEY HEARD

MOTION TO APPROVE; AUTHORIZE CHAIRMAN TO SIGN

Watson

MOTION WITHDRAWN

ITEM WITHDRAWN AT THE REQUEST OF MENTAL HEALTH DEPARTMENT

- 27) Proposed Amendment No. 1 to Agreement 726-2005 with Gail Ezra-Cary, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation and to allow for the provision of Riese Capacity Hearings (Fiscal Impact: None) - TERRI FOLEY HEARD

MOTION TO APPROVE; AUTHORIZE CHAIRMAN TO SIGN

Watson

MOTION WITHDRAWN

ITEM WITHDRAWN AT THE REQUEST OF MENTAL HEALTH DEPARTMENT

- *28) Proposed Amendment No. 1 to Agreement 926-2005 with Community Activators, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act and the impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 161-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

PERSONNEL

- *29) Classification of positions recommended by Civil Service Commission effective March 4, 2006 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND THE DEPARTMENTAL POSITION AND SALARY SCHEDULE

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

PROBATION

- *30) Request authorization to submit grant application to the Governor's Office of Emergency Services for the Victim Witness Assistance Program in the amount of \$456,247 (Fiscal Impact: \$456,247; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO EXECUTE REQUIRED APPLICATION AND GRANT AGREEMENT

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

SHERIFF

- *31) Proposed Agreement with Christian Chaplain Services, Inc., to provide Chaplain services to inmates, from March 27, 2006 to March 26, 2007, in an amount not to exceed \$110,000 (Fiscal Impact: \$110,000; no impact to general fund) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 162-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *32) Proposed Budget Transfer for acquisition of fixed asset, Kardex Systems Shelving (Fiscal Impact: \$35,202; Not Budgeted; Discretionary) - APPROVED THE ACQUISITION OF THE KARDEX SYSTEMS SHELIVING; APPROVED TRANSFER OF \$35,202 TO EXPENDITURE ACCOUNT 2210-8625

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *33) Proposed termination of Agreement 740-2005 with the City of Arvin to provide one (1) full-time Sheriff Commander to serve as interim Police Chief for the City of Arvin (Fiscal Impact: None) - AUTHORIZED THE SHERIFF TO GIVE NOTICE OF TERMINATION OF AGREEMENT

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *34) Proposed Budget Transfer for acquisition of fixed asset, First Responder Portable Ballistic Shield (tactical blanket) in the amount of \$9,265 (Fiscal Impact: \$9,265; Budgeted; Discretionary) - APPROVED ACQUISITION OF THE "TACTICAL BLANKET" AND APPROVED TRANSFER OF \$9,265 INTO EXPENDITURE ACCOUNT 8620

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *35) Proposed Amendment No. 11 to Agreement 613-97 with Intergraph Public Safety for the upgrade of CAD, ILEADS IMOBILE with one (1) training class retroactive (Fiscal Impact: \$126,545 for FY 2005-06; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 163-2006

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- 36) Proposed addition of four (4) Sheriff's Sergeant, four (4) Senior Deputy Sheriff positions, and deletion of five (5) vacant Sheriff's Detention Sergeant and one (1) vacant Sheriff's Detention Deputy positions, effective February 28, 2006 (Fiscal Impact: \$24,001 FY 2005-2006 and \$96,003 annually; Not Budgeted; Discretionary) (from 2/14/2006) - PAUL HUSSEY, PRESIDENT, KERN COUNTY DETENTION OFFICERS ASSOCIATION; TODD DELMORE, KERN COUNTY DETENTION OFFICERS ASSOCIATION; LARRY STUDOR, KERN COUNTY SHERIFF'S DEPARTMENT; JAMES ASHLEY, KERN COUNTY SHERIFF'S DEPARTMENT; ALEX BERNARD, GENERAL MANAGER, KERN LAW ENFORCEMENT ASSOCIATION (KLEA); MICHAEL TURNIPSEED, KERN COUNTY TAXPAYERS ASSOCIATION, AND RHONDA TURNBAUGH, HEARD; CONTINUED TO TUESDAY, FEBRUARY 28, 2006 AT 2:00 P.M. (SEE ITEM 1A)

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

MOTION TO CONSIDER NON-AGENDA ITEM NO. 38: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER AGENDA WAS POSTED ON FEBRUARY 23, 2006 BECAUSE FISCAL MANAGEMENT PROBLEMS REQUIRE IMMEDIATE BOARD ATTENTION AND ADDITIONAL INFORMATION REGARDING FISCAL STATUS WAS RECEIVED AFTER POSTING OF THE AGENDA.

Watson-Rubio: 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 37) 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) -

NON-AGENDA ITEM

- 38) Request for Closed Session regarding Public Employee Performance Evaluation - Title: Chief Executive Officer Kern Medical Center (Government Code Section 54957) -

(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.

Maben-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 28, 2006

2:00 P.M.

BOARD RECONVENED

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

NOTE: ITEM 1A WAS CONTINUED FROM THE 9:00 A.M. SESSION, ITEM NO. 36

SHERIFF

- 1A) Proposed addition of four (4) Sheriff's Sergeant, four (4) Senior Deputy Sheriff positions, and deletion of five (5) vacant Sheriff's Detention Sergeant and one (1) vacant Sheriff's Detention Deputy positions, effective February 28, 2006 (Fiscal Impact: \$24,001 FY 2005-2006 and \$96,003 annually; Not Budgeted; Discretionary) (from 2/14/2006)(from 2/28/06 Item 36 A.M.) - APPROVED ADDITION OF FOUR (4) SHERIFF'S SERGEANT AND FOUR (4) SENIOR DEPUTY SHERIFF POSITIONS; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE; DEFERRED POSITION DELETIONS FOR DETENTION OFFICERS FOR CONSIDERATION DURING THE NEXT BUDGET CYCLE FOR FISCAL YEAR 2006-2007

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

PUBLIC REQUESTS

- 1) Request from Greater Bakersfield Vision 2020 to address the Board to provide an update of the Vision's priorities - KAY PITTS, VISION 2020 REPRESENTATIVE, MADE PRESENTATION

RECEIVED AND FILED DOCUMENT

Watson-Rubio: 4 Ayes; 1 Absent - McQuiston

PUBLIC PRESENTATIONS

- 2) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!
- GILBERT TARR DISCUSSED A PREVIOUS CLAIM FILED, AND FURTHER MADE A FORMAL COMPLAINT ON ALL ASSESSOR'S PARCEL NUMBERS (APN'S) IN THE COUNTY RELATIVE TO CARS, TRUCKS AND BUSES

COUNTY COUNSEL BERNARD BARMANN WILL DIRECT HIS STAFF TO MEET WITH MR. TARR REGARDING HIS CLAIM

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 3) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR RUBIO DISCUSSED THE VISION 2020 REPORT AND COMMENTED ABOUT THE HOMELESS ISSUE IN KERN COUNTY RELATING TO LOS ANGELES COUNTY TRANSIENTS

REFERRED TO THE COUNTY ADMINISTRATIVE OFFICER TO COMMUNICATE WITH THE LOS ANGELES COUNTY BOARD OF SUPERVISORS REGARDING THEIR ATTEMPTS TO SEND THEIR HOMELESS POPULATION TO KERN COUNTY AND TO FURTHER REQUEST REIMBURSEMENT FROM LOS ANGELES COUNTY TO PAY FOR SERVICES PROVIDED TO HOMELESS INDIVIDUALS FROM THAT AREA

Rubio-Maben: 4 Ayes; 1 Absent - McQuiston

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 4) **Request from Larry and Patricia Turpin to change street name from Perch Street to Log Home Way located north of Highway 202 and south of Roost Avenue, Tehachapi (SD #2)**

Specific Request:

Street name change from Perch Street to Log Home Way (165-203 099 Streets and Highways)

(General Rule, Section 15061(b)(3); Published Tehachapi News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2006-054 APPROVING STREET NAME CHANGE AS REQUESTED

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- *5) **Request from The Keith Companies to change the permitted uses from mobilehome park to low-density residential on 40 acres located south of Camelot Boulevard, east of 25th Street, Mojave (SD #2)**

Specific Request:

A change in zone classification from MP to R-1 or a more restrictive district (ZCC #41, Map #196)
(Special Situation, Section 15182; Published Mojave Desert News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-055 AND ENACTED ORDINANCE G-7355 APPROVING ZONE CHANGE AS REQUESTED TO BECOME EFFECTIVE UPON THE RECORDATION OF A FINAL TRACT MAP

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- 6) **Request from Fruitvale/Downing, LLC, by Pacific Engineering to change the permitted uses from residential to industrial on nine acres located at the southwest corner of Fruitvale Avenue and Downing Avenue, Bakersfield (SD #3)**

Specific Request:

A change in zone classification from E (5) RS to M-2 PD or a more restrictive district (ZCC #78, Map #102-21)
(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-056 AND ENACTED ORDINANCE G-7356 APPROVING ZONE CHANGE AS REQUESTED

Maben-Watson: 4 Ayes; 1 Absent - McQuiston

- 7) **Request from MRK&B Investment Group, LLC, by Greg Kendrick to change the permitted uses from mobilehome park to medium-density residential on 10.56 acres located at on the west side of Jenkins Road, 660 feet south of Rosedale Highway, Rosedale (SD #4)**

Specific Request:

A change in zone classification from MP to R-2 CL or a more restrictive district (ZCC #20, Map #101-26)
(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-057 AND ENACTED ORDINANCE G-7357 APPROVING ZONE CHANGE AS REQUESTED TO BECOME EFFECTIVE UPON APPROVAL OF A CLUSTER PLAN THAT PROVIDES FOR COMMUNITY SEWER

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Planning Department

Miscellaneous

- 8) Report regarding storage of fly ash at the City of Oxnard's Kern County farm site and related administrative penalty process for zoning ordinance violation - VIVIANA HEGER, REPRESENTING BP WEST COAST, HEARD; RECEIVED AND FILED; REFERRED TO ENGINEERING & SURVEY SERVICES TO REPORT BACK TO THE BOARD ON APRIL 4, 2006, RELATIVE TO ESTABLISHING PENALTIES FOR ACCUMULATION OF MATERIAL

Watson-Rubio: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #5

- *9) Proposed Agreement with Quad Knopf, Inc., for engineering services associated with design for the Rexland Acres Wastewater System Improvements, in an amount not to exceed \$340,000 (Fiscal Impact: \$340,000; Grant Funding; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 164-2006

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *10) Proposed Resolution to declare a portion of Lake Isabella Boulevard, between Erskine Creek Road and Kneale Avenue, a public highway, and incorporate it into the County road system (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-058; DIRECTED CLERK OF THE BOARD TO RECORD

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *11) Request for approval of preliminary project design and adoption of Negative Declaration regarding proposed widening of Seventh Standard Road from State Route 99 Interchange to Coffee Road (Fiscal Impact: \$24,000,000; STIP/TCRP/Section 190/City of Bakersfield/City of Shafter/Road Fund; Budgeted; Discretionary) - APPROVED; ADOPTED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; AUTHORIZED ROADS TO FILE NOTICE OF DETERMINATION AND CERTIFICATE OF FEE EXEMPTION; DIRECTED ROADS TO PROCEED WITH PROJECT

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *12) Proposed no stopping zones on Jenkins Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D.'s #1 & #3

- *13) Request for approval of proposed project design and adoption of Negative Declaration regarding proposed widening of Seventh Standard Road from Quinn Road to Wings Way (Fiscal Impact: \$4,500,000; STIP/SHOPP/Transportation Impact Fees; Budgeted; Discretionary) - APPROVED; MADE FINDING THAT PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT; ADOPTED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; AUTHORIZED ROADS TO FILE NOTICE OF DETERMINATION AND CERTIFICATE OF FEE EXEMPTION; DIRECTED ROADS TO PROCEED WITH PROJECT

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *14) Proposed Agreement with the Regents of the University of California to provide training course entitled "Safety and Traffic Control Plans for Work Zones" (Fiscal Impact: \$1,995; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 165-2006
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE

- *15) Proposed Grand Jury report entitled Kern County Board of Supervisors (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO PRESIDING JUDGE OF SUPERIOR COURT
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- 16) Proposed amendment to Administrative Policy and Procedures Manual, Chapter 10, to specify agenda and non-agenda document release procedures (Fiscal Impact: None) -

MOTION TO DENY APPROVAL OF THE PROPOSED AMENDMENT

Rubio

MOTION DIED DUE TO LACK OF A SECOND

APPROVED AS SUBMITTED

Watson-Maben: 3 Ayes; 1 No - Rubio; 1 Absent - McQuiston

MOTION CARRIED

- *17) Proposed Amendment No. 1 to Administrative Services Agreement 422-2003 with Pacific Dental Benefits, Inc., for self-funded dental benefit plan administration to increase fee from \$5.20 per employee enrolled per month to \$5.45, effective March 1, 2006, and to \$5.70, effective March 1, 2007 (Fiscal Impact: Increase in FY 2005-2006 \$5,500; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 166-2006
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *18) Proposed Amendment No. 2 to group subscriber benefit Agreement 146-2001 with Pacific Union Dental, Inc., for prepaid employee dental benefits to extend term 36 months through February 28, 2009 and increase fee from \$45.80 per employee enrolled per month to \$47.40, effective March 1, 2006, to \$49.06, effective March 1, 2007, and to \$51.27, effective March 1, 2008 (Fiscal Impact: Increase in FY 2005-2006 \$20,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 167-2006
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *19) Proposed increase in cash advance to the Airport Terminal Project Fund from the Tobacco Capital Project Fund of \$1,000,000 from a not to exceed amount of \$2,000,000 to \$3,000,000 (Fiscal Impact: None) - APPROVED
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *20) Proposed sole source Agreement with Hawkins, Delafield & Wood for specialized legal services related to public finance issues, in an amount not to exceed \$39,600 annually for a three-year term expiring February 28, 2009 (Fiscal Impact: \$39,600 Annually; Discretionary; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 168-2006

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

Legislative Matters

- *21) Proposed Federal Fiscal Year 2007 appropriations request in the amount of \$200,000 for Probation integrated case management system (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *22) Proposed Federal Fiscal Year 2007 appropriations request in the amount of \$200,000 for mobile data terminals for Sheriff's Department vehicles (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *23) Proposed Federal Fiscal Year 2007 appropriations request in the amount of \$1,800,000 for picture archiving and communication system for Kern Medical Center (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *24) Proposal to name the Ridgecrest Superior Court, Building "B", in honor of Burke West, Attorney at Law, effective February 28, 2006 - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #2

- *25) Proposed Standard Estoppel Certificate for S. A. Camp Companies, regarding lease of a portion of 4705 New Horizon Boulevard, Bakersfield, occupied by Sheriff's Department (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *26) 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) (from 2/21/2006) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 169-2006

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #3

- *27) Change Order No. 7 for Flight Information and Audio Paging System at the new Airport Terminal, an increase of \$21,157, for a new total of \$430,157 (8215.8416) (Fiscal Impact: \$21,157; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *28) Change Order No. 24 for the New Airport Terminal at Meadows Field, an increase of \$62,103, for a new total of \$22,010,563; and proposed Resolution to dispense with bidding requirements for change orders in excess of 10% of contract amount (8215.8415) (Fiscal Impact: \$62,103; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-059; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *29) Identify apparent low bid from I Con Construction Company, for the reroof at Taft Veterans Hall, in an amount not to exceed \$177,387 (1650.7017.04) (Fiscal Impact: \$177,387; General Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D.'s #1, #3, #4 & #5

- *30) Plans and Specifications for Fire Station Diesel Exhaust Evacuation Phase I (2415.8153.05A) (Fiscal Impact: \$273,100; General Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, MARCH 30, 2006, AT 11:00 A.M.

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

CONSIDERATION OF ORDINANCE INTRODUCED FEBRUARY 21, 2006

- *31) 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 - ENACTED ORDINANCE G-7358

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

MATTERS FOR EXECUTIVE APPROVAL

- *32) Budget Transfers - APPROVED NO. 109 THROUGH NO. 114

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *33) Minutes for week of January 30, 2006 - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

*34) Miscellaneous Letters and Documents - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

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

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

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

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO TUESDAY, MARCH 7, 2006, AT 9:00 A.M.

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.

34) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report of the Solid Waste Management Enterprise Fund for Fiscal Year ended June 30, 2005

Clerk of the Board

- B) Board of Supervisors Monthly Referral Report for January 2006

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

- | | |
|-----------------------------|---------|
| 1) Tract Map 6036, Unit 1 | S.D. #4 |
| 2) Tract Map 6036, Unit 2 | S.D. #4 |
| 3) Tract Map 6132, Phase I | S.D. #5 |
| 4) Tract Map 6132, Phase II | S.D. #5 |
| 5) Parcel Map 11162 | S.D. #4 |

Employers' Training Resource

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

- 1) Larry M. Cho, M.D., Inc., dba The Industrial Medical Group, WIA Title 201, dated February 1, 2006;
- 2) Derrick Dickerson dba DOD Construction, WIA Title 201, dated February 1, 2006

Environmental Health Services

- E) Letter to Gary Leslie, USA Transport, re revocation of Biosolid Application Permit No. 301 effective Wednesday, February 15, 2006 (Copies to each Supervisor, CAO, Clerk of the Board and County Counsel)

Grand Jury

- F) 2005-2006 Final Report re Camp Erwin Owen (Copies to each Supervisor, CAO and Probation)

- G) 2005-2006 Final Report re Kern County Public Defender's Office (Copies to each Supervisor, CAO and Public Defender)

Superior Court

- H) Letter re proposal to name Superior Court building in Ridgecrest in honor of Burke West (Copies to each Supervisor and CAO)

Miscellaneous

- I) Letter from J. R. Odom, California Highway Patrol, re Hazardous Materials Incident Report from Saturday, February 11, 2006, on south bound I-5 at Tejon Pass Safety rest area (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)

- J) E-mail from Susan Norman in opposition to limiting hours to sell fireworks (Copies to each Supervisor, CAO, Fire and County Counsel)

- K) Notice from State Department of Alcoholic Beverage Control re application for alcoholic beverage license from North Chester Market, 144 No. Chester Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)

- L) Agenda of meeting from Kern County Behavioral Health Board on Monday, February 27, 2006
- M) Minutes of meeting from Kern County Behavioral Health Board on Monday, January 23, 2006
- N) Agenda of meeting from Kern County Child Care Council on Wednesday, March 1, 2006
- O) Minutes of meeting from Kern County Child Care Council on Wednesday, February 1, 2006
- 35) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Steve Bridges re animal "coursing" within the county limits - REFERRED TO RESOURCE MANAGEMENT AGENCY - ANIMAL CONTROL (Copies to each Supervisor, CAO, Planning, Engineering & Survey Services, Sheriff and County Counsel)
 - B) Preliminary statement re Lost Hills Union School District, Election of 2005 General Obligation Bonds, Series A - REFERRED TO COUNTY COUNSEL
 - C) Letter from Dan Fry, USA Transport, Inc., requesting a hearing to appeal the revocation of Biosolid Application Permit No. 301 - REFERRED TO ENVIRONMENTAL HEALTH SERVICES (Copies to each Supervisor, CAO, Resource Management Agency, Planning and County Counsel)
 - D) Letter from Patsy A. Conner, Epilepsy Society of Kern County, re fees to hold the 14th Annual Surf & Turf Volleyball Tournaments for Epilepsy at Stramler Park on Saturday and Sunday, June 24 and 25, 2006 - REFERRED TO PARKS (Copies to each Supervisor and CAO)
- 36) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Robert Joseph Palato vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Arcelia Ceja vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Tomas R. Solis vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Complaint in the matter of Grace Ann Trevino vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Summons and complaint in the matter of Robert Ochoa vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Notice of hearing and telephone conference in the matter of Ken Peterson (deceased) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- G) Discrimination complaint in the matter of Monica Reyes Romero vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)