

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Third Floor Multi-Purpose Room  
Bakersfield, California

**Committee of the Whole**  
Monday, February 6, 2006

10:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

#### PUBLIC PRESENTATIONS

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

#### BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

#### DEPARTMENTAL REQUESTS

##### COUNTY ADMINISTRATIVE OFFICE

- 3) Discussion regarding County's vision statement and strategic goals (Fiscal Impact: None) - COUNTY ADMINISTRATIVE OFFICER RON ERREA, MADE COMMENTS; PUBLIC INFORMATION OFFICER BRENT RUSH PRESENTED THE STRATEGIC PLAN UPDATE

DARLENE LIESCH, FARM AND HOME ADVISOR; ART TITUS; DR. B. A. JINADU, PUBLIC HEALTH OFFICER; GUY GREENLEE, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR; TED JAMES, KERN COUNTY PLANNING DIRECTOR; DAPHNE HARLEY, DIRECTOR OF WASTE MANAGEMENT; JOHN NILON, KERN COUNTY CHILD SUPPORT SERVICES; AND DIANE KODITEK, DIRECTOR OF MENTAL HEALTH SERVICES, HEARD

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

**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 7, 2006

9:00 A.M.

#### BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: The vote is displayed in bold below each item. For example, McQuiston-Watson denotes Supervisor McQuiston made the motion and Supervisor Watson seconded the motion.

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

BOARD ACTION SHOWN IN CAPS

#### RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming February 10 - 18, 2006 as Kindness Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DR. CHUCK WALL; DR. WALL AND TERESA LEACH, KINDNESS COORDINATOR, HEARD; RENEE NELSON INTRODUCED

**Watson-Maben: All Ayes**

- 2) Proclamation proclaiming February 2006 as National Parent Leadership Month in Kern County - PROCLAIMED; MADE PRESENTATION TO BEVERLY BEASLEY JOHNSON, DIRECTOR, DEPARTMENT OF HUMAN SERVICES; BEVERLY BEASLEY JOHNSON AND MICKIE STURDIVANT, PARENT LEADER, HEARD

**Rubio-Maben: All Ayes**

#### PUBLIC REQUESTS

- 3) Request of Kernville Chamber of Commerce to allow the Whiskey Flat Mayor Candidates to present their campaign promises to the Board - JUDGE THORNY ROSE, THE RIGHT REVEREND RIGOR MORTIS RANDY, AND GOLD DUST PAT AND THE GOLD DIGGERS HEARD

- 4) Request from Jeffrey S. Clark to address the Board regarding suggestions for local law enforcement agencies and the State - JEFFREY CLARK HEARD REGARDING MISSING CHILDREN REPORTING REQUIREMENTS, LOCAL LAW ENFORCEMENT PRACTICES, AND EVENING LAW ENFORCEMENT COVERAGE IN THE KERN RIVER VALLEY

SUPERVISOR RUBIO REQUESTED THAT THE COUNTY ADMINISTRATIVE OFFICE AND SHERIFF EVALUATE THE ISSUES PROPOSED BY MR. CLARK

APPOINTMENTS

- 5) Appointment of Harley Frederick Pinson as an At-large member to the Local Campaign Finance Hearing Panel, term to expire April 29, 2006 - LOIS WATSON, LEAGUE OF WOMEN VOTERS; HARLEY PINSON; AND LAURA DENNISON HEARD; MADE APPOINTMENT; RECEIVED AND FILED DOCUMENT

**Watson-Maben: 4 Ayes; 1 No - Rubio**

PUBLIC PRESENTATIONS

- 6) 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 HEARD REGARDING A \$200 ASSESSMENT ON HIS TAX BILL FOR FIRE SERVICES; COUNTY COUNSEL WILL RESPOND IN WRITING TO MR. TARR

ARTHUR GRAY, III, DISCUSSED "FATHER MENTORING" IN THE COMMUNITY; SUPERVISOR RUBIO WILL MEET WITH MR. GRAY THIS AFTERNOON

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 7) 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 RECOGNIZED VICTOR GARCIA AND DENNIS MATTHEWS, VALLEY BIBLE FELLOWSHIP CHURCH, FOR THEIR ASSISTANCE WITH GRAFFITI REMOVAL OVER THE WEEKEND; HE FURTHER DISCUSSED CONCERN WITH THE SALE OF AIR GUNS, SMOKE BOMBS AND FIRECRACKERS FROM AN ICE CREAM TRUCK VENDOR IN SOUTHEAST BAKERSFIELD

REFERRED TO THE SHERIFF AND COUNTY COUNSEL TO REPORT BACK TO THE BOARD REGARDING PROHIBITING THE SALE OF SUCH ITEMS FROM ICE CREAM VENDORS, AND REQUESTED IMMEDIATE INVESTIGATION BY THE SHERIFF'S OFFICE AND ENVIRONMENTAL HEALTH SERVICES

**Rubio-Maben: All Ayes**

SUPERVISOR MABEN REPORTED ON THE ACTIVITIES OF THE FIRST FIVE KERN/CHILDREN AND FAMILIES COMMISSION

DEPARTMENTAL REQUESTS

CHILD SUPPORT SERVICES

- \*8) Proposed retroactive Amendment No. 1 to Agreement 450-2005 with The Pacific Institute to extend termination date from November 30, 2005 to June 30, 2006, and increase the aggregate compensation payable to \$80,509.75, an increase of \$19,867.32 (Fiscal Impact: \$19,867.32; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 096-2006

**Maben-Watson: All Ayes**

COUNTY COUNSEL

- \*9) Proposed Ordinance adding subsection (54) to Section 10.16.160 of Chapter 10.16, Title 10 concerning a bus loading and unloading zone on Victor Street (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Watson: All Ayes**

- \*10) Proposed Ordinance adding subsections (222) and (223) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Cottonwood Road and Casa Loma Drive (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Watson: All Ayes**

- \*11) Proposed Ordinance adding subsections (218 and 219) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones on Allen Road (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Watson: All Ayes**

- \*12) Proposed Ordinance adding subsections (220) and (221) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones on Alfred Harrell Highway (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Watson: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*13) Proposed retroactive Subgrant Agreement for a Paid Work Experience Program with Proteus, Inc., from November 7, 2005 through June 30, 2006, in the amount of \$209,300 (prior notification November 15, 2005) (Fiscal Impact: \$209,300; State Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 097-2006

**Maben-Watson: All Ayes**

- \*14) Proposed retroactive Subgrant Agreement for a Paid Work Experience Program with Kern High School District from November 7, 2005 through June 30, 2006, in the amount of \$209,300 (prior notification on November 15, 2005) (Fiscal Impact: \$209,300; State Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 098-2006

**Maben-Watson: All Ayes**

HUMAN SERVICES

- 15) Report on the 2005 Holiday Cottage - "Where Wishes Do Come True" - STEPHANIE KEARNS, GENERAL MANAGER, COST PLUS WORLD MARKET, AND DEPARTMENT OF HUMAN SERVICES COORDINATOR JANA SLAGLE, HEARD; JOHN RITCHIE, VICE PRESIDENT, JACO OIL, INTRODUCED; RECEIVED AND FILED

**McQuiston-Watson: All Ayes**

KERN MEDICAL CENTER

- \*16) Proposed Contract Supplement 1-92NID to Agreement 276-99 with McKesson Information Solutions LLC, an independent contractor, for computer based training and certification of two KMC Healthcare Application Analysts in the use of the STAR Software Modification Utilities, in an amount not to exceed \$8,043.75 (Fiscal Impact: \$8,043.75; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 099-2006

**Maben-Watson: All Ayes**

- \*17) Proposed Agreement for Professional Services with Sudhir Patel, M.D., Inc., an independent contractor, to serve as medical director of the Neonatal Intensive Care Unit, from February 8, 2006 through February 7, 2008, in an amount not to exceed \$50,000 (Fiscal Impact: \$50,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 100-2006

**Maben-Watson: All Ayes**

LIBRARY

- \*18) Request to approve Department of Motor Vehicle Emission Reduction Program (MVERP) grant application in the amount of \$50,000 to purchase replacement Bookmobile for Eastern Kern County (Fiscal Impact: \$26,983 estimated; Not Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

MENTAL HEALTH SERVICES

- \*19) Proposed Amendment No. 1 to Agreement 520-2005 with Bakersfield Rescue Mission, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation, and to reduce funding in order to match actual service demand from \$69,000 to a new total of \$20,000 (a reduction of \$49,000) (Fiscal Impact: \$49,000 decrease; State and Grant Funded; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 101-2006

**Maben-Watson: All Ayes**

- \*20) Proposed Agreement with Aegis Institute, Inc., to provide outpatient substance abuse treatment services for adults in the Bakersfield area, from February 7, 2006 through June 30, 2006, in an amount not to exceed \$45,000 (Fiscal Impact: \$45,000; Drug Medi-Cal, State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 102-2006

**Maben-Watson: All Ayes**

- \*21) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention for mentally disordered individuals per Welfare and Institutions Code, Section 5150 (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

PARKS AND RECREATION DEPARTMENT

- \*22) Request to accept retroactive grant from the State of California Department of Boating and Waterways of two (2) floating restroom facilities to be placed on Lake Isabella (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 103-2006

**Maben-Watson: All Ayes**

PROBATION

- \*23) Request to employ retired County employee Robin Johannsen, as a Fiscal Support Supervisor, 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: \$19,785.60; Probation; Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

- \*24) Request to employ retired County employee Barbara Hughes, as an Office Services 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: \$14,092.80; Probation; Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

PUBLIC HEALTH SERVICES

- \*25) Revised Policy Compliance and Certification Form from State Department of Health Services Fiscal Year 2005-2006 Alternate-Year Funding Allocation for Maternal, Child and Adolescent Health Programs (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Watson: All Ayes**

- \*26) Proposed Agreement with California State Safe Kids for Local Safe Kids Chapter from February 7, 2006 through February 6, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED DIRECTOR OF PUBLIC HEALTH SERVICES TO SIGN; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 113-2006

**Maben-Watson: All Ayes**

- \*27) Authorization to lease Konica Minolta color copier, in an amount not to exceed \$3,500 annually (Fiscal Impact: \$3,500 Annually; General Fund; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO EXECUTE LEASE

**Maben-Watson: All Ayes**

- \*28) Proposed Agreement with Industrial Strength Advertising to translate animated Public Service Television Announcements into Spanish and modify animation to reflect current practices, from February 7, 2006 through August 30, 2006, in an amount not to exceed \$10,000 (Fiscal Impact: \$10,000; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 104-2006

**Maben-Watson: All Ayes**

- 29) Briefing on Department Operations (Fiscal Impact: None) - HEARD PRESENTATION; RECEIVED AND FILED; REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD WITH THE MOST EFFECTIVE VENUE OF REACHING TARGET AUDIENCES WITH PUBLIC SERVICE ANNOUNCEMENTS BY UTILIZING THE PUBLIC INFORMATION OFFICER AND KGOV

**Watson-Maben: All Ayes**

RETIREMENT ASSOCIATION

- \*30) Addition of one (1) Office Services Technician position and deletion of one (1) Fiscal Support Technician position, effective February 7, 2006 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Watson: All Ayes**

SHERIFF

- \*31) Unusual travel request for Annette Olague to attend Coroner's Basic Death Investigation training in Santa Ana, California, from March 19, 2006 to March 31, 2006 in an amount not to exceed \$2,602 (Fiscal Impact: \$2,602; Budgeted; Mandated) - APPROVED

**Maben-Watson: All Ayes**

- \*32) Request to accept a cash donation in the amount of \$3,100 from the Southern Kern Search and Rescue Group (Fiscal Impact: \$3,100 revenue; Not Budgeted; Discretionary) - ACCEPTED DONATION; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

**Maben-Watson: All Ayes**

- \*33) Request to employ retired County employee, William Thompson, as a Sheriff's Aide, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment (Fiscal Impact: \$16,294; Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

- \*34) Request to employ retired County employee, Charles Mollineaux, as Sheriff's Detention Officer, 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: \$22,088; Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

- \*35) Request for authorization for emergency replacement of security windows at the Sheriff's Lerdo Pre-Trial Facility and request to confirm approval of a sole source contract with Rosedale Glass Co., Inc. (Fiscal Impact: \$13,293.85; Not Budgeted; Mandated) - RECEIVED AND FILED; ADOPTED RESOLUTION 2006-031 FINDING THAT THE EMERGENCY WOULD NOT PERMIT A DELAY RESULTING FROM COMPETITIVE BIDDING AND CONFIRMING THE ACTIONS OF THE ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES IN EXECUTING A SOLE SOURCE CONTRACT WITH ROSEDALE GLASS CO., INC., FOR THE EMERGENCY REPLACEMENT OF 32 SECURITY WINDOWS AT THE SHERIFF'S LERDO PRE-TRIAL FACILITY IN AN AMOUNT NOT TO EXCEED \$13,293.85

**Maben-Watson: All Ayes**

ADJOURNED TO CLOSED SESSION

**Maben**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 36) Request for Closed Session regarding public employee performance evaluation - Title: Director of Child Support Services (Government Code Section 54957) -
- 37) Request for Closed Session regarding public employee performance evaluation - Title: Executive Director of Board of Trade (Government Code Section 54957) -

COUNTY COUNSEL

- 38) Request for Closed Session regarding a lawsuit entitled County Sanitation District No. 2 of Los Angeles County, etc., et al. vs. County of Kern, et al., Tulare County Superior Court Case No. 189564 (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-Maben**

/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 7, 2006

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

#### PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!  
- GILBERT TARR ADDRESSED THE BOARD REGARDING CORRESPONDENCE FROM THE CODE COMPLIANCE DIVISION RELATIVE TO HIS PROPERTY IN THE ROSAMOND AREA; ENGINEERING & SURVEY SERVICES WILL ESTABLISH A MEETING WITH MR. TARR

#### 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 RUBIO COMMENDED THE PLANNING DEPARTMENT ON THEIR INVESTIGATION OF THE FLY ASH ISSUE NEAR WASCO.

REFERRED TO PLANNING TO REPORT BACK TO THE BOARD WITH A HISTORICAL TIMELINE ON THE PLACEMENT OF THIS MATERIAL

**Rubio-Watson: All Ayes**

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 3) **Request from Carl Watkins (original applicant - Carl Watkins) appealing the decision of the Planning Commission denying Conditional Use Permit 8, Map 82 (Resolution 288-05; disapproved December 8, 2005) to allow simulated war games on 78.12 acres located at the southeast corner of South Granite Road and Round Mountain Road, north Bakersfield (SD #1)**

Specific Request:

An appeal of the decision of the Planning Commission to deny Conditional Use Permit 8, Map 82 (Resolution 288-05; disapproved December 8, 2005) to allow simulated war games (paintball/airsoft) (Section 19.12.030.D) in an A (Exclusive Agriculture) District, Appeal #3, Map #82 (Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; HEARD IN SUPPORT OF PROJECT: CARL WATKINS, APPLICANT; FRANK WATKINS; AND CAROLINA AQUINO; HEARD IN OPPOSITION TO PROJECT: STEVE NAPIER; PATRICK WIENS; DAN WILCOX; LUCY CLARK; DAVE CARTER; AND WARREN PLASKETT; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-032 DENYING APPEAL, UPHOLDING DECISION OF THE PLANNING COMMISSION, AND DENYING THE REQUESTED CONDITIONAL USE PERMIT

**McQuiston-Maben: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Miscellaneous

All S.D.'s

- \*4) Status report on using County-retained consultants to prepare Environmental Impact Report documents (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY

All S.D.'s

- \*5) Proposed Amendment No. 1 to Agreement 890-2005 with MuniFinancial for development of a Countywide Capital Improvement Plan and Development Fee Impact Program, an increase of \$10,000, for a new amount not to exceed \$128,400 (Fiscal Impact: \$10,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 105-2006

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearings

S.D. #4

- 6) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 312 Shattuck Avenue, Taft, APN 039-312-053, \$6,182.50 (Fiscal Impact: \$6,182.50; Budgeted; General Fund; Discretionary) - OPENED HEARING; GILBERT TARR HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-033 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Watson-Maben: All Ayes**

- 7) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 714 S. 10th Street, Taft, APN 039-322-37, \$5,792.50 (Fiscal Impact: \$5,792.50; Budgeted; General Fund; Discretionary) - OPENED HEARING; GILBERT TARR HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-034 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Watson-Maben: All Ayes**

- 8) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 113 Wood Street, Taft, APN 039-323-10, \$5,437.50 (Fiscal Impact: \$5,437.50; Budgeted; General Fund; Discretionary) - OPENED HEARING; GILBERT TARR HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-035 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Watson-Maben: All Ayes**

S.D. #5

- 9) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 315 Fairfax Road, Bakersfield, APN 144-170-30; \$4,487.50 (Fiscal Impact: \$4,487.50; Budgeted; General Fund; Discretionary) - OPENED HEARING; GILBERT TARR HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-036 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO PROPERTY OWNER(S)

**Watson-Maben: All Ayes**

S.D. #1

- \*10) Proposed Contract No. 06005, with Johnson Drilling Company for construction of McFarland Test Water Well, in an amount not to exceed \$159,700 (Fiscal Impact: \$159,700; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 106-2006

**Maben-McQuiston: All Ayes**

- \*11) Response to Board referral regarding code violations for property located at 220 Fussel Street, Bodfish (Jeff Clark) (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-McQuiston: All Ayes**

S.D. #2

- \*12) Proposed Agreement with Wayside Chapel Community Church, Inc., to construct new facilities within an existing drainage easement (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 107-2006

**Maben-McQuiston: All Ayes**

S.D. #3

- \*13) Request to approve final map for Tract 6797, southwest corner of Breckenridge Road and Vineland Road, Orangewood Area, DeWalt Corporation for Lenox Homes, Inc. (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-037 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTION 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNER WITHOUT SURFACE ENTRY RIGHTS AND 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); ABANDONMENT OF SLOPE EASEMENT, SITUATED IN LOTS 16 AND 17 AND 30 THROUGH 35 OF SAID MAP, PER BOOK 7009, PAGE 672 O. R., AND RESTORATION OF INGRESS AND EGRESS ACROSS LOTS "A" AND "B" IN TRACT NO. 5560, UNIT A, AND TRACT 5910, PHASE 1; 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-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY

Roads Department

S.D. #2

- 14) Contract No. 06022, Plans, Specifications and Notice to Contractors for asphalt concrete overlay on Tehachapi Willow Springs Road and Oak Creek Road (Fiscal Impact: \$2,450,000; Road Fund; Budgeted; Discretionary) - GILBERT TARR HEARD; MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA, PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MARCH 1, 2006, AT 11:00 A.M.

**Maben-Rubio: All Ayes**

S.D.'s #1, #2 & #4

- \*15) Contract No. 06021, Plans, Specifications and Notice to Contractors for asphalt concrete (windrow stockpile) at various locations in Kern County (Fiscal Impact: \$1,285,000; Road Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA, PER SECTION 15301(c); AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, MARCH 1, 2006, AT 11:00 A.M.

**Maben-McQuiston: All Ayes**

WASTE MANAGEMENT

S.D.'s #1 & #2

- \*16) Proposed Budget Transfer from Burn Dump Remediations Capital Project Key 8137 to Bena Horizontal Gas Collector Capital Project Key 8107, Budget Unit 8993, in the amount of \$92,000, for construction of five horizontal gas collectors at the Bakersfield Metropolitan (Bena) Sanitary Landfill (Fiscal Impact: \$92,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED

**Maben-McQuiston: All Ayes**

All S.D.'s

- \*17) Proposed Resolution to set Public Hearing to consider a report concerning the Annual Review of Garbage Franchises and establishing the schedule of Refuse Service and Recycling Rates for Mid-Year 2006 and Calendar Year 2007 (Fiscal Impact: None) - RECEIVED AND FILED; ADOPTED RESOLUTION 2006-038; SET HEARING FOR TUESDAY, FEBRUARY 21, 2006, AT 2:00 P.M.; DIRECTED COUNTY COUNSEL TO PREPARE, AND CLERK OF THE BOARD TO PUBLISH, HEARING NOTICE

**Maben-McQuiston: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*18) Transfer of property tax entitlement related to City of Wasco Annexation No. 37, Local Agency Formation Commission (LAFCO) Proceeding No. 1443 (Fiscal Impact: FY 2007-2008 \$638 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-039

**Maben-McQuiston: All Ayes**

- \*19) Request for authorization to apply for funding from the California Cultural and Historical Endowment to prepare a seismic retrofit analysis for the main museum building (Fiscal Impact: \$45,000; Not Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-040; AUTHORIZED ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES TO SIGN NECESSARY DOCUMENTS

**Maben-McQuiston: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*20) Proposed "Agreement to Initiate", a preliminary Agreement to prepare for actual exchange of lands in northeastern Kern County between County of Kern and the U.S. Department of Agriculture, Forest Service (Fiscal Impact: \$10,000; Budgeted; Mandated) - 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 AGREEMENT 108-2006

**Maben-McQuiston: All Ayes**

- \*21) Proposed Amendment No. 1 to License Agreement 512-89 with San Bernardino County to allow Kern Educational Telecommunications Consortium use of a portion of San Bernardino County's tower on El Paso Peak (Fiscal Impact: None) - 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 AGREEMENT 109-2006

**Maben-McQuiston: All Ayes**

S.D. #2

- \*22) Proposed Amendment No. 1 to License Agreement 513-89 with San Bernardino County to allow Kern Educational Telecommunications Consortium use of a portion of San Bernardino County's tower on Government Peak (Fiscal Impact: None) - 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 AGREEMENT 110-2006

**Maben-McQuiston: All Ayes**

S.D. #3

- \*23) Proposed Amendment No. 1 to Agreement 627-2003 with Northwest Bakersfield Baseball to expand the leasehold at the Metropolitan Recreation Center and extend the term to July 31, 2016 (Fiscal Impact: None) - 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 AGREEMENT 111-2006

**Maben-McQuiston: All Ayes**

- \*24) Change Order No. 5 for the flight information and audio paging system at the new Airport Terminal at Meadows Field, an increase of \$3,734, for a new total of \$407,475 (8215.8416) (Fiscal Impact: \$3,734; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-McQuiston: All Ayes**

- \*25) 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) (from 1/31/2006) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-McQuiston: All Ayes**

S.D. #4

- 26) Proposed Quitclaim Deed transferring County's interest in surplus road right-of-way located on north side of Frazier Mountain Park Road to John and Shelly Dill (Fiscal Impact: \$2,780 to Roads Fund; Not Budgeted; Discretionary) - GILBERT TARR HEARD; DECLARED PROPERTY TO BE SURPLUS; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED TRANSFER; AUTHORIZED CHAIRMAN TO SIGN QUITCLAIM DEED; AUTHORIZED CLERK OF THE BOARD TO SUBMIT QUITCLAIM DEED TO GENERAL SERVICES DEPARTMENT-PROPERTY MANAGEMENT FOR RECORDING

**Watson-Maben: All Ayes**

- \*27) Proposed Agreement with Brown & Fowler Construction for the tot lot improvements at AW Noon Park and BVARA, in an amount not to exceed \$205,381 (1960.8263.04A) (Fiscal Impact: \$205,381; Parkland Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 112-2006

**Maben-McQuiston: All Ayes**

S.D. #5

- \*28) Proposed Transfer Agreement and Quitclaim Deed transferring ownership of County's property located at 8301 Segrue Road, Lamont, to the Boys Club to operate youth activities to benefit the general public (Fiscal Impact: None) - CONTINUED TO TUESDAY, FEBRUARY 14, 2006, AT 2:00 P.M.

**Maben-McQuiston: All Ayes**

- \*29) Change Order No. 4, for the reroof at the Public Services Building, a decrease of \$50,050, for a new total of \$356,305 (1650.7027) (Fiscal Impact: \$50,050 Decrease; General Fund; Budgeted; Discretionary) -

**WITHDRAWN**

MATTERS FOR EXECUTIVE APPROVAL

- \*30) Budget Transfers - APPROVED NO. 97 THROUGH NO. 100  
**Maben-McQuiston: All Ayes**
- \*31) Minutes for week of January 9, 2006 - APPROVED  
**Maben-McQuiston: All Ayes**
- \*32) Miscellaneous Letters and Documents - APPROVED  
**Maben-McQuiston: All Ayes**
- \*33) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED  
**Maben-McQuiston: All Ayes**

NOTE: SUPERVISOR RUBIO DISCUSSED MISCELLANEOUS AGENDA ITEM NO. 32 A

ADJOURNED TO MONDAY, FEBRUARY 13, 2006, AT 2:00 P.M., KERN MEDICAL CENTER

**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.

32) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) 2005 County of Kern Comprehensive Annual Financial Report (CAFR)

Board of Supervisors

- B) State of the County Address by Chairman Barbara Patrick on Tuesday, January 24, 2006

Clerk of the Board

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

- 1) Parcel Map 11091 S.D. #1
- 2) Parcel Map 11172 S.D. #5

Employers' Training Resource

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

- 1) Bakersfield Cold & Dry Storage, dba BCD Storage, WIA Title 201, dated January 9, 2006
- 2) Bakersfield Cold & Dry Storage, dba BCD Storage, WIA Title 201, dated January 9, 2006
- 3) Bakersfield Cold & Dry Storage, dba BCD Storage, WIA Title 201, dated January 9, 2006
- 4) Bakersfield Cold & Dry Storage, dba BCD Storage, WIA Title 201, dated January 9, 2006
- 5) Derrick Dickerson, dba DOD Construction, WIA Title 201, dated January 23, 2006
- 6) Mt. Poso Cogeneration Company, WIA Title 201, dated January 9, 2006
- 7) Oasis Air Conditioning, Inc., WIA Title 201, dated January 9, 2006

Local Agency Formation Commission

- E) Letter from Michael J. McCabe, City of Delano, re Proceeding No. 1442, Delano Annexation No. 45

Treasurer-Tax Collector

- F) Pooled Cash Portfolio Reporting for Quarter Ended December 2005

Miscellaneous

- G) Agenda of meeting from Kern County Child Care Council on Wednesday, February 1, 2006
- H) Minutes of meeting from Kern County Child Care Council on Wednesday, January 4, 2006
- I) Minutes of meeting from Kern County Commission on Aging, Executive Committee, on Thursday, November 3, 2005

- 33) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Onshyell Jarrett vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Vikki Robinson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Esperanza Zamora, individually and as Guardian ad Litem of her minor children Jose Zamora, Jessica Zamora, Isabel Zamora and David Zamora vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim and Order to Appear in the matter of Andrew Garner vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)