

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 7, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Rubio

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.

NOTE: VICE-CHAIRMAN WATSON ANNOUNCED THE ABSENCE OF SUPERVISOR PATRICK WHO IS IN WASHINGTON D.C. TO SEEK CONTINUED FUNDING FOR THE CENTRAL CALIFORNIA OZONE STUDY

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 March 2006 as Professional Social Work Appreciation Month - PROCLAIMED; MADE PRESENTATION TO DEBBIE STEVENSON, DIRECTOR, AGING AND ADULT SERVICES, AND BEVERLY BEASLEY JOHNSON, DIRECTOR, DEPARTMENT OF HUMAN SERVICES; DEBBIE STEVENSON HEARD; REPRESENTATIVES FROM VARIOUS COUNTY DEPARTMENTS INTRODUCED

McQuiston-Maben: 4 Ayes; 1 Absent - Patrick

- 2) Proclamation proclaiming March 7, 2006 as the official beginning of Wildflower Season in Kern County - PROCLAIMED; MADE PRESENTATION TO RICK DAVIS, DIRECTOR, BOARD OF TRADE; RICK DAVIS AND KEVIN CHARETTE, KGET CHANNEL 17, HEARD

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

PUBLIC REQUESTS

- 3) Request from Stephen Pelz, Executive Director, Housing Authority of the County of Kern, to address the Board regarding the 2005 Annual Report - STEPHEN PELZ HEARD

APPOINTMENTS

- *4) Appointment of Robert C. McGarvey as At-large Member to the South Fork Mosquito Abatement District, term to expire June 30, 2006 - MADE APPOINTMENT

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

PUBLIC PRESENTATIONS

- 5) 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! - PETER BRYAN, CEO, KERN MEDICAL CENTER, PROVIDED A REPORT ON THE FINANCIAL CONDITION OF KMC; RECEIVED AND FILED DOCUMENT

McQuiston-Rubio: 4 Ayes; 1 Absent - Patrick

MRS. GANDY ADDRESSED THE BOARD REGARDING A LAWSUIT TO BE FILED PERTAINING TO THE ADOPTION OF A CHILD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 6) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR RUBIO ANNOUNCED HE WAS SELECTED FOR A GERMAN MARSHALL FELLOWSHIP AND WILL BE OUT OF THE COUNTRY FOR THREE WEEKS TO TRAVEL TO EUROPE TO STUDY A VARIETY OF ISSUES

HE FURTHER EXPRESSED CONDOLENCES TO THE FAMILY OF JOSE "YOGY" AMAYA WHO PASSED AWAY RECENTLY. MR. AMAYA WAS DEDICATED TO IMPROVING LIFE IN LAMONT AND THE COMMUNITY

SUPERVISOR RUBIO WELCOMED STUDENTS VISITING FROM LOYOLA MARYMOUNT UNIVERSITY WHO WILL BE WORKING IN THE LAMONT COMMUNITY AS PART OF THE ALTERNATIVE BREAK PROGRAM; WALTER LUCENO HEARD ON BEHALF OF THE STUDENTS

SUPERVISOR MABEN DISCUSSED THE FORMATION OF THE ROSAMOND MUNICIPAL ADVISORY COUNCIL, APPROVED BY THE BOARD THIS MORNING, AND INTRODUCED DENNIS SHOFFNER, PRESIDENT OF THE ROSAMOND TOWN COUNCIL, AND JED DYKES, HONORARY MAYOR OF ROSAMOND

SUPERVISOR WATSON CONGRATULATED SUPERVISOR RUBIO ON BEING SELECTED FOR THE GERMAN MARSHALL FELLOWSHIP, AND ALSO CONVEYED HIS CONDOLENCES TO THE FAMILY OF JOSE AMAYA

ADJOURNED AS BOARD OF SUPERVISORS AND RECONVENED AS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

DEPARTMENTAL REQUESTS

IHSS PUBLIC AUTHORITY

- #7) 2005 Annual Report of the In-Home Supportive Services Public Authority (Fiscal Impact: None) - RECEIVED AND FILED

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

ADJOURNED AS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED AS BOARD OF SUPERVISORS

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

AGRICULTURE AND MEASUREMENT STANDARDS

- *8) Proposed retroactive Agreement with California Department of Food and Agriculture for Glassywinged Sharpshooter/Pierce's Disease Control Program, in an amount not to exceed \$580,297.33, from July 1, 2005 to June 30, 2006 (Fiscal Impact: \$580,297.33 Revenue; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 170-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *9) Proposed retroactive Agreement with California Department of Food and Agriculture for enforcement of cotton plowdown regulations, in an amount not to exceed \$11,097, from February 1, 2006 to March 31, 2006 (Fiscal Impact: \$11,097 State; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 171-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

AIRPORTS

- *10) Request to appropriate unanticipated revenue in the amount of \$2,500,000 provided by a line of credit from the ACO-General Fund for the new Customs and Border Protection facility at Meadows Field Airport (Fiscal Impact: \$2,500,000; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$2,500,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$2,500,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 8995

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *11) Proposed Budget Transfer within Airports Enterprise Fund to establish new equipment line items for a Tennant Floor Scrubber (8995.8602) and an Avaya S8300 telephone system (8995.8603) (Fiscal Impact: \$53,404; Budgeted; Discretionary) - APPROVED

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

ASSESSOR-RECORDER

- *12) Proposed addition of two (2) Appraisal Assistant and one (1) Auditor-Appraiser I/II/III positions, and deletion of three (3) Appraiser I/II/III positions in Budget Unit 1140, effective March 7, 2006 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND THE DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

AUDITOR-CONTROLLER-COUNTY CLERK

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

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

BOARD OF SUPERVISORS

- *14) Proposed Resolution from Supervisor Don Maben to establish the Rosamond Municipal Advisory Council and proposed bylaws - APPROVED; ADOPTED RESOLUTION 2006-060

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

CHILD SUPPORT SERVICES

- 15) Presentation on use of Geographic Information System to target outreach efforts to encourage child support and reduce child abuse (Fiscal Impact: None) - HEARD PRESENTATION; RECEIVED AND FILED

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

COUNTY COUNSEL

- *16) Proposed Ordinance adding subsection (234) to Section 10.16.070 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a one-hour limited parking zone along the east side of Landco Drive - WAIVED READING; INTRODUCED ORDINANCE

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *17) Proposed Ordinance adding Section 10.04.639 to Chapter 10.04, Title 10 of the Kern County Ordinance Code concerning a 45-mile-per-hour speed limit on North Chester Avenue, south of James Road - WAIVED READING; INTRODUCED ORDINANCE

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *18) Proposed Ordinance adding subsection (224) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone along the east side of Heath Road - WAIVED READING; INTRODUCED ORDINANCE

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *19) Proposed Ordinance adding Section 10.04.602 to Chapter 10.04, Title 10 of the Kern County Ordinance Code concerning a 45-mile-per-hour speed limit on James Road - WAIVED READING; INTRODUCED ORDINANCE

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *20) Proposed Ordinance adding subsection (225) to Section 10.16.041 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no stopping zone on Jenkins Road - WAIVED READING; INTRODUCED ORDINANCE

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- 21) Report on County compliance with state-mandated sexual harassment training for supervisors (AB1825) (Fiscal Impact: None) - RECEIVED AND FILED; MANDATED ALL COUNTY SUPERVISORY STAFF TO COMPLY WITH THE STATE-MANDATED TRAINING BY APRIL 30, 2006; REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO INCORPORATE THE TWO-YEAR TRAINING REQUIREMENT IN THE ADMINISTRATIVE PROCEDURES MANUAL AND FURTHER TO REQUIRE MANDATORY TRAINING FOR NEW SUPERVISORS WITHIN 60 DAYS OF EMPLOYMENT

McQuiston-Rubio: 4 Ayes; 1 Absent - Patrick

- *22) Proposed Resolution voiding Negative Declaration previously adopted by Resolution No. 99-288 on October 12, 1999, in relation to Ordinance G-6638 (Biosolids Ordinance) in compliance with the court order issued by the Tulare Superior Court on December 2, 2005 (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-061

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- 23) Report regarding potential regulation of Ice Cream Vendors (Fiscal Impact: None) - RECEIVED AND FILED; REFERRED TO COUNTY COUNSEL TO DEVELOP AN ORDINANCE TO PROHIBIT THE SALE OF NON-FOOD ITEMS FROM ICE CREAM VENDORS AND LIMIT THE HOURS OF SALE FROM 9:00 A.M. UNTIL SUNSET

Rubio-Maben: 4 Ayes; 1 Absent - Patrick

- 24) Report regarding proposed Tobacco Retail Permit Regulations (Fiscal Impact: None) - RECEIVED AND FILED; REFERRED TO COUNTY COUNSEL, SHERIFF, ENVIRONMENTAL HEALTH SERVICES, PUBLIC HEALTH, AND COUNTY ADMINISTRATIVE OFFICE TO PREPARE A TOBACCO RETAIL LICENSE ORDINANCE TO ESTABLISH REQUIREMENTS FOR ENFORCEMENT AND RELATED COSTS OF ENFORCEMENT; DIRECTED THE COUNTY ADMINISTRATIVE OFFICE TO COMMUNICATE WITH ALL INCORPORATED CITIES THE COUNTY'S INTENT TO ADOPT THIS ORDINANCE, AND FURTHER CONSIDER THIS ISSUE FOR THE NEXT JOINT CITY/COUNTY MEETING

Rubio-Maben: 4 Ayes; 1 Absent - Patrick

DISTRICT ATTORNEY

- *25) Request to employ retired County employee, J. Randal Plumley, as Deputy District Attorney IV, 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: \$32,550; Not Budgeted; Discretionary) - APPROVED

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

FIRE DEPARTMENT

- 26) Proposed Ordinance amending Subsections 7804.3.1 and 7804.4.2 of Section 17.32.210 and Section 17.32.360 and adding New Subsection 7804.4.4 to Section 17.32.210 concerning Fireworks Regulations and Penalties in the Fire Code - SUSAN NORMAN, DEPUTY CHIEF KIRK BLAIR, BAKERSFIELD CITY FIRE DEPARTMENT, CITY COUNCILMEMBER ZACK SCRIVNER, AND DON BURTON HEARD; REFERRED TO FIRE TO COORDINATE WITH THE SHERIFF'S DEPARTMENT AND REPORT BACK WITH A COST ANALYSIS ON ENFORCEMENT OPERATIONS

McQuiston-Rubio: 4 Ayes; 1 Absent - Patrick

WAIVED READING; INTRODUCED ORDINANCE AS AMENDED TO EXTEND THE HOURS OF SALE AND USE TO 6:00 A.M.

Rubio-McQuiston: 4 Ayes; 1 Absent - Patrick

- *27) Request for approval of intent to donate surplus fire equipment to the State of Michoacan, Mexico (Fiscal Impact: None) - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT TO DONATE; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

MENTAL HEALTH SERVICES

- *28) Proposed Amendment No. 2 to Agreement 296-2005 with American Health Services L.L.C., dba Bakersfield Medical and Mental Health Services, to increase service levels to match actual service demands and increase maximum compensation from its original amount of \$711,104 to a new total of \$890,000, an increase of \$178,896 (Fiscal Impact: \$178,896; Federal, Drug Medi-Cal Funds; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 172-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *29) Proposed Amendment No. 1 to Agreement 362-2005 with Norman Shapiro, M.D., to revise language regarding mandatory meeting requirements, compliance with Immigration Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 173-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *30) Proposed Amendment No. 1 to Agreement 721-2005 with Dean Haddock, Licensed Marriage, Family & Child Counselor, dba Community Counseling and Psychological Services, to revise language regarding mandatory meeting requirements, compliance with Immigration Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 174-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *31) Proposed Amendment No. 1 to Agreement 725-2005 with Jay Rider, to revise language regarding mandatory meeting requirements, compliance with Immigration Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 175-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *32) Proposed Amendment No. 1 to Agreement 728-2005 with William Marion, to revise language regarding mandatory meeting requirements, compliance with Immigration Reform and Control Act, and impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 176-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *33) Proposed retroactive Agreement with California Department of Mental Health (State Agreement 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; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 177-2006

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

PUBLIC HEALTH SERVICES

- *34) Proposed retroactive Agreement with County of Marin concerning Medi-Cal Administrative Activities and Targeted Case Management Programs, from July 1, 2005 through June 30, 2007 (Fiscal Impact: \$7,579; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 178-2006 IN SUBSTANTIALLY THE FORM SUBMITTED SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

SHERIFF

- *35) Donation of surplus undercover vehicle to the City of Shafter Police Department (Fiscal Impact: None) - APPROVED

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

- *36) Request for authorization of sole source procurement of a vandalism deterrent system from Q-Star Technology in an amount not to exceed \$51,655 (Fiscal Impact: \$51,655; Federal Grant; Budgeted; Discretionary) - APPROVED; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$24,465 FROM ACCOUNT 7525 (MOBILE DATA COMPUTERS) TO ACCOUNT 8613 (GRAFFITI SURVEILLANCE CAMERAS); AUTHORIZED PURCHASING AGENT TO ISSUE A SOLE SOURCE PURCHASE ORDER

Maben-Rubio: 4 Ayes; 1 Absent - Patrick

ADJOURNED TO CLOSED SESSION

Rubio

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) -
- 38) Request for Closed Session regarding public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center (Government Code Section 94957) -

(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-McQuiston

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Vice-Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, March 7, 2006

2:00 P.M.

BOARD RECONVENED

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

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-McQuiston: 4 Ayes; 1 Absent - Patrick

KERN SANITATION AUTHORITY

- #1) Proposed addition of one (1) full-time Wastewater Treatment Plant Operator I/II position, and concurrent deletion of one (1) full-time Wastewater Treatment Plant Trainee I/II position to Budget Unit 9144, effective March 7, 2006 (Fiscal Impact: \$315.08; Kern Sanitation Authority; Not Budgeted; Mandated) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

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!
- NO ONE HEARD

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]) - REFERRED TO COUNTY ADMINISTRATIVE OFFICE AND RESOURCE MANAGEMENT AGENCY TO REPORT BACK TO THE BOARD ON TUESDAY, APRIL 4, 2006, WITH A DRAFT RESOLUTION EXPRESSING THE COUNTY'S DESIRE TO COLLABORATE WITH AND ENCOURAGE THE CITY OF BAKERSFIELD TO DEVELOP A MASTER PLAN FOR THE DOWNTOWN AREA, WITH THE REPORT TO INCLUDE A DISCUSSION ON THE PROPOSED SITE OF THE NEW FEDERAL COURTHOUSE

Rubio-Maben: 4 Ayes; 1 Absent - Patrick

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #1

- *4) Proposed Notice of Nonrenewal Petition No. 06-3 for the Leland G. Bell Trust, for 95.19 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *5) Proposed Notice of Nonrenewal Petition No. 06-4 for the Wilma Bell Trust, for 68.08 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

S.D. #4

- *6) Proposed Notice of Nonrenewal No. 06-25 for Mary Ann Ronk, for 36.83 acres within Agricultural Preserve No. 9 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

Miscellaneous

S.D. #3

- *7) Request from Baker Jack Haddad for Determination of Public Convenience for the issuance of an off-sale general liquor license at 8501 Kern Canyon Road, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - REFERRED BACK TO STAFF PENDING ABATEMENT OF EXISTING ZONING AND BUILDING VIOLATIONS

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *8) Request from Kyumars Sabhanpanah for Determination of Public Convenience for the issuance of an off-sale general liquor license at 10530 Rosedale Highway, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-062

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

S.D. #5

- *9) Request from Gurdev and Jawant Gill for Determination of Public Convenience for the issuance of an off-sale general liquor license at 390 Bernard Street, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-063

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #2

- *10) Request to set public hearing to consider levying assessments for Zone of Benefit Nos. 1, 2, 3 and 5 within County Service Area No. 63, and proposed Resolution of Intention to extend Zone of Benefit Nos. 1, 2, 3 and 5, Tract 6381, south of Orange Street and east of 25th Street West, Rosamond (Fiscal Impact: \$19,530; CSA's; Budgeted; Mandatory) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, APRIL 25, 2006, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2006-064

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *11) Request to set public hearing to consider levying assessments for Zone of Benefit Nos. 1, 2 and 3 within County Service Area No. 63, and proposed Resolution of Intention to extend Zone of Benefit Nos. 2 and 3, Tract 6285, north of Rosamond Boulevard and east of 15th Street West, Rosamond (Fiscal Impact: \$2,240; CSA's; Budgeted; Mandatory) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, APRIL 25, 2006, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2006-065

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *12) Request to set public hearing to consider levying assessments for Zone of Benefit Nos. 1, 2 and 3 within County Service Area No. 63, and proposed Resolution of Intention to extend Zone of Benefit Nos. 2 and 3, Tract 6288, north of Rosamond Boulevard and east of 15th Street West, Rosamond (Fiscal Impact: \$1,040; CSA's; Budgeted; Mandatory) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, APRIL 25, 2006, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2006-066

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

S.D. #3

- *13) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), County Service Area No. 71, Annexation No. 1 and extension of Zone of Benefit No. 8, approximately 65 acres on both sides of Olive Drive between Mohawk Street and Victor Street, Bakersfield (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-067; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE NECESSARY DOCUMENTS WITH LAFCO; DIRECTED CLERK OF THE BOARD TO FILE A NOTICE OF EXEMPTION, PURSUANT TO CEQA GUIDELINES, IF REQUESTED

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *14) Request to set public hearing to consider levying an assessment for Zone of Benefit No. 8 within County Service Area No. 71, and proposed Resolution of Intention to extend Zone of Benefit No. 8 within County Service Area No. 71, approximately 711 acres on both sides of Olive Drive between Coffee Road and Mohawk Street, including Tract 4940 (Fiscal Impact: \$47,400; CSA's; Budgeted; Mandatory) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, APRIL 25, 2006, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2006-068

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

All S.D.'s

- *15) Proposed Resolution directing preparation of a written report for all County Service Area charges (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-069

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *16) Request for Purchasing Agent to issue a sole source purchase order to Air Photo USA for the purchase of updated aerial photography and software, in an amount not to exceed \$90,000 (Fiscal Impact: \$90,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *17) Contract No. 06007, identify apparent low bid of Maverick Asphalt, Inc., for construction of China Lake Boulevard pedestrian path, in an amount not to exceed \$247,090.45 (Fiscal Impact: \$247,090.45; TDA Grant; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

S.D. #5

- *18) Contract No. 06018, identify apparent low bid of Hard Rock Construction for construction on Oswell Street from Pioneer Drive to Niles Street, in an amount not to exceed \$80,747.86 (Fiscal Impact: \$80,747.86; TDA Grant; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

COUNTY ADMINISTRATIVE OFFICE

- *19) Proposed response to Grand Jury Report entitled Camp Erwin Owen (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO PRESIDING SUPERIOR COURT JUDGE

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *20) Report on establishing a multi-disciplinary team to review near-fatal cases involving dependent children (Fiscal Impact: None) - RECEIVED AND FILED

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

Technology Advisory Committee

- *21) Proposed revisions to "I Agree" Software Policy to clarify policy language and to allow department head designee to sign certification form (Fiscal Impact: None) - APPROVED

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #3

- *22) Change Order No. 2 for Phase II of the irrigation and landscape improvements at Panorama Park, an increase of \$6,722, for a new total of \$599,710 (1960.8152) (Fiscal Impact: \$6,722; Proposition 12 State Bond Act; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *23) Request for Purchasing Agent to issue a sole source purchase order to Rapiscan Security Products, Inc., for a RAP 526 X-Ray Screening System, in an amount not to exceed \$43,000 (Fiscal Impact: \$43,000; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

S.D. #4

- *24) Proposed purchase of two acres of property in Lost Hills from Sharcine Development, Inc., for use as a storm water sump (Fiscal Impact: \$134,854; Community Development Block Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN SALE ESCROW INSTRUCTIONS; ACCEPTED GRANT DEED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE WARRANT TO FIDELITY NATIONAL TITLE COMPANY IN THE AMOUNT OF \$23,854

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *25) Proposed Agreement with 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) - CONTINUED TO TUESDAY, MARCH 14, 2006, AT 2:00 P.M.

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

All S.D.'s

- *26) Proposed Resolution consenting to the transfer of Cable Television Franchise F-476 from CoxCom, Inc., to Cebridge Acquisition, L.P., d/b/a Cebridge Connections (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; ADOPTED RESOLUTION 2006-070

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

MATTERS FOR EXECUTIVE APPROVAL

- *27) Budget Transfers - APPROVED NO. 115 AND NO. 116

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *28) Minutes for week of February 6, 2006 - APPROVED

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

- *29) Miscellaneous Letters and Documents - APPROVED

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

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

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

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

Maben-McQuiston: 4 Ayes; 1 Absent - Patrick

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

McQuiston

/s/ Denise Pennell
Clerk of the Board

/s/ Ray Watson
Vice 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.

29) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Aging & Adult Services

- A) Utilization Review for Multipurpose Senior Services Program for Fiscal Years July 1, 2003 through June 30, 2005

Board of Supervisors

- B) Memorandum from Supervisor Rubio re scheduling of future Joint City/County meetings

- C) Letter from Chairman Patrick to Bakersfield City Council re Kern County's Fire Station 65

Clerk of the Board

- D) Letter from Denise Pennell, Clerk of the Board, to Dan Fry, USA Transport, Inc., re public hearing on Tuesday, April 4, 2006, concerning appeal by USA Transport of the Environmental Health Services Department to revoke Biosolids Application Permit No. 301

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

- 1) Tract Map 6036, Unit 3 S.D. #4
- 2) Tract Map 6406, Phase 1 S.D. #3
- 3) Tract Map 6406, Phase 2 S.D. #3
- 4) Tract Map 6406, Phase 3 S.D. #3

County Administrative Office

- F) Letter to Dave McArthur, North of the River Parks and Recreation District, re consideration of requests for future fee increases at the Joint City/County meetings (Copies to each Supervisor and CAO)

Engineering & Survey Services

- G) Grant of Avigation Easement for Parcel Map No. 11091 accepted and recorded as Document 0206034425 on February 9, 2006

Local Agency Formation Commission

- H) Report and Recommendation, Proceeding No. 1432, in the matter of City of Bakersfield, Annexation No. 473; North of the River Sanitary District No. 1, Annexation No. 65 (Calloway No. 11) (Copies to each Supervisor, CAO and Resource Management Agency)

- I) Report and Recommendation, Proceeding No. 1433, in the matter of City of Bakersfield, Annexation No. 489 (El Toro Viejo No. 1) (Copies to each Supervisor, CAO and Resource Management Agency)

- J) Report and Recommendation, Proceeding No. 1434, in the matter of City of Wasco, Annexation No. 36 (Copies to each Supervisor, CAO and Resource Management Agency)

Planning

- K) Response to referral to Steve Bridges re open field coursing and the activities of the National Open Field Coursing Association (Copies to each Supervisor, CAO and County Counsel)

Treasurer-Tax Collector

- L) Pooled Cash Portfolio Analysis for month ended January 2006

Miscellaneous

- M) Letter from Lyn Joubert in opposition to Waste Management's application for a burn dump in Rosamond (Copies to each Supervisor, CAO, Planning, Waste Management and County Counsel)
- N) Letter from John and Karen Doersam re information sent to the Governor, State Senators and California Farm Bureau Federation concerning Burlando Road, Kernville (Copies to each Supervisor, CAO, Planning, Engineering & Survey Services and County Counsel)
- O) Letter from Jim Coniglio, SESAC, re music performance license for Kern County (Copies to Purchasing and County Counsel)
- P) Letters from Patti McGarvey, Sharon L. Gentry and Dan Mancini, Kern River Valley Art Association, in opposition to increased park rental fees (Copies to each Supervisor, CAO, Parks, Sheriff and County Counsel)
- Q) Letter from David R. Albers, Albers Barnes & Kohler, re law suit to be filed on behalf of the Rural Land Association against Kern County and the Board of Supervisors concerning General Plan Amendment Case No. 131, Map No. 500 (Copies to each Supervisor, CAO, Planning and County Counsel)
- R) Letter from Manning W. Puette, Klein, DeNatale, Goldner, Cooper, Rosenlieb & Kimball, re comments of Boyce and Lena Stull concerning South Beltway Specific Plan Line (Copies to each Supervisor, CAO, Planning and County Counsel)
- S) Letter from Peter D. Bogart re excess proceeds from tax-deeded land sales (Copies to each Supervisor, CAO, Auditor-Controller-County Clerk and County Counsel)
- T) E-mail from Susan Norman in opposition to reducing hours of operation of fireworks booths (Copies to each Supervisor, CAO, Fire and County Counsel)
- U) Notice from State of California, Department of Insurance, re extension of public comment deadline to Monday, March 6, 2006, concerning proposed amendment of Sections 2632.8 and 2632.11 Optional Automobile Insurance Rating Factors (Copies to each Supervisor and CAO)
- V) Minutes of meeting from Kern County Commission on Aging on Thursday, January 5, 2006

- 30) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Harry M. Childers re formal complaint to California Public Utilities Commission concerning California Water Service rates in the Kern River Valley area - REFERRED TO COUNTY ADMINISTRATIVE OFFICE (Copies to each Supervisor and County Counsel)
- 31) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Olivia Gandy for Loretta Bailey Smith vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claims in the matter of Olivia Garcia; Cristal Garcia; Julyssa Garcia, a minor by and through her Guardian ad Litem Olivia Garcia; Laura Garcia; Andrew Garcia, a minor by and through his Guardian ad Litem Laura Garcia; Angel Garcia, a minor by and through his Guardian ad Litem Laura Garcia vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Drake D. Ward vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Marcus Linthecome vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Michael Biscoe vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Katrine Duenckel vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Carol Jean Golightly vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of J. Jesus Ambriz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)