

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, April 25, 2006

9:00 A.M.

#### BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: Vice Chairman Watson announced Supervisor Patrick will be absent.

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

#### BOARD ACTION SHOWN IN CAPS

#### RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming April 27, 2006 as CASA Day in Kern County - PROCLAIMED; MADE PRESENTATION TO COLLEEN McGAULEY, EXECUTIVE DIRECTOR, CASA; COLLEEN McGAULEY HEARD

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 2) Proclamation proclaiming May 2006 as Mothers Against Senseless Killing Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO MICKEY STURDIVANT; MICKEY STURDIVANT AND SHIRLEY HARRIS HEARD

**Rubio-Maben: 4 Ayes; 1 Absent - Patrick**

- 3) Proclamation proclaiming May as Veterans Memorial Month in Kern County - PROCLAIMED; MADE PRESENTATION TO JOE COLOMBO, KERN VETERANS MEMORIAL; JOE COLOMBO HEARD

**McQuiston-Maben: 4 Ayes; 1 Absent - Patrick**

RECEIVED AND FILED ARTISTS' RENDERING TO BE DISPLAYED IN THE ROTUNDA

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- 4) Proclamation proclaiming April 23-29, 2006 as Library Volunteer Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DIANE DUQUETTE, DIRECTOR OF LIBRARIES; DIANE DUQUETTE AND DAVID RHEA, VICE PRESIDENT OF THE FRIENDS OF THE KERN COUNTY LIBRARY, INC., HEARD

**McQuiston- Maben: 4 Ayes; 1 Absent - Patrick**

- 5) Proclamation proclaiming April 24-28, 2006 as Kern Medical Center's Volunteers Week in Kern County - PROCLAIMED; MADE PRESENTATION TO PETER BRYAN, CEO, KERN MEDICAL CENTER; PETER BRYAN AND JEMIMA ROWE, PRESIDENT, KERN MEDICAL CENTER AUXILIARY, HEARD; VOLUNTEERS ELAINE HASTIN, GRETCHEN BLOCH, AND HUMAN RESOURCES STAFF MEMBER RENITA NUNN INTRODUCED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- 6) Proclamation proclaiming April 23-29, 2006 as National Crime Victims' Rights Week in Kern County - PROCLAIMED; MADE PRESENTATION TO LUPE PEREZ, KERN COUNTY PROBATION DEPARTMENT; LUPE PEREZ HEARD AND INTRODUCED VICTIMS' WITNESS STAFF MEMBERS

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*7) Proclamation proclaiming May 7-13, 2006 as Goodwill Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*8) Ratify retroactive Proclamation proclaiming April 2006 as Sexual Assault Awareness Month in Kern County - PROCLAIMED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 9) Resolution honoring Rodney L. Schilling, Fire Department, upon his retirement with 31 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO RODNEY SCHILLING; KERN COUNTY FIRE CHIEF DENNIS THOMPSON AND RODNEY SCHILLING HEARD

**Rubio-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 10) Resolution honoring Dana Simpson, Fire Department, upon his retirement with 31 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO DANA SIMPSON; KERN COUNTY FIRE CHIEF DENNIS THOMPSON AND DANA SIMPSON HEARD

**Rubio-Maben: 4 Ayes; 1 Absent - Patrick**

- \*11) Resolution honoring Bob Coble, Parks and Recreation, upon his retirement with 30 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

APPOINTMENTS

- \*12) Appointment of Aaron Clemon Flucker as At-large Commission on Aging Member to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2006 - MADE APPOINTMENT

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*13) Appointment of Raju Singh Jassar as Second District Member to the Housing Authority of the County of Kern, term to expire May 10, 2007 - MADE APPOINTMENT

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*14) Appointment of Raju Singh Jassar as Second District Member to the Comprehensive Economic Development Strategy (CEDS) Committee, term to expire at the Pleasure of the Board - MADE APPOINTMENT

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*15) Appointment of Jan Underwood as Mental Health Professional Member to the Kern County Aids Advisory Board, term to expire August 16, 2007 - MADE APPOINTMENT

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*16) Appointments of Don Maben as Board of Supervisors Member and Ray Watson as Alternate Board of Supervisors Member to the Animal Control Commission, terms to expire by Virtue of Office - MADE APPOINTMENTS

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*17) Appointment of Dawn Adele Watchus as an At-large Member to the Animal Control Commission, term to expire February 28, 2009 - MADE APPOINTMENT

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*18) Reappointment of Fred Haas as Third District Member to the Housing Authority of the County of Kern, term to expire May 10, 2010 - MADE REAPPOINTMENT

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*19) Reappointment of Esther R. Brandon as Third District Member to the Children and Families Commission, term to expire March 31, 2008 - MADE REAPPOINTMENT

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*20) Reappointments to the South Fork Mosquito Abatement District of Jim Alexander, term to expire June 30, 2007, Bruce A. Hafenfeld, term to expire June 30, 2007, Michael Daniel Morgan, term to expire June 30, 2008, Ed Babb, term to expire June 30, 2008 and Robert C. McGarvey, term to expire June 30, 2008 - MADE REAPPOINTMENTS

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

PUBLIC PRESENTATIONS

- 21) 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

- 22) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR WATSON REQUESTED CONSIDERATION OF A RESOLUTION IN SUPPORT OF THE FEDERAL COURTHOUSE SITING IN DOWNTOWN BAKERSFIELD

REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL TO PREPARE A POSITION OF SUPPORT FOR SITING THE FEDERAL COURTHOUSE IN THE DOWNTOWN AREA FOR FUTURE CONSIDERATION

**Rubio-Maben: 4 Ayes; 1 Absent - Patrick**

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*23) Proposed Amendment No. 4 to Agreement 208-2002 with Kern Around the Clock Foundation for purchase of one-time-only goods and services in the provision of caregiver support services through the National Family Caregiver Support Program for FY 2005-2006, in an amount not to exceed \$36,151, an increase of \$2,759 (Fiscal Impact: \$2,759; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 253-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

AGRICULTURE AND MEASUREMENT STANDARDS

- \*24) Proposed retroactive approval of application for Federal assistance; retroactive approval of continuation to the Notice of Cooperative Agreement with United States Department of Agriculture for area wide management of Glassy-winged Sharpshooter in Kern County, in an amount not to exceed \$1,250,000, from January 1, 2006 through December 31, 2006; retroactive approval of request for advance or reimbursement from United States Department of Agriculture; request for authority to sign retroactive and future standard form compliance Agreements (Fiscal Impact: \$1,250,000; Federal Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN APPLICATION FOR FEDERAL ASSISTANCE; AUTHORIZED CHAIRMAN TO SIGN CONTINUATION TO THE NOTICE OF COOPERATIVE AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN AND CERTIFY ACCOMPANYING REQUIRED FEDERAL DOCUMENTS; AUTHORIZED CHAIRMAN TO SIGN REQUEST FOR ADVANCE OR REIMBURSEMENT; AUTHORIZED DIRECTOR TO SIGN RETROACTIVE AND FUTURE COMPLIANCE AGREEMENTS

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

AIRPORTS

- \*25) Request to appropriate unanticipated revenue in the amount of \$80,000 provided by a grant from the Federal Aviation Administration for realignment of a fence at Meadows Field Airport (Fiscal Impact: \$80,000; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$80,000 TO THE AIRPORTS ENTERPRISE FUND APPROPRIATIONS FOR CONTINGENCIES BUDGET UNIT 8995; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$80,000 TO BUDGET UNIT 8994

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*26) Request for authorization to expend funds to support the Hayward Proficiency Air Exercise, to be held May 18-20, 2006, in an amount not to exceed \$900 (Fiscal Impact: \$900; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*27) Proposed addition of one (1) Elections Program Coordinator position and deletion of one (1) Program Coordinator position to Elections Budget Unit 1420 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*28) Proposed Resolution from Antelope Valley Joint Union High School District requesting Elections Official to conduct their Bond election to be held June 6, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT THE ELECTION AS REQUESTED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

CHILD SUPPORT SERVICES

- \*29) Request authorization to purchase fixed assets - two (2) videoconferencing units and four (4) multimedia whiteboards, in the amount of \$128,660 (Fiscal Impact: \$128,660; State Grant Funded; No County General Fund Impact) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

COUNTY COUNSEL

- \*30) Proposed Ordinance adding Subsection (c) to Section 5.04.025 and Subsection (I) to Section 5.04.030 of the Kern County Ordinance Code relating to exemptions to business license requirements - WAIVED READING; INTRODUCED ORDINANCE

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*31) Proposed revisions to Chapter 8.54 of the Ordinance Code to provide an administrative penalty process for Ordinance Code enforcement, and proposed Agreement with Revenue Experts, Inc., to collect penalties, provide hearing officers and other services related to the administrative citation process, from April 25, 2006 through June 30, 2007, in an amount not to exceed \$4,500 (Fiscal Impact: Unknown) - CONTINUED TO TUESDAY, MAY 2, 2006, AT 9:00 A.M.

**Maben-Rubio: 3 Ayes; 1 No - McQuiston; 1 Absent - Patrick**

- \*32) Request to employ retired County employee Tom Clow, Deputy County Counsel IV, 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: \$27,266; Not Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*33) Proposed deletion of one (1) Legal Secretary - Confidential position and addition of one (1) Office Services Technician - Confidential position, Budget Unit 1210, effective April 29, 2006 (Fiscal Impact: \$1,862 savings; Budgeted) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

DISTRICT ATTORNEY

- \*34) Proposed Resolution authorizing District Attorney to submit grant application to the Corrections Standards Authority for the Title II - Delinquency Prevention Intervention Program (Fiscal Impact: \$178,126; State Grant; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-113

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*35) Proposed Resolution authorizing District Attorney to submit grant application to the U.S. Attorney, Eastern District of California for the Project Safe Neighborhood Program (Fiscal Impact: \$311,674; Federal Grant; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-114

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 36) Ratify employment of retired County employee Joseph R. Desilva, Deputy District Attorney IV, Step E, for 120 days or 960 hours whichever is greater in the 12-month period following date of employment, effective April 1, 2006 (Fiscal Impact: \$22,600; Budgeted; Discretionary) - APPROVED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*37) Proposed addition of one (1) Fiscal Support Specialist position, effective April 25, 2006, and deletion of one (1) Fiscal Support Technician position, effective May 15, 2006 (Fiscal Impact: Estimated \$150 for Fiscal Year 2005-2006; \$1,500 for Fiscal Year 2006-2007; Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

EMPLOYERS' TRAINING RESOURCE

- \*38) Proposed acquisition of a Storage Area Network System (SANS) at an estimated cost of \$83,411, network backup tape drive at an estimated cost of \$39,231, and network printer at an estimated cost of \$13,243, upon State approval (Fiscal Impact: \$135,885 estimated; Federal; Not Budgeted; Discretionary) - APPROVED BUDGET TRANSFER FOR BUDGET UNIT 5923 IN THE AMOUNT OF \$135,885 FROM SALARIES AND WAGES (6110) TO FIXED ASSET ACCOUNTS 8703, 8704, AND 8705

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*39) Proposed Amendment No. 1 to Agreement 934-2005 with Tehachapi Unified School District to increase funding by \$28,175 for educational and training services, for a total amount not to exceed \$66,175 (Fiscal Impact: \$28,175; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 254-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*40) Proposed retroactive Agreement with Kern County Superintendent of Schools to provide training, work readiness, drop out prevention and employment activities for youths, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$199,872 (prior notification June 21, 2005) (Fiscal Impact: \$199,872; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 255-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*41) Proposed retroactive sole source Agreement with Kern County Superintendent of Schools for participant child care through Community Connection for Child Care, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$228,739 (prior notification June 28, 2005) (Fiscal Impact: \$228,739; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 256-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

FIRE DEPARTMENT

- \*42) Proposed Amendment No. 1 to Agreement 075-2006 with American Homeland Solutions, Incorporated, for three additional National Incident Management System (NIMS) training sessions, increasing funding by \$15,575, for a total amount not to exceed \$46,725 (Fiscal Impact: \$15,575; Homeland Security Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 257-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*43) Request for sole source purchase order with L.N. Curtis & Sons to purchase firefighting equipment, in an amount not to exceed \$675,000 (Fiscal Impact: \$675,000; Fire Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*44) Request for sole source procurement of two (2) Integration and Mapping Systems from Aerocomputers Airborne Systems, in an amount not to exceed \$105,000 (Fiscal Impact: \$105,000; Homeland Security Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*45) Request for sole source procurement of aviation night vision goggles, cockpit lighting modifications, and pilot training from Aviation Specialties Unlimited, Inc., in an amount not to exceed \$85,000 (Fiscal Impact: \$85,000; Homeland Security Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER; AUTHORIZED CHAIRMAN TO SIGN LIABILITY WAIVER

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*46) Request for sole source procurement of crisis communications system from Enforcement Technology Group, Inc., in an amount not to exceed \$33,000 (Fiscal Impact: \$33,000; Homeland Security Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*47) Request authorization to purchase fixed asset - Quantar radio repeater, in an amount not to exceed \$40,500 (Fiscal Impact: \$40,500; Homeland Security Grant; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*48) Request to employ retired County employees, Dana Simpson, Fire Captain, Step E, and Jon Olney, Battalion Chief, 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: Approximately \$82,055; Fire Cost Reimbursement; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*49) Request to employ retired County employee, Arnold Rose, Information Systems Specialist I, 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: Approximately \$7,000; Fire Cost Reimbursement; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

GRAND JURY

- \*50) Request for approval of confirming order for payment to the Bakersfield Californian for legal advertisement, in the amount of \$6,120 (Fiscal Impact: \$6,120; General Fund; Budgeted) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

HUMAN SERVICES

- \*51) Request to employ retired County employee, Carmen Smith, Human 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: \$18,188 Federal/State; Budgeted; Mandated) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*52) Proposed Agreement with Kern County Voluntary Organizations Active in Disaster Inc., for membership fees, in an amount not to exceed \$110 for the term of the Agreement (Fiscal Impact: \$100 County; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 258-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*53) Request for sole source blanket purchase orders for Golden Empire Transit bus passes for CalWORKs and Child Protective Services participants for Fiscal Year 2006-2007, in an amount not to exceed \$500,000 (Fiscal Impact: \$500,000; \$473,250 State/Federal; \$26,750 County; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*54) Request for sole source blanket purchase order for California Department of Justice Fingerprinting Services for Fiscal Year 2006-2007, in an amount not to exceed \$150,000 (Fiscal Impact: \$141,000 State/Federal, \$9,000 County; Budgeted; Mandated) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*55) Request for increase in sole source blanket purchase order #0635987 for Golden Empire Transit bus passes for Independent Living Program participants, Fiscal Year 2005-2006, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000 Federal; Not Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

KERN MEDICAL CENTER

- \*56) Proposed Reassignment of Restricted Donation from Kern Health Systems in the amount of \$1,194,212 from the purchase of a Magnetic Resonance Imaging system to the purchase of a Computed Tomography Scanner (Fiscal Impact: None) - APPROVED REASSIGNMENT OF DONATION; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*57) Request for sole source Purchase Order with Biosystems, a Division of Stericycle, Inc., for services related to reusable sharps containers (Fiscal Impact: \$60,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE BLANKET PURCHASE ORDERS

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*58) Request for increase of encumbrance of sole source Blanket Purchase Order with Musculoskeletal Transplant Foundation, from \$75,000 to a maximum of \$135,000, an increase of \$60,000, for bone putty to be used by KMC's orthopedic and neurosurgeon physicians (Fiscal Impact: \$60,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED PURCHASING AGENT TO INCREASE PURCHASE ORDER UP TO A MAXIMUM OF \$135,000

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*59) Proposed changes in clinical privilege status for 28 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 60) Proposed sole source Agreement with Thomas G. Willman, an independent contractor, to oversee specific healthcare-related special projects assigned by the Chief Executive Officer of KMC, from April 25, 2006 through April 24, 2007, in an amount not to exceed \$110,000 (Fiscal Impact: \$110,000; KMC Enterprise Fund; Not Budgeted; Discretionary) - APPROVED WITH AN AMENDED TERM OF 90 DAYS FROM APRIL 25, 2006 THROUGH JULY 23, 2006; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 259-2006

**Rubio-Maben: 4 Ayes; 1 Absent - Patrick**

- \*61) Proposed Agreement with Clinica Sierra Vista, an independent contractor, for KMC surgeons to provide onsite surgical screening evaluations for Clinic patients, from April 25, 2006 through April 24, 2008, and to designate Clinica Sierra Vista health centers as approved sites for extension of the County malpractice liability coverage for participating KMC surgeons (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 260-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*62) Proposed Agreement with LocumTenens.com, LLC, an independent contractor, for assistance in the search of a hand and microvascular plastic surgeon, from April 25, 2006 through April 24, 2007, in an amount not to exceed \$45,000 (Fiscal Impact: \$45,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 261-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*63) Proposed Agreement with Graham Vintage Care, Inc., an independent contractor, for occupational and speech therapy services to patients of ElderLife, from May 4, 2006 through May 3, 2008, in an amount not to exceed \$102,000 (Fiscal Impact: \$102,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 262-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*64) Proposed Agreement with the California Office of Statewide Health Planning and Development, (No. 06-7004) to accept a grant of \$103,230 to help support the Family Medicine residency-training program during the period July 1, 2006 through June 30, 2009 (Fiscal Impact: \$103,230 Revenue to the County; KMC Enterprise Fund; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 263-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

MENTAL HEALTH SERVICES

- \*65) Request authorization to purchase fixed asset - powerloader tape drive, in the amount of \$10,594 (Fiscal Impact: \$10,594; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*66) Proposed Amendment No. 1 to Agreement 412-2005 with Catholic Charities, Diocese of Fresno, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 264-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*67) Proposed Amendment No. 1 to Agreement 413-2005 with James Eric Cox dba Center Street Board and Care #2, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 265-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*68) Proposed Amendment No. 1 to Agreement 414-2005 with Sycamore Healthcare, Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 266-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*69) Proposed Amendment No. 1 to Agreement 459-2005 with E. Carlene Alexander, M.F.T., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 267-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*70) Proposed Amendment No. 1 to Agreement 585-2005 with Crestwood Behavioral Health, Inc., to increase funding in order to handle unanticipated growth, from July 1, 2005 through June 30, 2006, from its original amount of \$1,478,250 to an amount not to exceed \$1,985,755, an increase of \$507,505, and to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, impact of liens on contractor compensation (Fiscal Impact: \$507,505; State-Realignment; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 268-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*71) Proposed Amendment No. 1 to Agreement 689-2005 with Milhous Children's Services, Inc., to add new and revise existing language for the purpose of clarifying compensation methods and better define processes and policies (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 269-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

PARKS AND RECREATION DEPARTMENT

- \*72) Request for authorization to apply for grant funding in the amount of \$100,000 through the Prop 40 Per Capita California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for repairs to the Buttonwillow Little League Ballfield (Fiscal Impact: \$100,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED DIRECTOR TO SIGN ALL APPLICABLE DOCUMENTS REQUIRED TO SUBMIT THE APPLICATION FOR FUNDING

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*73) Request to appropriate unanticipated revenue and increase appropriation in the Golf Course Enterprise Fund to pay operator claims through Fiscal Year 2005-2006 (Fiscal Impact: \$300,000; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$300,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO THE GOLF COURSE ENTERPRISE FUND BUDGET UNIT 8991 IN THE AMOUNT OF \$300,000

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

PARKS AND RECREATION - Wildlife Resources Commission

- \*74) Proposed funding request from the Kern National Wildlife Refuge to purchase miscellaneous materials for the California Waterfowl Association Outdoor Adventures Day Camp at Buena Vista Aquatic Recreation Area, in the amount of \$500 (Fiscal Impact: \$500; Budgeted) - APPROVED PROJECT IN AN AMOUNT NOT TO EXCEED \$500 FROM FUNDS AVAILABLE IN THE 2005-2006 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED PARKS DEPARTMENT TO PROCESS NECESSARY DOCUMENTS TO COMPLETE THE TRANSACTION; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT UPON PROPER DOCUMENTATION

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*75) Proposed funding request from California Department of Fish and Game to purchase fish food for the Kern River Hatchery Trophy Trout Program, in the amount of \$3,000 (Fiscal Impact: \$3,000; Budgeted) - APPROVED PROJECT IN AN AMOUNT NOT TO EXCEED \$3,000 FROM FUNDS AVAILABLE IN THE 2005-2006 APPROPRIATIONS FOR CONTRIBUTIONS TO OTHER AGENCIES; AUTHORIZED PARKS DEPARTMENT TO PROCESS NECESSARY DOCUMENTS TO COMPLETE THE TRANSACTION; AUTHORIZED PURCHASING AGENT TO ESTABLISH A PURCHASE ORDER; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT UPON PROPER DOCUMENTATION

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

PERSONNEL

- \*76) Classification of positions recommended by Civil Service Commission effective April 29, 2006 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

PROBATION

- \*77) Request to accept grant funding from Office for Victims of Crimes (OVC) to organize National Crime Victims' Rights Week (Fiscal Impact: \$4,600 Revenue; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO EXECUTE ALL GRANT DOCUMENTS; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$4,600 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$4,600 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2340

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*78) Request authorization to apply for Corrections Standards Authority continued Juvenile Justice Crime Prevention Act Funding (Comprehensive Multi-agency Juvenile Justice Plan Modification) (Fiscal Impact: \$2,000,139; State Grant; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-115

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*79) Proposed Resolution regarding approval application for Juvenile Accountability Block Grant funding (Fiscal Impact: \$61,114 Federal Grant; Net County Cost: \$6,790; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-116

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*80) Request authorization to purchase fixed asset - Storage Area Network (SAN) system, in the amount of \$65,533 (Fiscal Impact: \$65,533; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

RETIREMENT ASSOCIATION

- \*81) Request to employ retired County employee, Patricia Meadows, Retirement Services Representative, 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: None) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

SHERIFF

- \*82) Proposed retroactive Agreement with U.S. Department of Justice Drug Enforcement Administration (DEA) for Marijuana Eradication Assistance, from January 1, 2006 to December 31, 2006, in an amount not to exceed \$36,621 (Fiscal Impact: \$36,621; Federal Contract; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED SHERIFF TO SIGN AGREEMENT AND RELATED CERTIFICATIONS

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*83) Proposed Amendment No. 1 to Agreement 406-2002 with NEC Solutions (America), Inc., to add a fingerprint workstation to original maintenance agreement, an increase of \$7,858, to an amount not to exceed \$50,458 (Fiscal Impact: \$7,858; Sheriff's Cal ID Trust Fund 22127; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 270-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*84) Proposed Agreement with the Federal Bureau of Investigation National Center for the Analysis of Violent Crime Violent Criminal Apprehension Program (ViCAP) to collect, collate, data mine, and analyze investigative data relating to violent crimes (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 271-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 85) Proposed Agreement with Level II, Inc., for sole source lease/purchase of CLETS Message Switch, in an amount not to exceed \$411,374.78 (Fiscal Impact: \$411,374.78; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 272-2006

**McQuiston-Maben: 4 Ayes; 1 Absent - Patrick**

- \*86) Request to employ retired County employee, John Soliz, Deputy Sheriff, 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: \$20,481; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*87) Request to employ retired County employee, Robert Barrera, Accountant III, 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: \$26,429; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*88) Request to employ retired County employee, Norm Simon, Deputy Sheriff, Step E, for a period not to exceed 120 working days for 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$20,481; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*89) Request to employ retired County employee, Rick Fellabaum, Deputy Sheriff, 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: \$20,481; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*90) Request to authorize payment of retroactive salary increment beyond one year to Office Services Specialist Claire Mosley in the amount of \$4,739.14 (Fiscal Impact: \$4,739.14; Budgeted; Discretionary) - APPROVED; AUTHORIZED RETROACTIVE SALARY INCREMENT BEYOND ONE YEAR; DIRECTED PERSONNEL TO CORRECT SALARY INCREMENT DATE TO APPROPRIATE DATE OF JULY 12, 2003

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*91) Unusual Travel Request for Deputy Tim Caughron to attend MD 500E Pilot Recurrent training in Mesa, Arizona, from April 30, 2006 to May 3, 2006, in an amount not to exceed \$4,001 (Fiscal Impact: \$4,001; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*92) Request to observe National Peace Officers' Memorial Week in Kern County by flying the Peace Officers' Memorial Flag, the week of May 14, 2006 through May 20, 2006, and authorize the Sheriff's Department to fly flags at all Sheriff's Department facilities at half-staff during the week of observance (Fiscal Impact: None) - APPROVED

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

TREASURER-TAX COLLECTOR

- \*93) Proposed Agreement with East Kern Airport District for the Sale of Tax-Defaulted Property, in an amount not to exceed \$88,200 plus the cost of giving notice of Agreement (Fiscal Impact: \$88,200 Property Tax Revenue Recovery) - APPROVED; ADOPTED RESOLUTION 2006-117; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 273-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*94) Notice of Intention to Sell Tax-Defaulted Property Subject to the Power of Sale (Estimated Tax Revenue Recovery: \$9.6 Million) - APPROVED; ADOPTED RESOLUTION 2006-118

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- \*95) Transfer of Unclaimed Money to General Fund (Fiscal Impact: \$107,475.55 Revenue to the County) - AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER \$107,475.55 FROM THE SUSPENSE FUND TO THE COUNTY GENERAL FUND

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

VETERANS' SERVICE DEPARTMENT

- \*96) Proposed annual Agreement with Union Cemetery Association for perpetual care of veterans plots in Union Cemetery, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$6,050.80 (Fiscal Impact: \$6,050.80; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 274-2006

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

ADJOURNED TO CLOSED SESSION

**Maben**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 97) 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) -

COUNTY COUNSEL

- 98) Request for Closed Session regarding a determination of whether the County will initiate litigation (Government Code Section 54956.9(c)) -
- 99) Request for Closed Session regarding a lawsuit entitled Chyrrill Sandrini v. County of Kern (WCAB Case No. BAK 0137076) (Government Code Section 54956.9(a)) -
- 100) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. CV254074; Sparks v. Board of Supervisors, KCSC Case No. CV-255904 (Government Code Section 54956(a))- SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION
- 101) Request for Closed Session regarding significant exposure to litigation against the County in the opinion of the Board on the advice of legal counsel, based on existing facts and circumstances (Government Code Section 54956.9(b)(1)) -

**WITHDRAWN**

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; RECESSED TO 2:00 P.M.

**McQuiston-Maben**

/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, April 25, 2006

2:00 P.M.

#### BOARD RECONVENED

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

#### RESULTS OF CLOSED SESSION

Results of Closed Session from April 25, 2006, at 9:00 A.M., Item No. 100, regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. CV254074; Sparks v. Board of Supervisors, KCSC Case No. CV-255904 (Government Code Section 54956(a))- VICE CHAIRMAN WATSON REPORTED THE BOARD VOTED TO EXTEND THE TIMELINE OF ITS OFFER OF APRIL 4, 2006, IN ORDER TO PUT AN END TO THIS ENTIRE MATTER NOW IN THE INTERESTS OF KERN COUNTY TAXPAYERS.

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-Rubio: 4 Ayes; 1 Absent - Patrick**

#### KERN SANITATION AUTHORITY

- #1) Proposed adoption of Policy and Procedures relating to priority service for lower income households to comply with SB 1087 (Fiscal Impact: None) - ADOPTED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

- #2) Proposed Ordinance concerning collection on the tax rolls of Fiscal Year 2006-2007 Sewer Service Charges for Ford City-Taft Heights Sanitation District (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- #3) Proposed adoption of Policy and Procedures relating to priority service for lower income households to comply with SB 1087 (Fiscal Impact: None) - ADOPTED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

ADJOURNED AS FORD CITY-TAFT HEIGHTS SANITATION DISTRICT;  
RECONVENED AS BOARD OF SUPERVISORS

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

PUBLIC PRESENTATIONS

- 4) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!  
- DR. BYRON MUI; ARTHUR UNGER, KERN-KAWEAH CHAPTER OF THE SIERRA CLUB; SHELBY HEBERT; AND BILL DESCARY, ADDRESSED THE BOARD REGARDING THE PROPOSED SITING OF A FEDERAL COURTHOUSE IN THE SOUTHWEST AREA OF BAKERSFIELD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 5) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR MABEN COMMENTED ON THE WITHDRAWAL OF THE JUNE 6 INITIATIVE FOR THE EAST KERN LANDFILL PROJECT, BUT EXPRESSED CONCERN THAT THE PROJECT MAY BE PROMOTED AGAIN IN THE FUTURE

REFERRED TO CAO TO COMMUNICATE WITH COUNTY LOBBYISTS TO ENCOURAGE SUPPORT OF SENATOR FLOREZ'S PROPOSED BILLS WHICH WILL CREATE MORE STRINGENT REGULATIONS ON THE INITIATIVE PROCESS RELATIVE TO LOCAL CONTROL ON LAND USE AND LANDFILL DECISIONS

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

(Continued on Page 21)

(Continued from Page 20)

SUPERVISOR RUBIO DISCUSSED THE FINANCIAL CONDITION AT KMC

REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE TO CONTACT FINANCIAL EXPERTS FROM THE CALIFORNIA HEALTH CARE FOUNDATION AND REPORT BACK TO THE BOARD ON THE FEASIBILITY AND COST OF DEVELOPING A WORKING GROUP TO FURTHER ANALYZE THE FINANCIAL CONDITION AND FISCAL PROJECTIONS AT KERN MEDICAL CENTER

**Rubio-Maben: 4 Ayes; 1 Absent - Patrick**

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*6) **Request from Kern County Waste Management Department to change the permitted uses from State and Federal land to resource management/burn dump on 10 acres bordering the boundary of Edwards Air Force Base, located 1/2 mile north of Rosamond Boulevard and 1.75 miles east of State Route 14, Rosamond area (SD #2)**

Specific Request:

- (a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 1.1 to Map Code(s) 8.5/2.11 or a more restrictive map code designation for an existing burn dump site (GPA #60, Map #230)
- (b) A change in zone classification from A-1 H to A H or a more restrictive district (ZCC #108, Map #230) (Categorically Exempt, Section 15308 and General Rule, Section 15061(b)(3); Published Rosamond Weekly News) (from 3/14/2006) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTIONS 2006-119 AND 2006-120 AND ENACTED ORDINANCE G-7371 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*7) **Request from Kern County Planning Department to amend the text and the zoning consistency matrix of the Kern County General Plan for clarification and updates for consistency with new State laws, Countywide (All S.D.'s)**

Specific Request:

Amendments to the text and the zoning consistency matrix of the Kern County General Plan for clarification and updates for consistency with new State laws (GPA #135, Map #500) (General Rule, Section 15061(b)(3); Published Bakersfield Californian) (from 3/14/2006) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-121 APPROVING GENERAL PLAN AMENDMENT

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- \*8) **Request from Oak Valley, Inc., PSP by Delmarter and Deifel to change the permitted uses from limited agriculture to 2-1/2-acre residential on approximately 10 acres located approximately 700 feet west of Koch Street, north of Oak Creek Road, Mojave (SD #2)**

Specific Request:

A change in zone classification from A-1 FPS to E (2-1/2) RS FPS or a more restrictive district (ZCC #12, Map #196-7) (Special Situation, Section 15182; Published Mojave Desert News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-122 AND ENACTED ORDINANCE G-7372 APPROVING ZONE CHANGE TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Hearing

S.D. #2

- 9) Hearing for proposed Tehachapi Valley Recreation and Park District development fee (Fiscal Impact: None) - OPENED HEARING; MIKE KELLEY, DISTRICT MANAGER, TEHACHAPI VALLEY RECREATION AND PARK DISTRICT, AND JOHN YEAKLEY, GENERAL MANAGER, BEAR VALLEY COMMUNITY SERVICES DISTRICT, HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2006-123 AND ENACTED ORDINANCE G-7373 ESTABLISHING FEE AS REQUESTED BY DISTRICT TO BECOME EFFECTIVE AT SUCH TIME AS THE CITY OF TEHACHAPI ADOPTS A FEE OF AN EQUAL AMOUNT

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

Miscellaneous

- \*10) Proposed Memorandum of Understanding and Agreement with City of Los Angeles acting as the Los Angeles Department of Water and Power for performance of conditions of approval and mitigation measures as environmental restrictions for the Pine Tree Wind Development Project by Wind Turbine Prometheus, LLC, in eastern Kern (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 275-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #5

- \*11) Request from Thrifty Payless, Inc, dba Rite Aid No. 6489 for Determination of Public Convenience for the issuance of an off-sale general liquor license at Thrifty Payless on the northwest corner of Panama Road and Weedpatch Highway, Lamont, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-124

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

RESOURCE MANAGEMENT AGENCY

S.D.'s #1 & #2

- 12) Report on Kern County Water Resources Commission opposition to California Water Service Company proposal to seek California Public Utilities Commission approval to distribute Kern River and Fremont Valley's arsenic-related cost increases across entire ratepayer base (Fiscal Impact: None) - AUTHORIZED CHAIRMAN TO SIGN LETTER TO CALIFORNIA PUBLIC UTILITIES COMMISSION (PUC) IN OPPOSITION TO PUC PROCEEDING A05-08-010

**Maben-Rubio: 3 Ayes; 1 No - McQuiston; 1 Absent - Patrick**

RESOURCE MANAGEMENT AGENCY

Animal Control Services

All S.D.'s

- 13) Animal Control Division monthly report (Fiscal Impact: None) - RECEIVED AND FILED; REFERRED DEVELOPMENT OF ORDINANCE AMENDMENTS CONCERNING FACILITIES CONTAINING LARGE NUMBERS OF DOGS TO THE RESOURCE MANAGEMENT AGENCY AND ANIMAL CONTROL COMMISSION FOR REPORT BACK TO THE BOARD

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D. #1

- \*14) Proposed Agreement with the City of Ridgecrest to provide Community Development Block Grant funds for Sunset Street Repaving Improvements Phase II, CD No. 17.05.1, in an amount not to exceed \$216,980 (Fiscal Impact: \$216,980; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 276-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

All S.D.'s

- \*15) Proposed retroactive approval of Amendment No. 1 to Agreement 113-2005 with Bakersfield Rescue Mission, Project No. 46.04.2, to increase the Emergency Shelter Grant Program funding to \$77,800 by adding \$23,719, and Amendment No. 1 to Agreement 114-2005 with Bethany Services, Project No. 46.04.3, to increase the Emergency Shelter Grant Program funding to \$80,362 by adding \$26,281 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 277-2006 AND 278-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearings

S.D. #2

- 16) Proposed Resolution ordering the extension of Zone of Benefit Nos. 2 and 3 in County Service Area No. 63, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundary extended herein, Tract 6285, north of Rosamond Boulevard and east of 15th Street West, Rosamond (Fiscal Impact: \$2,240; CSA's; Budgeted; Mandatory) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7374 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2006-125 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING AN ANNUAL ASSESSMENT NOT TO EXCEED \$50 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE; \$5 PER PARCEL FOR WALL MAINTENANCE; \$25 PER PARCEL FOR STREET SWEEPING - RESIDENTIAL; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARY EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NOS. 2 AND 3 WITHIN COUNTY SERVICE AREA NO. 63

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 17) Proposed Resolution ordering the extension of Zone of Benefit Nos. 2 and 3 in County Service Area No. 63, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundary extended herein, Tract 6288, north of Rosamond Boulevard and east of 15th Street West, Rosamond (Fiscal Impact: \$1,040; CSA's; Budgeted; Mandatory) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7375 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2006-126 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$50 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE; \$5 PER PARCEL FOR WALL MAINTENANCE; \$25 PER PARCEL FOR STREET SWEEPING - RESIDENTIAL; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARY EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NOS. 2 AND 3 WITHIN COUNTY SERVICE AREA NO. 63

**Maben-McQuiston: 4 Ayes; 1 Absent - Patrick**

- 18) Proposed Resolution ordering the extension of Zone of Benefit Nos. 1, 2, 3 and 5 in County Service Area No. 63, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundary extended herein, Tract 6381, south of Orange Street and east of 25th Street West, Rosamond (Fiscal Impact: \$19,530; CSA's; Budgeted; Mandatory) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF THE ASSESSMENTS; ENACTED ORDINANCE G-7376 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2006-127 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$50 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE; \$5 PER PARCEL FOR WALL MAINTENANCE; \$25 PER PARCEL FOR STREET SWEEPING - RESIDENTIAL; \$75 PER PARCEL FOR POOL AND RECREATION CENTER FACILITIES OPERATION AND MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARY EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NOS. 1, 2, 3 AND 5 WITHIN COUNTY SERVICE AREA NO. 63
- Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #3

- 19) Proposed Resolution ordering the extension of Zone of Benefit No. 8 in County Service Area No. 71, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundary extended herein, approximately 711 acres on both sides of Olive Drive between Coffee Road and Mohawk Street, including Tract 4940, Bakersfield (Fiscal Impact: \$47,400; CSA's; Budgeted; Mandatory) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN OPPOSITION TO THE ASSESSMENT
- McQuiston-Maben: 4 Ayes; 1 Absent - Patrick**

S.D. #1

- \*20) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6054, Phase 1, north of West Day Avenue and west of McCray Street, north Bakersfield, and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$1,324,950 TO \$132,495 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING APRIL 25, 2006; REDUCED FAITHFUL PERFORMANCE BOND NO. 2085068, IN THE AMOUNT OF \$1,324,950, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$132,495; ADOPTED RESOLUTION 2006-128 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6054, PHASE 1, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE
- Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*21) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6054, Phase 2, north of West Day Avenue and west of McCray Street, north Bakersfield, and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$278,379 TO \$27,838 FOR THE GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING APRIL 25, 2006; REDUCED FAITHFUL PERFORMANCE BOND NO. 2124573, IN THE AMOUNT OF \$278,379, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$27,838; ADOPTED RESOLUTION 2006-129 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6054, PHASE 2, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*22) Request for release of Laborers and Materialmen Security for Tract 6097, Donald G. and Connie R. Wattenbarger (Fiscal Impact: None) - APPROVED; RELEASED LETTER OF CREDIT NO. 219, IN THE AMOUNT OF \$570,696, ISSUED BY VALLEY INDEPENDENT BANK, AND RETURN TO RABOBANK

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*23) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6138, northwest corner of McCray Street and West Day Avenue, north Bakersfield, and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$590,710 TO \$59,071 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING APRIL 25, 2006; REDUCED FAITHFUL PERFORMANCE BOND NO. 2085967, IN THE AMOUNT OF \$590,710, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$59,071; ADOPTED RESOLUTION 2006-130 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6138 INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*24) Request for release of Laborers and Materialmen Security for Tract 6143, Banks and Wattenbarger (Fiscal Impact: None) - APPROVED; RELEASED LETTER OF CREDIT NO. 221, IN THE AMOUNT OF \$805,774, ISSUED BY VALLEY INDEPENDENT BANK, AND RETURN TO RABOBANK

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*25) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6162, northeast corner of Norris Road and Quail Creek Road, and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$1,030,551 TO \$103,055 FOR THE GUARANTEE AND MAINTENANCE OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING APRIL 25, 2006; REDUCED FAITHFUL PERFORMANCE BOND NO. 2085112, IN THE AMOUNT OF \$1,030,551, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$103,055; ADOPTED RESOLUTION 2006-131 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6162, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*26) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 23, Shafter (Fiscal Impact: \$240; CSA; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-132; ENACTED ORDINANCE G-7377

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*27) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 39, Kern Valley (Fiscal Impact: \$1,110; CSA; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-133; ENACTED ORDINANCE G-7378

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #2

- \*28) Request to approve final map for Tract No. 6381, east side of 25th Street West, south of Rosamond Boulevard, Rosamond, Type "A" Subdivision, Quad Knopf for Beazer Homes Holdings Corporation (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-134 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED GRANT DEEDS FOR SUMP SITE AND DRAINAGE LOT; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*29) Request for approval of completed street and drainage improvements, Parcel Map 10663, Phase C, Laval Road, and proposed Resolution for acceptance of Dennis McCarthy Drive and Laval Road, as shown on Parcel Map 10663, Phase C, into the County road system for maintenance as County Road No. 3946, Tejon Industrial Corporation, a California Corporation (Fiscal Impact: None) - APPROVED COMPLETED STREET AND DRAINAGE IMPROVEMENTS CONSTRUCTED PER PARCEL MAP 10663, PHASE C, RECORDED SEPTEMBER 4, 2002, IN PARCEL MAP BOOK 52, PAGES 125 TO 127; ADOPTED RESOLUTION 2006-135 FOR ACCEPTANCE OF IRREVOCABLE OFFER OF DEDICATION PER PARCEL MAP 10502 AND DECLARATION AS COUNTY ROAD NO. 3946, TO BE KNOWN AS DENNIS MCCARTHY DRIVE AND LAVAL ROAD

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*30) Request for release of Laborers and Materialmen Security for Parcel Map 10887, Jack In The Box, Inc. (Fiscal Impact: None) - APPROVED; RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 929247580, UNDERWRITTEN BY WESTERN SURETY COMPANY, IN THE AMOUNT OF \$92,558

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #3

- \*31) Request for release of Laborers and Materialmen Security for Tract 6207, East Enterprises, Inc. (Fiscal Impact: None) - APPROVED; RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 69900675, UNDERWRITTEN BY WESTERN SURETY COMPANY, IN THE AMOUNT OF \$26,694

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*32) Request to approve final map for Tract 6636, north of Rosewood Avenue, northeast Bakersfield, Type "A" Subdivision, DeWalt Corporation for Stuart Homes, Inc., a Nevada Corporation dba Lenox Homes (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-136 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE) AND ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY TURNAROUND EASEMENT PER DOCUMENT NO. 0205174385 AND RESTORATION OF INGRESS AND EGRESS ACROSS LOTS "A", "B", "C" AND "D" IN TRACT NO. 5918, PHASE 1; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AGREEMENT; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #4

- \*33) Request to approve Sewer Reimbursement Agreement with Delfino Land Company, Inc., for excess sewer trunk line improvements constructed by developer for Tract No. 6154, in an amount not to exceed \$155,607 (Fiscal Impact: \$155,607; CSA No. 71; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 279-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*34) Request to approve Sewer Reimbursement Agreement with Delfino Land Company, Inc., for excess sewer trunk line improvements constructed by developer for Tract No. 6208, in an amount not to exceed \$105,212 (Fiscal Impact: \$105,212; CSA No. 71; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 280-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*35) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), County Service Area No. 99 and establishment of Zone of Benefit Nos. 1, 2 and 3, Tract 6241, Seventh Home, south Bakersfield (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-137; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE NECESSARY DOCUMENTS WITH LAFCO; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #5

- \*36) Request to appropriate unanticipated revenue from State Department of Housing and Community Development, United States Environmental Protection Agency and State Water Resources Control Board for design and construction of the Rexland Acres Sewer System (Fiscal Impact: \$2,138,487; Grant Funds; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$2,138,487 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO CAPITAL PROJECTS BUDGET UNIT 1960 IN THE AMOUNT OF \$2,138,487

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*37) Proposed Agreement with Quad Knopf, Inc., for engineering services for East Bakersfield Curb and Gutter Improvements, in an amount not to exceed \$345,000 (Fiscal Impact: \$345,000; CEDD; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 281-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

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

- \*38) Proposed Resolution accepting Ordinance continuing in effect and fixing a sewer standby or availability charge in County Service Area No. 71, west Bakersfield (Fiscal Impact: \$100; CSA; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-138; ENACTED ORDINANCE G-7379

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

All S.D.'s

- \*39) Request to approve purchase of additional equipment mid-year by Building Inspection Division of Engineering & Survey Services, for a scanner from Scantastik (Fiscal Impact: \$5,500; Building Inspection Contingency Funds; Budgeted; Discretionary) - APPROVED; DIRECTED PURCHASING TO ISSUE PURCHASE ORDER

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*40) Proposed Contract No. 06010 with JTS Construction for construction of a retaining wall on China Grade Loop in Bakersfield, in an amount not to exceed \$270,998.30 (Fiscal Impact: \$270,998.30; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 282-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #4

- \*41) Proposed 35 mile per hour speed limit on Cedar Street, Taft (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*42) Proposed 45 mile per hour speed limit on Allen Road from Hageman Road to Noriega Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #5

- \*43) Proposed Resolution to declare a portion of Shalimar Drive and Lexington Avenue as a public highway and incorporate into County road system (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-139; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*44) Proposed handicap parking zone on Larcus Avenue, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D.'s #1, #2, #3 & #4

- \*45) Contract No. 06024, identify apparent low bid of Griffith Company for asphalt concrete (windrow stockpile) at various locations in Kern County (Fiscal Impact: \$1,888,469; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

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

- \*46) Contract No. 06015, Notice of Completion with Granite Construction Company for asphalt concrete stockpile at various locations in Kern County (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

All S.D.'s

- \*47) Proposed Federal Apportionment Exchange Program and State Match Program Agreement No. X06-5950 (252) with California Department of Transportation, in an amount not to exceed \$405,044 (Fiscal Impact: \$405,044; State Aid; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 283-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*48) Proposed Amendment No. 1 to Agreement 091-2004 with Cascade Software Systems, Inc., for software maintenance of expanded functionality and increasing the annual maintenance cost to \$1,800 for Fiscal Year 2005-2006 (Fiscal Impact: Approximately \$1,800; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 284-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*49) Contract No. 06025, identify apparent low bid of Granite Construction Company for asphalt concrete stockpile at various locations in Kern County (Fiscal Impact: \$746,713.50; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

WASTE MANAGEMENT

S.D. #1

- \*50) Report regarding Records Compliance Review for the City of Shafter (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #2

- \*51) Request by Loretta Bantz for exemption from the Land Use Fee for Assessor's Parcel No. 427-090-57-00-4, a mobile home park located at 15983 Myer Road, Mojave and election to use Bin Disposal Fee payment method (Fiscal Impact: \$2,920, Revenue Decrease; Solid Waste Enterprise Fund; Not Budgeted; Mandated) - APPROVED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #4

- \*52) Report regarding Franchise Hauler Compliance Review for Westside Waste Management (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D.'s #1 & #2

- \*53) Proposed Contract No. 06017 with Papich Construction Company, Inc., to construct Phase 2A, Module 2 at the Bakersfield Metropolitan (Bena) Sanitary Landfill, in an amount not to exceed \$8,684,512.60 (Fiscal Impact: \$8,684,512.60; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 285-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

All S.D.'s

- \*54) Proposed budget transfer for various cost increases to the Solid Waste Enterprise Fund, in the amount of \$130,409 (Fiscal Impact: \$130,409; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*55) Proposed Memorandum of Understanding with the City of Bakersfield for Metropolitan Bakersfield Refuse Transfer Station and Source Reduction and Recycling Programs (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 286-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

COUNTY ADMINISTRATIVE OFFICE

- \*56) Proposed retroactive Agreement with Kern County Museum Authority for a ten-year lease of Museum grounds, effective July 1, 2005 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 287-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*57) Proposed Amendment No. 3 to Memorandum of Understanding with Central California Association of Public Employees (CCAPE) to correct MOU to provide continuation of uniform allowance for those classifications moved from representation by CCAPE-Criminal Justice Unit to bargaining units represented by CCAPE (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 288-2006; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, COUNTY ADMINISTRATIVE OFFICER, AND DIRECTOR OF PERSONNEL TO IMPLEMENT

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*58) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 481, Local Agency Formation Commission (LAFCO) Proceeding No. 1439 (Fiscal Impact: FY 2007-2008 \$823 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-140

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*59) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 497, Local Agency Formation Commission (LAFCO) Proceeding No. 1444 (Fiscal Impact: FY 2007-2008 \$1,407 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-141

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*60) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 499, Local Agency Formation Commission (LAFCO) Proceeding No. 1446 (Fiscal Impact: FY 2007-2008 \$6,201 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-142

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- 61) Report on Budget Development Process Improvement Team and proposed changes in calculations of salary savings, changes to Budget Savings Incentive program, effective in FY 2006-2007, and modification of budget timelines and processes for FY 2007-2008 budget development (Fiscal Impact: None) - MICHAEL TURNIPSEED, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; APPROVED WITH THE EXCEPTION OF RENAMING SALARY SAVINGS; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO SOLICIT INFORMATION ON UNMET NEEDS FROM DEPARTMENTS AND SCHEDULE COMMITTEE OF THE WHOLE MEETING TO DISCUSS; REVISED ADMINISTRATIVE POLICY AND PROCEDURES MANUAL; REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD ON THE FEASIBILITY OF IMPLEMENTING A CENTRALIZED PAYROLL SYSTEM

**McQuiston-Maben: 4 Ayes; 1 Absent - Patrick**

Legislative Matters

- \*62) Proposed Resolution opposing oil severance tax initiative (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-143; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*63) Proposed legislative telecommunications principles (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*64) State Budget: Public Library Foundation Funding (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*65) Proposed administrative budget cuts to Medicaid programs without receiving congressional approval (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*66) AB 74: Butte County Healthy Communities Fund (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*67) AB 1288: Medicaid benefits for juvenile drug treatment (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*68) AB 1931: Increased veterans' outreach services funding (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*69) AB 2004: Continuous Medicaid benefit eligibility for juvenile offenders (Fiscal Impact: None) - ADOPTED POSITION IN SUPPORT; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*70) Plans and Specifications for Lake Isabella Park Parking Lot (8920.28051.05) (Fiscal Impact: \$163,500; Community Economic Development Block Grant Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, MAY 25, 2006, AT 11:00 A.M.

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #2

- \*71) Change Order No. 7 for the Mojave Pre-Engineered Pedestrian Walkway, an increase of \$14,520, for a new total of \$915,936 (1960.8119) (Fiscal Impact: \$14,520; Superior Court of California; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*72) Proposed assessment of a \$750 penalty against JTS Construction for violation of Section 4106 Subcontracting Listing requirement on the Mojave Pre-Engineered Pedestrian Walkway (1960.8119) (Fiscal Impact: \$750 Deduct; Superior Court of California; Budgeted; Discretionary) -

**WITHDRAWN**

S.D. #3

- \*73) Request to set hearing for granting of pipeline franchise to SFPP, L.P. (Fiscal Impact: \$1,200 Renewal Fee and \$9,100 Franchise Fee, Revenue; Budgeted; Discretionary) - ADOPTED RESOLUTION 2006-144 SETTING HEARING FOR TUESDAY, JUNE 6, 2006, AT 2:00 P.M.; DIRECTED CLERK OF BOARD TO PUBLISH NOTICE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*74) Proposed Amendment No. 4 to Agreement 533-2005 with John A. Martin & Associates, Inc., for the International Airlines Terminal Phase II, an increase of \$2,750, for a new total of \$40,750 (8994.8422) (Fiscal Impact: \$2,750; Airport Enterprise Fund; Budgeted; Discretionary) -

**WITHDRAWN**

- \*75) Request for subcontractor substitution for International Airlines Terminal Phase I (8994.8422) (Fiscal Impact: None) - FOUND THAT ART'S DRYWALL FAILED TO EXECUTE A WRITTEN CONTRACT WITH JTS CONSTRUCTION; APPROVED SUBSTITUTION OF CHARLES EVLETH CONSTRUCTION TO COMPLETE DRYWALL PORTION OF PROJECT

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #4

- \*76) Request to set hearing for granting of pipeline franchise to Manon Manor Mutual Water Company (Fiscal Impact: \$1,200 One-Time Fee & Approximately \$463 Annual Revenue; Budgeted; Discretionary) - ADOPTED RESOLUTION 2006-145 SETTING HEARING FOR TUESDAY, JUNE 6, 2006, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*77) Proposed Lease with Taft Tenth Street Plaza, LLC, for 119 North 10th Street, Taft, for Department of Human Services offices for a term of seven years, commencing upon completion of tenant improvements at an initial rental rate of \$10,800 per month, and increasing after 28 months (Fiscal Impact: No Current Fiscal Year Impact) - 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 289-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

S.D. #5

- \*78) Proposed Agreement with Berkshire Properties, Inc., for use of eleven (11) parking spaces in parking structure at 1300 - 18th Street, Bakersfield, from execution date to March 31, 2016 (Fiscal Impact: \$275 Monthly Revenue; Not Budgeted; Discretionary) - MADE FINDING PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 290-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*79) Proposed Amendment No. 1 to Agreement 070-2006 with KSA Group Architects for the Kern Medical Center D-Wing Pediatric Unit and CT Scan, an increase of \$1,725, for a new total of \$86,385 (Fiscal Impact: \$1,725; Kern Medical Center Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 291-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*80) Proposed Agreement with John A. Martin & Associates, Inc., for the Central Receiving Underground Garage Beam Rehab, in an amount not exceed \$15,000 (1640.55) (Fiscal Impact: \$15,000; General Fund; Not Budgeted; Discretionary) - CONTINUED TO TUESDAY, MAY 16, 2006 AT 2:00 P.M.

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

All S.D.'s

- \*81) Proposed retroactive Agreement with Equiserv, a division of IDSC Holdings, Inc., a Snap-On company, for one year full coverage service for the California emission inspection system operated by General Services Garage, from April 1, 2006 through March 31, 2007, in an amount not to exceed \$5,070 (Fiscal Impact: \$5,070; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 292-2006

**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

- \*82) Job Order Contract project listing update (Various Projects)  
(Fiscal Impact: None) - APPROVED  
**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

CONSIDERATION OF ORDINANCE INTRODUCED ON APRIL 4, 2006

- \*83) Proposed Ordinance adding Chapter 9.32 to the Kern County  
Ordinance Code relating to the operation of ice cream trucks  
- ENACTED ORDINANCE G-7380  
**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**

MATTERS FOR EXECUTIVE APPROVAL

- \*84) Budget Transfers - APPROVED NO. 139 THROUGH NO. 162  
**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**
- \*85) Minutes for week of March 13, 2006 - APPROVED  
**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**
- \*86) Miscellaneous Letters and Documents - APPROVED  
**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**
- \*87) Miscellaneous Departmental Referrals by Clerk of the Board -  
APPROVED AND FILED  
**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**
- \*88) Claims and Lawsuits filed with and referred by Clerk of the  
Board - APPROVED AND FILED  
**Maben-Rubio: 4 Ayes; 1 Absent - Patrick**
- ADJOURNED TO TUESDAY, MAY 2, 2006, AT 9:00 A.M.

**Rubio**

/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.

86) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Aging & Adult Services

- A) Memorandum re reappointment of Beatrice Smith as a commissioner on Commission of Aging representing Homemaker Services of Indian Wells Valley (Copies to each Supervisor and CAO)
- B) Memorandum re appointment of Guillermo Ceja-Zapien as a commissioner on Commission of Aging representing Richard Prado Senior Center (Copies to each Supervisor and CAO)

Board of Supervisors

- C) Memorandum from Supervisor Rubio in opposition to spending more in the lawsuit against former Sheriff Carl Sparks (Copies to each Supervisor, CAO and County Counsel)

Clerk of the Board

- D) Monthly Referral Report for March/April 2006
- E) Received, certified and transmitted to Recorder for recordation as follows:

- 1) Tract Map 6149, Phase 5      S.D. #1
- 2) Tract Map 6149, Phase 6      S.D. #1
- 3) Tract Map 6169, Unit 3      S.D. #4
- 4) Tract Map 6184      S.D. #1
- 5) Tract Map 6209, Phase 1      S.D. #5
- 6) Tract Map 6224, Phase A      S.D. #1
- 7) Tract Map 6225, Phase C      S.D. #1
- 8) Tract Map 6232, Phase 5      S.D. #5
- 9) Tract Map 6241      S.D. #4
- 10) Tract Map 6349, Phase 2      S.D. #4
- 11) Tract Map 6439      S.D. #2
- 12) Parcel Map 11174      S.D. #2
- 13) Parcel Map 11231      S.D. #4
- 14) Parcel Map 11410      S.D. #1

County Administrative Office

- F) Amendments to Administrative Policy and Procedures Manual, Chapter 12 re Accident Prevention and Reporting to correct a typographical error
- G) Response to referral re North of the River Parks and Recreation District future requests for fee increases

Community & Economic Development

- H) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Georgia Lee Maness

Employers' Training Resource

- I) Workforce Investment Act On-the-Job Training Agreements:
- 1) Larry M. Cho, M.D., Inc. dba The Industrial Medical Group, WIA Title 167, dated March 8, 2006
  - 2) Larry M. Cho, M.D., Inc. dba The Industrial Medical Group, WIA Title 301, dated March 8, 2006
  - 3) Fabious Corner Best BBQ, WIA Title 201, dated March 23, 2006
  - 4) Hall Ambulance Service, Inc., WIA Title 201, dated March 21, 2006
  - 5) Mechanical Industries, Inc., WIA Title 501, dated March 20, 2006
  - 6) XTech Industries, Inc., WIA Title 201, dated April 3, 2006

Fire

- J) Thank you letter to Gary and Susy Alexander for donation to the Buttonwillow substation (Copies to each Supervisor and CAO)

Local Agency Formation Commission

- K) Resolution No. 06-12, Proceeding No. 1445, in the matter of Kern-Tulare Water District, Detachment U (Copies to each Supervisor, CAO and Resource Management Agency)
- L) Resolution 06-11, Proceeding No. 1441, in the matter of City of McFarland, Annexation No. 11 (Copies to each Supervisor, CAO and Resource Management Agency)
- M) Report and Recommendation, Proceeding No. 1445, in the matter of Kern-Tulare Water District, Detachment U (Copies to each Supervisor, CAO and Resource Management Agency)
- N) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1439, Panama No. 16, Annexation No. 481 (Copies to each Supervisor, CAO and Resource Management Agency)

Planning

- O) Response to referral to Thomas Anton, Thomas Anton & Associates, re expiration of Tentative Parcel Map 10782 (Copies to each Supervisor and CAO)
- P) Grant of Avigation Easement from Bakersfield Mineral Court, LLC, Document 0206063306, recorded on March 16, 2006

Treasurer-Tax Collector

- Q) Report of Compliance - 2005 Conflict of Interest Statements for the Kern County Treasury Oversight Committee and Application for Nomination and Annual Filing
- R) Cash Receipts and Disbursements for March 2006

Miscellaneous

- S) Thank you letter from Senator Roy Ashburn re infrastructure bond and Kern County's request for inclusion of flood control and water projects for the San Joaquin Water Coalition (Copies to each Supervisor and CAO)
- T) Letter from Michael G. Nelson, Merced County Board of Supervisors, in opposition to AB 1878, which would create Southern San Joaquin Valley Metropolitan Planning Organization Advisory Council (Copies to each Supervisor, CAO, Planning, Resource Management Agency and County Counsel)
- U) Letter from Stephen M. Pelz, Housing Authority of the County of Kern, recommending reappointment of Fred Haas to the Housing Authority Board of Commissioners (Copies to each Supervisor, CAO and Clerk of the Board)
- V) Letter from Stephen M. Pelz, Housing Authority of the County of Kern, recommending reappointment of Fuchsia Ward to the Housing Authority Board of Commissioners (Copies to each Supervisor, CAO and Clerk of the Board)
- W) Letter from Judy Stewart-Leslie, Consolidated Central Valley Table Grape Pest and Disease Control District, re 2006-2007 budget sheet for the Consolidated Kern and Tulare Districts (Copy to Agricultural Commissioner)
- X) Letter from Gary Blackburn, Kern Transportation Foundation, re continued support for high speed rail system (Copies to each Supervisor, CAO and Resource Management Agency)
- Y) Letter from Senator Dean Florez re High Desert Green Energy Park's decision to seek project approval through ballot initiative (Copies to each Supervisor, CAO, Planning, Resource Management Agency and County Counsel)
- Z) Letter from Brandon Martin, High Desert Green Energy Park, re description of their project (Copies to each Supervisor, CAO, Planning, Resource Management Agency and County Counsel)
- AA) Letter from John T. Mitchell, Kern County Prosecutors Association (KCPA) re commencement of new KCPA MOU negotiations with the County (Copies to each Supervisor and CAO)
- BB) Letter from D. E. Leach, California Highway Patrol, re hazardous materials incident report occurring on Monday, March 27, 2006, east bound State Route 58, Exit 167 (Copies to each Supervisor, CAO, Environmental Health and Fire-Haz Mat)
- CC) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re update on National Incident Management System (Copies to each Supervisor, CAO, Fire and Emergency Services)

- DD) Thank you letter from Larry A. Pearson, City of Wasco, for action taken re removal of toxic material located north of Wasco (Copies to each Supervisor, CAO, Engineering & Survey Services, Environmental Health and County Counsel)
- EE) Letter from David A. Roderick, Load Star Investments, in opposition to proposed distribution of Tehachapi Valley Recreation and Park District development fees (Copies to each Supervisor, CAO and Planning)
- FF) Letter from Senator Dianne Feinstein re support for the Community Development Block Grant program (Copies to each Supervisor, CAO and Community & Economic Development)
- GG) Letter from Bob Waterston, Fresno County Board of Supervisors, re support for setting aside Workforce Investment Act discretionary funds in the Central Valley (Copies to each Supervisor, CAO and Employers' Training Resource)
- HH) Letter from Victoria A. Whitney, State Water Resources Control Board, re Application 5632 approving petition for temporary transfer of up to 125,000 acre-feet of water from Yuba County Water Agency to the Department of Water Resources (Copies to each Supervisor, CAO and Engineering & Survey Services)
- II) Letter from Louis Gill and Dan Marble, Kern County Citizen Review Panel, re application for renewal of funding for Kern's Citizen Review Panel (Copies to each Supervisor and CAO)
- JJ) Eight (8) letters in opposition to increase in Universal Garbage Collection fees for Metropolitan Bakersfield Area (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- KK) Four (4) e-mail messages in opposition to building a Federal courthouse in a residential neighborhood (Copies to each Supervisor and CAO)
- LL) Five (5) e-mail messages in opposition to spending more in the lawsuit against former Sheriff Carl Sparks (Copies to each Supervisor, CAO and County Counsel)
- MM) Notice from Diane E. Branham, Tehachapi Unified School District, re public hearing of Board of Trustees on Tuesday, April 25, 2006 (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- NN) Notice from Bob Grayson, Jr., Torch Rig Services, re Worker Adjustment and Retraining Notification Act (WARN) (Copies to each Supervisor, CAO and Employers' Training Resource)
- OO) Notice from City of Delano re preparation of draft environmental impact report for wastewater facilities expansion project and request for responses (Copies to each Supervisor, CAO, Planning and Resource Management Agency)

- PP) Notice from U.S. Federal Energy Regulatory Commission re order amending license and revising annual charges (Copies to each Supervisor and CAO)
- QQ) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses as follows: Kern River Saloon, 20-22 Tobias Street, Kernville; Lebec Shell, 9069 Grapevine Road West, Lebec; BH 99 Cents Plus, 9545 South Union Avenue, Bakersfield; Los Amigos Swapmeet, 8331 Kern Canyon Road, Bakersfield; and Shooters Family Billiards & Pizza, 1129 Olive Drive, Suites A-C, Bakersfield (Copies to each Supervisor, CAO and Planning)
- RR) Schedule of Proposed Action (SOPA) from Los Padres National Forest (Copies to each Supervisor and CAO)
- SS) Resolution No. 583 from Cawelo Water District levying assessment for 2006 (Copies to each Supervisor, CAO, Treasurer-Tax Collector, Auditor-Controller-County Clerk and County Counsel)
- TT) Western Water, Facing the Future: Modifying Management of the Colorado River, January/February 2006 (Copies to each Supervisor and CAO)
- UU) Agenda of meeting from Kern County Behavioral Health Board on Monday, April 24, 2006
- VV) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, April 13, 2006
- WW) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, March 9, 2006
- XX) Minutes of meeting from Kern County Commission on Aging, Executive Committee, on Thursday, February 2, 2006
- YY) Minutes of meeting from Kern County Commission on Aging, Regular Commission, on Monday, February 13, 2006
- 87) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Annual Estimate of Obligations from Cawelo Water District - REFERRED TO COUNTY COUNSEL
- B) Letter from David G. Casnocha, Stradling Yocca Carlson & Rauth, re California Community College Financing Authority, 2006 Tax and Revenue Anticipation Bonds, Kern Community College District - REFERRED TO COUNTY COUNSEL
- 88) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of DeLois Holley vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Nicholas Roberts vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- C) Claim in the matter of Antonio Avila vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Kerry D. Fritz, II vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Ambrose Sogbandi vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Julio Barrera vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Gerardo Gonzales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Mutahar Al-Eryani vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Proof of Service of Temporary Restraining Order in the matter of McFarland Unified School District, Arturo Munoz, Donald Chandler and Jim Kasiner, Individually and as Members of the McFarland Unified School District Board vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Alejanr Floriano vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Jerry W. Dabbs vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Robert Custer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Amended claim in the matter of James Custer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Complaint in the matter of Jamie Nelson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Summons and complaint in the matter of Gino Lopez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Summons and complaint in the matter of Joseph Holder, et al vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Summons and complaint in the matter of Stacey Brown vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Summons and complaint in the matter of Jose Bonillo, et al vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Discrimination complaint in the matter of Gordie W. Gordon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)

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