

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, May 16, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Watson

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 May 21-27, 2006 as National Public Works Week - PROCLAIMED; MADE PRESENTATION TO GREG FENTON, TREASURER, AMERICAN PUBLIC WORKS ASSOCIATION; GREG FENTON HEARD

Maben-Watson: All Ayes

- 2) Proclamation proclaiming May as Bike to Work Month in Kern County - PROCLAIMED; MADE PRESENTATION TO BRIAN KEEGAN, EXECUTIVE DIRECTOR, BIKE BAKERSFIELD; BRIAN KEEGAN HEARD

Rubio-Maben: All Ayes

- 3) Proclamation proclaiming May 14-20, 2006 as Elder Abuse Awareness and Prevention Week in Kern County - PROCLAIMED; MADE PRESENTATION TO DEBBIE STEVENSON, DIRECTOR, AGING AND ADULT SERVICES; DEBBIE STEVENSON HEARD

McQuiston-Watson: All Ayes

NOTE: The Chairman called a recess due to a fire alarm and evacuation of the building

BOARD RECONVENED AFTER A 30-MINUTE RECESS WITH ALL MEMBERS PRESENT

- 4) Proclamation proclaiming May as Community Action Month in Kern County - PROCLAIMED; MADE PRESENTATION TO FRED DREW, EXECUTIVE DIRECTOR, COMMUNITY ACTION PARTNERSHIP OF KERN; FRED DREW HEARD

Watson-Rubio: All Ayes

APPOINTMENTS

- *5) Appointment of Nanette Brightwell as Fifth District Member to the Parks and Recreation Commission, term to expire January 2007 - MADE APPOINTMENT

Maben-Watson: All Ayes

- *6) Appointments to the Workforce Investment Board (WIB) of Leo Bautista, Brenda Farris, Chris Gardner, Frank Herrera, and Jay Rosenlieb as At-large Business Members, and Magda Menendez as At-large Community-Based Organization Member, terms to expire December 31, 2008 and appointment of Lydia Nicholson (replacing Magda Menendez) as At-large One-Stop Partner Member, term to expire June 30, 2007, and reappointments to the Workforce Investment Board (WIB) of Morgan Clayton, Keith Cornell Wolaridge, Danny Ordiz, and Michael Page as At-large Business Members; Don Carter as At-large Education Member; James Dozier and Patrick Collins as At-large Economic Development Members; Patti Brokken (formerly Patti Bumerts), James Diaz, Beverly Beasley Johnson, Diane Koditek, Sanford Nabahe and Daniel Steinhagen as At-large One-Stop Partner Members; and George Lartigue as an At-large Member, terms to expire December 31, 2008 - MADE APPOINTMENTS AND REAPPOINTMENTS

Maben-Watson: All Ayes

- *7) Appointment of Debra Moreno as At-large Business Member to the Workforce Investment Board (WIB) Youth Council, term to expire December 31, 2008 - MADE APPOINTMENT

Maben-Watson: All Ayes

- *8) Appointment of Raymond Richard Mortimer as At-large Member to the West Side Cemetery District, term to expire January 1, 2009 - MADE APPOINTMENT

Maben-Watson: All Ayes

- *9) Reappointment of Camille Gavin as At-large Kern County Library Member to the San Joaquin Valley Library System Advisory Board, term to expire March 31, 2008 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *10) Reappointment of John Thomas Gardner as Second District Member to the Commission on Aging, term to expire June 17, 2008 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *11) Reappointment of Chris E. Babcock as Second District Member to the Planning Commission, term to expire January 1, 2008 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *12) Appointment of Jeffrey V. Nickell as First District Member to the Human Relations Commission, term to expire March 12, 2007 - MADE APPOINTMENT

Maben-Watson: All Ayes

- *13) Reappointment of Jon W. Johnston as First District Member to the Commission on Aging, term to expire May 4, 2008 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *14) Reappointment of Harley Walter Baker as First District Member to the Commission on Aging, term to expire June 17, 2008 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *15) Reappointment of Larry Phelps as Second District Member to the Children and Families Commission, term to expire March 31, 2008 - MADE REAPPOINTMENT

Maben-Watson: All Ayes

- *16) Appointment of Norris Norman Ledbetter as Fourth District Member to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2008 - MADE APPOINTMENT

Maben-Watson: All Ayes

PUBLIC PRESENTATIONS

- 17) 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

- 18) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR RUBIO ANNOUNCED THAT LOS ANGELES COUNTY IS PROVIDING PAYMENT VOUCHERS TO THE BAKERSFIELD HOMELESS CENTER TO ASSIST WITH THEIR TRANSIENT POPULATION BEING SENT TO KERN COUNTY. ADDITIONALLY, LOS ANGELES COUNTY IS BUILDING A FACILITY IN LANCASTER TO HOUSE THEIR HOMELESS POPULATION

SUPERVISOR PATRICK COMMENTED ON THE LOCAL CAMPAIGN FINANCE HEARING PANEL AND THE CHALLENGES WITH A THREE-MEMBER PANEL, AND FURTHER SUGGESTED BOARD CONSIDERATION TO EXPAND THE PANEL TO FIVE MEMBERS SIMILAR TO THE ASSESSMENT APPEALS BOARD TO ACCOMMODATE ROTATION OF MEMBERS WHEN SITTING AS A THREE-MEMBER HEARING BODY

REFERRED TO COUNTY COUNSEL TO REPORT BACK IN TWO WEEKS WITH ALTERNATIVES AND RECOMMENDATIONS TO MODIFY THE COMPOSITION OF THE LOCAL CAMPAIGN FINANCE HEARING PANEL

Patrick-Watson: All Ayes

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

McQuiston-Watson: All Ayes

DEPARTMENTAL REQUESTS

IHSS PUBLIC AUTHORITY

- #19) Proposed Joint Powers Agreement with California State Association of Counties Excess Insurance Authority (CSAC-EIA) for the purpose of the California Public Entity Insurance Authority (CPEIA) joining Excess Insurance Authority (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 319-2006; REFERRED IMPLEMENTATION OF THE AGREEMENT TO RISK MANAGEMENT

McQuiston-Rubio: All Ayes

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

McQuiston-Rubio: All Ayes

AGING AND ADULT SERVICES

- *20) Proposed Agreement with California Department of Aging for Health Insurance Counseling and Advocacy Program for FY 2006-2007, in the amount of \$238,687 (Fiscal Impact: Federal: \$59,840; State: \$178,847; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 320-2006; AUTHORIZED DIRECTOR OF AGING AND ADULT SERVICES TO SIGN ALL RELATED STATE TRANSMITTAL AND BUDGETARY DOCUMENTS

Maben-Watson: All Ayes

- *21) Proposed Amendment No. 1 to Agreement 545-2005 with Homemaker Services of Indian Wells Valley to increase FY 2005-2006 funding by an additional \$199, to an amount not to exceed \$20,069, to restore funding to the FY 2004-2005 level (Fiscal Impact: \$199 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 321-2006

Maben-Watson: All Ayes

- *22) Proposed Amendment No. 1 to Agreement 546-2005 with Homemaker Services of Indian Wells Valley to increase FY 2005-2006 funding by an additional \$52, to an amount not to exceed \$5,276, to restore funding to the FY 2004-2005 level (Fiscal Impact: \$52 County; Budgeted; Discretionary)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 322-2006

Maben-Watson: All Ayes

- *23) Proposed Amendment No. 1 to Agreement 620-2005 with North of the River Recreation and Park District to increase FY 2005-2006 funding by an additional \$3,868, to an amount not to exceed \$288,865, to purchase a new telephone system (Fiscal Impact: \$1,008 Federal; Not Budgeted; \$2,860 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 323-2006

Maben-Watson: All Ayes

- *24) Proposed Agreement with California Department of Aging for Title III/VII, III E and State funded community based programs for FY 2006-2007, in the amount of \$3,029,303 (Fiscal Impact: \$2,531,565 Federal; \$497,738 State; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 324-2006; AUTHORIZED DIRECTOR OF AGING AND ADULT SERVICES TO SIGN ALL RELATED STATE TRANSMITTAL AND BUDGETARY DOCUMENTS

Maben-Watson: All Ayes

- *25) Proposed Amendment No. 5 to Agreement 205-2002 with Alzheimer's Disease Association of Kern County to increase FY 2005-2006 funding by an additional \$52,417, to an amount not to exceed \$192,080, for use in the purchase of one-time-only goods and services to assist in providing care giver support service in Kern County (Fiscal Impact: \$52,417 Federal; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 325-2006

Maben-Watson: All Ayes

- *26) Proposed Amendment No. 1 to Agreement 403-2005 with Richard Prado East Bakersfield Senior Center, Inc. to increase FY 2005-2006 funding by an additional \$3,625, to an amount not to exceed \$253,440, for the provision of Nutrition Program vehicle repairs (Fiscal Impact: \$3,625; \$1,118 Federal; Not Budgeted; \$2,507 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 326-2006

Maben-Watson: All Ayes

- *27) Proposed Amendment No. 4 to Agreement 209-2002 with Valley Caregiver Resource Center to increase FY 2005-2006 funding by an additional \$45,981, to an amount not to exceed \$86,626, for purchase of one-time-only goods and services to assist in providing care giver support service in southeastern Kern County (Fiscal Impact: \$45,981 Federal; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 327-2006

Maben-Watson: All Ayes

- *28) Proposed Amendment No. 1 to Agreement 502-2005 with Greater Bakersfield Legal Assistance, Inc., to increase FY 2005-2006 funding by an additional \$3,704, to an amount not to exceed \$133,070, to fund additional workshops and purchase a computer (Fiscal Impact: \$3,704 Federal; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 328-2006

Maben-Watson: All Ayes

AGRICULTURE AND MEASUREMENT STANDARDS

- *29) Proposed retroactive Agreement with Tehachapi Resource Conservation District for weed management services, from January 1, 2006 to June 30, 2006, in an amount not to exceed \$20,625 (Fiscal Impact: \$20,625; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 329-2006

Maben-Watson: All Ayes

- *30) 2005 Agricultural Crop Report (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

- 31) Proposed addition of one (1) Office Services Technician position, and deletion of one (1) Senior Office Services Specialist position, effective May 16, 2006 (Fiscal Impact: \$18,995; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Watson-Rubio: All Ayes

AIRPORTS

- *32) Proposed Consent to Assignment of Ground Lease for hangar at Meadows Field Airport from Paul Pence to Oildale Million Air, LLC (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 330-2006

Maben-Watson: All Ayes

- *33) Proposed Consent to Assignment of Ground Lease for office/hangar at Meadows Field Airport from Agate Bay Holding, L.P. to Alta Vista Partners, LLC (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 331-2006

Maben-Watson: All Ayes

- *34) Proposed Contract No. 06033, Plans, Specifications, and Notice to Contractors for construction of asphalt concrete apron at Taft Airport (Fiscal Impact: \$95,000; California Aid to Airports Annual Grant Program; Budgeted; Discretionary) - APPROVED PLANS AND SPECIFICATIONS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS DEPARTMENT TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 14, 2006, AT 11:00 A.M.

Maben-Watson: All Ayes

- *35) Request to appropriate unanticipated revenue in the amount of \$471,778 from U.S. Department of Housing and Urban Development for construction of a water line on Meadows Field Airport (Fiscal Impact: \$471,778 Federal Grant; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$471,778 TO THE AIRPORTS ENTERPRISE FUND APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$471,778 FROM THE AIRPORTS ENTERPRISE FUND APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 8994

Maben-Watson: All Ayes

- *36) Request for authorization to submit Airport Layout Plan for Lost Hills Airport to the Federal Aviation Administration for final approval (Fiscal Impact: None) -

WITHDRAWN

- *37) Request for authorization to submit Airport Layout Plan for Wasco Airport to the Federal Aviation Administration for final approval (Fiscal Impact: None) -

WITHDRAWN

ASSESSOR-RECORDER

- *38) Request authorization to purchase fixed asset - IBM Iseries Computer, and approval of budget transfer (Fiscal Impact: \$33,000; Not Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

CHILD SUPPORT SERVICES

- *39) Request for authorization to apply for grant funding in the amount of \$575,000 through the Department of Health and Human Services for a Pre-Natal Services Outreach Program (Fiscal Impact: \$575,000; Federal Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED DIRECTOR TO SIGN ALL APPLICABLE DOCUMENTS

Maben-Watson: All Ayes

- *40) Request for authorization to apply for grant funding in the amount of \$150,000 through the Department of Health and Human Services for an On the Way Out Prisoner Release Program (Fiscal Impact: \$150,000; Federal Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED DIRECTOR TO SIGN ALL APPLICABLE DOCUMENTS

Maben-Watson: All Ayes

COUNTY COUNSEL

- *41) Report regarding proposed local regulation of retail sales of pseudoephedrin (Fiscal Impact: None) - RECEIVED AND FILED REPORT

Maben-Watson: All Ayes

- *42) Request to authorize Clerk of the Board of Supervisors to execute memorandum to Bakersfield City Elementary School District, Delano Joint Union High School District, El Tejon Unified School District, Fairfax Elementary School District, General Shafter Elementary School District, Kernville Union Elementary School District, Lamont School District, Rio Bravo-Greeley Union Elementary School District, Southern Kern Unified School District, South Fork Union Elementary School District, Standard School District, and Tehachapi Unified School District declining participation in 2006 pooled tax and revenue anticipation notes (Fiscal Impact: None) - AUTHORIZED CLERK OF THE BOARD OF SUPERVISORS TO EXECUTE MEMORANDUM DECLINING PARTICIPATION IN 2006 TAX AND REVENUE ANTICIPATION NOTES

Maben-Watson: All Ayes

- *43) Request of Emergency Medical Services Department for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *44) Request of Child Support Services Department for authorization to destroy records no longer necessary or required for County purposes and eligible for destruction (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *45) Proposed Ordinance adding subsection (30) to Section 10.24.021 of Chapter 10.24, Title 10 of the Kern County Ordinance Code concerning a handicap parking zone on Larcus Avenue in Bakersfield (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Watson: All Ayes

- *46) Proposed Ordinance adding Section 10.04.518 to Chapter 10.04, Title 10 of the Kern County Ordinance Code establishing a 45-mile-per-hour speed limit on Allen Road (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Watson: All Ayes

- *47) Proposed Ordinance adding Section 10.04.120 to Chapter 10.04, Title 10 of the Kern County Ordinance Code concerning a 35-mile-per-hour speed limit on Cedar Street in Taft (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Watson: All Ayes

- *48) Proposed Ordinance adding subsection (31) to Section 10.24.021 of Chapter 10.24 establishing a handicap parking zone on Water Street in Bakersfield (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Watson: All Ayes

- *49) Proposed Ordinance adding Section 10.04.665 to Chapter 10.04, Title 10 of the Kern County Ordinance Code establishing a 45-mile-per-hour speed limit on Red Apple Avenue in Tehachapi (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Watson: All Ayes

- *50) Proposed Ordinance adding Section 10.04.386 to Chapter 10.04 of Title 10 of the Kern County Ordinance Code establishing a 40-mile-per-hour speed limit on Meany Avenue (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

Maben-Watson: All Ayes

DISTRICT ATTORNEY

- *51) Request for approval of unusual travel for Supervising Criminalist Gregory Laskowski to attend the International Association for Identification and the Association of Firearms and ToolMarks Examiners Training in Springfield and Boston, Massachusetts from June 25, 2006 to July 8, 2006, in an amount not to exceed \$3,420 (Fiscal Impact: \$3,420; Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

- *52) Proposed Resolution authorizing the District Attorney to submit grant application to the Department of Insurance for the Worker's Compensation Insurance Fraud Prevention Program for Fiscal Year 2006-2007, in the amount of \$494,496 (Fiscal Impact: \$494,496 State Grant; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-157

Maben-Watson: All Ayes

- *53) Request for approval of a Criminalist III Classification for the District Attorney's Forensic Science Division (Fiscal Impact: Unknown; Not Budgeted; Discretionary) - APPROVED IN CONCEPT; REFERRED TO PERSONNEL FOR DEVELOPMENT OF JOB SPECIFICATIONS AND SALARY SCHEDULE AND REVIEW OF THE SALARY SCHEDULE OF SUPERVISORY AND MANAGEMENT LEVEL AT THE DISTRICT ATTORNEY'S FORENSIC DIVISION

Maben-Watson: All Ayes

EMPLOYERS' TRAINING RESOURCE

- *54) Request to apply for Department of Labor, Veteran Employment and Training Service's Veterans Workforce Investment Program funding to provide services to local veterans in an amount not to exceed \$500,000 (Fiscal Impact: \$500,000; Federal Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED ETR AS THE FISCAL AGENT; AUTHORIZED ETR DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

Maben-Watson: All Ayes

FIRE DEPARTMENT

- *55) Request for confirming increase in purchase order with McTurbine Incorporated by the amount of \$30,000 to an amount not to exceed \$230,000, for repairs to the Fire Department Helicopter (Fiscal Impact: \$30,000; Fire Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Maben-Watson: All Ayes

HUMAN SERVICES

- *56) Proposed Amendment No. 1 to Agreement 567-2005 with Clinica Sierra Vista for provision of case management services for Cal-Learn participants to increase staffing levels and compensation by \$70,000, to an amount not to exceed \$977,200 (Fiscal Impact: \$70,000 State/Federal; \$0 County; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 332-2006

Maben-Watson: All Ayes

KERN MEDICAL CENTER

- 57) Update report regarding Kern Medical Center's financial condition (Fiscal Impact: None) - RECEIVED AND FILED REPORT AND DOCUMENTS

Watson-Rubio: All Ayes

- *58) Request authorization to purchase fixed assets - four ventilators, two warming cabinets, two rapid infusers, two Doppler stethoscopes, and two defibrillators in an amount not to exceed \$249,621 (Fiscal Impact: \$249,621; Not Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

- *59) Request for Emergency Purchase Order with St. Jude's Medical, an independent contractor, for purchase of an implantable pacemaker, in the amount of \$6,100 (Fiscal Impact: \$6,100; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

Maben-Watson: All Ayes

- *60) Proposed Amendment No. 1 to Agreement 019-2005 with Onward Healthcare, Inc., an independent contractor, for temporary nurse staffing, increasing the maximum not to exceed amount by \$375,000, from \$400,000 to \$775,000, over the two year term (Fiscal Impact: \$375,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 333-2006

Maben-Watson: All Ayes

- *61) Proposed Amendment No. 3 to the Software License, Maintenance and Services Agreement 230-2000 with PST Products, Inc., an independent contractor, to increase the number of concurrent users from 10 to 50 and the number of employees tracked from 1,750 to 2,000, for a not to exceed one time cost of \$29,554.88 and an annual cost of \$2,893.49 for maintenance and support services, Fiscal Year 2006-2007 (Fiscal Impact: \$29,554.88; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 334-2006

Maben-Watson: All Ayes

- *62) Proposed Amendment No. 3 to Agreement 792-2005 with AMN Healthcare, Inc., an independent contractor, for temporary nurse staffing, increasing the annual not to exceed amount by \$500,000, from \$5,099,500 to \$5,599,500 (Fiscal Impact: \$500,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 335-2006

Maben-Watson: All Ayes

- *63) Proposed Amendment No. 7 to Agreement 304-2004 with Health Net of California, Inc., an independent contractor, for health care services rendered to Health Net Medi-Cal Managed Care and Healthy Families members (Fiscal Impact: Confidential; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 336-2006

Maben-Watson: All Ayes

- *64) Proposed retroactive Memorandum of Understanding with Bakersfield Memorial Hospital, an independent contractor, for medical, psychosocial and case management services to high-risk infants referred to Kern Medical Center by Bakersfield Memorial Hospital, from April 26, 2006 through April 25, 2008 (Fiscal Impact: Unknown; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 337-2006

Maben-Watson: All Ayes

- *65) Proposed retroactive Training Center Agreement with American Heart Association, Inc., an independent contractor, for emergency cardiovascular care training, from January 1, 2006 through December 31, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 338-2006

Maben-Watson: All Ayes

- *66) Proposed Agreement with Seyed Abdolmajid Rooholamini, M.D., an independent contractor, for radiology services, from June 13, 2006 through June 12, 2008, in an amount not to exceed \$360,000 (Fiscal Impact: \$360,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 339-2006

Maben-Watson: All Ayes

- *67) Proposed Agreement with Mal Rye Choi, M.D., Ph.D., a contract employee, for psychiatric research and administrative duties in the Department of Psychiatry, from June 15, 2006 through June 30, 2008, in an amount not to exceed \$49,000 (Fiscal Impact: \$49,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 340-2006

Maben-Watson: All Ayes

- *68) Proposed Agreement with Comprehensive Rehab Services, Inc., an independent contractor, for speech pathology, physical therapy and occupational therapy services, from May 29, 2006 through May 28, 2008, in an amount not to exceed \$150,000 (Fiscal Impact: \$150,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 341-2006

Maben-Watson: All Ayes

- *69) Proposed Agreement with CHG Medical Staffing, Inc., an independent contractor, for clinical laboratory scientist recruitment, from May 31, 2006 through May 30, 2007, in an amount not to exceed \$30,000 (Fiscal Impact: \$30,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 342-2006

Maben-Watson: All Ayes

- *70) Proposed Agreement with Bakersfield Dialysis Center Medical Group, Inc., an independent contractor, for dialysis treatments and related services, from June 1, 2006 through May 31, 2008, in an amount not to exceed \$240,000 (Fiscal Impact: \$240,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 343-2006

Maben-Watson: All Ayes

- *71) Proposed Agreement with Salvador R. del Rosario, M.D., a contract employee, for psychiatry services, from July 1, 2006 through June 30, 2011, in an amount not to exceed \$975,000 (Fiscal Impact: \$975,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 344-2006

Maben-Watson: All Ayes

MENTAL HEALTH SERVICES

- *72) Proposed Amendment No. 1 to Agreement 277-2005 with North Chester Drugs, Inc. dba North Chester Pharmacy, to adjust service levels to match actual service demand and reduce maximum compensation from its original amount of \$115,000 to an amount not to exceed \$81,000 (Fiscal Impact: (\$34,000); State-Realignment Funds; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 345-2006

Maben-Watson: All Ayes

- *73) Proposed Amendment No. 2 to Agreement 291-2005 with North Chester Drugs, Inc. dba North Chester Pharmacy, to adjust service levels to match actual service demand and increase maximum compensation from its original amount of \$110,000 to an amount not to exceed \$149,289 (Fiscal Impact: \$39,289; State-Mental Health Services Act Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 346-2006

Maben-Watson: All Ayes

- *74) Proposed Amendment No. 2 to Agreement 292-2005 with Nankil Enterprises, Inc., to increase service levels to match actual service provision from its original amount of \$59,763 to an amount not to exceed \$76,963 (Fiscal Impact: \$17,200; Grant Funded; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 347-2006

Maben-Watson: All Ayes

- *75) Proposed Amendment No. 1 to Agreement 425-2005 with Turning Point of Central California, Inc., dba Kennemer Center to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, the impact of liens on contractor compensation, and to reduce service levels to match actual service provision from its original amount of \$30,000 to an amount not to exceed \$17,800 (Fiscal Impact: (\$12,200); Grant Funded; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 348-2006

Maben-Watson: All Ayes

- *76) Proposed Amendment No. 2 to Agreement 517-2005 with New Advances for People with Disabilities, to provide outpatient drug free treatment services for developmentally disabled Proposition 36 clients in Bakersfield (Fiscal Impact: \$27,000; State (SACPA); Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 349-2006

Maben-Watson: All Ayes

- *77) Proposed Amendment No. 1 to Agreement 597-2005 with Luis Velosa, M.D. Inc., to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and the impact of liens on contractor compensation (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 350-2006

Maben-Watson: All Ayes

- *78) Proposed Amendment No. 1 to Agreement 722-2005 with Connie Giannantonio, to revise language regarding mandatory meeting requirements, compliance with the Immigration Reform and Control Act, and the impact of liens on contractor compensation (Fiscal Impact: None) -

WITHDRAWN

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

WITHDRAWN

- *80) Proposed relief from accountability of patient accounts totaling \$50,022.14 (Fiscal Impact: \$50,022.14; Realignment; Discretionary; Not Budgeted) - APPROVED

Maben-Watson: All Ayes

- *81) Proposed approval to amend the sliding fee scale for substance abuse treatment services for indigent clients based on family size and income, effective July 1, 2006 (Fiscal Impact: None) - APPROVED

Maben-Watson: All Ayes

- *82) Request authorization to purchase fixed asset - Cardiograph (EKG Machine), and approval of budget transfer (Fiscal Impact: \$14,586; Not Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

PARKS AND RECREATION DEPARTMENT

- 83) Proposed addition of one (1) Area Park Supervisor position and deletion of one (1) Planner III position effective May 28, 2006 (Fiscal Impact: \$15,377; Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Rubio-McQuiston: All Ayes

- *84) Request authorization to purchase fixed asset - remote automated weather station to be situated within Tehachapi Mountain Park (Fiscal Impact: \$16,000; Not Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

- *85) Request for authorization to apply for grant funding through the Proposition 40 Per Capita California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for repairs to the Buena Vista Aquatic Recreation Area, in the amount of \$30,000 (Fiscal Impact: \$30,000; Not Budgeted; Discretionary) - AUTHORIZED PARKS DEPARTMENT TO MAKE APPLICATION; AUTHORIZED DIRECTOR OF PARKS TO SIGN ALL APPLICABLE DOCUMENTS

Maben-Watson: All Ayes

- *86) Proposed Agreement with Grapevine Adventure Association for a grant of Off Highway Motor Vehicle License Funds for the repair and rehabilitation of damages in Los Padres National Forest, in the amount of \$5,000 (Fiscal Impact: \$5,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 351-2006

Maben-Watson: All Ayes

PERSONNEL

- 87) Hear presentation by Human Relations Commission Chairperson, Bernita Jenkins, on the Human Relations Commission's 2005 Annual Report - HEARD PRESENTATION; RECEIVED AND FILED

Maben-Watson: All Ayes

PROBATION

- *88) Proposed Amendment No. 1 to Agreement 373-2005 with R. Bruce Walker, Ed.D., for pre-employment psychological screening services to Deputy Probation Officer and Group Counselor applicants, through Fiscal Year 2005-2006, to increase compensation by \$30,000 to an amount not to exceed \$100,000 (Fiscal Impact: \$30,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 352-2006

Maben-Watson: All Ayes

PUBLIC HEALTH SERVICES

- *89) Proposed Agreement with California State University, Bakersfield Foundation, for Tobacco Education Program Evaluation Consultant Services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$12,750 (Fiscal Impact: \$12,750; State Funded; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 353-2006

Maben-Watson: All Ayes

- *90) Proposed Agreement with Ebony Counseling Center, for Black Infant Health Program services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$134,000 (Fiscal Impact: \$134,000; State Funded; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 354-2006

Maben-Watson: All Ayes

- *91) Proposed Memorandum of Understanding with Safeguard Vision regarding responsibilities for referrals and information sharing for services under the Healthy Families Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 355-2006

Maben-Watson: All Ayes

- *92) Proposed Memorandum of Understanding with Kern County Voluntary Organizations Active In Disasters (KVOAD), for membership and coordination with Independent Voluntary Organizations Active in Disaster Preparedness and Relief (Fiscal Impact: \$100; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 356-2006

Maben-Watson: All Ayes

- *93) Proposed Agreement with Arnold Chun, M.D., for medical services for the Medical Therapy Program of California Children's Services, from July 1, 2006, through June 30, 2007, in an amount not to exceed \$15,000, and assumption of malpractice liability (Fiscal Impact: \$15,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 357-2006

Maben-Watson: All Ayes

- *94) Proposed Agreement with Interim Health Care, Assisted Care Division, for In-home Attendant Care services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$14,000 (Fiscal Impact: \$14,000; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 358-2006

Maben-Watson: All Ayes

- *95) Proposed Agreement with Independent Living Center of Kern County, for tenant-based rental assistance services to HIV-infected persons, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$60,000 (Fiscal Impact: \$60,000; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 359-2006

Maben-Watson: All Ayes

- *96) Proposed Agreement with Hans E. Einstein, M.D., for medical services for Valley Fever or Tuberculosis patients, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$12,000 (Fiscal Impact: \$12,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 360-2006

Maben-Watson: All Ayes

- *97) Proposed Agreement with Thomas W. Maier, Ph.D., for professional services as Public Health Lab Director, from May 16, 2006 through June 30, 2010, in an amount not to exceed \$100,000 (Fiscal Impact: \$100,000; Funded by Client Fees; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 361-2006

Maben-Watson: All Ayes

- *98) Proposed Agreement with QS Technologies, Inc., for ongoing software maintenance services of the Patient Care Management System, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$19,270.20 (Fiscal Impact: \$19,270.20; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 362-2006

Maben-Watson: All Ayes

RETIREMENT ASSOCIATION

- 99) Recommended employer and employee contribution rates for the retirement system, as recommended by the KCERA's actuary (Fiscal Impact: \$117.1 million) - MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; APPROVED; REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD REGARDING THE OVERALL FINANCIAL IMPACT OF CONTRIBUTION RATES AND MARKET TRENDS, AND PROVIDE THE BOARD WITH A RECOMMENDATION TO REDUCE THE UNFUNDED LIABILITY AT AN ACCELERATED RATE

Watson-Rubio: All Ayes

- 100) KCERA's 2005 Investigation of Experience - RECEIVED AND FILED

Watson-Rubio: All Ayes

- 101) KCERA's Funding Policy Statement, as revised - RECEIVED AND FILED

Watson-Rubio: All Ayes

SHERIFF

- *102) Proposed Resolution revising authorization for the Sheriff's Department and Department of Human Services to access federal, state and local summary criminal history information for employment certification or licensing purposes (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-158

Maben-Watson: All Ayes

- *103) Proposed retroactive Agreement with Robert Ziglar, to provide instruction for Sheriff's Department Field Training Officers, from April 1, 2006 to June 30, 2007, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 363-2006

Maben-Watson: All Ayes

- *104) Request for appropriation of \$10,000 from Sheriff's Civil Automation Trust Fund for the purchase of laptop computers (Fiscal Impact: \$10,000; No Impact to General Fund; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM SHERIFF'S CIVIL AUTOMATION TRUST FUND 22138 IN THE AMOUNT OF \$10,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$10,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Maben-Watson: All Ayes

- *105) Request for authorization to apply for grant funding from the Office of Emergency Services for the Kern California Multijurisdictional Methamphetamine Enforcement Team (CALMMET) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CERTIFICATION OF ASSURANCE OF COMPLIANCE

Maben-Watson: All Ayes

- *106) Request authorization to purchase fixed asset - GPS Tracking Unit, and approval of budget transfer (Fiscal Impact: \$8,393; State Grant; Not Budgeted; Discretionary) - APPROVED; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$8,393 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2210

Maben-Watson: All Ayes

- *107) Unusual travel request for Aircraft Mechanic, Jeffery Nunes, to attend training in Indianapolis, Indiana, from August 13, 2006 to August 26, 2006, in an amount not to exceed \$3,580.60 (Fiscal Impact: \$3,580.60; Budgeted; Discretionary) - APPROVED

Maben-Watson: All Ayes

- *108) Application to hold a parade - Annual Lilac Festival - Pine Mountain Club Commercial Property Owners Association on May 20, 2006, in Pine Mountain Club, California (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *109) Application to hold a Triathlon - 26th Annual Bakersfield Triathlon, on May 20, 2006 - submitted by Action Sports (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE EVENT WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER EVENTS PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE EVENT; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *110) Application to hold 2006 MDA Rockin' Ride for Life, on June 10, 2006 - submitted by Muscular Dystrophy Association in Bakersfield (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE EVENT WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER EVENTS PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE EVENT; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *111) Proposed Agreement with Greenfield School District for Truancy Prevention Services, from August 28, 2006 to June 30, 2007, in an amount not to exceed \$59,344 (Fiscal Impact: \$59,344; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 364-2006

Maben-Watson: All Ayes

- *112) Proposed Agreement with Greenfield School District for law enforcement services, from August 28, 2006 to June 30, 2007, in an amount not to exceed \$107,149 (Fiscal Impact: \$107,149; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 365-2006

Maben-Watson: All Ayes

- *113) Proposed Agreement with Standard School District for law enforcement services, from August 28, 2006 to June 30, 2007, in an amount not to exceed \$49,453 (Fiscal Impact: \$49,453; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 366-2006

Maben-Watson: All Ayes

- *114) Proposed Agreement with Beardsley School District for law enforcement services, from August 28, 2006 to June 30, 2007, in an amount not to exceed \$49,453 (Fiscal Impact: \$49,453; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 367-2006

Maben-Watson: All Ayes

- *115) Proposed Agreement with Mojave Unified School District for law enforcement services, from August 28, 2006 to June 30, 2007, in an amount not to exceed \$107,149 (Fiscal Impact: \$107,149; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 368-2006

Maben-Watson: All Ayes

- *116) Proposed modification of Tow Service Rotation Standard Form Agreement to increase fees charged by tow truck operators (Fiscal Impact: None) - APPROVED; AUTHORIZED SHERIFF-CORONER TO SIGN ON BEHALF OF COUNTY

Maben-Watson: All Ayes

- *117) Proposed retroactive Personal/Professional Services Agreement with Oracle Professional Services for I/LEADS Database emergency recovery Friday, April 14, 2006, in the amount of \$14,000 (Fiscal Impact: \$14,000; Not Budgeted; Mandated) - APPROVED; AUTHORIZED SHERIFF OR HIS DESIGNEE TO SIGN

Maben-Watson: All Ayes

- *118) Proposed Amendment No. 1 to Agreement 379-2004 with Ernest M. Solano, LCSW, Ph.D., for Psychological Screening Services, to increase compensation by \$15,000 to a maximum amount not to exceed \$65,000 per year (Fiscal Impact: \$15,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 369-2006

Maben-Watson: All Ayes

- *119) Request for authorization for emergency installation of a new fire protection system in Housing Units C & E at the Sheriff's Lerdo Pre-Trial Facility, and request to confirm approval of a sole source contract with RGE, Inc., in an amount not to exceed \$29,373 (Fiscal Impact: \$29,373; Not Budgeted; Mandated) - ADOPTED RESOLUTION 2006-159 FINDING THAT THE EMERGENCY WOULD NOT PERMIT A DELAY RESULTING FROM COMPETITIVE BIDDING, AND CONFIRMING THE ACTIONS OF THE ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES IN EXECUTING A SOLE SOURCE CONTRACT WITH RGE, INC., FOR THE EMERGENCY REPLACEMENT OF THE FIRE PROTECTION SYSTEM IN HOUSING UNITS C & E AT THE SHERIFF'S LERDO PRE-TRIAL FACILITY IN AN AMOUNT NOT TO EXCEED \$29,373

Maben-Watson: All Ayes

- *120) Request for authorization for emergency replacement of Fire/Potable Water Manifold at the Sheriff's Lerdo Detention Facility Waterworks, and request to confirm the approval of a sole source contract with W. M. Lyles Company (Fiscal Impact: \$17,348; Not Budgeted; Mandated) - RECEIVED AND FILED; ADOPTED RESOLUTION 2006-160 FINDING THAT THE EMERGENCY WOULD NOT PERMIT A DELAY RESULTING FROM COMPETITIVE BIDDING AND CONFIRMING THE ACTIONS OF THE ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES IN EXECUTING A SOLE SOURCE CONTRACT WITH W. M. LYLES COMPANY FOR THE EMERGENCY REPLACEMENT OF DEFECTIVE PIPING AT THE LERDO WATERWORKS IN AN AMOUNT NOT TO EXCEED \$17,348

Maben-Watson: All Ayes

TREASURER-TAX COLLECTOR

- *121) Proposed Resolution and Agreement with East Kern Airport District for the sale of tax defaulted property in an amount not to exceed \$600 plus the cost of giving notice (Fiscal Impact: \$600 Property Tax Revenue Recovery) - APPROVED; ADOPTED RESOLUTION 2006-161; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 370-2006

Maben-Watson: All Ayes

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 122) 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, Central California Association of Public Employees - Criminal Justice Unit, Kern County Detention Officers' Association, Kern County Fire Fighters Union, Kern County Probation Officers' Association, Kern County Prosecutors' Association, Kern County Sheriff Command Association, Kern Law Enforcement Agency (Government Code Section 54957.6) -
- 123) Request for Closed Session regarding public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center (Government Code Section 94957) -
- 123A) Results of Closed Session regarding public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center (Government Code Section 94957) - CONTINUED TO TUESDAY, MAY 16, 2006 AT 2:00 P.M. (SEE ITEM #67)

COUNTY COUNSEL

- 124) Request for Closed Session regarding a lawsuit entitled William Thresher v. County of Kern (WCAB Case No. VNO 484970) (Government Code Section 54956.9(a))
- 124A) Results of Closed Session regarding a lawsuit entitled William Thresher v. County of Kern (WCAB Case No. VNO 484970) (Government Code Section 54956.9(a)) - CONTINUED TO TUESDAY, MAY 16, 2006 AT 2:00 P.M. (SEE ITEM #68)

- 125) Request for Closed Session regarding a lawsuit entitled Jamie Nelson v. County of Kern, et al., KCSC Case No. S-1500-CV-254304 SPC (Government Code Section 54956.9(a)) -
- 125A) Results of Closed Session regarding a lawsuit entitled Jamie Nelson v. County of Kern, et al., KCSC Case No. S-1500-CV-254304 SPC (Government Code Section 54956.9(a)) - CONTINUED TO TUESDAY, MAY 16, 2006 AT 2:00 P.M. (SEE ITEM #69)
- 126) Request for Closed Session regarding a lawsuit entitled Enrique Salazar v. County of Kern, USDC Case No. CIV-F-02-6185 DLB (Government Code Section 54956.9(a)) -
- 126A) Results of Closed Session regarding a lawsuit entitled Enrique Salazar v. County of Kern, USDC Case No. CIV-F-02-6185 DLB (Government Code Section 54956.9(a)) - CONTINUED TO TUESDAY, MAY 16, 2006 AT 2:00 P.M. (SEE ITEM #70)
- 127) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. CV-254074, Sparks v. Board of Supervisors, KCSC Case No. CV-255904 (Government Code Section 54956.9(a)) -

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

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

McQuiston-Watson

/s/ Denise Pennell
Clerk of the Board

/s/ Barbara Patrick
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, May 16, 2006

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

Watson-Maben: All Ayes

KERN SANITATION AUTHORITY

- #1) Proposed Budget Transfers for Kern Sanitation Authority, in the total amount of \$73,500 (Fiscal Impact: \$73,500; Kern Sanitation Authority; Budgeted; Discretionary) - APPROVED

Watson-McQuiston: All Ayes

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

Watson-McQuiston: All Ayes

RESOLUTIONS/PROCLAMATIONS

- 2) Resolution honoring and commending Kern County Administrative Center Volunteer Host/Hostess Program for service to County of Kern; Proclamation proclaiming May 16, 2006, as Volunteer Host/Hostess Day in Kern County - ADOPTED RESOLUTION; PROCLAIMED; MADE PRESENTATION TO NORM BRIGGS, PRESIDENT, KERN COUNTY RETIRED EMPLOYEES ASSOCIATION; NORM BRIGGS AND BILL WILBANKS, ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR GENERAL SERVICES, HEARD

Maben-McQuiston: All Ayes

PUBLIC PRESENTATIONS

- 3) 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

- 4) 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 ANNOUNCED THE FIRST ANIMAL CONTROL COMMISSION MEETING ON WEDNESDAY, MAY 17, 2006, AT 6:00 P.M., AT THE PUBLIC SERVICES BUILDING AND EXPRESSED APPRECIATION TO RESOURCE MANAGEMENT AGENCY AND COUNTY COUNSEL STAFF FOR THEIR EFFORTS IN BRINGING THIS COMMISSION TO FRUITION

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 5) **Request from Quiring Corporation by Cornerstone Engineering, Inc., to change the permitted uses from clustered residential developed to 1-acre and 2-1/2-acre lot size residential for 71 lots on 190 acres and change the zoning from agriculture to 1-acre and 2-1/2-acre residential located at the northwest corner of Woodford Tehachapi Road and Black Oak Street, Tehachapi (SD #2)**

Specific Request:

- (a) & (c) Amend the Golden Hills Specific Plan from Map Code(s) 5.5.1 (Residential - Maximum 1 net acre/project density - Cluster Requirement 6,000-square-foot site area/unit minimum) to Map Code(s) 5.5 (Residential - Maximum 1 Unit/Net Acre) or a more restrictive map code designation (SPA #1, Map #165-23; SPA #3, Map #165-24)
- (b) & (d) A change in zone classification from A (Exclusive Agriculture) to E (1) RS (Estate - 1 acre - Residential Suburban Combining), E (2-1/2) RS (Estate - 2-1/2 acres - Residential Suburban Combining), and OS (Open Space) or more restrictive districts (ZCC #11, Map #165-23; ZCC #33, Map #165-24)

(Negative Declaration; Published Tehachapi News) (from 3/14/2006) - OPENED HEARING; HEARD IN SUPPORT OF PROJECT: MIKE CALLAGHY, CORNERSTONE ENGINEERING, INC.; AND PAUL QUIRING; HEARD IN OPPOSITION TO PROJECT: GLENN BAUMANN; MARYANN HESTER; BOB KOVACH, REPRESENTING SMART GROWTH TEHACHAPI VALLEYS; BLENDON WALKER, ARCHEOLOGIST; LEAH FONTAINE, FRIENDS OF THE OAKS; FRANK MOORE; JOHN HICKS; AND WILLIAM NELSON; CLOSED HEARING; JOHN HICKS ANSWERED QUESTIONS

(Continued on Page 26)

(Continued from Page 25)

REFERRED TO PLANNING DEPARTMENT TO REVIEW BUILDING CODE CONCERNING NIGHT SKY ISSUES FOR RURAL COMMUNITIES

Maben-McQuiston: All Ayes

CONTINUED TO TUESDAY, JUNE 20, 2006, AT 2:00 P.M.; RECEIVED AND FILED DOCUMENTS

Maben-Rubio: All Ayes

- 6) **Request from Walt Mueller by James Miller (original applicant - Nancy Ivey by Nancy Shebesta) to appeal the decision of the Planning Commission to approve Conditional Use Permit 3, Map 64-18, which allowed the operation of a yoga institute on 3.23 acres located at 145 Moore Avenue, Bodfish (SD #1)**

Specific Request:

An appeal to the decision of the Planning Commission to approve Conditional Use Permit 3, Map 64-18 (Resolution 14-06; approved January 26, 2006) to allow the operation of a yoga institute (Section 19.16.030.K.2) in an E (1/2) RS MH District (Appeal #1, Map #64-18

(Negative Declaration; Published Kern Valley Sun) (from 4/4/2006) - OPENED HEARING; HEARD IN SUPPORT OF APPEAL: JAMES MILLER AND IDA BLYLEVEN; HEARD IN OPPOSITION TO APPEAL: ROBERT LOWE; SUSAN FISHER; NANCY SHEBESTA; AND NANCY IVEY; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2006-162 DENYING APPEAL AND APPROVING CONDITIONAL USE PERMIT, SUBJECT TO CONDITIONS AS RECOMMENDED BY STAFF, EXCEPT FOR STAFF RECOMMENDED CHANGES TO PLANNING COMMISSION APPROVED CONDITIONS NOS. 6 AND 10 RELATING TO THE ACCESS ROAD, AND INCLUDING FINDINGS ADOPTED BY PLANNING COMMISSION

McQuiston-Rubio: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 7) **Request from Larry Brockman (original applicant) to appeal the decision of the Hearing Officer to disapprove Zone Variance 21, Map 124-1 to allow a second dwelling unit (mobile home) during a temporary period of medical hardship on 0.42 acre located at 431 Mission Street, east Bakersfield (SD #5)**

Specific Request:

An appeal of the decision of the Hearing Officer to disapprove Zone Variance 21, Map 124-1 (Notice of Decision 17-06; disapproved February 16, 2006) to allow a second dwelling unit (mobile home) during a temporary period of medical hardship (Section 19.16.060) in an E (1/2) RS District (Appeal #3, Map #124-1)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; LARRY BROCKMAN AND CASEY BROCKMAN HEARD; CLOSED HEARING; CONTINUED TO TUESDAY, MAY 30, 2006, AT 2:00 P.M.

Rubio-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Miscellaneous

All S.D.'s

- *8) Request authorization to purchase fixed asset - printer, printer stand and maintenance agreement mid-year, and approval of budget transfer (Fiscal Impact: \$7,000 Planning Department Budget Savings Incentive Funds; Not Budgeted; Discretionary) - APPROVED

Watson-Maben: All Ayes

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

- *9) Set hearing for proposed fee increase for North of the River Recreation and Park District (Fiscal Impact: None) - SET TUESDAY, JUNE 20, 2006, AT 2:00 P.M. AS HEARING DATE TO CONSIDER THE PARK DEVELOPMENT FEE INCREASE; DESIGNATED COUNTY COUNSEL THE OFFICIAL TO PREPARE A FAIR AND ADEQUATE SUMMARY; DIRECTED CLERK OF THE BOARD TO PUBLISH REQUIRED NOTICE IN ACCORDANCE WITH SECTION 66018 OF THE CALIFORNIA GOVERNMENT CODE

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY

S.D. #4

- *10) Response to referral regarding directing excess water from Lake Isabella to Buena Vista Reservoir (Fiscal Impact: None) - RECEIVED AND FILED

Watson-Maben: All Ayes

All S.D.'s

- 11) Proposed Resolution regarding approving County Transportation Measure Expenditure Plan (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-163

Rubio-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY

Animal Control Services

All S.D.'s

- *12) Animal Control Division monthly report (Fiscal Impact: None) - RECEIVED AND FILED

Watson-Maben: All Ayes

- *13) Request for sole source purchase of Veterinary Mobile Surgical Unit (Fiscal Impact: \$85,000; General Fund; Budgeted; Discretionary) - CONTINUED TO TUESDAY, MAY 30, 2006, AT 2:00 P.M.

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

S.D. #5

- *14) Request for Release of Funds (RROF) for CD Activity No. 44.06.1, Bear Mountain Recreation and Park District Community Pool Replacement (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED INTERIM DIRECTOR TO SUBMIT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Watson-Maben: All Ayes

All S.D.'s

- *15) Closeout of completed Community Development Block Grant (CDBG) funded projects, and transfer of \$176,809.84 to the CDBG Unprogrammed Funds line item (Fiscal Impact: \$176,809.84; CDBG; Budgeted; Discretionary) - APPROVED CLOSEOUT OF PROJECTS AND TRANSFER OF FUND BALANCES; AUTHORIZED NECESSARY U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND COUNTY BUDGET ADJUSTMENTS

Watson-Maben: All Ayes

NOTE: ITEMS NO. 16 AND NO. 17 HEARD CONCURRENTLY

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearings

S.D. #1

- 16) Hearing for abatement of a public nuisance at Swenson Ranch Road, Weldon, APN 426-210-06, estimated demolition cost \$2,000 (Fiscal Impact: \$2,000; Budgeted; Discretionary) - OPENED HEARING; RICHARD MONJI; LEO PARTRIDGE; LANNY BORTHICK; REX KEELING; AND RAMIRO VILLARREAL, HEARD; CLOSED HEARING; CONTINUED TO TUESDAY, MAY 30, 2006, AT 2:00 P.M.

McQuiston-Rubio: All Ayes

- 17) Hearing for abatement of a public nuisance at 5536 Swenson Ranch Road, Weldon, APN 426-034-07, estimated demolition cost \$2,000 (Fiscal Impact: \$2,000; Budgeted; Discretionary) - OPENED HEARING; RICHARD MONJI; LEO PARTRIDGE; LANNY BORTHICK; REX KEELING; AND RAMIRO VILLARREAL, HEARD; CLOSED HEARING; CONTINUED TO TUESDAY, MAY 30, 2006, AT 2:00 P.M.

McQuiston-Rubio: All Ayes

S.D. #2

- 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 6439, north of Rosamond Boulevard and east of 35th Street West, Rosamond (Fiscal Impact: \$6,045; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7383 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2006-164 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 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-Watson: All Ayes

- 19) Proposed Resolution ordering the extension of Zone of Benefit Nos. 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, Parcel Map 11023 and designated remainder, north of Rosamond Boulevard and west of 30th Street West, Rosamond (Fiscal Impact: \$5,425; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7384 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2006-165 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 ZONE OF BENEFIT NO. 1 AND THE AREA INCLUDED WITHIN THE BOUNDARY EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NOS. 2, 3 AND 5 WITHIN COUNTY SERVICE AREA NO. 63

Maben-Watson: All Ayes

S.D. #3

- *20) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 1308 Wilson Avenue, Bakersfield, APN 111-163-13, \$655 (Fiscal Impact: \$655; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-166 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE THE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Watson-Maben: All Ayes

S.D. #4

- 21) Hearing on proposed increased assessments within County Service Area No. 7, Taft area, for Fiscal Year 2006-2007 (Fiscal Impact: \$625; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF INCREASED ASSESSMENT; ENACTED ORDINANCE G-7385 INCREASING ASSESSMENT; ADOPTED RESOLUTION 2006-167 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING A PER PARCEL ANNUAL ASSESSMENT NOT TO EXCEED \$40 FOR STREET LIGHT MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS

Watson-Maben: All Ayes

S.D. #5

- 22) Hearing on proposed increased assessments within County Service Area No. 92.1, South Union Avenue, greater Bakersfield area, for Fiscal Year 2006-2007 (Fiscal Impact: \$6,168; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF INCREASED ASSESSMENT; ENACTED ORDINANCE G-7386 INCREASING ASSESSMENT; ADOPTED RESOLUTION 2006-168 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING AN ANNUAL ASSESSMENT NOT TO EXCEED \$3.50 PER FOOT OF FRONTAGE FOR MEDIAN LANDSCAPE MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS

Rubio-Watson: All Ayes

- *23) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 1004 Bunting Drive, Bakersfield, APN 169-202-27, \$7,037.75 (Fiscal Impact: \$7,037.75; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-169 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Watson-Maben: All Ayes

- *24) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at APN 169-202-26 Bunting Drive, Bakersfield, \$1,537 (Fiscal impact: \$1,537; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-170 CONFIRMING COSTS INCURRED BY COUNTY FOR WORK PERFORMED TO REMOVE PUBLIC NUISANCE FROM PROPERTY; ORDERED THAT ANY COSTS, IF NOT PAID WITHIN TEN (10) DAYS, BE A LIEN AGAINST THE PROPERTY AND CONSTITUTE A SPECIAL ASSESSMENT TO BE PLACED ON TAX ROLL BY THE AUDITOR AND TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS ORDINARY COUNTY TAXES ON THE REAL PROPERTY FROM WHICH NUISANCE WAS ABATED; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICE OF BOARD ACTION TO THE PROPERTY OWNER(S)

Watson-Maben: All Ayes

- *25) Hearing for the abatement of a public nuisance involving the demolition of abandoned and dangerous structure(s) at 311 Water Street, Bakersfield, APN 125-150-037, estimated cost \$3,500 (Fiscal Impact: \$3,500; Budgeted; Discretionary) -

WITHDRAWN

S.D. #4

- *26) Request to appropriate unanticipated revenue from United States Department of Agriculture for design and construction of the Lost Hills Drainage and Street Improvements (Fiscal Impact: \$750,000; Grant Funds; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$750,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO CAPITAL PROJECTS, BUDGET UNIT 1960, IN THE AMOUNT OF \$750,000

Watson-Maben: All Ayes

S.D. #5

- *27) Proposed Agreement with Quad Knopf for engineering services for Lamont Curb and Gutter Improvements, in an amount not to exceed \$265,000 (Fiscal Impact: \$265,000; CEDD; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 371-2006

Watson-Maben: All Ayes

All S.D.'s

- *28) Request to schedule establishment of Proposition 4 Appropriations Limit for Fiscal Year 2006-2007 for County Service Areas (Fiscal Impact: None) - RECEIVED AND FILED; SCHEDULED ESTABLISHMENT OF APPROPRIATIONS LIMITS FOR TUESDAY, JUNE 6, 2006, AT 2:00 P.M.

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

Hearing

All S.D.'s

- *29) Public hearing on Unmet Transit Needs (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-171

Watson-Maben: All Ayes

S.D. #2

- *30) Proposed no-cost Quitclaim Deed to Golden Hills Community Services District transferring approximately 22,712 square feet of surplus County-owned property at the southwest corner of Red Apple Avenue and Reeves Street (Fiscal Impact: None) - MADE FINDING THAT PROPERTY IS NOT REQUIRED FOR COUNTY USE; APPROVED QUITCLAIM DEED; AUTHORIZED CHAIRMAN TO SIGN; RETURNED DEED TO ROADS FOR PROCESSING

Watson-Maben: All Ayes

S.D. #3

- *31) Contract No. 06028, identify apparent low bid of A.C. Materials, Inc., for construction on Verdugo Lane from Brimhall Road to Shellabarger Road, in an amount not to exceed \$318,803.50 (Fiscal Impact: \$318,803.50; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Watson-Maben: All Ayes

- *32) Proposed Agreement with North of the River Sanitary District No. 1 for adjustment of utility facilities on Snow Road (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 372-2006

Watson-Maben: All Ayes

- *33) Proposed Agreement with California Water Service Company for adjustment of utility facilities on Snow Road (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 373-2006

Watson-Maben: All Ayes

S.D. #4

- *34) Contract No. 05028, Notice of Completion for construction on Stockdale Highway from Interstate 5 to 1/2-mile west of Renfro Road (Fiscal Impact: None) - RECEIVED AND FILED

Watson-Maben: All Ayes

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

- *35) Proposed Contract No. 06024 with Griffith Company for asphalt concrete (windrow stockpile) at various locations in Kern County, in an amount not to exceed \$1,888,469 (Fiscal Impact: \$1,888,469; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 374-2006

Watson-Maben: All Ayes

All S.D.'s

- *36) Contract No. 06019, Plans, Specifications and Notice to Contractors for Job Order Contract for road maintenance/repair (Fiscal Impact: \$1,000,000; Road Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA PER SECTION 15301(C) OF THE STATE CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION AND TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, JUNE 7, 2006, AT 11:00 A.M.

Watson-Maben: All Ayes

- *37) Report regarding contract change orders approved during the first quarter of 2006 (Fiscal Impact: None) - RECEIVED AND FILED

Watson-Maben: All Ayes

- *38) Proposed Amendment No. 4 to Agreement 355-99 with First Transit, Inc., for transportation services to include required Federal Transportation Administration wording for third party requirements (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 375-2006

Watson-Maben: All Ayes

WASTE MANAGEMENT

Hearing

S.D. #2

- 39) Public Hearing to consider report titled "Universal Collection in Eastern Kern"; proposed Resolution for adoption of universal collection in Eastern Kern; and proposed Ordinance establishing the schedule of universal solid waste collection service charges for residential property with four or fewer units in the Eastern Kern Universal Collection Area for Fiscal Year 2006-2007 and establishing a formula for setting charges in future fiscal years (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER PUBLIC RESOURCE CODE SECTION 21080(8) AND SECTION 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED REPORT; ADOPTED RESOLUTION 2006-172; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; WAIVED READING; ENACTED ORDINANCE G-7387

Maben-Rubio: All Ayes

All S.D.'s

- *40) Proposed Amendment No. 3 to Agreement 443-2000 with Bakersfield Well and Pump Company to provide monitoring point maintenance and repair services, to increase the compensation to allow compliance with Federal and State regulations, an increase of \$30,000, for a new total not to exceed \$80,000 (Fiscal Impact: \$30,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 376-2006

Watson-Maben: All Ayes

- *41) Request authorization to purchase fixed asset - copier, and approval of budget transfer (Fiscal Impact: \$7,000; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED

Watson-Maben: All Ayes

- *42) Request to hire retired County employee, Jack Rose, as an Engineering Technician II, Step E, effective May 17, 2006, for a term not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$28,164; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED

Watson-Maben: All Ayes

- *43) Proposed Resolution authorizing submittal of a State Grant application for a California Used Oil Recycling Block Grant (Fiscal Impact: \$122,616, Grant; Solid Waste Enterprise Fund; Not Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-173

Watson-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *44) Proposed 3% adjustment to fee schedule for Indigent Defense Program (Agreement 255-96) with Kern County Bar Association (Fiscal Impact: Estimated increase of \$112,000 in FY 2006-2007; Mandated) - APPROVED

Watson-Maben: All Ayes

- *45) Request to set Tuesday, May 30, 2006, immediately following 2:00 p.m. Board session, for a Committee of the Whole meeting to review the revised draft Strategic Plan (Fiscal Impact: None) - APPROVED

Watson-Maben: All Ayes

- 46) Proposed Resolution approving documents and issuance of FY 2006-2007 Tax and Revenue Anticipation Note (TRAN) in an amount not to exceed \$175,000,000 (Fiscal Impact: \$175,000,000; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-174; AUTHORIZED CHAIRMAN, OR ANY MEMBER OF THE BOARD IN ABSENCE OF CHAIRMAN, TO SIGN DOCUMENTS

Watson-Rubio: All Ayes

Legislative Matters

- *47) Proposed Resolution supporting Proposition 81, California State Library Construction Bond Act of 2006 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-175; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Watson-Maben: All Ayes

- *48) Proposed Resolution opposing establishing Eastern Kern County recycling and renewable energy district and any other landfill project by voter initiative and urging County residents not to sign petitions to place such initiatives on the ballot (Fiscal Impact: None) -

WITHDRAWN

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *49) Plans and Specifications for Lake Ming Weir Gate Rehab (8991.7003.05) (Fiscal Impact: \$89,450; Golf Course Enterprise Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Watson-Maben: All Ayes

- *50) Plans and Specifications for Lerdo Kitchen & Laundry Reroof (1650.7026.04) (Fiscal Impact: \$854,626; General Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE TUESDAY, JUNE 13, 2006, AT 11:00 A.M.

Watson-Maben: All Ayes

S.D. #2

- *51) Change Order No. 6 for the Rosamond Fire Station No. 15, an increase of \$5,723, for a new total of \$2,329,850 (1960.8268) (Fiscal Impact: \$5,723; Tobacco Secured Proceeds Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: All Ayes

S.D. #3

- *52) Proposed Amendment No. 4 to Agreement 533-2005 with John A. Martin & Associates, Inc., for the International Airlines Terminal Phase II, an increase of \$4,000, for a new total of \$42,000 (8994.8422) (Fiscal Impact: \$4,000; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 377-2006

Watson-Maben: All Ayes

- *53) Change Order No. 6 for the International Airlines Terminal Phase I, a decrease of \$3,905, for a new total of \$535,225, and to allow for additional time (8994.8422) (Fiscal Impact: \$3,905 Reduction; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: All Ayes

S.D. #4

- *54) Change Order No. 2 for Lake Evans East Parking Lot Sealing, an increase of \$16,624, for a new total of \$49,441; and proposed Resolution to dispense with bidding requirements for change orders in excess of 10% of contract amount (1960.8163.03) (Fiscal Impact: \$16,624; Park Land Grant; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-176; AUTHORIZED CHAIRMAN TO SIGN

Watson-Maben: All Ayes

S.D. #5

- *55) 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)(from 04/25/2006) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 378-2006

Watson-Maben: All Ayes

- *56) Plans and Specifications for DiGiorgio Recreation Building Reroof (1650.7015.04) (Fiscal Impact: \$52,144; General Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Watson-Maben: All Ayes

- *57) Plans and Specifications for Kern Medical Center Pediatric 4th Floor Remodel (8997.7001.05FF) (Fiscal Impact: \$72,475; Kern Medical Center Enterprise Fund; Budgeted; Discretionary) -

WITHDRAWN

- *58) Plans and Specifications for County Counsel & Public Defender Offices Remodel (1960.8200.05) (Fiscal Impact: \$980,500; General Fund; Capital Projects; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JUNE 8, 2006, AT 2:00 P.M.

Watson-Maben: All Ayes

- *59) Report on the status of the Animal Control Kennel Coating Project and request to approve a sole source contract with STONHARD, Division of StonCor Group, Inc., as an emergency project with an increased cost of \$30,000, for a new total project cost of \$180,000 (1650.7051) (Fiscal Impact \$180,000; General Fund; Not Budgeted; Discretionary) - RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-177 FINDING THAT THE EMERGENCY WOULD NOT PERMIT DELAY RESULTING FROM COMPETITIVE BIDDING; AUTHORIZED ASSISTANT COUNTY ADMINISTRATIVE OFFICER TO EXECUTE SOLE SOURCE CONTRACT; APPROVED ADDITIONAL APPROPRIATION FROM CONTINGENCIES

Watson-Maben: All Ayes

All S.D.'s

- *60) Proposed Amendment No. 2 to Agreement 316-2002 with Voyager Fleet Systems, Inc., extending the Agreement for a fleet fuel charge card program on a month-to-month basis (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 379-2006

Watson-Maben: All Ayes

CONSIDERATION OF ORDINANCE INTRODUCED ON MAY 2, 2006

- 61) Proposed Ordinance revising Chapter 8.54 of the Kern County Ordinance Code related to procedures for imposing administrative penalties for ordinance code violations - ENACTED ORDINANCE G-7388

Rubio-Maben: 4 Ayes; 1 No - McQuiston

MATTERS FOR EXECUTIVE APPROVAL

- *62) Budget Transfers - APPROVED NO. 178 THROUGH NO. 201

Watson-Maben: All Ayes

- *63) Minutes for week of March 27, 2006 - APPROVED

Watson-Maben: All Ayes

- *64) Miscellaneous Letters and Documents - APPROVED

Watson-Maben: All Ayes

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

Watson-Maben: All Ayes

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

Watson-Maben: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 67) Request for Closed Session regarding public employee performance evaluation - Title: Chief Executive Officer Kern Medical Center (Government Code Section 94957) (from 5/16/2006, Item No. 123 A.M.) -

COUNTY COUNSEL

- 68) Request for Closed Session regarding a lawsuit entitled William Thresher v. County of Kern (WCAB Case No. VNO 484970) (Government Code Section 54956.9(a)) (from 5/16/2006, Item No. 124 A.M.) -
- 69) Request for Closed Session regarding a lawsuit entitled Jamie Nelson v. County of Kern, et al., KCSC Case No. S-1500-CV-254304 SPC (Government Code Section 54956.9(a)) (from 5/16/2006, Item No. 125 A.M.) -
- 70) Request for Closed Session regarding a lawsuit entitled Enrique Salazar v. County of Kern, USDC Case No. CIV-F-02-6185 DLB (Government Code Section 54956.9(a)) (from 5/16/2006, Item No. 126 A.M.) -

RECONVENED FROM CLOSED SESSION; ADJOURNED TO TUESDAY, MAY 23, 2006, AT 9:00 A.M.

McQuiston-Rubio

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Barbara Patrick
Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54953.2)**

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

64) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Board of Supervisors

- A) Memorandum from Supervisor Michael Rubio re Personnel Department issues (Copies to each Supervisor, CAO and County Counsel)

Clerk of the Board

- B) Letter from Norma L. Robinson re resignation from the Westside Cemetery District Board (Copies to each Supervisor and CAO)

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

- | | |
|----------------------------|---------|
| 1) Tract Map 6222, Phase B | S.D. #1 |
| 2) Tract Map 6292 | S.D. #5 |
| 3) Tract Map 6360 | S.D. #2 |
| 4) Parcel Map 11075 | S.D. #2 |
| 5) Parcel Map 11094 | S.D. #5 |

Local Agency Formation Commission

- D) Notice of Hearing, Proceeding No. 1435, in the matter of City of Delano, Annexation No. 43 (Copies to each Supervisor, CAO and Resource Management Agency)
- E) Notice of Hearing, Proceeding No. 1438, in the matter of City of Bakersfield, Annexation No. 487, Madison No. 2 (Copies to each Supervisor, CAO and Resource Management Agency)
- F) Resolution 06-13, Proceeding No. 1436, in the matter of City of Delano, Annexation No. 44 (Copies to each Supervisor, CAO and Resource Management Agency)
- G) Resolution 06-14, Proceeding No. 1437, in the matter of North of the River Sanitary District No. 1, Annexation No. 69 (Copies to each Supervisor, CAO and Resource Management Agency)
- H) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1450, McCutchen No. 3, Annexation No. 468 (Copies to each Supervisor, CAO and Resource Management Agency)
- I) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1449, Wible No. 13, Annexation No. 506 (Copies to each Supervisor, CAO and Resource Management Agency)
- J) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1448, Old River No. 3, Annexation No. 498 (Copies to each Supervisor, CAO and Resource Management Agency)

- K) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1446, Snow Road No. 5, Annexation No. 499 (Copies to each Supervisor, CAO and Resource Management Agency)
- L) Preliminary budget for Fiscal Year 2006-2007 (Copies to each Supervisor and CAO)
Resource Management Agency
- M) Report re Water Well Ordinance Task Force Public Workshop No. 2 and proposed Ordinance amendments and policy guidance document
Sheriff
- N) Letter re removal of non-safety retirement employees from the Criminal Justice Bargaining Unit to the CCAPE other bargaining units 1-6 (Copies to each Supervisor and CAO)
Treasurer-Tax Collector
- O) Treasurer's Pooled Cash Portfolio Reporting for Quarter ended March 2006
- P) Cash Receipts and Disbursements for April 2006
Miscellaneous
- Q) Letter from S. A. Netzer, California Highway Patrol, re hazardous materials incident report from Thursday, April 27, 2006, at 32829 Interstate 5 (Grapevine) (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- R) Letter from D. E. Leach, California Highway Patrol, re hazardous materials incident report from Thursday, April 27, 2006, on State Route 58 at Broome Road (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- S) Letter from J. R. Odom, California Highway Patrol, re hazardous materials incident report from Thursday, April 20, 2006, on Interstate 5 northbound, Grapevine Road offramp (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- T) Letter from B. M. Smith, California Highway Patrol, re hazardous materials incident report from Monday, April 17, 2006, at State Route 178, east of Upper Richbar Campground (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- U) Letter from Paul R. Coble, Jones & Mayer, re County of Kern vs. Sparks settlement offer (Copies to each Supervisor, CAO and County Counsel)
- V) Letter from Thomas Johnson, State Department of Veterans Affairs, re County benefits received from County Veterans Service Office (CVSO) (Copies to each Supervisor, CAO and Veterans Services)

- W) Letter from Dennis J. O'Bryant, State Department of Conservation, re draft environmental assessment for the Bakersfield National Cemetery, Tejon Ranch area (Copies to each Supervisor, CAO, Veterans Services, Assessor, Planning and County Counsel)
- X) Letter from Bernard Weingardt, U.S. Department of Agriculture, Forest Service, re four (4) Records of Decision for the Final Environmental Impact Statement for the Revised Land and Resource Management Plans (Forest Plans) for four (4) southern California national forests (Copies to each Supervisor, CAO, Planning and County Counsel)
- Y) Letter and e-mail from Arthur D. Unger in support of the new federal courthouse site downtown (Copies to each Supervisor and CAO)
- Z) Letter from Robert E. Parsons, Pond Union Elementary School District, re 14-day Notice of Proposal to implement developer fees (Copies to Planning, Engineering & Survey Services and County Counsel)
- AA) Letter from Mercedes Aramburo, Cingular Wireless, re new cell site IM-0056-01-Blue Mountain, on Jack Ranch Road, Glenville (APN 052-040-39 and 052-040-40) (Copies to each Supervisor, CAO, Planning and County Counsel)
- BB) Letter from Terry M. Swisher re homeless shelter in Oildale (Copies to each Supervisor and CAO)
- CC) Letter from John F. O'Toole, National Center for Youth Law, re report entitled, "Broken Promises: California's Inadequate and Unequal Treatment of Its Abused and Neglected Children" (Copies to each Supervisor, CAO and Human Services)
- DD) Letter from Dianne Fritz, San Joaquin Valley Regional Association of Counties, re Resolution to develop health services and medical education programs to lead to University of California School of Medicine in the San Joaquin Valley and Resolution supporting additional San Joaquin River surface water storage and the Temperance Flat Dam Project (Copies to each Supervisor and CAO)
- EE) Letter from Stan Rosenstein, State Department of Health Services, to Assemblywoman Nicole Parra, re her support of Kern Medical Center's request for interim payment of \$39,000,000 (Copies to each Supervisor, CAO and Kern Medical Center)
- FF) Letter from Armando Gonzalez, State Department of Alcoholic Beverage Control, re modification of conditions on alcoholic beverage license of Rusty's Pizza Parlor, 3303 Niles Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- GG) Letter from Kathryn Perkins in support of increase of Universal Garbage Collection fees for Metropolitan Bakersfield Area (Copies to each Supervisor, CAO, Waste Management and County Counsel)

- HH) Nine (9) letters in opposition to increase of Universal Garbage Collection fees for Metropolitan Bakersfield Area (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- II) Letter from William C. Descary in support of a Resolution for a downtown federal courthouse location (Copies to each Supervisor and CAO)
- JJ) Letter from Shelby Hebert in support of a Resolution for a downtown federal courthouse location (Copies to each Supervisor and CAO)
- KK) Letter from Val Jimenez, State Department of Justice, to Marium Ferman and Esly Mas Ariegos, re notification of hazardous/toxic chemical contamination and search of property at 109 Clyde Street, Bakersfield (Copies to each Supervisor, CAO, Environmental Health and County Counsel)
- LL) Letter from Val Jimenez, State Department of Justice, to Lidia Rodriguez re notification of hazardous/toxic chemical contamination and search of property at 8146 Farmers Lane, Bakersfield (Copies to each Supervisor, CAO, Environmental Health and County Counsel)
- MM) Three (3) e-mail messages from individuals in support of a downtown federal courthouse location (Copies to each Supervisor and CAO)
- NN) E-mail from Vera Edwards re animal hoarders within Kern County (Copies to each Supervisor, CAO, Resource Management Agency and Animal Control)
- OO) E-mail from Alison Monteith re lack of water on exercise fields (Copies to each Supervisor, CAO, Sheriff and County Counsel)
- PP) E-mail from Patricia Lock re animal limits (Copies to each Supervisor, CAO, Resource Management Agency and Animal Control)
- QQ) E-mail from Paulette Elliott re Planning Commission Meeting concerning disposal well near McKittrick (Copies to each Supervisor, CAO, Planning and County Counsel)
- RR) E-mail from Harley Pinson re resignation from Kern County Local Campaign Finance Hearing Panel (Copies to each Supervisor, CAO, Elections and County Counsel)
- SS) Memorandum from David Warner, San Joaquin Valley Air Pollution Control District, re 2005 Annual Report on Toxic Emissions from Valley Facilities (Copies to each Supervisor, CAO, Environmental Health and Public Health)
- TT) Memorandum from Daphne Greene, State Department of Parks and Recreation, re proposed State Vehicular Recreation Area Williamson Act Notification for intent to acquire parcels for public use within Agricultural Preserve 14 (Copies to each Supervisor, CAO, Planning, Parks and County Counsel)

- UU) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from: Fastop Food & Gas, 601 California City Boulevard, California City; Blimpe, 3701 Wings Way, Space 236, Bakersfield; Chilly Willies, 11117 Kernville Road, Kernville; and Papa O's Pizzerias, 2104 North Chester Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- VV) Notice from State of California, Department of Insurance, re availability of changed text concerning proposed amendments to Title 10, California Code of Regulations, Section 2632.8 and 2632.11 (Copies to each Supervisor and CAO)
- WW) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, May 11, 2006
- XX) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, April 13, 2006
- YY) Agenda of meeting from Kern County Child Care Council on Wednesday, May 3, 2006
- ZZ) Minutes of meeting from Kern County Child Care Council on Wednesday, April 5, 2006
- 65) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from William C. Kuhs, Kuhs & Parker, re Lost Hills Water District, Annual Estimate - REFERRED TO COUNTY COUNSEL (Copies to each Supervisor and CAO)
 - B) Resolution 2006-100, City of McFarland, re notice of holding special municipal election on Tuesday, August 15, 2006, for submission of the question of recall of certain officers and the election of candidates to fill the vacancy or vacancies if the recall prevails - REFERRED TO ELECTIONS
 - C) Draft preliminary official statement re El Tejon Unified School District General Obligation Bonds, Election of 2005, Series 2006 - REFERRED TO COUNTY COUNSEL
- 66) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Kenneth Faulkner vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Daniel Thomas Lindini vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Benito Juarez, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Rochelle Marquette vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Mr. M. G. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- F) Claim in the matter of Delores (DeeDee) Johnson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Angelica Martinez and Fernando Ybarra vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of William Pierce vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Gabriel H. Vega vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of Grant Fulgado and Anna Gonzales Fulgado; Isidurao Cortes, Jim Cortes and Hazel Cortes; Claro Gonzales and Jennifer Gonzales; and Anthony Fulgado and Clarice Fulgado vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Joyce Rosenau, Estate of George Rosenau, Wendy Sornberger, Gloria Rosenau Stern, Linda Thiltgen, and Ryan Brottlund, by and through his Guardian ad Litem, David Brottlund vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Claim in the matter of Larry B. Moore vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Claim in the matter of Majed Akroush vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Claim in the matter of Terry Ellis Garrison vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Claim in the matter of Kerry D. Fritz, II vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Claim in the matter of Regina Murphy on behalf of Gabbriella R. Murphy and Robert Murphy, minors vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- Q) Claim in the matter of Armando Vernon Espinoza vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Claim in the matter of Patricia Ferdon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Claim in the matter of Zach Lorimer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Subrogation claim in the matter of Robert Strong by GEICO Indemnity vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- U) Request for Dismissal in the matter of Joseph Holder, Peter Cantisani, Dolores Huerta, Judy Bertelsen, Charles L. Krugman, David Hague Goggin, Alyce E. Fretland, Helen Acosta, Mary C. Kennedy, Charles Fox, Marty Krasney, Mitch Clogg, Ben P. Van Meter, Nancy Tilcock, Charles O. Lowery, Jr., Lilliam Ritt, Harold C. Case, Susan J. Case, Kenneth Martin Stevenson, Larry Marks, Harry John Rapf, Merrilee Davies, Bernice M. Kandarian, Victoria Post and Veronica Elsea, individuals vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- V) Answer of Defendant Kathleen Williams to Complaint/Petition for Writ of Mandate and Declaratory and Injunctive Relief in the matter of Joseph Holder, Peter Cantisani, Dolores Huerta, Judy Bertelsen, Charles L. Krugman, David Hague Goggin, Alyce E. Fretland, Helen Acosta, Mary C. Kennedy, Charles Fox, Marty Krasney, Mitch Clogg, Ben P. Van Meter, Nancy Tilcock, Charles O. Lowery, Jr., Lilliam Ritt, Harold C. Case, Susan J. Case, Kenneth Martin Stevenson, Larry Marks, Harry John Rapf, Merrilee Davies, Bernice M. Kandarian, Victoria Post and Veronica Elsea, individuals vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)