

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, May 2, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Rubio

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 7-13, 2006 as Wildfire Awareness Week in Kern County - PROCLAIMED; MADE PRESENTATION TO KERN COUNTY FIRE CHIEF DENNIS THOMPSON; CHIEF THOMPSON; JOE FONTAINE, PRESIDENT, GREATER TEHACHAPI FIRE SAFE COUNCIL; TOM KUEKES, U.S. FOREST SERVICE, MT. PINOS AREA; AND DEBBIE SANTIAGO, BUREAU OF LAND MANAGEMENT, HEARD

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

- 2) Proclamation proclaiming May 2006 as Foster Care Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO BETHANY CHRISTMAN, ASSISTANT DIRECTOR, DEPARTMENT OF HUMAN SERVICES; BETHANY CHRISTMAN; GAYLA GIBSON, FOSTER PARENT ASSOCIATION; AND DARYN GREENE HEARD

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

- 3) Proclamation proclaiming May 8-12, 2006 as Nurses' Week in Kern County - PROCLAIMED; MADE PRESENTATION TO TONI SMITH, R.N., KERN MEDICAL CENTER, DIRECTOR OF PATIENT CARE SERVICES; TONI SMITH HEARD AND INTRODUCED NURSING STAFF IN ATTENDANCE; CINDY WASSON, DIRECTOR OF PUBLIC HEALTH NURSING, HEARD

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

RECEIVED AND FILED DOCUMENTS

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

- 4) Proclamation proclaiming May 14-20, 2006 as Emergency Medical Services Week in Kern County - PROCLAIMED; MADE PRESENTATION TO ROSS ELLIOTT, DIRECTOR, EMERGENCY MEDICAL SERVICES; ROSS ELLIOTT HEARD; RICK STURM, EMERGENCY MEDICAL TECHNICIAN, KERN COUNTY FIRE DEPARTMENT; JOHN JIMENEZ, PARAMEDIC OF THE YEAR, HALL AMBULANCE SERVICE; TRACEY BLUE, EMERGENCY MEDICAL DISPATCHER OF THE YEAR; SHERRY STONE, EMERGENCY CARE NURSE; MARK CORUM, DIRECTOR OF PUBLIC/MEDIA RELATIONS, HALL AMBULANCE; AND JERRY SCHAEFER, 2005 LIFETIME ACHIEVEMENT IN EMERGENCY MEDICAL SERVICES AWARD, RECOGNIZED

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

- 5) Proclamation proclaiming May 2006 as ALS Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO STACY INMAN, AMYOTROPHIC LATERAL SCLEROSIS ASSOCIATION; STACY INMAN HEARD

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

RECEIVED AND FILED DOCUMENTS

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

- 6) Proclamation proclaiming May 6, 2006 as the 60th Anniversary of the Bakersfield Chinese Women's Club - PROCLAIMED; MADE PRESENTATION TO WEN-SHI CHEUNG, PRESIDENT, BAKERSFIELD CHINESE WOMEN'S CLUB; WEN-SHI CHEUNG HEARD

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

- 7) Proclamation proclaiming May 2006 as Mental Health Month in Kern County - PROCLAIMED; MADE PRESENTATION TO DIANE KODITEK, DIRECTOR, DEPARTMENT OF MENTAL HEALTH; DIANE KODITEK HEARD

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

- \*8) Proclamation proclaiming May 14-20, 2006 as Peace Officers' Memorial Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

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

- \*9) Proclamation proclaiming May 2006 as Older Americans Month in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

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

- 10) Certificate of Recognition honoring the Mental Health Services Act (MHSA) Workforce - MADE PRESENTATION TO KAREN GRAVES, MHSA WORKFORCE; KAREN GRAVES HEARD

- 11) Certificate of Recognition honoring Irma Carson as the first recipient of the Ebony Award which acknowledges her unwavering commitment to the community - MADE PRESENTATION TO IRMA CARSON; IRMA CARSON AND TERI McCLANAHAN, EXECUTIVE DIRECTOR, EBONY COUNSELING CENTER, HEARD

- 12) Certificate of Recognition recognizing Mackenzie Carter as the 2005 Pre-Teen California Senior Division titleholder - MADE PRESENTATION TO MACKENZIE CARTER; MACKENZIE CARTER HEARD; MACKENZIE'S PARENTS, DOUG AND DEENA CARTER, INTRODUCED
- 13) Proclamation proclaiming May 2006 as Water Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO STEVEN DALKE, PRESIDENT, WATER ASSOCIATION OF KERN COUNTY; STEVEN DALKE HEARD

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

PUBLIC REQUESTS

- 14) Request from Steven Dalke, President, Water Association of Kern County, to present the annual report on the status of local water supply - STEVEN DALKE; CURTIS CREEL, KERN COUNTY WATER ASSOCIATION; FLORN CORE, CITY OF BAKERSFIELD; LORON HODGE, MANAGER, WATER ASSOCIATION OF KERN COUNTY; AND JEANNE VARGA, PUBLIC INFORMATION DIRECTOR, WATER ASSOCIATION OF KERN COUNTY, HEARD

PUBLIC PRESENTATIONS

- 15) 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! - JEFF MORRIS, INTERIM PRESIDENT, KERN COUNTY SOCIAL WORKERS ASSOCIATION, ADDRESSED THE BOARD REGARDING PRELIMINARY FORMATION OF A SEPARATE EMPLOYEE RELATIONS BARGAINING UNIT FOR SOCIAL WORKERS

REFERRED THIS MATTER TO THE COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL; RECEIVED AND FILED DOCUMENTS

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

KERN COUNTY FIRE CHIEF DENNIS THOMPSON AND ENGINEERING AND SURVEY SERVICES DIRECTOR CHUCK LACKEY PROVIDED A REPORT ON THE CONDITION OF THE LAKE ISABELLA DAM AS REPORTED BY THE ARMY CORPS OF ENGINEERS

REFERRED TO RESOURCE MANAGEMENT AGENCY TO REPORT BACK TO THE BOARD REGARDING STATE AND FEDERAL FUND AVAILABILITY TO DIRECT EXCESS WATER FROM LAKE ISABELLA TO BUENA VISTA RESERVOIR; REFERRED TO CHIEF THOMPSON TO REPORT BACK TO THE BOARD MONTHLY ON THE CONDITION OF LAKE ISABELLA DAM, THE IMPACT OF INCREASED WATER FLOWS ALONG THE KERN RIVER, AND DISASTER PREPAREDNESS MEASURES

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 16) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR WATSON ANNOUNCED THE STATE LEGISLATURE MAY BE CONSIDERING REMOVING COUNTIES' ALLOCATION OF LOCAL TRANSPORTATION FUNDS FROM THE STATE INFRASTRUCTURE BOND PROPOSAL

REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO PREPARE AN EMERGENCY NON-AGENDA ITEM TO CONSIDER THIS MATTER AT THE 2:00 P.M. SESSION

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*17) Proposed Amendment No. 1 to Agreement 447-2005 with Adventist Health to allocate \$42,880 in additional federal and County funds, to an amount not to exceed \$561,811, for nutrition services for Fiscal Year 2005-2006 (Fiscal Impact: Federal \$9,985 Not Budgeted; County \$32,895 Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 293-2006

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

- \*18) Proposed Amendment No. 1 to Agreement 446-2005 with Greater Bakersfield Legal Assistance, Inc., to allocate \$1,740 in additional federal and County funds, to an amount not to exceed \$100,448, to provide Title IIIB legal services for seniors in Kern County for Fiscal Year 2005-2006 (Fiscal Impact: Federal \$750; County \$990; Not Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 294-2006

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

- \*19) Proposed Amendment No. 1 to Agreement 621-2005 with North of the River Recreation and Park District to allocate \$4,802 in federal and County funds for homemaker services, to an amount not to exceed \$74,717 for Fiscal Year 2005-2006 (Fiscal Impact: Federal \$4,100 Not Budgeted; County \$702 Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 295-2006

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

- \*20) Submittal of 2006-07 Area Agency on Aging Area Plan Update (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN TRANSMITTAL LETTER

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

AUDITOR-CONTROLLER-COUNTY CLERK

- \*21) Proposed Amendment No. 10 to Audit Agreement 327-2004 with Brown Armstrong Accountancy Corporation which provides for the audits of Golf Course Contractor's for the calendar years ended December 31, 2003, 2004 and 2005 in an amount not to exceed \$22,500 (Fiscal Impact: \$22,500; Parks & Recreation-Golf Course Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 296-2006

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

BOARD OF TRADE

- \*22) Proposed request to authorize closure of the Board of Trade office on May 10, 2006, to co-host business and tourism mixer in Lake of the Woods (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-146

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

CHILD SUPPORT SERVICES

- \*23) Request to employ retired County employee Alan Annis, Accountant III, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$26,816; State Grant Funded; Budgeted; Discretionary) - APPROVED

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

COUNTY COUNSEL

- \*24) Request from Kern Community College District regarding participation in 2006 tax and revenue anticipation bonds (Fiscal Impact: None) - AUTHORIZED CLERK OF THE BOARD OF SUPERVISORS TO EXECUTE MEMORANDUM DECLINING PARTICIPATION IN 2006 TAX AND REVENUE ANTICIPATION BONDS

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

- \*25) Request of the Kern County Board of Trade 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

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

- 26) Report regarding Ventura County ordinance imposing fines, costs and other consequences for hosting gatherings of underage drinkers (Fiscal Impact: None) - RECEIVED AND FILED; REFERRED TO COUNTY COUNSEL TO PREPARE AN ORDINANCE FOR INTRODUCTION ON TUESDAY, MAY 23, 2006, AT 9:00 A.M., SIMILAR TO VENTURA COUNTY BUT WITHOUT RESPONSE COST RECOVERY PROVISIONS

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

- 27) Proposed revisions to Chapter 8.54 of the Ordinance Code to provide an administrative penalty process for Ordinance Code enforcement, and proposed Agreement with Revenue Experts, Inc., to collect penalties, provide hearing officers and other services related to the administrative citation process, from May 2, 2006 through June 30, 2007, in an amount not to exceed \$4,500 (Fiscal Impact: Unknown) (from 4/25/2006) - WAIVED READING; INTRODUCED ORDINANCE; DESIGNATED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH A SUMMARY OF THE ORDINANCE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 297-2006

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

DISTRICT ATTORNEY

- \*28) Request for increase of encumbrance of sole source Blanket Purchase Order with Applied Biosystems for service, parts and supplies for two Genetic Analyzers used in the Forensic Biology Unit of the District Attorney Forensic Science Division, from \$50,000 to a maximum of \$65,000, an increase of \$15,000 (Fiscal Impact: \$15,000; General Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED PURCHASING AGENT TO INCREASE PURCHASE ORDER UP TO A MAXIMUM OF \$65,000

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

EMERGENCY MEDICAL SERVICES

- \*29) Acceptance of donation from Cardiac Science Corporation for automatic external defibrillator (Fiscal Impact: None) - ACCEPTED DONATION; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION TO CARDIAC SCIENCE CORPORATION

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

- \*30) Appropriation of unanticipated revenue in the amount of \$13,000 to support EMS Week activities (Fiscal Impact: \$13,000; Private Fund Raising; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$13,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$13,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 4200

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

- \*31) Proposed Agreement with City of Bakersfield for deployment of emergency response and mass casualty resources, from May 2, 2006, for an ongoing term (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 298-2006

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

EMPLOYERS' TRAINING RESOURCE

- \*32) Proposed sole source Agreement with ERISS Corporation, for a labor market information program, effective May 2, 2006, in an amount not to exceed \$94,036 (Fiscal Impact: \$94,036; State Grants; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 299-2006

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

- \*33) Request to appropriate unanticipated revenue from the Kern County Department of Human Services to provide work experience services for CalWORKs participants, in an amount not to exceed \$300,000 (Fiscal Impact: \$300,000; State Funds; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$300,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$300,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO FUND 29060 TO EMPLOYERS' TRAINING RESOURCE WORKFORCE INVESTMENT ACT BUDGET UNIT 8907

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

FARM AND HOME ADVISOR

- \*34) Proposed Lease Agreement with Ultrex for a digital copier in an amount not to exceed \$7,974 (Fiscal Impact: \$1,329 for Fiscal Year 2005-2006; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO EXECUTE LEASE

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

FIRE DEPARTMENT

- \*35) Request for continuance of response to Board referral to evaluate the disparities and inequities that exist relative to redevelopment agency agreements similar to methodology used for city fire contracts (from 3/21/06) (Fiscal Impact: None) - APPROVED; CONTINUED TO TUESDAY, JULY 11, 2006, AT 9:00 A.M.

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

HUMAN SERVICES

- \*36) Proposed renewal of Agreement with ARRC Enterprises, Inc., for Foster Youth Computer Camp, from May 3, 2006 through June 30, 2006, in an amount not to exceed \$134,200 (Fiscal Impact: \$134,200; 100% Combined State and Federal; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 300-2006

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

KERN MEDICAL CENTER

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

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

- \*38) Request to employ retired County employee Chaleo Wongrassamee, R.N., for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$42,038; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED

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

- \*39) Proposed Agreement with Radiologic Enterprises, Inc., an independent contractor, for clinical laboratory scientist recruitment, from May 31, 2006 through May 30, 2007, in an amount not to exceed \$25,000 (Fiscal Impact: \$25,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 301-2006

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

- \*40) Proposed Agreement with Healthcare Connections, Inc., an independent contractor, for clinical laboratory scientist recruitment, from May 31, 2006 through May 30, 2007, in an amount not to exceed \$25,000 (Fiscal Impact: \$25,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 302-2006

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

- \*41) Proposed Agreement with DTSI West, LLC, an independent contractor, for extracorporeal shockwave lithotripsy and holmium laser services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$100,000 (Fiscal Impact: \$100,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 303-2006

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

- \*42) Proposed retroactive Agreement with Asereth Medical Services, Inc., an independent contractor, for temporary pharmacist labor, from April 1, 2006 through March 31, 2008, in an amount not to exceed \$400,000 (prior notification March 28, 2006) (Fiscal Impact: \$400,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 304-2006

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

MENTAL HEALTH SERVICES

- 43) Presentation on Behavioral Health Board Annual Report for 2005 - RECEIVED AND FILED

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

- \*44) Proposed Amendment No. 2 to Agreement 464-2005 with Citizens for the Betterment of Community and Country, Inc., for residential and outpatient services, to increase service levels to an amount not to exceed \$966,292, and increase maximum amount payable by \$32,577 (Fiscal Impact: \$32,577; Federal and Grant Funded; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 305-2006

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

PARKS AND RECREATION DEPARTMENT

- \*45) Proposed Amendment No. 1 to Grant Agreement 062-2005 with Kern County Children and Families Commission to develop playgrounds, extending term from June 30, 2006 to December 31, 2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 306-2006

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

PROBATION

- \*46) Appropriation of unanticipated revenue in the amount of \$340,000 from Title IV-E for automation equipment (Fiscal Impact: \$340,000; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$340,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$340,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2340

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

PUBLIC HEALTH SERVICES

- \*47) Proposed Agreement with Clinica Sierra Vista 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; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 307-2006

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

- \*48) Proposed retroactive Agreement with San Diego State University Research Foundation for Kids' Plates Mini Grant to enhance existing child passenger safety services, from September 1, 2005 to June 30, 2006, in an amount not to exceed \$1,183 (Fiscal Impact: \$1,183; Foundation Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 308-2006

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

- \*49) Proposed Agreement with California State University, Bakersfield for HIV/AIDS alternate test site services, from July 1, 2006 through June 30, 2007 in an amount not to exceed \$4,000 (Fiscal Impact: \$4,000; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 309-2006

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

- \*50) Proposed Agreement with Kern Around the Clock Foundation to provide HIV/AIDS Early Intervention and AIDS Nursing Case Management Project bookkeeping services for Housing Opportunities for Persons with AIDS funds, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$60,494 (Fiscal Impact: \$60,494; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 310-2006

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

- \*51) Proposed Memorandum of Understanding with Western Dental providing for the parties' responsibilities for information sharing and referral services for dental services through the Healthy Families Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 311-2006; AUTHORIZED DIRECTOR OF PUBLIC HEALTH SERVICES TO SIGN RELATED DOCUMENTS

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

- \*52) Proposed Agreement with Society for Disabled Children for maintenance and transportation bookkeeping services, from July 1, 2005 through June 30, 2006, in an amount not to exceed \$120,000 (Fiscal Impact: \$120,000; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 312-2006

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

- \*53) Request to authorize payment of expenditures for food items (including snacks) used in the Tuberculosis, AIDS, and Immunization Programs as requested by the Department of Public Health for FY 2006-07 (Fiscal Impact: \$10,000; State Grants; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY EXPENDITURES

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

- \*54) Proposed Agreement with Delano Regional Medical Center for clinical x-ray services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$4,000 (Fiscal Impact: \$4,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 313-2006

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

- \*55) Proposed Agreement with Panational Inc. for interpreting and translation services, from July 1, 2006 through June 30, 2007 in an amount not to exceed \$9,000 (Fiscal Impact: \$9,000; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 314-2006

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

- 56) Presentation on 2006 Strike Down Secondhand Smoke Campaign (Fiscal Impact: None) - RECEIVED AND FILED

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

SHERIFF

- \*57) Request for appropriation of \$13,000 from Sheriff's Civil Firearms Trust Fund 22140, for purchase of 30 Remington Model 870 Police Shotguns (Fiscal Impact: \$13,000; No Impact to General Fund; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE FROM SHERIFF'S FIREARMS TRUST FUND 22140 IN THE AMOUNT OF \$13,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$13,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO SHERIFF'S BUDGET UNIT 2210

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

- \*58) Request to set public hearing on proposal to establish Jail Booking Fee for Fiscal Year 2006-2007 in the amount of \$158.91 per chargeable booking (Fiscal Impact: None) - SET HEARING DATE FOR TUESDAY, MAY 30, 2006 AT 9:00 A.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

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

- 59) Response to referral regarding status of Sheriff's Department vacancies (Fiscal Impact: None) - RECEIVED AND FILED

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

ADJOURNED TO CLOSED SESSION

**Maben**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 60) Request for Closed Session regarding conference with designated labor negotiators, Ronald M. Errea, County Administrative Officer and designated staff - Employee organizations: Central California Association of Public Employees (Government Code Section 54957.6) -

COUNTY COUNSEL

- 61) Request for Closed Session regarding a determination of whether the County will initiate litigation (Government Code Section 54956.9(c)) -
- 62) Request for Closed Session regarding a lawsuit entitled Holder, et al. v. McPherson, et al. (Government Section 54956.9(a)) -
- 63) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No.CV254074, Sparks v. Board of Supervisors, KCSC Case No. CV-255904. (Government Code Section 54956.9(a)) - (SEE RESULTS OF CLOSED SESSION AT BEGINNING OF 2:00 P.M. SESSION)

(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-Rubio**

/s/ Denise Pennell  
Clerk of the Board

/s/ Ray Watson  
Vice Chairman, Board of Supervisors

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, May 2, 2006

2:00 P.M.

BOARD RECONVENED

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

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

#### RESULTS OF CLOSED SESSION

Results of Closed Session from May 2, 2006, at 9:00 A.M., Item No. 63, regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. CV254074, Sparks v. Board of Supervisors, KCSC Case No. CV-255904. (Government Code Section 54956.9(a)) - CONTINUED TO 2:00 P.M., SEE AGENDA ITEM NO. 33

#### BOARD ACTION SHOWN IN CAPS

ADJOURNED AS BOARD OF SUPERVISORS; RECONVENED AS KERN SANITATION AUTHORITY

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

#### KERN SANITATION AUTHORITY

- #1) Proposed Amendment No. 1 to Agreement 494-2004 with T.J. Cross Engineers, Inc., to provide engineering services for wastewater facilities, to revise rate schedule, and extend term of Agreement to July 31, 2008 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 315-2006

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

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

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

#### FORD CITY-TAFT HEIGHTS SANITATION DISTRICT

- #2) Proposed Ordinance concerning collection of Sewer Service Charges on the Tax Roll for Fiscal Year 2006-2007 (Fiscal Impact: None) - ENACTED ORDINANCE S-138

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

- #3) Proposed Resolution directing preparation of Written Report of Sewer Service Charges for Ford City-Taft Heights Sanitation District and setting a public hearing to consider said report (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-147 SETTING HEARING FOR TUESDAY, JUNE 6, 2006 AT 2:00 P.M.; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTIONS 21080(b)(8) AND 15273; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF FILING OF REPORT AND HEARING

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

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

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

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 5) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR MABEN ANNOUNCED THAT BURT RUTAN WILL PROVIDE A MODEL OF SPACE SHIP ONE FOR DISPLAY AT MEADOWS FIELD AIRPORT

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department  
Streets and Highways  
S.D. #1

- \*6) Request from Eugenio Gabella for Summary Vacation of a 33-foot-wide easement, 4748 Falcon Drive, Yankee Canyon, Lake Isabella area, Map No. 41-21 - ADOPTED RESOLUTION 2006-148 APPROVING SUMMARY VACATION

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

- \*7) Request from Paloma Development Corporation for Summary Vacation of no longer needed cul-de-sac bulbs at the former terminus of Industry Parkway Drive and Spectrum Parkway Drive, north of Bakersfield, Map No. 102-4 - ADOPTED RESOLUTION 2006-149 APPROVING SUMMARY VACATION AS REQUESTED

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

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

Hearing

All S.D.'s

- \*8) Public Hearing regarding County of Kern Fiscal Year 2006-2007 Annual Action Plan for Community Development Programs and the County's performance with respect to planning and administering Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), American Dream Downpayment Initiative (ADDI), and Emergency Shelter Grant (ESG) Programs (Fiscal Impact: \$8,708,288; CDBG, HOME, ADDI, and ESG Programs; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED ACTION PLAN; AUTHORIZED CHAIRMAN TO SIGN APPLICATION FOR FEDERAL ASSISTANCE FORMS AND CERTIFICATIONS; AUTHORIZED INTERIM DIRECTOR TO MAKE ANY MINOR REVISIONS NECESSARY TO ACTION PLAN FOR CONSISTENCY, CHANGES IN RESPONSE TO DIRECTIVES OF YOUR BOARD, AND/OR AS MAY BE REQUIRED BY U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZED SUBMISSION OF ACTION PLAN DOCUMENTS TO HUD

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

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

Hearing

S.D. #5

- 9) Protest hearing on proposed confirmation of costs incurred for nuisance abatement work at 8308 Montal Street, Lamont, APN 178-310-36, \$3,688.75 (Fiscal Impact: \$3,688.75; Budgeted; General Fund; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; RECEIVED AND FILED REPORT; ADOPTED RESOLUTION 2006-150 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)

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

S. D. #1

- \*10) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6053, Phase 8, south side Seventh Standard Road, between North Chester Avenue and McCray Street, north Bakersfield, North Country Meadows, Inc., and proposed Resolution for acceptance of street improvements for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$425,981 TO \$42,598 FOR THE GUARANTEE AND MAINTENANCE OF THE COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING MAY 2, 2006; REDUCED FAITHFUL PERFORMANCE BOND NO. 2122728, IN THE AMOUNT OF \$425,981, ISSUED BY INSURANCE COMPANY OF THE WEST, TO \$42,598; ADOPTED RESOLUTION 2006-151 FOR ACCEPTANCE OF ROADS WITHIN TRACT 6053, PHASE 8, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

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

S.D. #2

- \*11) Proposed Resolution of Application to Local Agency Formation Commission (LAFCO), County Service Area No. 63, Annexation No. 14 and extension of Zone of Benefit Nos. 1, 2, 3 and 5, Tract 6314, Rosamond (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-152; AUTHORIZED ENGINEERING & SURVEY SERVICES TO FILE NECESSARY DOCUMENTS WITH LAFCO; DIRECTED CLERK OF THE BOARD TO FILE A NOTICE OF EXEMPTION, PURSUANT TO CEQA AND SAID GUIDELINES, IF REQUESTED

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

S.D. #5

- \*12) Request to set public hearing to consider levying assessments, proposed Resolution and proposed Indemnification Agreement with Local Agency Formation Commission (LAFCO) initiating proceedings for Annexation No. 4 to County Service Area No. 11 and establishment of Zone of Benefit Nos. 5, 6 and 7, Parcel Map 11093 and Tract 6400, east Bakersfield (Fiscal Impact: \$49,891.35; CSA's; Budgeted; Mandated) - APPROVED; ADOPTED RESOLUTION 2006-153 INITIATING PROCEEDINGS FOR ANNEXATION NO. 4 TO COUNTY SERVICE AREA NO. 11 AND ESTABLISHMENT OF ZONE OF BENEFIT NOS. 5, 6 AND 7; AUTHORIZED CHAIRMAN TO SIGN INDEMNIFICATION AGREEMENT 316-2006; SET PUBLIC HEARING FOR TUESDAY, JUNE 20, 2006, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO ALL PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC MEETING IN COMPLIANCE WITH ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING

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

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. 3

- \*13) Contract No. 05035, Notice of Completion for construction on Pioneer Drive from Fairfax to Park Drive, Bakersfield (Fiscal Impact: None) - RECEIVED AND FILED

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

- \*14) Contract No. 06023, identify apparent low bid of AC Materials, Inc., for Patton Way Drainage Improvements, Bakersfield, in an amount not to exceed \$374,220.09 (Fiscal Impact: \$374,220.09; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS DEPARTMENT TO PREPARE NECESSARY CONTRACT DOCUMENTS; RELEASED ALL OTHER BID GUARANTEES

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

- \*15) Proposed 40-mile-per-hour speed limit on Meany Avenue from Fruitvale Avenue to Patton Way, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

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

S. D. #'s 2 & 3

- \*16) Contract No. 06027, identify apparent low bid of Granite Construction for construction on various streets in the Pioneer Park area in Bakersfield, and the Golden Hills area in Tehachapi, in an amount not to exceed \$2,366,252 (Fiscal Impact: \$2,366,252; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS DEPARTMENT TO PREPARE NECESSARY CONTRACT DOCUMENTS; RELEASED ALL OTHER BID GUARANTEES

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

WASTE MANAGEMENT

Hearing

All S.D.'s

- 17) Public Hearing on proposed Ordinance establishing the schedule of Solid Waste Management Program service charges for residential property (Land Use Fees) for Fiscal Year 2006-2007 (Fiscal Impact: \$15,801,876 Revenue; Solid Waste Enterprise Fund; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 21080(b)(8) OF PUBLIC RESOURCES CODE; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED; ENACTED ORDINANCE G-7381

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

All S.D.'s

- \*18) Proposed Request for Proposal to provide landfill gas and air compliance consulting and engineering services for waste management facilities (Fiscal Impact: \$300,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED DISTRIBUTION

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

COUNTY ADMINISTRATIVE OFFICE

- \*19) Request to appropriate unanticipated revenue from premiums and release unrestricted retained earnings within the Group Health Internal Service Fund for health benefits claims (Fiscal Impact: \$7.775 million; Group Health ISF; Not Budgeted; Mandated) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$1,275,000 TO APPROPRIATIONS FOR CONTINGENCIES IN THE GROUP HEALTH SELF INSURANCE INTERNAL SERVICE FUND (30010); APPROVED RELEASE OF \$6,500,000 OF UNRESTRICTED RETAINED EARNINGS WITHIN GROUP HEALTH INTERNAL SERVICE FUND (30010) TO BUDGET UNIT 8960; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES (FUND 30010) TO BUDGET UNIT 8960 IN THE AMOUNT OF \$7,775,000

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

- 20) Proposed Resolution in support of downtown Bakersfield location for the new Federal Courthouse and urging General Services Administration, City of Bakersfield, and downtown property owners to collaborate on resolving site requirements and competitiveness issues (Fiscal Impact: None) - SCOTT GARRISON; DR. BYRON MUI; LISA GONZALES; AND DANA TUSAW HEARD; APPROVED; ADOPTED RESOLUTION 2006-154; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

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

Legislative Matter

- \*21) Resolution supporting additional San Joaquin River surface water storage and inclusion of Temperance Flat Dam project in State infrastructure bond measure (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-155; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

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

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 21A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED AS THE COUNTY ADMINISTRATIVE OFFICE RECENTLY LEARNED OF LEGISLATIVE ATTEMPTS TO DENY TRANSPORTATION FUNDING FOR COUNTIES IN THE PROPOSED STATE INFRASTRUCTURE BOND ACT OF 2006 WHILE PROVIDING \$500 MILLION IN SUCH FUNDS FOR CITIES. IN ORDER TO COMMUNICATE THE BOARD'S POSITION IN A TIMELY MANNER, ACTION IS REQUIRED PRIOR TO THE MAY 16, 2006 BOARD OF SUPERVISORS MEETING.

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

- 21A) State Infrastructure Bond Act: Local Transportation Funds  
- ADOPTED RESOLUTION 2006-156; AUTHORIZED CHAIRMAN TO SIGN  
CORRESPONDENCE

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

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #2

- \*22) Change Order No. 5 for Rosamond Fire Station No. 15, an  
increase of \$5,282, for a new total of \$2,324,128(1960.8268)  
(Fiscal Impact: \$5,282; Tobacco Secured Proceeds Fund;  
Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO  
SIGN

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

- \*23) Proposed Agreement with the City of Tehachapi for a County  
microwave dish antenna on the Tehachapi City Hall building,  
from April 25, 2006 to April 24, 2026 (Fiscal Impact: None)  
- MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION  
15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF  
EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO  
SIGN AGREEMENT 317-2006

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

S.D. #3

- 24) Plans and specifications for International Airlines Terminal  
Phase II (8994.8422.05B) (Fiscal Impact: \$2,443,200; Airport  
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 GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC  
CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY,  
JUNE 8, 2006, AT 11:00 A.M.; REFERRED TO GENERAL SERVICES TO  
REPORT BACK TO THE BOARD ON TUESDAY, JUNE 20, 2006 AT 2:00  
P.M. REGARDING THE DISPOSITION OF FACILITIES AT THE OLD  
AIRPORT TERMINAL

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

S.D. #4

- \*25) Proposed retroactive Lease Agreement with Layton Melton  
Productions, Inc., for lease of little league baseball  
fields in Taft, from April 25, 2006 to July 31, 2035 (Fiscal  
Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM  
CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE  
NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED  
CHAIRMAN TO SIGN AGREEMENT 318-2006

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

All S.D.'s

- \*26) Job Order Contract project listing update (Various Projects)  
(Fiscal Impact: None) - APPROVED

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

CONSIDERATION OF ORDINANCES INTRODUCED ON APRIL 25, 2006

- \*27) Proposed Ordinance adding Subsection (c) to Section 5.04.025 and Subsection (I) to Section 5.04.030 of the Kern County Ordinance Code relating to exemptions to business license requirements - ENACTED ORDINANCE G-7382

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

MATTERS FOR EXECUTIVE APPROVAL

- \*28) Budget Transfers - APPROVED NO. 163 THROUGH NO. 177

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

- \*29) Minutes for week of March 20, 2006 - APPROVED

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

- \*30) Miscellaneous Letters and Documents - APPROVED

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

- \*31) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

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

- \*32) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

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

ADJOURNED TO CLOSED SESSION

**McQuiston**

CLOSED SESSION

COUNTY COUNSEL

- 33) Request for Closed Session regarding a lawsuit entitled County of Kern vs. Carl Sparks, et al., KCSC Case No. CV254074, Sparks v. Board of Supervisors, KCSC Case No. CV-255904. (Government Code Section 54956.9(a))(from 5/2/2006, Item No. 63 A.M.) -

RECONVENED FROM CLOSED SESSION; ADJOURNED TO TUESDAY, MAY 16, 2006, AT 9:00 A.M.

**McQuiston-Rubio**

/s/ Denise Pennell  
Clerk of the Board

/s/ Ray Watson  
Vice Chairman, Board of Supervisors

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

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

30) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit Reports of the Health Department Proposition 10 - Nurse Family Partnership and CHDP Treatment Program for the period November 1, 2003 to October 31, 2004

Local Agency Formation Commission

- B) Report and Recommendation, Proceeding No. 1410 in the matter of City of Bakersfield, Annexation No. 477 (Ashe No. 3) (Copies to each supervisor, CAO and Resource Management Agency)
- C) Report and Recommendation, Proceeding No. 1436, in the matter of City of Delano, Annexation No. 44 (Copies to each Supervisor, CAO and Resource Management Agency)
- D) Report and Recommendation, Proceeding No. 1437, in the matter of North of River Sanitary District, Annexation No. 69 (Copies to each Supervisor, CAO and Resource Management Agency)

Roads

- E) Irrevocable Offer of Dedication from K. G. Cal Properties, L.P., for additional right-of-way on El Toro Viejo Road for public highway purposes, recorded as Document No. 0206075194
- F) Irrevocable Offer of Dedication from Robert K. Zimmer and Catherine Esther Zimmer for additional right-of-way on Rosedale Lane for public highway purposes, recorded as Document No. 0206075195
- G) Irrevocable Offer of Dedication from General Shafter School District for additional right-of-way on Shafter Road for public highway purposes, recorded as Document No. 0206080061

Miscellaneous

- H) Letter of resignation from Lara Roma as director of Tehachapi Valley Recreation and Parks District (Copies to each Supervisor and CAO)
- I) Letter from Mercedes Aramburo, Cingular Wireless, regarding notification of intent to construct a cellular facility, Cingular Wireless Site No. IM-0056-02-Jack Ranch Road, Glennville (Copies to each Supervisor, CAO, Planning and County Counsel)
- J) Letter from Paul R. Coble, J & M, Jones and Mayer, Attorney at Law, regarding County of Kern v. Sparks (Copies to each Supervisor, CAO and County Counsel)
- K) Letter from Steve Karcher of Ericksen, Arbuthnot, Kilduff, Day & Lindstrom, Inc., Attorneys at Law, regarding the lawsuit against former Sheriff Carl Sparks and Sheriff's Commanders (Copies to each Supervisor, CAO, and County Counsel)

- L) E-mail message from Dan Brito in support of Board's position regarding former Sheriff Sparks (Copies to each Supervisor, CAO, and County Counsel)
- M) E-mail message from Scott Graham in opposition to spending more regarding lawsuit against former Sheriff Carl Sparks (Copies to each Supervisor, CAO, and County Counsel)
- N) Letter from Jerry Frost regarding Resolution supporting downtown location of Federal Courthouse and Master Plan for downtown Bakersfield (Copies to each Supervisor and CAO)
- O) Two (2) E-mail messages regarding Resolution supporting downtown location of Federal Courthouse and Master Plan for downtown Bakersfield (Copies to each Supervisor and CAO)
- P) Nine (9) letters in opposition to increase in Universal Garbage Collection fees in Metropolitan Bakersfield Area (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- Q) News Release from USDA Forest Service, Pacific Southwest Region entitled Forest Service Re-issues southern California Forest Plans Decision (Copies to each Supervisor and CAO)
- R) Notice of Public Meeting, Central Valley Regional Water Quality Control Board (Copies to each Supervisor and CAO)
- S) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses as follows: Arturo Flores, 8331 Kern Canyon Road, Space 34, Bakersfield; Fair View Market, 609 Ming Avenue, Bakersfield; and La Haciendita Restaurant, 3216 Niles Street, Bakersfield (Copies to each Supervisor, CAO and Planning)
- T) Notice of filing of Pacific Gas and Electric Company's (PG&E) application for approval for recovery in rates of its costs associated with its Long Term Request for Offers (LT RFO) and notice of PG&E's application requesting a budget augmentation in its California Alternate Rates for Energy (CARE) and Low Income Energy Efficiency (LIEE) Programs (Copies to each Supervisor and CAO)
- U) Kern County Commission on Aging Executive Committee Meeting Minutes from meeting of March 2, 2006
- 31) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Gloria Morgan, Tejon Indian Tribe Cultural Resource Management Team, regarding Quiring Corporation by Cornerstone Engineering, Inc. - REFERRED TO PLANNING (Copies to each Supervisor, CAO and County Counsel)
- 32) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Tim Bandy vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- B) Claim in the matter of Troy Hightower vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Jeff Morris vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Pedro Barrera Perez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Kitt Samuel vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)