

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, May 23, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

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) Resolution honoring Victor Etchegorry, Roads Department, upon his retirement with 34 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO VICTOR ETCHEGORRY; CRAIG POPE, DIRECTOR OF ROADS, ANDY RICHTER, ROADS DEPARTMENT, AND VICTOR ETCHEGORRY HEARD

**Maben-McQuiston: All Ayes**

- \*2) Ratify Resolution honoring Kern County citizen Jose "Yogy" Amaya - RATIFIED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Watson: All Ayes**

- \*3) Resolution honoring Carlos Garcia, Roads Department, with 31 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Watson: All Ayes**

- \*4) Resolution honoring Eddie W. Parker, Road Department, with 32 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Watson: All Ayes**

- \*5) Resolution honoring Harold Rose, Roads Department, with 35 years of service to the County of Kern - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Maben-Watson: All Ayes**

PUBLIC REQUESTS

- \*6) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council, for approval of revised bylaws - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Watson: All Ayes**

- \*7) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council, to submit Quarterly Report - RECEIVED AND FILED

**Maben-Watson: All Ayes**

PUBLIC PRESENTATIONS

- 8) 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! - JOHN ROBERTS, CHIEF PROBATION OFFICER, PRESENTED AN AWARD TO SUPERVISOR PATRICK FROM THE CHIEF PROBATION OFFICERS OF CALIFORNIA FOR DISTINGUISHED SERVICE; SUPERVISOR PATRICK HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 9) 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 DISCUSSED RISKS TAKEN BY KERN COUNTY SEARCH AND RESCUE TEAMS TO EXTRICATE INJURED OR DECEASED PERSONS FROM ABANDONED MINES IN EASTERN KERN COUNTY. HE ADDED THE STATE OF CALIFORNIA HAS GRANT FUNDS AVAILABLE TO CLOSE ABANDONED MINES, BUT THE PROGRAM REQUIRES MATCHING FUNDS FROM LOCAL GOVERNMENT

REFERRED TO THE FISCAL YEAR 2006-2007 BUDGET FILE TO CONSIDER A LOCAL MATCH OF \$100,000 IN CONCERT WITH THE STATE GRANT PROGRAM, TO CLOSE DANGEROUS, ABANDONED MINES IN EASTERN KERN COUNTY

**Maben-McQuiston: All Ayes**

DEPARTMENTAL REQUESTS

AIRPORTS

- \*10) Proposed Budget Transfer in the amount of \$50,000 within the Airports Enterprise Fund to fund a new capital projects account for expansion of the new terminal paid parking facility (Fiscal Impact: \$50,000; Not Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- 11) Audit Report of Kern Medical Center for the Fiscal Year ended June 30, 2005 (Fiscal Impact: None) - RECEIVED AND FILED; REFERRED TO KERN MEDICAL CENTER TO REPORT BACK TO THE BOARD IN TWO WEEKS REGARDING ACCOUNTING POLICY FOR APPLICATION OF PRINCIPAL AND INTEREST PAYMENTS TO PENSION OBLIGATION BONDS

**Rubio-Watson: All Ayes**

BOARD OF SUPERVISORS

- 12) Request of Third District Supervisor Barbara Patrick to establish and make appointments to the Merle Haggard Street Naming Ad Hoc Advisory Committee - APPROVED; MADE APPOINTMENTS

**Watson-Maben: All Ayes**

BOARD OF TRADE

- \*13) Proposed Agreements with Tourism Promotion Grant recipients previously approved by the Board of Supervisors on March 14, 2006: A) Bakersfield Museum of Art, \$5,000; B) Boron Chamber of Commerce, \$5,000; C) Buena Vista Museum of Natural History, \$8,000; D) California City Economic Development Corp., \$7,500; E) Central California Paint Horse Club, \$7,600; F) China Lake Museum Foundation, \$5,000; G) Fort Preservation Society, \$3,000; H) Friends of the Jawbone, \$3,500; I) Highway 99 Cruise'n'Show Committee, \$5,000; J) Kern County Museum, \$10,000; K) Kern River Valley Chamber of Commerce, \$5,000; L) Kern River Valley Revitalization, Inc., \$4,000; M) Main Street Tehachapi, Inc., \$2,800; N) Mojave Desert - Mountain Resource Conservation and Development Council, \$5,000; O) North of the River Chamber of Commerce, \$1,600; P) Red Rock Canyon Interpretive Association, \$5,000; Q) Ridgecrest Area Convention & Visitors Bureau, \$4,000; R) Taft District Chamber of Commerce, \$4,000; S) The Grapevine Adventure Association, \$9,000 (Fiscal Impact: \$100,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 380-2006 THROUGH 398-2006

**Maben-Watson: All Ayes**

COUNTY COUNSEL

- 14) Report on referral of May 16, 2006, concerning options relating to the number of members for the Local Campaign Finance Hearing Panel - DIRECTED COUNTY COUNSEL TO PREPARE AN ORDINANCE THAT EXPANDS THE LOCAL CAMPAIGN FINANCE HEARING PANEL MEMBERSHIP TO FIVE (5) MEMBERS WITH TWO (2) MEMBERS BEING ATTORNEY MEMBERS; RECEIVED AND FILED

**McQuiston-Rubio: All Ayes**

- \*15) Proposed Ordinance adding a new Chapter 9.34 regarding imposing fines and other consequences for hosting loud and unruly gatherings of underage drinkers (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**Maben-Watson: All Ayes**

- \*16) Proposed Resolution authorizing the issuance and sale of the El Tejon Unified School District General Obligation Bonds, Election of 2005, Series 2006, in the aggregate principal amount of not to exceed \$7,120,000 (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-178

**Maben-Watson: All Ayes**

FIRE DEPARTMENT

- \*17) Proposed Memorandum of Understanding for the City of Bakersfield to procure software or professional services at County's expense with County to be reimbursed through Homeland Security Grant funds (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 399-2006

**Maben-Watson: All Ayes**

KERN MEDICAL CENTER

- 18) Proposed transfer of funds to participate in Disproportionate Share Hospital Program for FY 2004-2005 and 2005-2006 (Fiscal Impact: Anticipated \$14,400,000 Net Revenue; KMC Enterprise Fund; Budgeted) - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE OF \$19,000,000 TO APPROPRIATIONS FOR CONTINGENCIES IN KERN MEDICAL CENTER ENTERPRISE FUND; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO KERN MEDICAL CENTER OPERATING BUDGET IN THE AMOUNT OF \$19,000,000; APPROVED PAYMENT TO STATE DEPARTMENT OF HEALTH SERVICES IN AN AMOUNT NOT TO EXCEED \$19,000,000 FROM KERN MEDICAL CENTER ENTERPRISE FUND

**Watson-Rubio: All Ayes**

- 19) Proposed appropriation of unanticipated revenue from physician professional fee trust fund and prior year disproportionate share hospital funds to cover increased physician professional fee expense and increased pharmaceutical and medical supply expense (Fiscal Impact: \$11,800,000; KMC Enterprise Fund; Not Budgeted; Discretionary) - APPROVED APPROPRIATION OF \$11,800,000 IN UNANTICIPATED REVENUE TO KMC ENTERPRISE FUND; APPROVED \$11,800,000 INCREASE IN APPROPRIATIONS FOR CONTINGENCIES (ACCOUNT 6045) WITHIN KMC OPERATING BUDGET; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO KMC BUDGET UNIT 8997 IN THE AMOUNT OF \$11,800,000

**Watson-Rubio: All Ayes**

- \*20) Request to employ retired County employee, Beverly Copeland, 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; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

- \*21) Proposed changes in clinical privilege status for 26 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

**Maben-Watson: All Ayes**

- 22) Proposed addition of one (1) full-time Medical Support Specialist and one (1) full-time Office Services Specialist; and deletion of two (2) full-time Office Services Assistant positions, effective May 23, 2006 (Fiscal Impact: \$18,717; KMC Enterprise Fund; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Rubio-Watson: All Ayes**

- \*23) Proposed Amendment No. 1 to Agreement No. 515-2004 with Avant Healthcare Professionals, an independent contractor, to include on-call and in-charge compensation, standardize the hourly rates and 50-mile radius differentiated rates, and increase the maximum not to exceed amount by \$950,000, from \$5,850,000 to \$6,800,000 (Fiscal Impact: \$950,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 400-2006

**Maben-Watson: All Ayes**

MENTAL HEALTH SERVICES

- \*24) Proposed approval for Kern County Mental Health to add an additional billing category and billing rate for Medi-Cal Mental Health Services for Day Treatment Intensive Full Day Rehabilitation (Fiscal Impact: None) - APPROVED; AUTHORIZED THE MENTAL HEALTH DEPARTMENT TO BILL AT THESE RATES EFFECTIVE APRIL 1, 2006

**Maben-Watson: All Ayes**

- \*25) Proposed Amendment No. 1 to Agreement 261-2005 with the Department of Alcohol and Drug (Agreement No. NNA15), decreasing funding for FY 2005-2006 by \$529,994 to an amount not to exceed \$8,560,399 (Fiscal Impact: (\$529,994) State Funded; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 401-2006

**Maben-Watson: All Ayes**

- \*26) Proposed Amendment No. 3 to Agreement 290-2005 with Komoto Pharmacy, Inc., to increase service levels to match actual service provision from \$17,500 to a total not to exceed \$22,500 (an increase of \$5,000) (Fiscal Impact: \$5,000; Grant Funded; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 402-2006

**Maben-Watson: All Ayes**

- \*27) Proposed Amendment No. 2 to Agreement 426-2005 with Kern County Hispanic Commission on Alcohol and Drug Abuse Services, to increase service levels to match actual service provision from \$285,499 to a total not to exceed \$287,700 (an increase of \$2,300) (Fiscal Impact: \$2,300; Federal and Grant Funded; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 403-2006

**Maben-Watson: All Ayes**

- \*28) Proposed Agreement with Restoration Village Treatment Center, Inc., to provide specialty transitional housing services for dually diagnosed clients undergoing mental health and/or substance abuse treatment, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$61,263 (Fiscal Impact: \$61,263; Grant; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 404-2006

**Maben-Watson: All Ayes**

- \*29) Proposed Agreement with Restoration Village Treatment Center, Inc., to provide sober living environment services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$68,517 (Fiscal Impact: \$68,517; Grant; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 405-2006

**Maben-Watson: All Ayes**

- \*30) Proposed Agreement with Restoration Village Treatment Center, Inc., dba Hannah's Haven, to provide outpatient drug free services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$131,040 (Fiscal Impact: \$131,040; Federal Drug Medi-Cal; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 406-2006

**Maben-Watson: All Ayes**

- \*31) Proposed sole source Agreement with Crisis Prevention Institute, Inc., to provide non-violent crisis training to the department, from May 23, 2006 through June 30, 2006, in an amount not to exceed \$26,000 (Fiscal Impact: \$26,000; State (Realignment); Discretionary; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 407-2006

**Maben-Watson: All Ayes**

- \*32) Proposed Agreement with Seven Fold, Inc., to provide day care rehabilitative services for adolescents, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$280,000 (Fiscal Impact: \$280,000; Drug Medi-Cal, State; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 408-2006

**Maben-Watson: All Ayes**

- \*33) Proposed Agreement with Vince and Elizabeth Saldias, dba Positive Visions for Men, to provide sober living environment services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$95,783 (Fiscal Impact: \$95,783; Grant; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 409-2006

**Maben-Watson: All Ayes**

- \*34) Proposed Agreement with Henrietta Weill Memorial Child Guidance Clinic, Inc., to provide services for children and adolescents residing in the West Bakersfield area, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$1,561,911 (Fiscal Impact: \$1,561,911; Medi-Cal, State; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 410-2006

**Maben-Watson: All Ayes**

- \*35) Proposed Agreement with Henrietta Weill Memorial Child Guidance Clinic, Inc., to provide Mental Health services to children and adolescents in the Delano area, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$1,000,000 (Fiscal Impact: \$1,000,000; Medi-Cal, State Realignment; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 411-2006

**Maben-Watson: All Ayes**

- \*36) Proposed Agreement with Henrietta Weill Memorial Child Guidance Clinic, Inc., to provide services for children and adolescents residing in the North Bakersfield area, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$2,030,671 (Fiscal Impact: \$2,030,671; Federal Medi-Cal; State EPSDT, Realignment, Healthy Families Funds; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 412-2006

**Maben-Watson: All Ayes**

- \*37) Proposed Agreement with Community Services Organization Behavioral Health programs, to provide outpatient drug free treatment services in the Lamont area, July 1, 2006 through June 30, 2007, in an amount not to exceed \$117,337 (Fiscal Impact: \$117,337; Federal Drug Medi-Cal; State and Grant Funded; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 413-2006

**Maben-Watson: All Ayes**

- \*38) Proposed Agreement with Community Services Organization Behavioral Health programs, to provide outpatient drug free substance abuse treatment in the Bakersfield area, July 1, 2006 through June 30, 2007, in an amount not to exceed \$284,274 (Fiscal Impact: \$284,274; Federal Drug Medi-Cal; Grant Funded; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 414-2006

**Maben-Watson: All Ayes**

- \*39) Proposed Agreement with Community Services Organization Behavioral Health programs, to provide mental health treatment services to county clients in Lamont, July 1, 2006 through June 30, 2007, in an amount not to exceed \$182,600 (Fiscal Impact: \$182,600; Medi-Cal, State Realignment, CalWorks; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 415-2006

**Maben-Watson: All Ayes**

- \*40) Proposed sole source Agreement with Transforming Local Communities, Inc., to provide program evaluation, training activities on gathering data for the prevention of alcohol abuse among minors, and targeted capacity grant evaluation services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$125,000 (Fiscal Impact: \$125,000; Federal and Grant Funded; Discretionary; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 416-2006

**Maben-Watson: All Ayes**

- \*41) Proposed Agreement with Nankil Enterprises, Inc., to provide board and care housing services for dually diagnosed homeless adults in the Bakersfield area, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$70,000 (Fiscal Impact: \$70,000; Grant, MHSA Funded; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 417-2006

**Maben-Watson: All Ayes**

PERSONNEL

- \*42) Classification of positions recommended by Civil Service Commission effective May 27, 2006 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Watson: All Ayes**

PROBATION

- 43) Request for retroactive approval of acceptance of grant funds from the Office of Traffic Safety for DUI Offender Program, in the amount of \$86,248, annually for three years, commencing May 1, 2006, and proposed addition of one Deputy Probation Officer I/II, effective May 23, 2006 (Fiscal Impact: \$86,248 FY 06-07 Federal Funds; Net County Cost: \$0; Not Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-Watson: All Ayes**

PUBLIC HEALTH SERVICES

- \*44) Proposed Agreement with Clinica Sierra Vista for Targeted Case Management Services, from July 1, 2006 through June 30, 2007 (Fiscal Impact: Unknown; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 418-2006

**Maben-Watson: All Ayes**

- \*45) Proposed Agreement with Kern Around the Clock Foundation for Targeted Case Management services, from July 1, 2006 through June 30, 2007 (Fiscal Impact: Unknown; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 419-2006

**Maben-Watson: All Ayes**

- \*46) Proposed Amendment No. 1 to Agreement 846-2005 with Fairfax School District for School-Based Medi-Cal Administrative Activities, to increase compensation payable by \$40,000 to a maximum amount of \$80,000 (Fiscal Impact: \$40,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 420-2006

**Maben-Watson: All Ayes**

- \*47) Proposed Amendment No. 2 to Agreement 602-2004 with Panama-Buena Vista Union School District for School-Based Medi-Cal Administrative Activities, to increase compensation payable by \$60,000 to a maximum amount of \$100,000 (Fiscal Impact: \$60,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 421-2006

**Maben-Watson: All Ayes**

- \*48) Proposed Amendment No. 1 to Agreement 692-2005 with Sierra Sands SELPA for School-Based Medi-Cal Administrative Activities to revise the administrative fee from a fixed rate of ten percent to a variable rate to reflect economies of scale (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 422-2006

**Maben-Watson: All Ayes**

- \*49) Proposed Agreement with the Panama-Buena Vista Union School District for School-Based Medi-Cal Administrative Activities, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$100,000 (Fiscal Impact: \$100,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 423-2006

**Maben-Watson: All Ayes**

- \*50) Proposed Agreement with Sierra Sands SELPA for School-Based Medi-Cal Administrative Activities, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$500,000 (Fiscal Impact: \$500,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 424-2006

**Maben-Watson: All Ayes**

- \*51) Proposed Agreement with Vineland School District for School-Based Medi-Cal Administrative Activities, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 425-2006

**Maben-Watson: All Ayes**

- \*52) Proposed Agreement with Clinica Sierra Vista for Medi-Cal Administrative Activities, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$200,000 (Fiscal Impact: \$200,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 426-2006

**Maben-Watson: All Ayes**

- \*53) Proposed Agreement with Friends of Mercy Foundation for Medi-Cal Administrative Activities, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$60,000 (Fiscal Impact: \$60,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 427-2006

**Maben-Watson: All Ayes**

- 54) Presentation on Pandemic Influenza - RECEIVED AND FILED

**Watson-Maben: All Ayes**

SHERIFF

- 55) Approve in concept the reintroduction of lieutenants to the Sheriff's Department (Fiscal Impact: \$49,000 FY 2006-2007 [\$2.9 million in future years]; Budgeted; Discretionary) - BOB GAINES, PRESIDENT, KERN LAW ENFORCEMENT ASSOCIATION, AND ROSEMARY WAHL, PRESIDENT, KERN COUNTY SHERIFF'S COMMANDERS ASSOCIATION, HEARD; APPROVED IN CONCEPT; REFERRED TO PERSONNEL FOR DEVELOPMENT OF JOB SPECIFICATIONS; REFERRED TO THE FY 2006-2007 BUDGET FILE

**Watson-Rubio: All Ayes**

- \*56) Request for approval of retroactive application to hold a bike race May 19, 2006, on Bena Road - submitted by Velo Promo and Golden Chain Cyclist (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**

- \*57) Request for approval of retroactive application to hold a bike race May 19, 2006, on Breckenridge Road - submitted by Velo Promo and Golden Chain Cyclist (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**

- \*58) Request for approval of retroactive application to hold a bike race May 20, 2006, on Bakersfield/Glennville Road at Granite Road - submitted by Velo Promo and Golden Chain Cyclist (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**

- \*59) Request for approval of retroactive application to hold a bike race May 21, 2006, on Walker Basin Road - submitted by Velo Promo and Golden Chain Cyclist (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**

ADJOURNED TO CLOSED SESSION

**Watson**

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, 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) -
- 61) Request for Closed Session regarding public employee performance evaluation - Title: Director of Public Health (Government Code Section 54957) -
- 62) Request for Closed Session regarding public employee recruitment - Title: Kern Medical Center Chief Executive Officer (Government Code Section 54957) -

COUNTY COUNSEL

- 63) Request for Closed Session regarding significant exposure to litigation against the County in the opinion of the Board on the advice of legal counsel, based on existing facts and circumstances (Government Code Section 54956.9(b)(1)) -

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

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

**McQuiston-Maben**

/s/ Denise Pennell  
Clerk of the Board

/s/ Barbara Patrick  
Chairman, Board of Supervisors

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, May 23, 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

##### Hearing

- 1) Public Hearing to consider a proposed Ordinance establishing the schedule of Sewer Service Charges for Fiscal Year 2006-2007, the written report of sewer service charges, and an Ordinance to collect Fiscal Year 2006-2007 Sewer Service Charges on the Property Tax Rolls (Fiscal Impact: \$79,000 [Revenue Increase]; Kern Sanitation Authority; Not Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER PUBLIC RESOURCES CODE SECTIONS 21080(b)(8) AND 15273; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ENACTED ORDINANCES S-139 AND S-140; ADOPTED RESOLUTION 2006-179

**Maben-McQuiston: All Ayes**

ADJOURNED AS KERN SANITATION AUTHORITY; RECONVENED AS BOARD OF SUPERVISORS

**Maben-Watson: All Ayes**

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 3) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR PATRICK REQUESTED THE COUNTY ADMINISTRATIVE OFFICE INFORM COUNTY DEPARTMENTS THAT SUMMER ATTIRE WILL NOW BE APPROPRIATE

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Land Use

S.D. #1

- \*4) Proposed Notice of Nonrenewal Petition No. 06-29 by Andrew H. Sharp for approximately 78.18 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Watson-Maben: All Ayes**

- \*5) Proposed Notice of Nonrenewal Petition No. 06-31 by John Gurrola on behalf of CA Nevis Farm, Inc., for approximately 38.18 acres within Agricultural Preserve No. 7 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Watson-Maben: All Ayes**

S.D. #4

- \*6) Proposed Notice of Nonrenewal Petition No. 06-30 by Torabi Family Trust for approximately 300 acres within Agricultural Preserve No. 8 (Fiscal Impact: None) - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD

**Watson-Maben: All Ayes**

Miscellaneous

All S.D.'s

- \*7) Proposed Agreement with State Department of Conservation for County to receive funds in the amount of \$4,999 from the California Division of Oil and Gas and Geothermal Resources to complete the development of the Valley Floor Habitat Conservation Plan (Fiscal Impact: None [assists in defraying costs of partially funded program]) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 428-2006

**Watson-Maben: All Ayes**

- \*8) Request to hire retired County employee Theda Lightner as an Office Services Assistant, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment (Fiscal Impact: \$22,177.50; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

Hearing

S.D. #5

- \*9) Public Hearing to amend the County of Kern's Fiscal Year 2005-2006 Annual Action Plan for Community Development Programs to create Project No. 34.05.2, Edison Village Housing Development (Fiscal Impact: \$500,000; HOME Investment Partnership Funds; Not Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENT TO FY 2005-2006 ANNUAL ACTION PLAN; AUTHORIZED NECESSARY BUDGET ADJUSTMENTS; AUTHORIZED INTERIM DIRECTOR TO SUBMIT ALL RELATED DOCUMENTATION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Watson-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Debt Advisory Committee

Hearing

S.D. #5

- 10) TEFRA hearing and proposed approval to re-issue \$4,500,000 in Multifamily Housing - Revenue Bonds by California Statewide Communities Development Authority for Cottonwood Village Apartments, The Corporation for Better Housing (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2006-180

**Watson-Rubio: All Ayes**

Hearings

S.D. #1

- 11) Hearing on proposed increase in annual drainage service charge within County Service Area No. 38.2, Countryside area, greater Bakersfield, for Fiscal Year 2006-2007 (Fiscal Impact: \$1,400; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; CONFIRMED THERE WAS NOT A MAJORITY PROTEST; ENACTED ORDINANCE G-7389; ADOPTED RESOLUTION 2006-181 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$400 PER PARCEL, AND DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS; MADE FINDING THAT PROJECT IS STATUTORILY EXEMPT FROM REQUIREMENTS FOR PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(B)(8) AND SECTION 15273 OF THE STATE CEQA GUIDELINES

**Watson-Rubio: All Ayes**

S.D. #2

- 12) Proposed Resolution ordering the extension of Zone of Benefit No. 5 in County Service Area No. 63, and establishing assessments for 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, north of Orange Street and west of 35th Street West, Rosamond (Fiscal Impact: \$37,665; 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-7390 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2006-182 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING AN ANNUAL ASSESSMENT NOT TO EXCEED \$50 PER PARCEL FOR DRAINAGE FACILITIES MAINTENANCE; \$5 PER PARCEL FOR WALL MAINTENANCE; \$25 PER PARCEL FOR STREET SWEEPING; AND \$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 NOS. 1, 2 AND 3 THE AREA INCLUDED WITHIN THE BOUNDARY EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NO. 5 WITHIN COUNTY SERVICE AREA NO. 63

**Maben-Rubio: All Ayes**

- 13) Hearing on proposed increase in annual fire hydrant service charge within County Service Area No. 63, Rosamond area, for Fiscal Year 2006-2007 (Fiscal Impact: \$11,180; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; CONFIRMED THERE WAS NOT A MAJORITY PROTEST; ENACTED ORDINANCE G-7391; ADOPTED RESOLUTION 2006-183 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$5 PER PARCEL, AND DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS; MADE FINDING THAT PROJECT IS STATUTORILY EXEMPT FROM REQUIREMENTS FOR PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(B)(8) AND SECTION 15273 OF THE STATE CEQA GUIDELINES

**Maben-Watson: All Ayes**

- 14) Hearing on proposed increase in annual drainage service charge within County Service Area No. 63.1, Rosamond area, for Fiscal Year 2006-2007 (Fiscal Impact: \$37,933.75; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; CONFIRMED THERE WAS NOT A MAJORITY PROTEST; ENACTED ORDINANCE G-7392; ADOPTED RESOLUTION 2006-184 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$30 PER PARCEL FOR SINGLE FAMILY DWELLINGS OR \$250 PER ACRE FOR COMMERCIAL LOTS, AND DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS; MADE FINDING THAT PROJECT IS STATUTORILY EXEMPT FROM REQUIREMENTS FOR PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(B)(8) AND SECTION 15273 OF THE STATE CEQA GUIDELINES

**Maben-McQuiston: All Ayes**

S.D. #5

- 15) Hearing on proposed increase in annual septic monitoring and maintenance service charge within County Service Area No. 27.2, Greenfield area, greater Bakersfield, for Fiscal Year 2006-2007 (Fiscal Impact: \$4,635; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; CONFIRMED THERE WAS NOT A MAJORITY PROTEST; ENACTED ORDINANCE G-7393; ADOPTED RESOLUTION 2006-185 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$25 PER PARCEL, AND DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS; MADE FINDING THAT PROJECT IS STATUTORILY EXEMPT FROM REQUIREMENTS FOR PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(B)(8) AND SECTION 15273 OF THE STATE CEQA GUIDELINES

**Rubio-Watson: All Ayes**

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

- 16) Hearing on proposed increase in annual drainage service charge within County Service Area No. 71.7, west Bakersfield, for Fiscal Year 2006-2007 (Fiscal Impact: \$72,290; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; CONFIRMED THERE WAS NOT A MAJORITY PROTEST; ENACTED ORDINANCE G-7394; ADOPTED RESOLUTION 2006-186 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$50 PER PARCEL FOR SINGLE FAMILY DWELLINGS (STANDARD-SIZE LOTS) OR \$100 PER PARCEL FOR SINGLE FAMILY DWELLINGS (LARGER LOTS) OR \$400 PER ACRE FOR COMMERCIAL LOTS, AND DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS; MADE FINDING THAT PROJECT IS STATUTORILY EXEMPT FROM REQUIREMENTS FOR PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(B)(8) AND SECTION 15273 OF THE STATE CEQA GUIDELINES

**Watson-McQuiston: All Ayes**

All S.D.'s

- \*17) Request for approval to hire retired County employee Robert Friend as Building Inspector, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment (Fiscal Impact: \$28,000; Building Inspection; Budgeted) - APPROVED

**Watson-Maben: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*18) Contract No. 05004, Notice of Completion for Griffith Company construction on Seventh Standard Road at Coffee Road Signal and Lighting (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

S.D. #2

- \*19) Report on referral to staff regarding possible closing of alley access to State Route 202, near Golden Hills Boulevard, recommending alley not be vacated (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

S.D. #3

- \*20) Proposed Agreement with The Gas Company for adjustment of utility facilities on Snow Road (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 429-2006

**Watson-Maben: All Ayes**

- \*21) Proposed Contract No. 06023 with A.C. 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) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 430-2006

**Watson-Maben: All Ayes**

S.D.'s #1 & #3

- \*22) Contract No. 06004, Notice of Completion for Loop Electric, Inc., construction of a traffic signal and lighting system on Norris Road at Patton Way, Bakersfield (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

S.D.'s #2 & #3

- \*23) Proposed Contract No. 06027 with Granite Construction Company for construction on various streets in the Pioneer Park Area, Bakersfield, and the Golden Hills Area, Tehachapi, in an amount not to exceed \$2,366,252 (Fiscal Impact: \$2,366,252; Road Fund, Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 431-2006

**Watson-Maben: All Ayes**

All S.D.'s

- \*24) Proposed Contract No. 06025 with Granite Construction Company for asphalt concrete stockpile at various locations in Kern County, in an amount not to exceed \$746,713.50 (Fiscal Impact: \$746,713.50; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 432-2006

**Watson-Maben: All Ayes**

- \*25) Request to set hearing regarding proposed Tehachapi Transportation Impact Fee (Fiscal Impact: None) - SET HEARING FOR TUESDAY, JUNE 27, 2006, AT 2:00 P.M.; DESIGNATED COUNTY COUNSEL AS OFFICIAL TO PREPARE SUMMARY; DIRECTED CLERK OF THE BOARD TO POST AND PUBLISH REQUIRED NOTICE AND SUMMARY

**Watson-Maben: All Ayes**

WASTE MANAGEMENT

Hearings

S.D. #4

- \*26) Public Hearing on proposed Ordinance establishing the schedule of Universal Solid Waste Collection service charges for residential property with four or fewer units in the Lost Hills Universal Collection Area for Fiscal Year 2006-2007 (4.5% increase in charges from Fiscal Year 2005-2006) (Fiscal Impact: \$2,400 [Revenue]; Universal Collection Enterprise Fund; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING PROJECT IS EXEMPT FROM CEQA PER SECTION 21080(8) OF PUBLIC RESOURCES CODE; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ENACTED ORDINANCE G-7395

**Watson-Maben: All Ayes**

- \*27) Public Hearing on proposed Ordinance establishing the schedule of Universal Solid Waste Collection service charges for residential property with four or fewer units in the Unincorporated Taft Universal Collection Area for Fiscal Year 2006-2007 (4.5% increase in charges from Fiscal Year 2005-2006) (Fiscal Impact: \$21,000 [Revenue]; Universal Collection Enterprise Fund; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING PROJECT IS EXEMPT FROM CEQA PER SECTION 21080(8) OF PUBLIC RESOURCES CODE; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; ENACTED ORDINANCE G-7396

**Watson-Maben: All Ayes**

All S.D.'s

- 28) Request to amend Ordinance G-6945 (Gate Fee Ordinance) to allow residents of Kern County to recycle four or less tires at County Waste Facilities without charge on a pilot program basis (Fiscal Impact: \$25,000; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; REFERRED TO COUNTY COUNSEL TO PREPARE ORDINANCE; DIRECTED WASTE MANAGEMENT TO PROVIDE REPORT WITH RESULTS OF PILOT PROGRAM

**Maben-Rubio: All Ayes**

- 29) Request to amend Ordinance No. G-6945 (Gate Fee Ordinance) to remove additional fees for cathode ray tubes (Fiscal Impact: \$4,000; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; REFERRED TO COUNTY COUNSEL TO PREPARE ORDINANCE

**Rubio-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*30) Report regarding relocation of homeless from Los Angeles County (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

- \*31) Request to extend Agreement with Eric J. Barthel for employee health benefits consulting services, to include subcontracted professional services such as actuarial services and performance/financial audits, for one year through June 30, 2007, in an amount not to exceed \$250,000 (Fiscal Impact: Not to Exceed \$250,000 Annually; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

- \*32) Request to set Monday, June 19, 2006, at 2:00 P.M., for Committee of the Whole meeting to review County's unmet needs and Fiscal Year 2006-2007 budget outlook (Fiscal Impact: None) - APPROVED

**Watson-Maben: All Ayes**

- 33) Proposed prepayment of Fiscal Year 2006-2007 retirement contribution to Kern County Employees' Retirement Association in the amount of \$112.6 million (Fiscal Impact: Net Savings \$4.7 Million; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO COMPLETE NECESSARY ACCOUNTING TRANSACTIONS ON OR BEFORE JULY 8, 2006

**Watson-McQuiston: All Ayes**

- \*34) Proposed Amendment No. 4 to Memorandum of Understanding (Agreement 720-2004) with Central California Association of Public Employees providing 10% and 15% salary adjustments for specified Animal Control positions, effective first day of first biweekly payroll period following approval of amendment, and increasing annual uniform allowance for Animal Control Officer series from \$250 to \$800 (Fiscal Impact: FY 2005-2006, \$5,600; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 433-2006; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, COUNTY ADMINISTRATIVE OFFICER, AND DIRECTOR OF PERSONNEL TO IMPLEMENT

**Watson-Maben: All Ayes**

- \*35) Proposed Amendment No. 5 to Memorandum of Understanding (Agreement 720-2004) with Central California Association of Public Employees providing 8% certification pay for specified engineering positions and 8% salary adjustment for Supervising Engineering classification, effective first day of first biweekly payroll period following approval of amendment (Fiscal Impact: FY 2005-2006, \$52,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 434-2006; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, COUNTY ADMINISTRATIVE OFFICER, AND DIRECTOR OF PERSONNEL TO IMPLEMENT

**Watson-Maben: All Ayes**

Legislative Matters

- \*36) AB 1899: 200-Year flood protection assurance (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Watson-Maben: All Ayes**

- \*37) AB 2754: Hospital staffing ratios (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Watson-Maben: All Ayes**

- \*38) AB 2987: Telecommunications franchising (Fiscal Impact: None) - ADOPTED POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Watson-Maben: All Ayes**

- \*39) Request for position in opposition to State Employment Development Department's use of inaccurate information in calculating Workforce Investment Act Dislocated Worker funding allocations to counties (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**Watson-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*40) Proposed Amendment No. 4 to Agreement 015-99 with Chester Avenue Properties for 2525 North Chester Avenue, Suites A and C, Bakersfield, for additional space for a training room and storage for Mental Health Department, adjustment to rental area of premises and add three years to existing term, lease to expire April 30, 2014 (Fiscal Impact: \$10,287 additional rent for Fiscal Year 2006-2007; Not 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 AGREEMENT 435-2006

**Watson-Maben: All Ayes**

S.D. #2

- \*41) Request to set hearing to consider adopting a non-exclusive cable television franchise in the Stallion Springs, Bear Valley and Alpine Forest areas for Tri Valley Broadband, LLC (Fiscal Impact: \$1,400 Revenue [one-time fee]; Not Budgeted; Discretionary) - SET HEARING FOR TUESDAY, JUNE 20, 2006, AT 2:00 P.M.; DESIGNATED COUNTY COUNSEL AS OFFICIAL TO PREPARE FRANCHISE ORDINANCE SUMMARY; DIRECTED CLERK OF THE BOARD TO POST AND PUBLISH NOTICE AND SUMMARY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 25124(b)(1)

**Watson-Maben: All Ayes**

S.D. #3

- \*42) Change Order No. 3 for the Phase II irrigation and landscaping at Panorama Park, an increase of \$6,292, for a new total of \$606,002, and to allow for additional time (1960.8152) (Fiscal Impact: \$6,292; Proposition 12 State Bond Act; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Watson-Maben: All Ayes**

S.D. #4

- \*43) Request to set hearing to purchase 7.79 acres adjacent to Wasco Airport from Farmland Reserve Corporation for Runway Protection Zone, in the amount of \$127,245, plus approximately \$3,000 in escrow, closing and title fees (Fiscal Impact: \$130,245, Airport Enterprise Fund; Budgeted; Discretionary) - ADOPTED RESOLUTION 2006-187 SETTING HEARING FOR TUESDAY, JUNE 20, 2006, AT 2:00 P.M.; DIRECTED CLERK OF BOARD TO ADVERTISE HEARING THREE TIMES

**Watson-Maben: All Ayes**

All S.D.'s

- \*44) Report regarding Board's request for a status report on all cable franchises regarding compliance with franchise requirements (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

- \*45) Job Order Contract project listing update (Various Projects) (Fiscal Impact: None) - APPROVED

**Watson-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
Information Technology Services

- \*46) Request to hire retired County employee Richard D. Davis as Sr. Systems Analyst, 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: \$7,318; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON MAY 16, 2006

- \*47) 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, Bakersfield - ENACTED ORDINANCE G-7397

**Watson-Maben: All Ayes**

- \*48) 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, Bakersfield - ENACTED ORDINANCE G-7398

**Watson-Maben: All Ayes**

- \*49) 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, Taft - ENACTED ORDINANCE G-7399

**Watson-Maben: All Ayes**

- \*50) Proposed Ordinance adding subsection (31) to Section 10.24.021 of Chapter 10.24, Title 10, of the Kern County Ordinance Code establishing a handicap parking zone on Water Street, Bakersfield - ENACTED ORDINANCE G-7400

**Watson-Maben: All Ayes**

- \*51) 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, Tehachapi - ENACTED ORDINANCE G-7401

**Watson-Maben: All Ayes**

- \*52) Proposed Ordinance adding Section 10.04.386 to Chapter 10.04, Title 10, of the Kern County Ordinance Code establishing a 40 mile per hour speed limit on Meany Avenue, Bakersfield - ENACTED ORDINANCE G-7402

**Watson-Maben: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*53) Budget Transfers - APPROVED NO. 202 THROUGH NO. 212

**Watson-Maben: All Ayes**

- \*54) Minutes for week of April 3, 2006 - APPROVED

**Watson-Maben: All Ayes**

- \*55) Miscellaneous Letters and Documents - APPROVED

**Watson-Maben: All Ayes**

- \*56) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Watson-Maben: All Ayes**

- \*57) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Watson-Maben: All Ayes**

ADJOURNED TO TUESDAY, MAY 30, 2006, AT 9:00 A.M.

**Rubio**

/s/ Denise Pennell  
Clerk of the Board

/s/ Barbara Patrick  
Chairman, Board of Supervisors

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

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

55) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit Reports of the Health Department Proposition 10-Nurse Family Partnership, C.H.D.P. Treatment Program and Kern Access to Children's Health for the period November 1, 2004 to June 30, 2005

Clerk of the Board

- B) Letter from Keith Dyas re inability to accept nomination to the Rosamond Municipal Advisory Council (Copies to each Supervisor and CAO)

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

- |                           |         |
|---------------------------|---------|
| 1) Tract Map 5667         | S.D. #4 |
| 2) Tract Map 6000, Unit 5 | S.D. #1 |
| 3) Tract Map 6381         | S.D. #2 |
| 4) Tract Map 6636         | S.D. #3 |
| 5) Parcel Map 11277       | S.D. #4 |
| 6) Parcel Map 11305       | S.D. #4 |

Kern Medical Center

- D) Memorandum from Peter K. Bryan re resignation as CEO of Kern Medical Center (Copies to each Supervisor and CAO)

Local Agency Formation Commission

- E) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1452, Panama No. 17, Annexation No. 502 (Copies to each Supervisor, CAO and Resource Management Agency)

- F) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1451, McCutchen Road No. 6, Annexation No. 511 (Copies to each Supervisor, CAO and Resource Management Agency)

Roads

- G) Irrevocable Offer of Dedication from Weeks Wholesale Rose Grower, Inc., re dedication of real property required for site plan review

- H) Policy of Title Insurance from Fidelity National Title Company re purchase of property from FranMar Company LP concerning Quinn Road realignment, County Road No. 3856 (regarding Agenda Item No. 14, January 10, 2006)

Miscellaneous

- I) Letter from Mercedes Aramburo, Cingular Wireless, re new cell site IM0008-01/San Joaquin Bit at 2543 South Union Avenue, Bakersfield, APN 171-030-003 (Copies to each Supervisor, CAO, Planning and County Counsel)

- J) Letter from Val Jimenez, State Department of Justice, re notification of hazardous/toxic waste disposal on public land at 8500 block of Weedpatch Highway, APN 178-450-17-00-7, Bakersfield (Copies to each Supervisor, CAO, Fire Haz-Mat and Environmental Health)
- K) Letter from Christine Lizardi Frazier, Kern County Superintendent of Schools, re lawsuit filed by the ACLU and other public interest advocates representing students claiming State failed to provide poor and underprivileged students with equal educational opportunities (Copies to each Supervisor and CAO)
- L) Letter from Mayor Alan Autry, City of Fresno, re invitation to participate in Department of Justice National webcast discussion on preventing gang activity (Copies to each Supervisor, CAO, Sheriff, District Attorney, Probation and County Counsel)
- M) Letter from Charles G. Boyd, Sr., NRR Energy, Inc., re proposal to develop a waste disposal site in Kern County (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- N) Letter to Environmental Health Services from Mark S. Norris, City of Oxnard, re status of removal of material from its Wasco Farm and efforts to reclassify material from Department of Toxic Substances Control (Copies to each Supervisor, CAO, Engineering & Survey Services, Resource Management Agency and County Counsel)
- O) Six (6) letters in opposition to increase of Universal Garbage Collection fees for Metropolitan Bakersfield Area (Copies to each Supervisor, CAO, Waste Management and County Counsel)
- P) Memorandum from Jody Watkins, Tehachapi Unified School District, re adoption of Resolution 23APR06 increasing school facilities developer fees (Copies to each Supervisor, CAO, Planning and County Counsel)
- Q) Notice from State Department of Alcoholic Beverage Control re application for alcoholic beverage license from Reste Ticos Tacos, 15964 Sierra Highway, Mojave (Copies to each Supervisor, CAO and Planning)
- R) Notice from W. Stuart Home, Attorney At Law, re application of Romy Bus Company, LLC, filed with Public Utilities Commission (PUC) to establish and operate a pre-arranged passenger stage between the Ports of Entry at the United States and Mexico International Border at or near Calexico or San Ysidro, California, and the cities of Indio, Los Angeles, Bakersfield, Salinas, Watsonville, Fresno, Sacramento and Woodland (Copies to each Supervisor, CAO, Roads and County Counsel)
- S) Notice from U.S. Federal Energy Regulatory Commission re Southern California Edison Company's Order approving amended Trust Fund Agreement under Appendix A, Condition 32, Kern River No. 3 Project (Copies to Planning and County Counsel)

- T) Notice from Antelope Valley - East Kern Water Agency (AVEK) re meeting on Tuesday, May 23, 2006, to propose adjustment in AVEK water supply capacity charge to be effective Thursday, June 1, 2006 (Copies to each Supervisor, CAO and General Services)
- U) Notice of Amendment from Antelope Valley - East Kern Water Agency re meeting on Tuesday, May 23, 2006, to propose adding a water rate for banking water to AVEK Rules and Regulations for the distribution of water (Copies to each Supervisor, CAO and General Services)
- V) E-mail from Rodney Tomooka re percolation ponds along Highway 43 (Copies to each Supervisor and CAO)
- 56) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Letter from Carmen Yvette Morales, A Express Smog, re broken sections of pavement in alley - REFERRED TO ROADS (Copies to each Supervisor and CAO)
  - B) Letter from Barbara Patrick, Kern County Museum Authority Board, re request for operational support from Kern County for the 2006-2007 budget year - REFERRED TO COUNTY ADMINISTRATIVE OFFICE - 2006-2007 BUDGET (Copies to each Supervisor)
  - C) Letter from Dr. and Mrs. Victor Colago re notice from California City Landowners Association, concerning reduction of their property taxes due to detachment of their property by California City - REFERRED TO ASSESSOR (Copies to each Supervisor and CAO)
  - D) Resolution 06-20 from the El Tejon Unified School District Board of Trustees requesting Kern County issue and sell bonds of El Tejon Unified School District, Election of 2005, Series 2006 - REFERRED TO COUNTY COUNSEL
- 57) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Roy M. Rosales and Bertha L. Rosales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of David A. Burke by and through his Guardian ad Litem, Jerry L. Bishop vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Aldus S. Jackson, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Rene Carrizales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Jimmy R. Watkins, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- F) Claim in the matter of Randy Brownlee vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Nathaniel Yeakle vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of AT&T / Diane Mancini vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of William P. Plummer vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of William Irving vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Complaint in the matter of Global Discoveries, LTD, a Nevada Limited Liability Company and Tonia Penn, an individual vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Discrimination complaint in the matter of Isabella Gonzales Mann vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)