

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

KERN MEDICAL CENTER
1830 Flower Street
Conference Room
Bakersfield, California

Regular Meeting
Monday, July 10, 2006

2:00 P.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor McQuiston

The vote is displayed in bold below each item. For example, McQuiston-Watson denotes Supervisor McQuiston made the motion and Supervisor Watson seconded the motion.

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

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!
- DR. RODNEY MARK ROOT ADDRESSED THE BOARD REGARDING THE JULY 9, 2006 NEWSPAPER ARTICLE RELATING TO PROFESSIONAL FEE COMPENSATION

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) 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]) - NO ONE HEARD

DEPARTMENTAL REQUESTS

KERN MEDICAL CENTER

- 3) Update report regarding Kern Medical Center's financial condition (Fiscal Impact: None) - SANDRA CHESTER, CHIEF OPERATING OFFICER, KERN MEDICAL CENTER, MADE PRESENTATION; DR. EUGENE E. KERCHER HEARD; RECEIVED AND FILED

Watson-Rubio: All Ayes

- 4) Monthly report from County Administrative Office regarding Kern Medical Center's General Fund loan (Fiscal Impact: None) - RECEIVED AND FILED; THE COUNTY ADMINISTRATIVE OFFICE AND KERN MEDICAL CENTER WERE AUTHORIZED TO DISCONTINUE BI-MONTHLY REPORTS, BUT WILL CONTINUE WITH MONTHLY FINANCIAL REPORTS

Maben-Watson: All Ayes

- *5) Request to employ retired County employee, Margot Allsman, Pharm.D., as a per diem pharmacist, 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: \$59,606; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED

McQuiston-Watson: All Ayes

- *6) Proposed Amendment No. 1 to Agreement 351-2005 with HealthCare Connections, Inc., an independent contractor, for temporary laboratory staffing, to increase the regular hourly rate from \$70 per hour to \$77 per hour and the overtime and holiday rate from \$91 per hour to \$110.10, for the clinical laboratory scientist specialty, effective July 10, 2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 699-2006

McQuiston-Watson: All Ayes

- *7) Proposed Amendment No. 1 to Agreement 574-2004 with Shehla Baqi, M.D., a contract employee, for professional medical services in the Department of Medicine, to account for a final reconciliation of all professional fees collected by KMC on her behalf during the period July 10, 2004 through July 9, 2005, in the amount of \$33,157.84 (Fiscal Impact: \$33,157.84; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 700-2006

McQuiston-Watson: All Ayes

- 8) Proposed retroactive Amendment No. 1 to Agreement 032-2005 with Antonio L. Garcia, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Garcia during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) - MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION HEARD

Rubio-Watson: All Ayes

WITHDRAWN

- 9) Proposed retroactive Amendment No. 1 to Agreement 028-2005 with R. Mark Root, D.O., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Root during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) -

Rubio-Watson: All Ayes
WITHDRAWN

- 10) Proposed retroactive Amendment No. 1 to Agreement 029-2005 with Joseph S. Mansour, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Mansour during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) -

Rubio-Watson: All Ayes
WITHDRAWN

- 11) Proposed retroactive Amendment No. 1 to Agreement 027-2005 with Miguel L. Lascano, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Lascano during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) -

Rubio-Watson: All Ayes
WITHDRAWN

- 12) Proposed retroactive Amendment No. 1 to Agreement 033-2005 with Leonard Perez, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Perez during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) -

Rubio-Watson: All Ayes
WITHDRAWN

- 13) Proposed retroactive Amendment No. 1 to Agreement 025-2005 with Juan M. Lopez, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Lopez during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) -

Rubio-Watson: All Ayes
WITHDRAWN

- 14) Proposed retroactive Amendment No. 1 to Agreement 028-2005 with Deng Fa Fong, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Fong during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) -

Rubio-Watson: All Ayes
WITHDRAWN

- 15) Proposed retroactive Amendment No. 1 to Agreement 031-2005 with Vasanthi Srinivas, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, to reflect the intent of the parties related to the professional fee guarantee paid by the County to Dr. Srinivas during the first six months of the Agreement, effective January 8, 2005 (Fiscal Impact: None) -

Rubio-Watson: All Ayes
WITHDRAWN

- *16) Proposed Amendment No. 1 to Agreement 917-2004 with Aureus Radiology, LLC, an independent contractor, for temporary radiology staffing, to increase the annual maximum payable by \$450,000, from \$500,000 to \$950,000, for the period October 8, 2005 through October 7, 2006, and increase the total not to exceed amount by \$450,000, from \$1,000,000 to \$1,450,000 (Fiscal Impact: \$450,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 701-2006

McQuiston-Watson: All Ayes

- *17) Proposed Amendment No. 1 to Agreement 916-2004 with Kimberly A. Smith, Pharm.D., an independent contractor, for clinical pharmacy services in the inpatient psychiatric department, to increase the maximum payable for year two of the Agreement by \$15,000, from \$41,600 to \$56,600, and increase the total not to exceed amount by \$15,000, from \$83,200 to \$98,200 (Fiscal Impact: \$15,000; KMC Enterprise Fund; Budgeted: Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 702-2006

McQuiston-Watson: All Ayes

- *18) Proposed retroactive Agreement with Mark J. Rispler, M.D., a contract employee, for obstetric and gynecologic reproductive endocrinology and infertility services, from March 24, 2006 through March 23, 2008, in an amount not to exceed \$182,570 (prior notification March 21, 2006) (Fiscal Impact: \$182,570; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 703-2006

McQuiston-Watson: All Ayes

- *19) Proposed Amendment No. 1 to Agreement 1035-2004 with Pacific Pharmacy Computers, Inc., an independent contractor, for services, hardware, and miscellaneous items to replace existing hardware at Sagebrush Pharmacy and Campus Pharmacy, in an amount not to exceed \$13,739.49 (Fiscal Impact: \$13,739.49; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 704-2006

McQuiston-Watson: All Ayes

- *20) Proposed Agreement with George T. Laven, M.D., a contract employee, for pediatric services at Jamison Children's Center, from August 1, 2006 through July 31, 2011, in an amount not to exceed \$750,000 (Fiscal Impact: \$750,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 705-2006

McQuiston-Watson: All Ayes

- 21) Proposed Agreement with Shahram Askari, M.D., a contract employee, for radiology services for a period of five years effective from the day Dr. Askari provides proof of a current license to practice medicine in the state of California, in an amount not to exceed \$2,075,000 (Fiscal Impact: \$2,075,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 706-2006

Watson-Rubio: All Ayes

- *22) Proposed retroactive Agreement with Travel Nurse Solutions, LLC, an independent contractor, for temporary nurse staffing, from April 29, 2006 through April 28, 2008, in an amount not to exceed \$7,600,000 (Fiscal Impact: \$7,600,000; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 707-2006

McQuiston-Watson: All Ayes

ADJOURNED TO TUESDAY, JULY 11, 2006 AT 9:00 A.M.

McQuiston

/s/ Denise Pennell
Clerk of the Board

/s/ Barbara Patrick
Chairman, Board of Supervisors

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

The Kern Medical Center Conference Room 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.

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, July 11, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

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

NOTE: CHAIRMAN PATRICK RECOGNIZED DR. ELSA ANG, THIRD DISTRICT APPOINTEE TO THE HUMAN RELATIONS COMMISSION

RESOLUTIONS/PROCLAMATIONS

- 1) Certificate of Recognition recognizing Patrick Collins for eight years of service to Kern Economic Development Corporation - MADE PRESENTATION TO PATRICK COLLINS; PATRICK COLLINS AND DAVID PRICE III, DIRECTOR, RESOURCE MANAGEMENT AGENCY, HEARD
- 2) Certificate of Recognition recognizing Elena Calauastro for nine years of service on the Human Relations Commission - MADE PRESENTATION TO ELENA CALAUSTRO; ELENA CALAUSTRO HEARD
- 3) Certificate of Recognition recognizing Edwards Air Force Base for outstanding leadership in providing new technology and applying innovative solutions to environmental compliance and restoration projects - MADE PRESENTATION TO ROBERT WOOD, CHIEF ENVIRONMENTAL DIVISION, EDWARDS AIR FORCE BASE; ROBERT WOOD HEARD

PUBLIC REQUESTS

- 4) Request from Koral Hancharick, Executive Director, Buena Vista Museum of Natural History, to address the Board regarding paleontological resources in Kern County - KORAL HANCHARICK HEARD; REFERRED TO PLANNING TO WORK WITH THE BUENA VISTA MUSEUM OF NATURAL HISTORY TO ENSURE PALEONTOLOGICAL FINDS ARE PRESERVED

Maben-Rubio: All Ayes

- 5) Request from Carol L. Sorrell, R.N., President and Chief Executive Officer, Kern Health Systems, for approval to allow the Kern Health Systems Board of Directors to elect its own Chair and to eliminate the requirement that the Chief Executive Officer of Kern Medical Center be the Chair of the Board of Directors - CAROL SORRELL HEARD; APPROVED; REFERRED TO COUNTY COUNSEL TO PREPARE AMENDMENT TO ORDINANCE

Rubio-Watson: All Ayes

- *6) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council, to submit Child Care Facilities Development Progress Report - RECEIVED AND FILED

McQuiston-Watson: All Ayes

APPOINTMENTS

- *7) Appointment of Elsa Ang as Third District Member to the Human Relations Commission, term to expire February 19, 2008 - MADE APPOINTMENT

McQuiston-Watson: All Ayes

- *8) Reappointment of Sharon M. Brown as Fourth District Discretionary Member to the Local Child Care and Development Planning Council, term to expire June 30, 2009 - MADE REAPPOINTMENT

McQuiston-Watson: All Ayes

- *9) Appointment of Dianne Lillian Salton as Public Agency Representative, Third District Member, to the Local Child Care and Development Planning Council, term to expire June 30, 2009 - MADE APPOINTMENT

McQuiston-Watson: All Ayes

- *10) Reappointment of William Prout as At-large Member to the Public Cemetery District No. 1 of Kern County, term to expire July 21, 2010 - MADE REAPPOINTMENT

McQuiston-Watson: All Ayes

- *11) Appointment of Tom Freeman as At-large Member to the Tehachapi Valley Recreation and Parks District, term to expire February 3, 2009 - MADE APPOINTMENT

McQuiston-Watson: All Ayes

- *12) Appointment of Barry M. Gallagher as At-large Member to the Local Campaign Finance Hearing Panel, term to expire April 29, 2009 - MADE APPOINTMENT

McQuiston-Watson: All Ayes

- *13) Reappointment of Kathleen M. Irvine as Fourth District Member to the Civil Service Commission, term to expire July 9, 2010 - MADE REAPPOINTMENT

McQuiston-Watson: All Ayes

- *14) Appointment of Judy Hyatt as First District Member to the Behavioral Health Board, term to expire December 31, 2008 - MADE APPOINTMENT

McQuiston-Watson: All Ayes

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!
- ARTHUR UNGER, KERN KAWEAH CHAPTER, SIERRA CLUB, ADDRESSED THE BOARD REGARDING THE LOCATION OF THE FEDERAL COURTHOUSE TO THE DOWNTOWN AREA AND THE BOARD'S EFFORTS TO IMPROVE GLOBAL WARMING.

JEFF CLARK, PRESIDENT, UPPER KERN COUNTY CHAPTER, NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS (NORML), EXPRESSED CONCERN THAT THERE HAS BEEN NO CHANGE IN STATE LAW OR LOCAL LAW ENFORCEMENT RELATING TO REPORTING OF MISSING CHILDREN.

ARTHUR GRAY SPOKE REGARDING YOUTH AND GANG ACTIVITIES IN BAKERSFIELD AND KERN COUNTY.

DENNIS THOMPSON, KERN COUNTY FIRE CHIEF, REPORTED ON THE STATUS OF THE ARCO FIRE ON INTERSTATE 5 NEAR FORT TEJON.

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]) - NO ONE HEARD

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *17) Proposed retroactive Agreement with Jelita Macanas, R.D. for provision of nutritionist services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$18,340 (prior notification June 27, 2006) (Fiscal Impact: Federal \$12,081; State \$4,583; County \$1,676; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 708-2006

McQuiston-Watson: All Ayes

AUDITOR-CONTROLLER-COUNTY CLERK

- 18) Report on findings and recommendations from Macias Consulting Group, Inc. regarding KMC Account Reconciliation Activities; KMC Billing Process Evaluation FY 04-05; KMC Physician Compensation Analysis FY 04-05; and KMC Cash Flow Evaluation FY 04-05 (Fiscal Impact: None) - DENISE CALLAHAN, MACIAS CONSULTING GROUP, INC., MADE PRESENTATION; MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; RECEIVED AND FILED REPORTS; REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO EVALUATE AND PROPOSE A FISCAL TRACKING SYSTEM FOR THE PHYSICIAN'S PRACTICE PLAN AND PHYSICIAN PAYMENT METHODOLOGY, REPORT ON THE COST EFFECTIVENESS OF BILLING AND HIRING PRACTICES RELATING TO THE \$4 MILLION EXPENSE FOR BILLING VENDORS, REPORT BACK ON CALIFORNIA SALARY COMPARABLES IN RELATION TO PHYSICIAN COMPENSATION AT KERN MEDICAL CENTER, FOLLOW UP ON IMPLEMENTATION OF AUDIT RECOMMENDATIONS, AND REPORT BACK ON REASON FOR DELAY IN RELEASE OF AUDIT REPORT AND ACTIONS NECESSARY TO ASSURE TIMELY REPORTING

Watson-Rubio: All Ayes

- *19) Certification of the results of the Direct Primary Election held June 6, 2006 - DECLARED THE JUNE 6, 2006 DIRECT PRIMARY ELECTION RESULTS OFFICIAL, AS CERTIFIED BY THE COUNTY CLERK, PURSUANT TO ELECTIONS CODE SECTION 15400

McQuiston-Watson: All Ayes

- *20) Proposed Amendment No. 11 to Audit Agreement 327-2004, with Brown Armstrong Accountancy Corporation which provides for the audits of KATCH/Application Assisters for the period July 1, 2005 to June 30, 2006; New Tot Lot Playgrounds Project for the period January 1, 2005 to December 31, 2006; Healthy Kids for the period April 1, 2005 to June 30, 2006; Central Valley Rural Crime Prevention Program for the period July 1, 2005 to June 30, 2006; ST-AID STAT Rape (Vertical Prosecution Program) for the period July 1, 2005 to June 30, 2006; Anti-Drug Abuse Enforcement Program for the period July 1, 2005 to June 30, 2006; Violence Against Women Prosecution Program for the period July 1, 2005 to December 31, 2005; Violence Against Women Prosecution for the period January 1, 2006 to June 30, 2006; Coverdell 05 for the period March 1, 2005 to December 31, 2005; Title II Delinquency Prevention Intervention Program for the period April 1, 2005 to March 31, 2006; Project Safe Neighborhood for the period June 1, 2004 to May 31, 2007; Cal-MMET for the period July 1, 2005 to June 30, 2006 in an amount not to exceed \$21,900 (Fiscal Impact: \$12,400 District Attorney, \$2,500 Public Health, \$3,500 General Services, \$3,500 Human Services; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 709-2006

McQuiston-Watson: All Ayes

COUNTY COUNSEL

- 21) Proposed Resolution calling for a countywide election for the purpose of submitting to the voters the proposed Kern Transportation Authority Ordinance for a half-cent retail transaction and use tax for transportation purposes as set out in the expenditure plan (Fiscal Impact: None) - LOIS WATSON, LEAGUE OF WOMEN VOTERS; LINDA HEALD, DISTRICT MANAGER, AAA OF SOUTHERN CALIFORNIA; BILL DESCARY; WILLIAM NELSON; DEBBIE MORENO, CHIEF EXECUTIVE OFFICER, GREATER BAKERSFIELD CHAMBER OF COMMERCE; BOB CAMPBELL; AND MICHAEL TURNIPSEED, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; ADOPTED RESOLUTION 2006-255; RECEIVED AND FILED DOCUMENT

Rubio-Watson: All Ayes

- *22) Proposed Joint Agreement of Kern County Employees Retirement Association and the County of Kern for legal services of the law firm of Greenberg Traurig LLP relating to the potential liability of Public Pension Professionals, Inc. in an amount not to exceed \$50,000; \$25,000 to be paid by each agency (Fiscal Impact: \$25,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 710-2006

McQuiston-Watson: All Ayes

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

McQuiston-Watson: All Ayes

- *24) Request of the Kern County Assessor-Recorder 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-Watson: All Ayes

- *25) Proposed Resolution authorizing the issuance and sale of the Taft City Elementary School District General Obligation Bonds, Election of 2001, Series 2006C in the aggregate principal amount not to exceed \$2,500,968.80 (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-256

McQuiston-Watson: All Ayes

DISTRICT ATTORNEY

- *26) Proposed retroactive Agreement with Colleen Proffitt, MFS, to provide consulting DNA Technical Resources for the District Attorney Forensic Science Division, from July 1, 2006 through June 30, 2008, in an amount not to exceed \$100,000 (Fiscal Impact: \$100,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 711-2006

McQuiston-Watson: All Ayes

EMERGENCY MEDICAL SERVICES

- 27) Request to terminate Interim Agreement 224-2005 for Air Ambulance Service Performance with the City of California City for cause (Fiscal Impact: None) - FOUND THAT CONTRACTOR FAILED TO PERFORM OBLIGATIONS UNDER SECTION 2.2.1 AND 2.2.2 OF THE AGREEMENT BY FAILING TO MAKE AN OPERATING AIR AMBULANCE (HELICOPTER) AVAILABLE; TERMINATED AGREEMENT FOR CAUSE; AUTHORIZED DEPARTMENT TO NOTIFY CONTRACTOR

Maben-Rubio: 4 Ayes; 1 Absent - Watson

EMPLOYERS' TRAINING RESOURCE

- *28) Proposed Amendment No. 1 to Agreement 049-2006 with the Mexican American Opportunity Foundation to increase funding by \$81,630 for the California Work Opportunity and Responsibility to Kids Paid Work Experience Program, for a total funding level not to exceed \$475,753 (Fiscal Impact: \$81,630; State Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 712-2006

McQuiston-Watson: All Ayes

- *29) Proposed retroactive Agreement with the Mexican American Opportunity Foundation to provide training opportunities for Workforce Investment Act-eligible adults and older youths, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$1,176,779 (prior notification June 27, 2006) (Fiscal Impact: \$1,176,779; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 713-2006

McQuiston-Watson: All Ayes

FIRE DEPARTMENT

- *30) Request for sole source purchase order with Bio-Key International, Inc., to purchase additional licenses for the fire incident reporting system (Fiscal Impact: \$74,000; Fire Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

McQuiston-Watson: All Ayes

- *31) Request to employ retired County employees, Ron Phillips, Fire Captain, Step E; and David Chiadez, Fire Engineer, 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: Approximately \$42,000; Fire Cost Reimbursement; Budgeted; Discretionary) - APPROVED

McQuiston-Watson: All Ayes

- *32) Proposed Grant Agreement with Kern County Air Pollution Control District (APCD) to replace high pollution vehicle with a hybrid vehicle (Fiscal Impact: \$29,565; Fire Fund \$2,965; Kern County Air Pollution Control Grant \$26,600; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 714-2006

McQuiston-Watson: All Ayes

- *33) 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 and 5/2/06) (Fiscal Impact: None) - APPROVED; CONTINUED TO TUESDAY, AUGUST 15, 2006, AT 9:00 A.M.

McQuiston-Watson: All Ayes

HUMAN SERVICES

- *34) Proposed Agreement with the Regents of the University of California for annual training program for County personnel, from July 11, 2006 through June 30, 2007 in an amount not to exceed \$541,800 (Fiscal Impact: \$460,530 State/Federal; \$81,270 University of California In-Kind Match; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 715-2006

McQuiston-Watson: All Ayes

PARKS AND RECREATION DEPARTMENT

- *35) Proposed Grant Agreement with Kern County Air Pollution Control District for \$25,200 for purchase of a low-emission truck (Fiscal Impact: \$28,000; \$25,200 District Grant; \$2,800 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 716-2006

McQuiston-Watson: All Ayes

- *36) Request for authorization to apply for grant funding through Proposition 40 Per Capita California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for upgrades to the Buena Vista Aquatic Recreation Area, in the amount of \$776,800 (Fiscal Impact: None) - APPROVED; AUTHORIZED DIRECTOR TO SIGN ALL APPLICABLE DOCUMENTS REQUIRED TO SUBMIT APPLICATION FOR FUNDING

McQuiston-Watson: All Ayes

PUBLIC HEALTH SERVICES

- *37) Proposed Amendment No. 2 to Agreement 887-2004 with State Department of Health Services (State Agreement 03-75908) for the Ryan White CARE Act Title II Program, from April 1, 2004 through March 31, 2007, a decrease of \$181,295, for a total amount not to exceed \$884,739 (Fiscal Impact: -\$181,295; Federal/State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 717-2006

McQuiston-Watson: All Ayes

- *38) Request for sole source purchase of pocket guides for Emergency Preparedness and Pandemic Influenza Preparation from Worldway's Social Marketing to promote emergency and health preparedness education and information in the community, in an amount not to exceed \$62,376 (Fiscal Impact: \$62,376; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

McQuiston-Watson: All Ayes

- *39) Proposed retroactive Agreement with El Tejon Unified School District for Medi-Cal Administrative Activities, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$100,000 (prior notification June 27, 2006) (Fiscal Impact: \$100,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 718-2006

McQuiston-Watson: All Ayes

- *40) Proposed funding allocation from the State Department of Health Services for Maternal, Child and Adolescent Health Program for FY 2006-2007, in the amount of \$1,723,209 (Fiscal Impact: \$1,268,707 State/Federal Allocation; \$454,502 County; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AFA FUNDING FORM, POLICY COMPLIANCE AND CERTIFICATION

McQuiston-Watson: All Ayes

- 41) Proposed addition of one (1) temporary Public Health Physician position to California Children's Services (CCS), for a period not to exceed 24 months (Fiscal Impact: \$66,848; State; Budgeted; Mandated) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-McQuiston: All Ayes

NOTE: AGENDA ITEMS NO. 42 AND NO. 43 WERE HEARD CONCURRENTLY

SHERIFF

- 42) Proposed Ordinance adding Chapter 5.84 to Title 5 of the Ordinance Code of the County of Kern, regulating medical marijuana dispensaries (from 6/13/06) (Fiscal Impact: Unknown; Not Budgeted; Mandated) - JEFF CLARK, PRESIDENT, UPPER KERN COUNTY CHAPTER NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS (NORML); APRIL FOWLER; PAUL BURROWS, STREET RELIEF FOR COMPASSIONATE USE; DOUGLAS MCAFEE, PRESIDENT, BAKERSFIELD NORML; CHRIS HELTON; DONALD MCAFEE, YUBA COUNTY; AMANDA BRAZELL, LOS ANGELES FIELD COORDINATOR FOR AMERICANS FOR SAFE ACCESS; ARTHUR GRAY; JAMES ANTHONY, LAND USE ATTORNEY, OAKLAND; BOB CAMPBELL; AND JOHN WYATT, HEARD; WAIVED READING; INTRODUCED ORDINANCE; AUTHORIZED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH SUMMARY OF PROPOSED ORDINANCE

Watson-McQuiston: All Ayes

Hearing

- 43) Proposed Resolution establishing Medical Marijuana Dispensary license fee in the amount of \$166 (from 6/13/06) (Fiscal Impact: \$996 Annual Revenue; Not Budgeted; Mandated) - OPENED HEARING; JEFF CLARK, PRESIDENT, UPPER KERN COUNTY CHAPTER NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS (NORML); APRIL FOWLER; PAUL BURROWS, STREET RELIEF FOR COMPASSIONATE USE; DOUGLAS MCAFEE, PRESIDENT, BAKERSFIELD NORML; CHRIS HELTON; DONALD MCAFEE, YUBA COUNTY; AMANDA BRAZELL, LOS ANGELES FIELD COORDINATOR FOR AMERICANS FOR SAFE ACCESS; ARTHUR GRAY; JAMES ANTHONY, LAND USE ATTORNEY, OAKLAND; BOB CAMPBELL; AND JOHN WYATT, HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2006-257

Watson-McQuiston: All Ayes

- 44) Proposed sole source contract with Dr. Lesley Wallis for forensic pathology services from August 1, 2006 through June 30, 2009, in the amount of \$662,025 plus expenses, and addition of one (1) Autopsy Assistant position, effective July 11, 2006 (Fiscal Impact: \$245,000 FY 2006-2007; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 719-2006; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Maben-Watson: All Ayes

- *45) Proposed Agreement with Taft City School District for law enforcement services, from August 21, 2006 to June 1, 2007, in an amount not to exceed \$89,511 (Fiscal Impact: \$89,511; Not Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 720-2006

McQuiston-Watson: All Ayes

- *46) Request to accept donation of one (1) 2006 Ford F-250 truck from Kern County Sheriff's Search and Rescue, Kern Valley Team, valued at \$45,000 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER OF APPRECIATION

McQuiston-Watson: All Ayes

- *47) Request to employ retired County employee, Kip Black, as a Deputy Sheriff, Step C, 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: \$21,542.40; Budgeted; Discretionary) - APPROVED

McQuiston-Watson: All Ayes

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

McQuiston-Watson: All Ayes

- *49) Unusual travel request for Deputy William Hudnall and Deputy Mike Scott to attend motorcycle training in Dublin, California, from July 17, 2006 to July 29, 2006, in an amount not to exceed \$3,217.50 each (Fiscal Impact: \$6,435; Budgeted; Discretionary) - APPROVED

McQuiston-Watson: All Ayes

- *50) Application to hold a parade - Fiesta Days - Mountain Memories Association, on August 5, 2006 in Frazier Park (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WOULD NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WOULD NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WOULD NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Watson: All Ayes

ADJOURNED TO CLOSED SESSION

Watson

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 51) 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 Association (Government Code Section 54957.6) -
- 52) Request for Closed Session regarding public employee recruitment - Title: Kern Medical Center Chief Executive Officer (Government Code Section 54957) -

COUNTY COUNSEL

- 53) Request for closed session regarding a lawsuit entitled Michael LaFave v. County of Kern, WCAB Case No. BAK 145987; BAK Unassigned (Government Code Section 54956.9(a)) -
- 54) Request for closed session regarding a determination of whether the County will join as amicus curiae in a lawsuit (Government Code Section 54956.9(c)) -

(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, July 11, 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

PUBLIC PRESENTATIONS

- 1) 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

- 2) 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 DISCUSSED THE RECENT REPORT BY THE U.S. ARMY CORPS OF ENGINEERS AND FURTHER DISCUSSED THE POTENTIAL FOR EARTHQUAKE ACTIVITY. KERN COUNTY FIRE CHIEF DENNIS THOMPSON DISCUSSED GIS INUNDATION MAPS THAT WILL BE AVAILABLE ON THE COUNTY WEBSITE WITHIN A WEEK. HE ADDED A COMMUNITY MEETING IS BEING SCHEDULED FOR JULY 24, 2006. SUPERVISOR MABEN ALSO DISCUSSED THE REPORT BY THE ARMY CORPS OF ENGINEERS.

SUPERVISOR RUBIO COMMENDED COUNTY STAFF FOR THEIR EFFORTS ON THE LAMONT BOYS AND GIRLS CLUB.

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- 3) **Request from Thomas Nguyen by Cornerstone Engineering, Inc., to change the permitted uses from agriculture to 1-acre residential lots and exclude approximately 25 acres from the boundaries of an Agricultural Preserve located at Lerdo Highway and Industrial Farm Road, north of Bakersfield (SD #1)**

Specific Request:

- (a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 8.3 and 8.3/2.1 to Map Code(s) 5.5 and 5.5/2.1 or more restrictive map code designations (GPA #16, Map #81)
(b) A change in zone classification from A to E (1) or a more restrictive district (ZCC #82, Map #81)
(c) Exclusion of approximately 25 acres from the boundaries of an Agricultural Preserve (Ag Pres #8 - Excl)
(Negative Declaration; Published Bakersfield Californian) (from 6/13/2006) - OPENED HEARING; MIKE CALLAGHY, CORNERSTONE ENGINEERING, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-258 DISAPPROVING GENERAL PLAN AMENDMENT, ZONE CHANGE, AND AGRICULTURAL PRESERVE EXCLUSION

McQuiston-Rubio: All Ayes

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

Specific Request:

- (a) & (c) Amend the Golden Hills Specific Plan from Map Code(s) 5.5.1 (Residential - Maximum 1 net acre/project density - Cluster Requirement 6,000-square-foot site area/unit minimum) to Map Code(s) 5.5 (Residential - Maximum 1 Unit/Net Acre) or a more restrictive map code designation (SPA #1, Map #165-23; SPA #3, Map #165-24)
(b) & (d) A change in zone classification from A (Exclusive Agriculture) to E (1) RS (Estate - 1 acre - Residential Suburban Combining), E (2-1/2) RS (Estate - 2-1/2 acres - Residential Suburban Combining), and OS (Open Space) or more restrictive districts (ZCC #11, Map #165-23; ZCC #33, Map #165-24)
(Negative Declaration; Published Tehachapi News) (from 3/14/2006; 5/16/2006 & 6/20/2006) - OPENED HEARING; WILLIAM NELSON; BOB KOVAK; PAUL QUIRING, QUIRING CORPORATION (APPLICANT); VIRGINIA FERRARI; JOHN HICKS; CHRIS OLSON, CORNERSTONE ENGINEERING; MIKE SIDES, ASSISTANT GENERAL MANAGER, GOLDEN HILLS COMMUNITY SERVICES DISTRICT, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2006-259 AND 2006-260 AND ENACTED ORDINANCES G-7421 AND G-7422 APPROVING SPECIFIC PLAN AMENDMENTS AS REQUESTED; INSTRUCTING STAFF TO

(Continued on Page 19)

(Continued from Page 18)

INITIATE A SPECIFIC PLAN AMENDMENT TO A MAP CODE 5.6 (RESIDENTIAL - MINIMUM 2.5 GROSS ACRES/UNIT) OR MORE RESTRICTIVE DISTRICT FOR THAT PORTION OF THE SITE WEST OF BRITE CREEK; APPROVING ZONE CHANGE TO OS (OPEN SPACE) AS REQUESTED; APPROVING ZONE CHANGE TO THE E (1) RS (ESTATE - 1 ACRE - RESIDENTIAL SUBURBAN COMBINING) DISTRICT EAST OF THE OS DISTRICT ALONG BRITE CREEK AS REQUESTED; AND APPROVING THE MORE RESTRICTIVE E (2-1/2) RS (ESTATE - 2-1/2-ACRE RESIDENTIAL SUBURBAN COMBINING) DISTRICT ON THE PROPERTY WEST OF THE OS DISTRICT ALONG BRITE CREEK, WITH ALL ZONING TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL MAP SUBDIVISION, WITH ALL APPROVALS NOT TO BECOME EFFECTIVE UNLESS, BY END OF WORKDAY ON AUGUST 11, 2006, THE PROPERTY OWNER(S) SHALL SIGN AND FILE WITH THE KERN COUNTY PLANNING DEPARTMENT AN INDEMNITY AGREEMENT APPROVED BY COUNTY COUNSEL

Maben-McQuiston: All Ayes

HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *5) **Request from Byron Kermeen by Quad Knopf to vacate a 1-foot nonaccess strip located at the westerly terminus of Hampshire Way, approximately 245 feet north of Rosamond Boulevard, Rosamond (SD #2)**

Specific Request:

Nonsummary vacation of a 1-foot nonaccess strip located at the westerly terminus of Hampshire Way (230-16 3 098 Streets and Highways)

(General Rule, Section 15061(b)(3); Published Rosamond Weekly News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2006-261 APPROVING VACATION, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING UTILITIES, WITH RESOLUTION TO BE RECORDED UPON WRITTEN CONFIRMATION FROM THE KERN COUNTY ROADS DEPARTMENT THAT APPLICANT HAS CONSTRUCTED A TYPE "C" COMMERCIAL DRIVE APPROACH AT THE WESTERLY TERMINUS OF HAMPSHIRE WAY

Maben-Watson: All Ayes

- 6) **Request from Barbara and James Gibbs by Delmarter and Deifel to change the permitted uses from 1/2-acre residential and high-density multifamily residential to low-density single-family residential on approximately 1/2 acre located at 229 Bloomquist Drive, Bakersfield (SD #2)**

Specific Request:

A change in zone classification from E (1/2) RS and R-3 PD to R-1 or a more restrictive district (ZCC #77, Map #123-2) (General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-262 AND ENACTED ORDINANCE G-7423 APPROVING ZONE CHANGE AS REQUESTED

Maben-Watson: All Ayes

- *7) **Request from Normal Development by Delmarter and Deifel to add the petroleum extraction combining district to the existing estate zoning on approximately 30 acres located on the northwest corner of Palm Avenue and Wegis Avenue, Rosedale (SD #4)**

Specific Request:

A change in zone classification from E (1) RS to E (1) RS PE or a more restrictive district (ZCC #161, Map #101) (Categorically Exempt, Section 15305; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-263 AND ENACTED ORDINANCE G-7424 APPROVING ZONE CHANGE AS REQUESTED

Maben-Watson: All Ayes

- 8) **Request from Michael L. Williams (original applicant - Gary Lasater) to appeal the decision of the Planning Commission to approve Conditional Use Permit 16, Map 101-23 to allow a private swim club on 2-1/2 acres located at 3329 Allen Road, northwest Bakersfield (SD #4)**

Specific Request:

An appeal to the decision of the Planning Commission to approve Conditional Use Permit 16, Map 101-23 (Resolution 114-06; approved May 25, 2006) to allow a private swim club (Section 19.14.030) in an A-1 District Appeal #3, Map #101-23

(Categorically Exempt, Section 15303; Published Bakersfield Californian) - OPENED HEARING; MIKE WILLIAMS; TINA PRICE; GARY LASATER; RORY DURAN; JOHN KRAETSCH, PRESIDENT, BOARD OF DIRECTORS, BAKERSFIELD SWIM CLUB; AND KEITH MOORE, GENERAL MANAGER, BAKERSFIELD SWIM CLUB, HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2006-264 DENYING APPEAL AND APPROVING CONDITIONAL USE PERMIT SUBJECT TO THE CONDITIONS AND FINDINGS ADOPTED BY THE PLANNING COMMISSION, INCLUDING A NEW CONDITION RELATING TO A BLOCK WALL

Watson-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #1

- *9) Proposed Notice of Nonrenewal Petition No. 06-36 by Paul Bruce and Lisa Richardson for approximately 40 acres within Agricultural Preserve No. 15 - DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Watson: All Ayes

S.D. #2

- *10) Proposed Notice of Nonrenewal Petition No. 06-34 by the K.C. Land Investors, LLC, for approximately 18 acres within Agricultural Preserve No. 10 - DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Watson: All Ayes

S.D. #4

- *11) Proposed Notice of Nonrenewal Petition No. 06-35 by the Bakersfield 19, LLC, for 20 acres within Agricultural Preserve No. 10 - DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Watson: All Ayes

- *12) Proposed Notice of Nonrenewal Petition No. 06-33 by the K.C. Land Investors, LLC, for 38.18 acres within Agricultural Preserve No. 10 - DIRECTED CLERK OF THE BOARD TO RECORD

Maben-Watson: All Ayes

Miscellaneous

S.D. #2

- *13) Request by Munther Hawatmeh for Determination of Public Convenience for the issuance of an off-sale beer and wine liquor license at 16028 Costajo Street, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2006-265

Maben-Watson: All Ayes

S.D. #2

- *14) Request by Daljinder Chauhan for Determination of Public Convenience for the issuance of an off-sale beer and wine liquor license at 20238 Highway 119, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2006-266

Maben-Watson: All Ayes

S.D. #3

- *15) Request by Baker Jack Haddad for Determination of Public Convenience for the issuance of an off-sale general alcohol liquor license at 8501 Kern Canyon Road in Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - CONTINUED TO TUESDAY, JULY 25, 2006, AT 2:00 P.M.

Maben-Watson: All Ayes

All S.D.'s

- *16) Report by the Planning Department regarding Dairy Animal Facility Land Use Permitting Process - RECEIVED AND FILED REPORT

Maben-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

S.D. #1

- *17) Request for release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 6053, Phase 3, west side of North Chester Avenue, south side Seventh Standard Road, 1000 feet west of intersection of North Chester Avenue and Seventh Standard Road, North Country Meadows (Fiscal Impact: None) - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. 1883651, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$45,914; RELEASED LABORERS AND MATERIALMEN BOND NO. 1883651, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$222,486

Maben-Watson: All Ayes

- *18) Request for release of Monument Security, Tract 6171, Phase 1, northeast corner of West Day Avenue and Airport Drive, north Bakersfield, DeWalt Corporation for North Country Meadows (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$2,055 TO SUBDIVIDER, NORTH COUNTRY MEADOWS

Maben-Watson: All Ayes

- *19) Request for release of Monument Security, Tract 6171, Phase 2, 900 feet north of West Day Avenue and Airport Drive, north Bakersfield, DeWalt Corporation for Denela, LLC (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$4,280 TO SUBDIVIDER, DENELA, LLC

Maben-Watson: All Ayes

- *20) Request for release of Monument Security, Tract 6171, Phase 4, north Bakersfield, DeWalt Corporation for Denela, LLC (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$2,245 TO SUBDIVIDER, DENELA, LLC

Maben-Watson: All Ayes

S.D. #3

- *21) Request for release of Monument Security, Tract 5884, Phase 2, northwest corner of Pioneer Drive and Gargano Road, Orangewood area, DeWalt Corporation for Stuart Thomas, Inc., dba Lenox Homes, LLC (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$7,710 TO SUBDIVIDER, STUART THOMAS INC., DBA LENOX HOMES, LLC

Maben-Watson: All Ayes

- *22) Request for release of Monument Security, Tract 5990, Phase 4, Pioneer Drive and Monica Street, Orangewood area, DeWalt Corporation for Stuart Thomas, Inc., dba Lenox Homes, LLC (Fiscal Impact: None) - APPROVED; RELEASED MONUMENT SECURITY (CASH DEPOSIT); AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO ISSUE A WARRANT IN THE AMOUNT OF \$8,125 TO SUBDIVIDER, STUART THOMAS INC., DBA LENOX HOMES, LLC

Maben-Watson: All Ayes

S.D. #4

- *23) Request to approve final map for Tract 6252, Phase A, northwest corner of Hageman Road and Renfro Road, Western Rosedale, Type "A" Subdivision, James K. Delmarter for Inland Valley, LLC, a California Limited Liability Company (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-267 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNERS WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS AND PROPERTY MANAGEMENT TO COMMENCE NEGOTIATIONS TO ACQUIRE RIGHTS FOR HAGEMAN ROAD AND RENFRO ROAD IMPROVEMENT; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Maben-Watson: All Ayes

- *24) Request to approve final map for Tract 6305, south side of Hageman Road, 1,320 feet west of Renfro Road, western Rosedale, McIntosh and Associates for B and T Development, LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-268 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNERS WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED SEWAGE MONITORING EASEMENT AND IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC ROAD PURPOSES; AUTHORIZED CLERK OF THE BOARD TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFER OF DEDICATION FOR OFF-SITE TEMPORARY 1-FOOT NON-ACCESS STRIP; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Maben-Watson: All Ayes

- *25) Request to approve final map for Tract No. 6214, Phase 1, southeast corner of Heath Road and Hageman Road, Western Rosedale, Type "A" Subdivision, Benchmark Engineering for SHP Hageman, LLC, a California Limited Liability Company (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-269 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNERS WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE); APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; APPROVED CONSENT TO COMMON USE AGREEMENT 721-2006; AUTHORIZED CHAIRMAN TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFER OF DEDICATION FOR OFF-SITE TEMPORARY TURNAROUND AND 1-FOOT NON-ACCESS EASEMENT; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Maben-Watson: All Ayes

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #1

- *26) Proposed establishment of a 35 mile per hour speed limit on Seventh Standard Road from Golden State Highway to Porterville Highway (State Route 65) (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Maben-Watson: All Ayes

S.D. #4

- *27) Proposed Quitclaim Deed to State of California transferring an approximate total of 23,578.1 square meters (25,379.6 square feet) of County-owned road easements located at State Highways 46 and 33 in the Blackwell's Corner area near Lost Hills (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RETURN DEED TO ROADS FOR TRANSMITTAL TO THE STATE

Maben-Watson: All Ayes

S.D.'s #1, #4 & #5

- *28) Contract No. 06021 Notice of Completion for Granite Construction for asphalt concrete (windrow stockpile) at various locations in Kern County (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

S.D.'s #4 & #5

- *29) Proposed Contract No. 06012 with Griffith Company for curb cut improvements in Bakersfield and Lamont, in an amount not to exceed \$181,444 (Fiscal Impact: \$181,444; CEDD Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 722-2006

Maben-Watson: All Ayes

All S.D.'s

- *30) Proposed Contract No. 06019 with Wood Brothers, Inc., for job order contract for road maintenance/repair, in an amount not to exceed \$1,000,000 (Fiscal Impact: \$1,000,000; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 723-2006

Maben-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *31) Proposed contribution to Fairfax-Brundage Neighborhood Partnership, Inc., to support a summer recreation program (Fiscal Impact: \$4,740; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

Maben-Watson: All Ayes

- *32) Proposed revision to Administrative Policy and Procedures Manual, Chapter 5, Section 518, County Contracts regarding updates on notifications of retroactive agreements (Fiscal Impact: None) - APPROVED

Maben-Watson: All Ayes

- *33) Proposed Lease Agreement with Chase Equipment Leasing, Inc., for Sheriff and Waste Management Department vehicles and equipment, in the amount of \$5,650,000 (Fiscal Impact: \$6,148,712; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-270 APPROVING EXECUTION OF LEASE AGREEMENT WITH CHASE EQUIPMENT LEASING, INC., IN THE PRINCIPAL AMOUNT OF \$5,650,000; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 724-2006 AND RELATED FINANCING DOCUMENTS

Maben-Watson: All Ayes

- 34) Consideration of unmet needs for Fiscal Year 2006-2007 (Fiscal Impact: \$8,000,000; Discretionary) - MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION, HEARD; REFERRED TO FISCAL YEAR 2006-2007 BUDGET FILE

Rubio-Maben: All Ayes

Legislative Matter

- *35) Report on State budget impact on County programs (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *36) Request to set hearing to consider amendment to cable television franchise Ordinance F-435 for Mediacom California, LLC, (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-271 SETTING HEARING FOR TUESDAY, AUGUST 15, 2006, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO POST PROPOSED NOTICE AMENDING FRANCHISE ORDINANCE AND TO PUBLISH NOTICE AND SUMMARY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 25124(b)(1)

Maben-Watson: All Ayes

S.D. #2

- *37) Change Order No. 8 for Mojave Pre-Engineered Pedestrian Walkway, an increase of \$86,408, for a new total of \$1,002,343.53; and proposed Resolution to dispense with bidding requirements for change orders in excess of 10% of contract amount (1960.8119) (Fiscal Impact: \$86,408; Capital Projects; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-272; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

S.D. #3

- *38) Proposed Resolution Agreement and Release of All Claims Under Contract with MASK Systems, Inc., for the signal security system at the new airport terminal, in the amount of \$84,335 (8215.8416) (Fiscal Impact: \$84,335; Airport Project Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 725-2006

Maben-Watson: All Ayes

S.D. #5

- *39) Change Order No. 1 for Kern Medical Center "D" Wing Reroof, a decrease of \$8,635, for a new total of \$470,805 (8997.7001.05FE) (Fiscal Impact: \$8,635 Credit; Kern Medical Center Enterprise Fund; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Maben-Watson: All Ayes

- *40) Proposed Grant of Easement to Kern Sanitation Authority for an 18-inch sewer line that crosses a portion of County Road Yard at northeast corner of Mt. Vernon Avenue and Steel Street (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

Maben-Watson: All Ayes

- *41) Report on the status of the Animal Control Kennel Coating Project (Fiscal Impact: None) - RECEIVED AND FILED

Maben-Watson: All Ayes

All S.D.'s

- *42) Bid documents for Job Order Contract (Phase VIII) (Various Projects) (Fiscal Impact: \$1,500,000; General Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, AUGUST 10, 2006, AT 11:00 A.M.

Maben-Watson: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *43) Budget Transfers - APPROVED NO. 277 THROUGH NO. 279

Maben-Watson: All Ayes

- *44) Minutes for week of June 5, 2006 - APPROVED

Maben-Watson: All Ayes

*45) Miscellaneous Letters and Documents - APPROVED

Maben-Watson: All Ayes

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

Maben-Watson: All Ayes

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

Maben-Watson: All Ayes

ADJOURNED TO TUESDAY, JULY 18, 2006, AT 9:00 A.M.

Watson

/s/ Mary Schilling
Deputy Clerk of the Board II

/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.

45) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit Report of the Schaller Anderson Claims Administration for the period February 4, 2004 through November 10, 2004
- B) Audit Report of the Pacificidental Benefits Claim Administration Services for the period August 1, 2003 through October 31, 2004
- C) Audit Report of the County Service Areas for Fiscal Years ended June 30, 2002 and 2003

Board of Supervisors

- D) Letter from Chairman Barbara Patrick to William M. Thomas and Barbara Boxer, U.S. Senators, and Dianne Feinstein and Jim Costa, U.S. Representatives, re Department of Energy funding for display of Native American artifacts excavated from Elk Hills Naval Petroleum Reserve (Copies to each Supervisor)

Clerk of the Board

- E) E-mail from Robert J. Noriega re resignation from the Local Campaign Finance Hearing Panel (Copies to each Supervisor and CAO)
- F) Received, certified and transmitted to Recorder for recordation as follows:

- 1) Tract Map 6056, Phase 3 S.D. #3
- 2) Tract Map 6056, Phase 6 S.D. #3
- 3) Tract Map 6239 S.D. #2
- 4) Tract Map 6250, Unit 8 S.D. #4
- 5) Tract Map 6290, Unit 2 S.D. #2
- 6) Tract Map 6295, Phase 1 S.D. #3
- 7) Tract Map 6307 S.D. #4
- 8) Tract Map 6314 S.D. #2
- 9) Tract Map 6372 S.D. #5
- 10) Parcel Map 11220 S.D. #2
- 11) Parcel Map 11283 S.D. #1

Community & Economic Development

- G) County Loan Agreement, HOME Investment Partnerships Program, Owner Reconstruction Program, with Fidel B. Martinez and Olga Serna Silva
- H) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Helen A. Turner and Michael A. Turner

Employers' Training Resource

- I) Workforce Investment Act On-the-Job Training Agreements:

- 1) Ace Hydraulic Sales and Service, Inc., WIA Title 201, dated June 26, 2006

- 2) Berchtold Equipment Company, Inc., WIA Title 201, dated May 31, 2006
- 3) Larry M. Cho, M.D., Inc. dba The Industrial Medical Group, WIA Title 301, dated May 30, 2006
- 4) Larry M. Cho, M.D., Inc. dba The Industrial Medical Group, WIA Title 501, dated June 9, 2006
- 5) Hall Ambulance Service, Inc., WIA Title 201, dated June 26, 2006
- 6) Hall Ambulance Service, Inc., WIA Title 501, dated June 26, 2006
- 7) Mallory & Associates Real Estate Investments, WIA Title 501, dated May 30, 2006
- 8) Mechanical Industries, Inc., WIA Title 201, dated May 17, 2006
- 9) Redwine-Manley Testing Services, Inc dba Redwine Testing, WIA Title 201, dated May 12, 2006
- 10) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated May 15, 2006
- 11) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated May 15, 2006
- 12) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated May 21, 2006
- 13) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 5, 2006
- 14) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 14, 2006
- 15) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 19, 2006
- 16) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 26, 2006
- 17) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 501, dated June 26, 2006
- 18) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 27, 2006
- 19) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 30, 2006
- 20) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 30, 2006
- 21) V.O & C.O., Inc. dba Ashley Furniture Home Stores, WIA Title 501/511, dated June 30, 2006
- 22) XTech Industries, Inc., WIA Title 201, dated May 15, 2006
- 23) XTech Industries, Inc., WIA Title 201, dated May 26, 2006
- 24) XTech Industries, Inc., WIA Title 201, dated May 30, 2006
- 25) XTech Industries, Inc., WIA Title 201, dated May 30, 2006

- J) Modification No. 2 to Agreement AC-15002-05-55 with the U.S. Department of Labor-Employment and Training Administration to revise the Statement of Work to reduce the number of farmworkers to be served by 10%, to incorporate the WIA Program Planning Summary and WIA Budget Information Summary into the Statement of Work
- K) Modification No. 20 to Agreement R485279 with the State of California Employment Development Department to de-obligate \$173,502.95 from WIA 25% Rapid Response
- L) Modification No. 9 to Agreement R588725 with the State of California Employment Development Department to extend project end date to December 31, 2006, and adjust plan accordingly
- M) Modification No. 10 to Agreement R692476 with the State of California Employment Development Department to transfer formula dislocated worker funds into formula adult funds

Grand Jury

- N) 2005-2006 Final Report re Department of Human Services CalWorks (Copies to each Supervisor, CAO and Human Services)
- O) 2005-2006 Final Report

Local Agency Formation Commission

- P) Report and Recommendation, Proceeding No. 1440, in the matter of City of Bakersfield, Annexation No. 478, North of the River Sanitary District No. 1, Annexation No. 72 (Calloway No. 12) (Copies to each Supervisor, CAO and Resource Management Agency)
- Q) Report and Recommendation, Proceeding No. 1442, in the matter of City of Delano, Annexation No. 45 (Copies to each Supervisor, CAO and Resource Management Agency)
- R) Report and Recommendation, Proceeding No. 1444, in the matter of City of Bakersfield, Annexation No. 497 (Union No. 12) (Copies to each Supervisor, CAO and Resource Management Agency)
- S) Letter from Virginia Gennaro, City of Bakersfield, re LAFCO Proceeding No. 1456, Brimhall No. 11, Annexation No. 482 (Copies to each Supervisor, CAO and Resource Management Agency)
- T) Letter from Virginia Gennaro, City of Bakersfield, re LAFCO Proceeding No. 1455, McKee No. 5, Annexation No. 488 (Copies to each Supervisor, CAO and Resource Management Agency)
- U) Letter from Virginia Gennaro, City of Bakersfield, re LAFCO Proceeding No. 1458, Old River No. 4, Annexation No. 500 (Copies to each Supervisor, CAO and Resource Management Agency)

- V) Letter from Virginia Gennaro, City of Bakersfield, re LAFCO Proceeding No. 1459, Snow Road No. 6, Annexation No. 501 (Copies to each Supervisor, CAO and Resource Management Agency)
- W) Letter from Virginia Gennaro, City of Bakersfield, re LAFCO Proceeding No. 1457, McCutchen No. 5, Annexation No. 508 (Copies to each Supervisor, CAO and Resource Management Agency)

Planning

- X) Irrevocable Offer of Dedication from Jess Visser and Gail Visser dated April 19, 2006, APN 201-200-02 (Document No. 0206118739)
- Y) Irrevocable Offer of Dedication from Jess Visser and Gail Visser dated May 2, 2006, APN 201-190-07 (Document No. 0206118740)
- Z) Grant of Avigation Easement from K. Hovnanian Forecast Homes, Inc., dated March 16, 2006, re Tract 6314, APN 472-100-28 (Document No. 0206123214)

Roads

- AA) Irrevocable Offer of Dedication from Farmers Cooperative Almond Huller, Inc., a California Corporation, which acquired title as Farmers Cooperative Almond Huller, Inc., a California Agricultural Cooperative, dated April 19, 2006, for additional right-of-way on Rowlee Road (Document No. 0206123215)

Treasurer-Tax Collector

- BB) Pooled Cash Portfolio Analysis for month ended May 2006

Miscellaneous

- CC) Letter from R. A. Campbell re proposed 1/2 cent sales tax increase for roads (Copies to each Supervisor, CAO, Resource Management Agency and County Counsel)
- DD) Letter from Steve Strait, Metropolitan Bakersfield Habitat Conservation Plan, re upcoming vacancy for Public At-Large Member on the Metropolitan Bakersfield Habitat Conservation Plan Implementation Trust Group (Copies to each Supervisor, CAO and County Counsel)
- EE) Letter from Wilmar L. Boschman, Semitropic Water Storage District, in support of adoption of proposed amendments to the Water Well Ordinance (Copies to each Supervisor and CAO)
- FF) Letter from James McCall re establishing guidelines for local control over medical marijuana (Copies to each Supervisor, CAO, Public Health, Sheriff and County Counsel)
- GG) Letter from Charlene Aboytes, State Corrections Standards Authority, re 2004-2006 Biennial Inspection and Corrective Action Plan Response for James G. Bowles Juvenile Hall, Pathways Academy, Avenues to Change, Camp Erwin Owen and the Larry Rhoades Crossroads Facility (Copies to each Supervisor and CAO)

- HH) Letter from Assemblyman Bill Maze re AB 2315 concerning companies generating electrical power using combustion technologies that do not pollute the air (Copies to each Supervisor, CAO and Air Pollution Control District)
- II) Letter from D. E. Leach, California Highway Patrol, re Hazardous Materials Incident Report on Thursday, June 15, 2006, at U.S. 395 south of Brown Road (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- JJ) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re Kings County's proclamation of a local emergency and request for a Governor's state of emergency proclamation due to severe storms and flooding dated April 11, 2006 (Copies to each Supervisor, CAO and Emergency Services)
- KK) Letter from Mark Norris, City of Oxnard, re update on Wasco Farm (Copies to each Supervisor, CAO, Planning, Engineering & Survey Services, Environmental Health, Resource Management Agency and County Counsel)
- LL) Letter from Armando Gonzalez, Department of Alcoholic Beverage Control, re request of Olimpo Medina Gonzales to modify conditions of an alcoholic beverage license at Lienzo Charro El Zarape (Copies to each Supervisor, CAO and Planning)
- MM) Letter from Jeffrey L. Morris, Kern County Social Workers' Association (KCSWA) re denial of request for procedural change to County of Kern Employer-Employee Relations Resolution (EERR) to de-certify Central California Association of Public Employees (CCAPE) and allow KCSWA to form its own employee association (Copies to each Supervisor and CAO)
- NN) Letter from Tom Gerecke re article in the Western Farm Press by UCCE Farm Advisor Blake Sanden promoting use of biosolids (Copies to each Supervisor, CAO and Farm & Home Advisor)
- OO) Letter from Mark W. Stone, Chairman of Santa Cruz County Board of Supervisors, re moratorium prohibiting planting and production of genetically engineered crops in Santa Cruz County (Copies to each Supervisor, CAO, Agricultural Commissioner, Public Health, Farm & Home Advisor and County Counsel)
- PP) Letter from Leonard Robinson, Department of Toxic Substances Control, re update on new programs and policies (Copies to each Supervisor, CAO, Environmental Health and Resource Management Agency)
- QQ) Status reports re Perkins Fire, Los Padres National Forest, 5 miles south of New Cuyama and 45 miles east of Santa Maria (Copies to each Supervisor and CAO)

- RR) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from: Rocios Bar & Mexican Food, 340 Lakewood Drive, Lake of the Woods; AMT Liquor Market, 2515 Center Street, Rosamond; Bell Hill Vineyards, 3848 Dalehurst Drive, Bakersfield; Steak House Torres, 6704 Inyokern Road, Inyokern; and Tacos La Villa 4, 5430 Olive Drive, Suite D, Bakersfield (Copies to each Supervisor, CAO and Planning)
- 46) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Marilyn L. Mettler, Antelope Valley-East Kern Water Agency, re Resolution No. R-06-18 determining, certifying and directing 2006-2007 tax levies in Los Angeles, Kern and Ventura Counties - REFERRED TO COUNTY COUNSEL (Copy to Auditor-Controller-County Clerk)
- 47) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Ruth Goertz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Rafael Puga Gutierrez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Audrey Corley vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Yessenia Revele vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Chanel McBride vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Kyle & Brad, LLC vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Phillis Van Boening vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Southern California Edison vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of A-C Electric Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Claim in the matter of John Johnston vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Claim in the matter of Mario Rivera-Robles vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Release of all claims in the matter of Linda Morales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- M) Subrogation claim in the matter of Robert Strong by Geico Indemnity vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- N) Summons and complaint in the matter of John R. Oldham vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)