

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, July 18, 2006

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Rubio
ROLL CALL: 3 Present; 2 Absent - Maben and Watson

SALUTE TO FLAG - Led by Supervisor Rubio

NOTE: MICHAEL TURNIPSEED, EXECUTIVE DIRECTOR, KERN COUNTY TAXPAYERS ASSOCIATION, ADDRESSED THE BOARD REGARDING CONSENT AGENDA ITEM 41 AND REQUESTED THIS ITEM BE DELAYED ONE WEEK. MR. TURNIPSEED EXPRESSED HIS OPINION THAT THIS ITEM SHOULD REQUIRE A FOUR-FIFTHS VOTE BECAUSE IT WAS NOT BUDGETED. COUNTY COUNSEL BERNARD BARMANN ADVISED THE BOARD THAT THEY CAN LEGALLY APPROVE AN AGREEMENT WITH THREE VOTES WHEN NO FUNDS ARE BEING APPROPRIATED

MOTION TO CONTINUE AGENDA ITEM 41 TO TUESDAY, JULY 25, 2006 AT 9:00 A.M.

McQuiston-

CHAIRMAN PATRICK SUGGESTED A SIMPLE CORRECTION TO THE AGENDA TO REFLECT CONTINUING AGENDA ITEM 41 TO TUESDAY, JULY 25, 2006 AT 9:00 A.M., AND THE ITEM WILL REMAIN ON THE CONSENT AGENDA

Motion Withdrawn

AGENDA ITEM 41 WAS APPROVED ON THE CONSENT AGENDA WITH A CORRECTION TO THE RECOMMENDATION TO CONTINUE TO TUESDAY, JULY 25, 2006 AT 9:00 A.M.

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

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming July 16 through July 22, 2006, as Probation, Parole and Community Supervision Week in Kern County - PROCLAIMED; MADE PRESENTATION TO CHIEF PROBATION OFFICER JOHN ROBERTS; CHIEF ROBERTS HEARD AND ACKNOWLEDGED HIS STAFF

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

PUBLIC REQUESTS

- *2) Request from Tammy Burns, Child Care Facilitator, Kern County Child Care Council, to submit quarterly report - RECEIVED AND FILED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

APPOINTMENTS

- *3) Appointment of John F. Stovall (replacing Robert J. Noriega) as At-large Member to the Local Campaign Finance Hearing Panel, term to expire April 29, 2009 - MADE APPOINTMENT

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

PUBLIC PRESENTATIONS

- 4) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - BECKY KAISER HEARD REGARDING KERN COUNTY'S EMPLOYMENT ISSUES AND SUGGESTED ALTERNATIVE MODES OF EMPLOYMENT FOR CONSIDERATION. COUNTY ADMINISTRATIVE OFFICER, RON ERREA, IN CONJUNCTION WITH PERSONNEL, WILL REPORT BACK TO THE BOARD REGARDING CREATIVE EMPLOYMENT OPTIONS. MS. KAISER FURTHER DISCUSSED THE EMINENT DOMAIN ITEM TO BE HEARD IN THE AFTERNOON SESSION.

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 5) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - NO ONE HEARD

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *6) Proposed retroactive Agreement with Greater Bakersfield Legal Assistance, Inc. to provide Title IIIB legal services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$98,977 (prior notification June 27, 2006) (Fiscal Impact: Federal \$57,613; State \$1,095; County \$40,269; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 726-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *7) Proposed retroactive Agreement with Greater Bakersfield Legal Assistance, Inc. to provide Title IIIB and Title VII ombudsman services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$130,087 (prior notification June 27, 2006) (Fiscal Impact: Federal \$56,789; State \$73,298; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 727-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *8) Proposed retroactive Agreement with Valley Caregiver Resource Center to provide Title IIIB homemaker services in the Delano, Shafter, Wasco, and Tehachapi areas, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$21,150 (prior notification June 27, 2006) (Fiscal Impact: Federal \$1,942; State \$6,493; County \$12,715; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 728-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *9) Proposed retroactive Agreement with Valley Caregiver Resource Center to provide Title IIIB homemaker services in the Kern River Valley/Lake Isabella areas, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$10,801 (prior notification June 27, 2006) (Fiscal Impact: Federal \$10,397; State \$297; County \$107; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 729-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

ASSESSOR-RECORDER

- *10) Proposed addition of one (1) Fiscal Support Assistant position and deletion of one (1) Fiscal Support Technician position, effective July 18, 2006 (Fiscal Impact: Savings of \$12,045; Budgeted; Discretionary) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

AUDITOR-CONTROLLER-COUNTY CLERK

- *11) Resolution from the City of Taft requesting the Elections Official to conduct their Municipal election to be held November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *12) Resolution from the City of Ridgecrest requesting the Elections Official to conduct their Municipal election to be held November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *13) Resolution from the City of Shafter requesting the Elections Official to conduct their Municipal election to be held November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *14) Resolution from the City of Delano requesting the Elections Official to conduct their Municipal election to be held November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *15) Resolution from the City of Tehachapi requesting the Elections Official to conduct their Municipal election to be held November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *16) Resolution from the City of Wasco requesting the Elections Official to conduct their Municipal election to be held November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *17) Proposed Agreement with Hinderliter, de Llamas and Associates (HDL) for Sales and Use Tax Audit and Information Services, at a rate of 15% of all new sales/use tax revenues received as a result of their work (Fiscal Impact: No Net Impact) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 730-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *18) Proposed calculation of Proposition 4 Appropriations Limit for FY 2006-2007 by selection of the following factors: "change in California per capita personal income" and "change in population within the incorporated area of the County" (Fiscal Impact: None) - ESTABLISHED TUESDAY, AUGUST 15, 2006, AT 9:00 A.M. AS DATE AND TIME FOR ADOPTION OF PROPOSED FACTORS FOR CALCULATIONS OF APPROPRIATIONS LIMIT FOR FY 2006-2007

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

COUNTY COUNSEL

- *19) Proposed retroactive Agreements for insurance broker and consulting services with Walter Mortensen Insurance, from July 1, 2006 to June 30, 2007, in an amount not to exceed \$50,000, and with Hilb Rogal and Hobbs, from July 1, 2006 to June 30, 2007, in an amount not to exceed \$75,000 (Fiscal Impact: \$125,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 731-2006 AND 732-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

DISTRICT ATTORNEY

- *20) Request for authorization to submit grant application to the Governor's Office of Emergency Services for the 2006-2007 Central Valley Rural Crime Prevention Program (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-273 AUTHORIZING DISTRICT ATTORNEY TO SUBMIT GRANT APPLICATION AND EXECUTE ALL APPLICABLE DOCUMENTS; AUTHORIZED CHAIRMAN TO SIGN CERTIFICATION OF ASSURANCE OF COMPLIANCE

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *21) Request for approval of the Certification of Assurance of Compliance for the 2006-2007 Anti-Drug Abuse Enforcement Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *22) Request for approval of the Certification of Assurance of Compliance for the 2006-2007 Violence Against Women Vertical Prosecution Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *23) Request for approval of the Certification of Assurance of Compliance for the 2006-2007 Vertical Prosecution Block Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *24) Request for authorization to submit grant application to the California Department of Insurance for the Automobile Insurance Fraud Prevention Program for Fiscal Year 2006-2007 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-274 AUTHORIZING DISTRICT ATTORNEY TO SUBMIT GRANT APPLICATION AND EXECUTE ALL APPLICABLE DOCUMENTS

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

EMPLOYERS' TRAINING RESOURCE

- *25) Notification of anticipated retroactive Agreement with Tulare County Workforce Investment Board, Inc., for Nurse Workforce Initiative Grant Program (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *26) Notification of anticipated retroactive Agreement with La Cooperativa Campesina de California, for Dislocated Agricultural Worker Program (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *27) Proposed retroactive Agreement with West Side Regional Occupational Program to provide training, work readiness, drop-out prevention and employment activities for Workforce Investment Act-eligible youths, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$72,000 (prior notification June 27, 2006) (Fiscal Impact: \$72,000; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 733-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *28) Proposed retroactive Agreement with Proteus, Inc. to provide outreach, intake, training and placement activities for Workforce Investment Act-eligible customers, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$518,725 (prior notification June 27, 2006) (Fiscal Impact: \$518,725; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 734-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

FIRE DEPARTMENT

- *29) Request to employ retired County employee, Tom Pulcher, Fire Battalion Chief, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: Approximately \$44,600; Fire Fund; Budgeted; Discretionary) - APPROVED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

KERN MEDICAL CENTER

- *30) Notification of anticipated retroactive Agreement with AMN Healthcare, Inc., for temporary nurse staffing (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *31) Proposed changes in clinical privilege status for 23 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *32) Proposed retroactive changes in clinical privilege status for 20 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *33) Proposed Agreement with Todd A. Farrer, M.D., a contract employee, for medical services to psychiatric patients of KMC, from August 5, 2006 through August 4, 2008, in an amount not to exceed \$70,000 (Fiscal Impact: \$70,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 735-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *34) Proposed Agreement with Adam R. Klang, M.D., a contract employee, for medical services to psychiatric patients of KMC and as-needed medical coverage for inmates housed in detention facilities operated by the Kern County Sheriff's Department, from August 5, 2006 through August 4, 2008, in an amount not to exceed \$130,000 (Fiscal Impact: \$130,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 736-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *35) Proposed Agreement with Hansa M. Patel, M.D., a contract employee, for obstetric and gynecologic services, from August 3, 2006 through August 2, 2008, in an amount not to exceed \$386,128 (Fiscal Impact: \$386,128; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 737-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

MENTAL HEALTH SERVICES

- 36) Proposed retroactive Agreements with California State University, Bakersfield, and Kern Community College District, Bakersfield College, to assist in the management of department-awarded scholarship funds (no cost to County), from June 20, 2006 through June 30, 2007, and request to authorize Mental Health Department Director to award and execute nursing scholarship agreements in a total amount not to exceed \$120,000 (Fiscal Impact: \$120,000; MHSA Funding; Budgeted; Discretionary) - DR. TAI YOO, JOINT CHAIRMAN OF PSYCHIATRY FROM KERN MEDICAL CENTER AND KERN COUNTY MENTAL HEALTH, HEARD; DR. ELIZABETH ANDAL, PROFESSOR OF PSYCHIATRIC NURSING, CAL STATE BAKERSFIELD, AND JANET DOUCETTE, KERN COUNTY MENTAL HEALTH MEDICAL SERVICES, INTRODUCED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 738-2006 AND 739-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *37) Proposed Agreement with Carolyn Kellogg, to provide certification review hearing officer services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$8,000 (Fiscal Impact: \$8,000; State [Realignment], Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 740-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *38) Proposed retroactive sole source Agreement with United Way of Kern, Inc., to provide funding towards the cost of employing a collaborative coordinator to improve countywide services for homeless persons with serious mental or emotional problems, from July 5, 2006 through June 30, 2007 (Fiscal Impact: \$50,000; State-MHSA Housing Development Funding; Discretionary; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 741-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

PARKS AND RECREATION DEPARTMENT

- *39) Report regarding purchase of water through Buena Vista Water Storage District for the Buena Vista Aquatic Recreation Area for 2006, in the amount of \$240,000, as provided in Agreement 657-2005 (Fiscal Impact: \$240,000; Budgeted; Discretionary) - RECEIVED AND FILED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

PERSONNEL

- *40) Proposed Ordinance amending section 3.08.330 of Chapter 3.08, Title 3 of the Kern County Ordinance Code regarding demotions (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

PUBLIC HEALTH SERVICES

- *41) Proposed retroactive Agreement with Lost Hills Union School District for School-Based Medi-Cal Administrative Activities, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$30,000 (prior notification June 27, 2006) (Fiscal Impact: \$30,000; Not Budgeted; Discretionary) - CONTINUED TO TUESDAY, JULY 25, 2006 AT 9:00 A.M.

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *42) Proposed Agreement with American Academy of Pediatrics for Public Health nursing staff to serve as trainers for "Reducing the Risk of SIDS in Child Care Speakers Kit," from July 18, 2006 through December 31, 2006, in an amount not to exceed \$9,879 (Fiscal Impact: \$9,879 Revenue; Private Foundation Subcontract; Not Budgeted; Discretionary) - CONTINUED TO TUESDAY, JULY 25, 2006 AT 9:00 A.M.

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

- *43) Proposed retroactive Agreement with California Public Health Institute for training and identifying the availability and accessibility of healthy food in selected communities from May 1, 2006 through September 30, 2006, in an amount not to exceed \$16,000 (prior notification June 27, 2006) (Fiscal Impact: \$16,000; State; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 742-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

RETIREMENT ASSOCIATION

- *44) Notice of expiration of terms of office for the second and seventh member and seventh member alternate of the Board of Retirement - DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO CONDUCT ELECTION FOR TERMS OF OFFICE ENDING DECEMBER 31, 2009

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

TREASURER-TAX COLLECTOR

- *45) Proposed Resolution and Agreement with Arvin Community Redevelopment Agency for the sale of tax defaulted property in an amount not to exceed \$52,400 plus cost of giving notice (Fiscal Impact: \$52,400 Property Tax Revenue Recovery; Budgeted; Mandated) - APPROVED; ADOPTED RESOLUTION 2006-275; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 743-2006

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

ADJOURNED TO CLOSED SESSION

McQuiston

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 46) 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) -
- 47) Request for Closed Session regarding public employee recruitment - Title: Kern Medical Center Chief Executive Officer (Government Code Section 54957) -

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

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

McQuiston-Rubio

/s/ Mary Schilling
Deputy Clerk of the Board II

/s/ Barbara Patrick
Chairman, Board of Supervisors

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BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, July 18, 2006

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Rubio
ROLL CALL: 3 Present; 2 Absent - Maben, Watson

NOTE: CHAIRMAN PATRICK ACKNOWLEDGED THE PASSING OF JIM BURKE, A PROMINENT CITIZEN IN THE COMMUNITY AND NOTED THE GREAT CONTRIBUTIONS HE MADE TO KERN COUNTY, AND EXPRESSED THE BOARD'S SINCERE SYMPATHY TO MR. BURKE'S FAMILY AND FRIENDS

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]) - NO ONE HEARD

HEARINGS

RESOURCE MANAGEMENT AGENCY

Planning Department

- 3) **Request from John M. Rehkla by Donald E. Ward Engineering (original applicant) to appeal decision of the Advisory Agency denying his request of a development variation proposing deletion of Type A road improvements on ten (10) acres located on the northeast corner of Holiday Avenue and 57th Street West, Rosamond (SD #2)**

Specific Request:

An appeal to the decision of the Advisory Agency denying a development variation to the Land Division Ordinance for Parcel Map 11327 (disapproved June 7, 2006) proposing deletion of Type A road improvements (TPM #11327 Development Variation Only)

(General Rule, Section 15061(b)(3); Published Rosamond Weekly News) - AT REQUEST OF APPLICANT, CONTINUED TO TUESDAY, JULY 25, 2006, AT 2:00 P.M.

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Miscellaneous

S.D. #4

- *4) Request by Pamela Dunlap for Determination of Public Convenience for the issuance of an off-sale beer and wine liquor license at 310 North Lincoln Street, Taft, pursuant to the Alcohol Beverage Control Act, Section 23958, of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-276

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

S.D. #5

- *5) Request by Shakib Dashtipour for Determination of Public Convenience for the issuance of an off-sale beer and wine liquor license at 2801 Weedpatch Highway, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958, of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-277

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

RESOURCE MANAGEMENT AGENCY

Animal Control Services

All S.D.'s

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

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

S.D. #5

- *7) Proposed Agreement with Corporation for Better Housing to obligate \$500,000 in HOME Program funds for partial financing of Edison Village Apartments, Project No. 34.05.2 (Fiscal Impact: \$500,000; Home Investment Partnerships Program; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 744-2006; AUTHORIZED INTERIM DIRECTOR TO SIGN REQUIRED DOCUMENTS TO IMPLEMENT PROJECT, INCLUDING A DEED RESTRICTION AGREEMENT, A SECURITY AGREEMENT, ESCROW INSTRUCTIONS, SUBORDINATION AGREEMENTS, ASSIGNMENT AND ASSUMPTION AGREEMENTS, AND OTHER DOCUMENTS AS REQUIRED, ALL IN A FORM APPROVED BY COUNTY COUNSEL
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

RESOURCE MANAGEMENT AGENCY
Engineering and Survey Services

Hearing

All S.D.'s

- 8) Hearing on Fiscal Year 2006-2007 service charges for all County Service Areas (Fiscal Impact: \$4,203,050; CSA's; Budgeted; Mandated & Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED ASSESSMENTS AND FEES; ADOPTED RESOLUTION 2006-278 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT TO SET FEES FOR FISCAL YEAR 2006-2007; ENACTED ORDINANCE G-7425 ESTABLISHING COUNTY SERVICE AREA FEES FOR FISCAL YEAR 2006-2007; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson
- *9) Proposed Notary Public Commission for Alina Ales (Fiscal Impact: \$600; Code Compliance; Budgeted; Discretionary) - APPROVED; DESIGNATED DIRECTOR OF ENGINEERING & SURVEY SERVICES AS THE DULY AUTHORIZED REPRESENTATIVE OF THE COUNTY EMPOWERED TO CERTIFY THAT THE NOTARY PUBLIC COMMISSION IS SOUGHT FOR THE PURPOSE OF CONDUCTING OFFICIAL COUNTY BUSINESS; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D.'s #3 & #4

- 10) Request from City of Bakersfield for consent to acquire through eminent domain, pursuant to Streets and Highways Code Section 1810, four (4) properties necessary for the Westside Parkway project located at: a) the southwest corner of Rosedale Highway and Mohawk Street (APN 332-260-22); b) Mohawk Street, between Rosedale Highway and Langley Road (APN 332-260-27); c) Friant Kern Canal near Brimhall Road (APN 368-040-32); and d) 2349 Parker Lane (APN 332-270-21), all will remain subject to annual real property assessment until such time as they are annexed by the City of Bakersfield (Fiscal Impact: None) - APPROVED; CONSENTED TO USE OF EMINENT DOMAIN
McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

All S.D.'s

- *11) Proposed adoption of Annual Anticipated Disadvantaged Business Enterprise (DBE) Participation Level (AADPL) of 12% for the remainder of federal Fiscal Year 2005-2006 and for federal Fiscal Year 2006-2007 and proposed authorization for the Director of Roads to sign a DBE Program Race-Neutral Implementation Agreement and Program Plan (Fiscal Impact: None) - ADOPTED RESOLUTION 2006-279 APPROVING PROGRAM GOAL AND AUTHORIZING DIRECTOR TO SIGN
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

COUNTY ADMINISTRATIVE OFFICE

- *12) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 504, Local Agency Formation Commission (LAFCO) Proceeding No. 1464 (Fiscal Impact: FY 2007-2008 \$10 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-280
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

- *13) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 516, Local Agency Formation Commission (LAFCO) Proceeding No. 1462 (Fiscal Impact: FY 2007-2008 \$121 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-281
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

- *14) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 524, Local Agency Formation Commission (LAFCO) Proceeding No. 1465 (Fiscal Impact: FY 2007-2008 \$155 General Fund; \$121 Fire Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-282
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

- *15) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 534, Local Agency Formation Commission (LAFCO) Proceeding No. 1466 (Fiscal Impact: FY 2007-2008 \$124 General Fund; \$88 Fire Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-283
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

- *16) Proposed Resolution providing for inclusion of unincorporated territory within the proposed City of Delano Enterprise Zone boundary (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-284
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #3

- *17) Plans and specifications for William M. Thomas Terminal Water Line (8994.8413) (Fiscal Impact: \$471,778; Airport Enterprise; Budgeted; Discretionary) - CONTINUED TO TUESDAY, JULY 25, 2006, AT 2:00 P.M.
Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

- 18) Report on the status of the International Terminal (Fiscal Impact: None) - RECEIVED AND FILED

McQuiston-Rubio: 3 Ayes; 2 Absent - Maben, Watson

S.D. #4

- *19) Proposed Agreement for Lease with Cal Stock Partnership for 5121 Stockdale Highway, Suite 150, for additional office space for Mental Health Department (Fiscal Impact: \$23,487 Monthly Rent; 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 745-2006

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

All S.D.'s

- *20) Request to authorize Purchasing Agent to issue purchase order to Solutionz Videoconferencing, Inc., for equipment and installation at twenty five (25) locations for the Mental Health Department (Fiscal Impact: \$253,084; General Fund; Budgeted; Discretionary) - APPROVED

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

MATTERS FOR EXECUTIVE APPROVAL

- *21) Minutes for week of June 12, 2006 - APPROVED WITH CORRECTION TO ITEM NO. 9 A.M. TO ADD "**AGREEMENT 636-2006**"; AND TO ITEM NO. 15 P.M. TO DELETE THE WORDING "**AND ENACTED ORDINANCE G-7414**"

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

- *22) Miscellaneous Letters and Documents - APPROVED

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

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

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

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

Rubio-McQuiston: 3 Ayes; 2 Absent - Maben, Watson

ADJOURNED TO TUESDAY, JULY 25, 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.

22) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Assessor-Recorder

- A) Response to 2005-2006 Grand Jury report re the Assessor's Department (Copies to each Supervisor and CAO)
- B) Response to 2005-2006 Grand Jury report re the Recorder's Department (Copies to each Supervisor and CAO)

Auditor-Controller-County Clerk

- C) Recovery of Local Agency Formation Commission (LAFCO) operating costs for Fiscal Year 2006-2007

Board of Supervisors

- D) Letter from Chairman Barbara Patrick to William M. Thomas and Jim Costa, U.S. Representatives, re opposition to the Fiscal Year 2007 Labor-HHS-Education appropriations bill provision rescinding \$325,000,000 in Workforce Investment Act (WIA) funds for Fiscal Year 2006

Clerk of the Board

- E) Monthly Referral Report for June 2006
- F) Received, certified and transmitted to Recorder for recordation as follows:

1) Parcel Map 11107 S.D. #2

Community & Economic Development

- G) County Loan Agreement, HOME Investment Partnership Program, Owner Reconstruction Program, with Debra Ann Springer

Local Agency Formation Commission

- H) Notice of Hearing, Proceeding No. 1443, in the matter of City of Wasco, Annexation No. 37 (Copies to each Supervisor, CAO and Resource Management Agency)
- I) Notice of Protest Hearing, Proceeding No. 1435, in the matter of City of Delano, Annexation No. 43 (Copies to each Supervisor, CAO and Resource Management Agency)
- J) Notice of Hearing, Proceeding No. 1439, in the matter of City of Bakersfield, Annexation No. 481, Panama No. 16 (Copies to each Supervisor, CAO and Resource Management Agency)
- K) Notice of Protest Hearing, Proceeding No. 1438, in the matter of City of Bakersfield, Annexation No. 487, Madison No. 2 (Copies to each Supervisor, CAO and Resource Management Agency)

Sheriff

- L) Response to 2005-2006 Grand Jury report re Lerdo Detention Facilities (Copies to each Supervisor and CAO)

Miscellaneous

- M) Letter from Linda King, Department of Health Services, re notice of Public Health audit of Contract No. 03-75908, for period April 1, 2005 through March 31, 2006 (Copies to each Supervisor, CAO and Public Health)

- N) Letter from Darlene Liesch, University of California, Agriculture & Natural Resources, re article written by Farm Advisor Blake Sanden (Copies to each Supervisor and CAO)
- O) Letter from Karma Hackney, Governor's Office of Emergency Services, re U.S. Department of Agriculture's granting a Secretarial disaster designation for the counties of Alameda, Amador, Butte, Calaveras, Contra Costa, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Madera, Mendocino, Merced, Nevada, Plumas, Sacramento, San Joaquin, San Mateo, Shasta, Sierra, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Yolo and Yuba, and the contiguous counties of Alpine, Colusa, Del Norte, Inyo, Kern, Lassen, Marin, Mariposa, Modoc, Mono, Monterey, Napa, Placer, San Benito, San Francisco, San Luis Obispo, Santa Clara, Santa Cruz, Siskiyou, Trinity and Tuolumne due to agriculture losses caused by unprecedented rainfall and severe weather conditions from December 17, 2005 through April 26, 2006 (Copies to each Supervisor, CAO, Agricultural Commissioner and County Counsel)
- P) Letter from Bill Campbell, Chairman, Orange County Board of Supervisors, urging support of amendments to Voting Rights Act of 1965 re bilingual voting materials (Copies to each Supervisor, CAO and Elections)
- Q) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from: Togs, 15782 Caliente Creek Road, Caliente; and River & Wine, 2800 River Boulevard, Bakersfield (Copies to each Supervisor, CAO and Planning)
- R) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, July 13, 2006
- S) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, June 8, 2006
- 23) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from Vickie Hight, City of Wasco, re Resolution 2006-2328 requesting Board of Supervisors to render specified services to the City of Wasco relating to conducting a General Municipal Election on Tuesday, November 7, 2006 - REFERRED TO ELECTIONS
- B) Letter from Bernard J. Herman, Bakersfield Museum of Art, re donation to support museum programs - REFERRED TO FISCAL YEAR 2006-2007 BUDGET FILE (Copies to each Supervisor and CAO)
- 24) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Kimberly VanWorth by and through her Guardian Ad Litem Debra Young vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- B) Claim in the matter of Dori Ross vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Clemente V. Ramos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Janie Cantu vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Roxanne Fowler and Angel Lopez Bravo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of David F. Jadwin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Edwin Davenport vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)