

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

KERN MEDICAL CENTER  
1830 Flower Street  
Conference Room  
Bakersfield, California

Regular Meeting  
Monday, August 14, 2006

2:00 P.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: 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!  
- 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 PATRICK INTRODUCED AND WELCOMED THE NEW CHIEF FINANCIAL OFFICER TO KERN MEDICAL CENTER, KENT JOHNSON

DEPARTMENTAL REQUESTS

KERN MEDICAL CENTER

- 3) Update report regarding Kern Medical Center's financial condition (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-Watson: All Ayes**
  
- \*4) Monthly report from County Administrative Office regarding Kern Medical Center's General Fund loan (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-McQuiston: All Ayes**
  
- 5) Response to referral clarifying items included in balance owed to General Fund from Kern Medical Center Enterprise Fund (Fiscal Impact: None) - REFERRED TO COUNTY ADMINISTRATIVE OFFICE TO REPORT BACK TO THE BOARD AT BUDGET HEARINGS REGARDING AN ADDITIONAL CONTRIBUTION OF \$160,000 TO THE ENTERPRISE FUND; RECEIVED AND FILED  
**Watson-McQuiston: All Ayes**
  
- \*6) Response to referral regarding Nurse staffing at the Lerdo Jail facility (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-McQuiston: All Ayes**
  
- \*7) Notification of issuance of a Request for Proposal for anesthesia services (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-McQuiston: All Ayes**
  
- \*8) Proposed changes in clinical privilege status for 34 members of Kern Medical Center's Medical Staff (Fiscal Impact: None) - APPROVED  
**Maben-McQuiston: All Ayes**
  
- \*9) Proposed Amendment No. 2 to Agreement 351-2005 with HealthCare Connections, Inc., an independent contractor, providing temporary staffing for the laboratory specialties of clinical laboratory scientist and medical laboratory technician, to increase the maximum payable by \$436,800 from \$873,600 to \$1,310,000 (Fiscal Impact: \$436,800; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 762-2006  
**Maben-McQuiston: All Ayes**
  
- 10) Proposed Agreement with Clinica Sierra Vista, an independent contractor, to provide patient coverage and consultative services for pediatric patients of CSV that receive inpatient treatment at KMC, from August 14, 2006 through August 13, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 763-2006  
**Watson-Rubio: All Ayes**

- \*11) Proposed Amendment No. 1 to Agreement 442-2006 with Jackson & Coker Locum Tenens, LLC, an independent contractor, reflecting the addition of temporary radiology staffing and rate schedule (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 764-2006

**Maben-McQuiston: All Ayes**

- \*12) Proposed Amendment No. 1 to Agreement 856-2005 with Albert Y. Ma, M.D., a contract employee, reflecting his appointment to the position of associate program director of the psychiatry residency-training program, increasing his annual compensation by \$5,000, to \$190,000, increasing the total not to exceed by \$21,000 to \$1,021,000 and revising the job description (Fiscal Impact: \$21,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 765-2006

**Maben-McQuiston: All Ayes**

- \*13) Proposed Agreement with Antonia C. Chalmers, M.D., an independent contractor, for neurology services, from September 11, 2006 through September 10, 2008, in an amount not to exceed \$400,000 (Fiscal Impact: \$400,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 766-2006

**Maben-McQuiston: All Ayes**

- 14) Proposed retroactive Agreement with Paramvir S. Rahal, M.D., Inc., dba Advanced Gastroenterology Medical Associates, an independent contractor, for gastroenterology services, from July 29, 2006 through July 28, 2008, in an amount not to exceed \$768,000 (prior notification July 25, 2006) (Fiscal Impact: \$768,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 767-2006

**Watson-Maben: All Ayes**

ADJOURNED TO TUESDAY, AUGUST 15, 2006, AT 9:00 A.M.

**Watson**

/s/ Mary Schilling  
Deputy 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, August 15, 2006

9:00 A.M.

BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Rubio

Supervisor Rubio acknowledged Robert Hawkes, new appointee to the Behavioral Health Board

NOTE: 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 (\*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

#### RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring and commending Deputy Chief Kevin H. Scott upon his retirement with 30 years of service to the Kern County Fire Department - ADOPTED RESOLUTION; MADE PRESENTATION TO KEVIN SCOTT; KEVIN SCOTT AND DEPUTY CHIEF ROBERT KLINOFF HEARD

**Watson-McQuiston: All Ayes**

- 2) Certificates of Recognition recognizing participants in the National History Day Competition - MADE PRESENTATIONS TO FRUITVALE JUNIOR HIGH SCHOOL JUNIOR GROUP PERFORMANCE MEMBERS JAMES DILLER, BREANN DOERING, LINDSEY HATCHER, MARIEL HEISS, LAURA WILSON; DOUG WILSON, COACH (CERTIFICATE PRESENTED TO MR. WILSON'S DAUGHTER); FRUITVALE JUNIOR HIGH SCHOOL JUNIOR GROUP EXHIBIT MEMBERS KASADI COLE, ROCIO CRUZ, BRANDON LOUEY; SUSAN REEP, TEACHER AND COACH; JOHN HEFNER, PRINCIPAL; TAYLOR BARNES, BAKERSFIELD HIGH SCHOOL, SENIOR INDIVIDUAL DOCUMENTARY MEMBER AND KRISTEN BARNES, BAKERSFIELD HIGH SCHOOL COACH; LAURA WILSON, JAMES DILLER, BRANDON LOUEY, SUSAN REEP, JOHN HEFNER AND TAYLOR BARNES HEARD

PUBLIC REQUESTS

- 3) Request of Scott Robinson, Pine Mountain Club, to address the Board regarding ambulance and firefighting service in the Frazier Park/Pine Mountain areas - SCOTT ROBINSON HEARD

APPOINTMENTS

- \*4) Appointment of Robert William Hawkes, Jr., as Fifth District Member to the Behavioral Health Board, term to expire December 31, 2008 - MADE APPOINTMENT

**McQuiston-Watson: All Ayes**

- \*5) Reappointment of Herminia Damo as Second District Consumer Member to the In-Home Supportive Services (IHSS) Advisory Committee, term to expire June 30, 2008 - MADE REAPPOINTMENT

**McQuiston-Watson: All Ayes**

- \*6) Reappointments to Kern Health Systems, Inc., Board of Directors of Wagih Michael, Safety Net Care Provider; Ray Hino, Non-Kern Medical Center Representative; and Greg Gallion, Consumer Representative, terms to expire June 30, 2007; Idalia Ablin, Nurse Representative; Margo Arnold, Public Policy Committee Chairperson; and Kyle Terry, Primary Care Non-metropolitan Bakersfield Representative, terms to expire June 30, 2008; Ed Brown, Primary Care Metropolitan Bakersfield Representative; and Brian Komoto, Pharmacist Representative, terms to expire June 30, 2009 - MADE REAPPOINTMENTS

**McQuiston-Watson: All Ayes**

- \*7) Reappointments of Aaron Clemon Flucker as At-large Commission on Aging Member, and Jerry Nikkel as At-large Care Provider Member, to the In-Home Supportive Services (IHSS) Advisory Committee, terms to expire June 30, 2008 - MADE REAPPOINTMENTS

**McQuiston-Watson: All Ayes**

PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*10) Proposed retroactive Agreement with North of the River Recreation and Park District for nutrition services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$287,857 (prior notification June 27, 2006) (Fiscal Impact: Federal \$215,955; State \$4,939; County \$66,963; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 768-2006

**McQuiston-Watson: All Ayes**

- \*11) Proposed retroactive Agreement with North of the River Recreation and Park District for homemaker services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$70,617 (prior notification June 27, 2006) (Fiscal Impact: Federal \$24,768; State \$16,716; County \$29,133; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 769-2006

**McQuiston-Watson: All Ayes**

- \*12) Proposed retroactive Agreement with Alzheimer's Disease Association of Kern County to provide adult day care services for the Multipurpose Senior Services Program, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$50,000 (prior notification June 27, 2006) (Fiscal Impact: \$50,000; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 770-2006

**McQuiston-Watson: All Ayes**

- \*13) Proposed retroactive Agreement with the City of Delano for nutrition services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$168,291 (prior notification June 27, 2006) (Fiscal Impact: Federal \$124,242; State \$3,600; County \$40,449; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 771-2006

**McQuiston-Watson: All Ayes**

AGRICULTURE AND MEASUREMENT STANDARDS

- \*14) Notification of retroactive Agreements with California Department of Food and Agriculture for Fruit and Vegetable Quality Control Inspections and California Organic Program (Fiscal Impact: None) - RECEIVED AND FILED

**McQuiston-Watson: All Ayes**

- \*15) Request to employ retired County employee, Socorro Cervantes, as an Agricultural/Weights & Measures Technician-Extra Help, 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: \$11,900; Budgeted; Mandated) - APPROVED

**McQuiston-Watson: All Ayes**

AIRPORTS

- \*16) Proposed Amended Conflict of Interest Code for the Department of Airports (Fiscal Impact: None) - APPROVED

**McQuiston-Watson: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*17) Proposed calculation of Proposition 4 Appropriations Limit for FY 2006-2007 by selection of change in California per capita personal income in determining the FY 2006-2007 Appropriations Limit and selection of the change in population within the incorporated area of the County as the population factor and setting Proposition 4 Appropriations Limit for FY 2006-2007 for Kern County at \$653,539,377 (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-293

**McQuiston-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- 18) Report on Proclamation of Heat-Related Local Emergency, July 28, 2006 to August 4, 2006 - DEBBIE STEVENSON, DIRECTOR, AGING AND ADULT SERVICES; DR. B. A. JINADU, PUBLIC HEALTH OFFICER; DIANE KODITEK, DIRECTOR, MENTAL HEALTH DEPARTMENT; CHRISTOPHER SPEER, SHERIFF'S CORONER DIVISION; DAVID MOORE, DIRECTOR, AGRICULTURE AND MEASUREMENT STANDARDS; BETSY HUNTER, MILK PRODUCERS COUNCIL; RALPH TE VELDE, WESTERN UNITED DAIRYMAN; DAPHNE HARLEY, DIRECTOR, WASTE MANAGEMENT DEPARTMENT; CANDACE GIBSON, HUMAN SERVICES DEPARTMENT; ROSS ELLIOTT, DIRECTOR, EMERGENCY MEDICAL SERVICES DEPARTMENT; BOB LERUDE, DIRECTOR, PARKS AND RECREATION DEPARTMENT; CHIEF DEPUTY ROBERT KLINOFF, FIRE DEPARTMENT, AND HARVEY HALL, MAYOR, CITY OF BAKERSFIELD HEARD; RECEIVED AND FILED

**McQuiston-Maben: All Ayes**

COUNTY COUNSEL

- \*19) Request to employ retired County employee, Robert Woods, as a Chief Deputy County Counsel, 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: \$40,000; Budgeted; Discretionary)- APPROVED

**McQuiston-Watson: All Ayes**

- \*20) Resolution authorizing the issuance and sale of Kernville Union School District General Obligation Bonds, Election of 2004, Series 2006B in the aggregate principal amount not to exceed \$1,500,000, and providing authorization to the County Treasurer-Tax Collector to execute the Contract of Purchase Relating Thereto (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-294

**McQuiston-Watson: All Ayes**

- \*21) Resolution authorizing the issuance and sale of bonds of the Kern Community College Safety, Repair and Improvement District of the Kern Community College District, election of 2002, Series 2006, in the aggregate principal amount not exceed \$50,000,000, and providing authorization to the County Treasurer-Tax Collector to execute the Contract of Purchase Relating Thereto (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-295

**McQuiston-Watson: All Ayes**

- \*22) Proposed Ordinance rescinding Section 10.04.678 and adding Section 10.04.227 to chapter 10.04, Title 10 of the Kern County Ordinance Code establishing a 35-miles-per-hour speed limit on Seventh Standard Road (Fiscal Impact: None) - WAIVED READING; INTRODUCED ORDINANCE

**McQuiston-Watson: All Ayes**

- \*23) Request of Kern County Public Health 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 Kern County Department of Human Services 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) Request of Sheriff's 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**

NOTE: ITEM 32 HEARD PRIOR TO ITEM 26

EMERGENCY MEDICAL SERVICES

- 26) Proposed Ordinance repealing Chapter 8.12 of the Kern County Ordinance Code and adding a new Chapter 8.12 regarding ambulance services to create exclusive operating areas for ambulance service and replace the ambulance permit process with performance contracts (Fiscal Impact: None) - HARVEY HALL, HALL AMBULANCE; GENE TACKETT, REPRESENTING CARE AMBULANCE; MICHAEL TURNIPSEED, KERN COUNTY TAXPAYER'S ASSOCIATION; AND CHIEF DEPUTY ROBERT KLINOFF, KERN COUNTY FIRE DEPARTMENT, HEARD; WAIVED READING; INTRODUCED ORDINANCE AS AMENDED; DIRECTED COUNTY COUNSEL TO PREPARE A FAIR AND ACCURATE SUMMARY; DIRECTED CLERK OF THE BOARD TO PUBLISH

**Maben-Watson: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*27) Unusual travel request for Ann Batchelder to attend the Association of Farmworker Opportunity Programs' Board of Directors meeting and conference in Arlington, VA, from September 8, 2006 through September 14, 2006, at an estimated cost of \$2,734 (Fiscal Impact: \$2,734 estimated; Budgeted; Discretionary) - APPROVED

**McQuiston-Watson: All Ayes**

- \*28) Proposed Amendment No. 1 to Agreement 120-2006 with ARBOR E&T for the California Work Opportunity and Responsibility to Kids Program, to increase funding by \$116,809, for a new funding level in an amount not to exceed \$244,209 (Fiscal Impact: \$116,809; State Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 772-2006

**McQuiston-Watson: All Ayes**

- \*29) Proposed retroactive Agreement with ARBOR E&T, LLC, to provide comprehensive educational and employment readiness activities for in and out-of-school youths eligible under the Workforce Investment Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$214,115 (prior notification June 27, 2006) (Fiscal Impact: \$214,115; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 773-2006

**McQuiston-Watson: All Ayes**

- \*30) Proposed retroactive Agreement with California State University, Bakersfield, to provide training and employment activities for youths and migrant and seasonal farm workers eligible under the Workforce Investment Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$240,375 (prior notification June 27, 2006) (Fiscal Impact: \$240,375; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 774-2006

**McQuiston-Watson: All Ayes**

- \*31) Proposed retroactive Agreement with Kern County Superintendent of Schools, Community Connection for Child Care, to provide child care referral services to customers eligible under the Workforce Investment Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$205,865 (prior notification June 27, 2006) (Fiscal Impact: \$205,865; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 775-2006

**McQuiston-Watson: All Ayes**

NOTE: ITEM 32 HEARD PRIOR TO ITEM 26

- 32) Proposed retroactive Agreement with Goodwill Industries of South Central California, to provide training and employment services to adults and older youths eligible under the Workforce Investment Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$90,307 (prior notification June 27, 2006) (Fiscal Impact: \$90,307; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 776-2006

**Maben-Watson: 4 Ayes; 1 Abstain: Patrick**

- \*33) Proposed retroactive Agreement with Delano Joint Union High School District, to provide training, work readiness, dropout prevention and employment activities for youths eligible under the Workforce Investment Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$103,591 (prior notification June 27, 2006) (Fiscal Impact: \$103,591; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 777-2006

**McQuiston-Watson: All Ayes**

- \*34) Proposed retroactive Agreement with Kern County Superintendent of Schools to provide training, work readiness, dropout prevention and employment activities for youths eligible under the Workforce Investment Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$149,904 (prior notification June 27, 2006) (Fiscal Impact: \$149,904; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 778-2006

**McQuiston-Watson: All Ayes**

FIRE DEPARTMENT

- 35) Request for continuance of response to Board referral to evaluate the disparities and inequities that exist relative to redevelopment agency Agreements similar to methodology used for city fire contracts (Fiscal Impact: None) - APPROVED; CONTINUED TO TUESDAY, SEPTEMBER 12, 2006 AT 9:00 A.M.

**Rubio-Maben: All Ayes**

MENTAL HEALTH SERVICES

- \*36) Proposed Agreement with Walter S. Nicholas, LCSW, to provide specialized mental health services for adults in the Bakersfield area, from August 15, 2006 through June 30, 2007, in an amount not to exceed \$46,080 (Fiscal Impact: \$46,080; Medi-Cal and State Realignment Funds; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 779-2006

**McQuiston-Watson: All Ayes**

- \*37) Proposed sole source Agreement with Community Action Partnership of Kern, to provide gap construction financing services for the Desert Willows Apartment Housing Development, from August 15, 2006 through June 30, 2007, in an amount not to exceed \$50,000 (Fiscal Impact: \$50,000; MHSA Housing Development Funding; Budgeted; Discretionary)- APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 780-2006

**McQuiston-Watson: All Ayes**

- \*38) Proposed correction to Summary of Proceedings of May 30, 2006, Agenda Item AM 25, relating to Agreement 446-2006 with Benjamin Aleshire, to correct the term of the Agreement from July 1, 2006 through June 30, 2007, to July 31, 2006 through July 28, 2007 (Fiscal Impact: None) - APPROVED

**McQuiston-Watson: All Ayes**

- \*39) Proposed relief from accountability of patient accounts totaling \$94,985.17 (Fiscal Impact: \$94,985.17; Realignment; Not Budgeted; Discretionary) - APPROVED

**McQuiston-Watson: All Ayes**

- \*40) Proposed approval of FY 2006-2007 County Work Plan for continuation of the Substance Abuse Crime Prevention Act of 2000 (Proposition 36) (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-296

**McQuiston-Watson: All Ayes**

- \*41) Proposed authorization to designate specified individuals to initiate application for evaluation and involuntary detention for mentally disordered individuals per Welfare and Institutions Code, Section 5150 (Fiscal Impact: None) - APPROVED

**McQuiston-Watson: All Ayes**

PUBLIC HEALTH SERVICES

- \*42) Proposed Agreement with California Department of Health Services Nutrition Network for Healthy Active Families Local Incentive Award Program, from October 1, 2006 through September 30, 2009, in an amount not to exceed \$794,718 (Fiscal Impact: \$794,718; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 781-2006

**McQuiston-Watson: All Ayes**

- \*43) Proposed Amendment No. 1 to Agreement 209-2006 with Clinica Sierra Vista for Ryan White Care Act Title II Funds, modifying the maximum compensation to \$106,770 from \$113,012, reflecting a decrease of \$6,242 due to insufficient appropriation of funds (Fiscal Impact: -\$6,242; Federal Grant; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 782-2006

**McQuiston-Watson: All Ayes**

- \*44) Proposed retroactive Agreement with Ridgecrest Community Health Center for Clinical Services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$2,500 (Fiscal Impact: \$2,500; State Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 783-2006

**McQuiston-Watson: All Ayes**

- \*45) Request for approval of Department of Public Health's Children's Medical Services (CMS) Plan and budgets for Child Health and Disability Prevention (CHDP) and California Children Services (CCS) for Fiscal Year 2006-2007 (Fiscal Impact: \$8,048,999; \$7,730,815 State/Federal; \$318,184 County; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 784-2006

**McQuiston-Watson: All Ayes**

- \*46) Request to accept from the California Department of Health Services, Tobacco Control Section, \$180,608 for local assistance to support tobacco control activities for Fiscal Year 2006-2007 (Fiscal Impact \$180,608; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN RELATED DOCUMENTS

**McQuiston-Watson: All Ayes**

- \*47) Unusual travel request for B. A. Jinadu, M.D., MPH, Director of Public Health Services, to attend the Continuing Education Program of the California Conference of Local Health Officers Fall Semiannual Meeting, to be held in San Diego with a one day trip to Tijuana, Mexico, from October 18 through October 20, 2006, in an amount not to exceed \$2,500 - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**McQuiston-Watson: All Ayes**

- \*48) Proposed retroactive Agreement with American Academy of Pediatrics for reducing the risk of SIDS in child care, from July 18, 2006 through December 31, 2006, in an amount not to exceed \$9,879 (from 7/18/2006 and 7/25/2006) (Fiscal Impact: \$9,879 Revenue; Private Foundation Subcontract; Not Budgeted; Discretionary) - WITHDRAWN

**McQuiston-Watson: All Ayes**

SHERIFF

- \*49) Proposed Agreement with the 15th District Agricultural Association for law enforcement services (Deputy Sheriffs) at the 2006 Kern County Fair, from September 20, 2006 through October 1, 2006, in an amount not to exceed \$133,522.85 (Fiscal Impact: \$133,522.85; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 785-2006

**McQuiston-Watson: All Ayes**

- \*50) Proposed Agreement with the 15th District Agricultural Association and the Kern County Sheriff's Reserves for law enforcement services at the 2006 Kern County Fair, from September 20, 2006 through October 1, 2006, in an amount not to exceed \$37,800 (Fiscal Impact: \$37,800; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 786-2006

**McQuiston-Watson: All Ayes**

- \*51) Proposed Agreement with the 15th District Agricultural Association and the Kern County Sheriff's Citizen Service Unit for law enforcement services at the 2006 Kern County Fair, from September 20, 2006 through October 1, 2006, in an amount not to exceed \$2,500 (Fiscal Impact: \$2,500; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 787-2006

**McQuiston-Watson: All Ayes**

- \*52) Proposed Agreement with the 15th District Agricultural Association and the Kern County Sheriff's Explorers for law enforcement services at the 2006 Kern County Fair, from September 20, 2006 through October 1, 2006, in an amount not to exceed \$3,000 (Fiscal Impact: \$3,000; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 788-2006

**McQuiston-Watson: All Ayes**

- \*53) Proposed Annual Certification Report to Department of Justice for property and funds received for Fiscal Year 2005-2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**McQuiston-Watson: All Ayes**

- \*54) Proposed Agreement with U.S. Department of Agriculture - Forest Service for law enforcement support (Fiscal Impact: \$30,000; Budgeted; Discretionary) - APPROVED THE 2006-2007 OPERATING AND FINANCIAL PLAN FOR VEHICULAR PATROL ON FOREST SERVICE LANDS, FROM OCTOBER 1, 2006 TO SEPTEMBER 30, 2007, IN AN AMOUNT NOT TO EXCEED \$20,000; APPROVED THE 2006 OPERATING AND FINANCIAL PLAN FOR CONTROLLED SUBSTANCES FROM OCTOBER 1, 2006 TO SEPTEMBER 30, 2007, IN AN AMOUNT NOT TO EXCEED \$10,000; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 789-2006

**McQuiston-Watson: All Ayes**

- \*55) Proposed retroactive approval of a sole source contract with Dr. Lee Bockhacker for forensic pathologist services, from August 1, 2006 through October 31, 2006, in an amount not to exceed \$36,000 (Fiscal Impact: \$36,000 FY 2006-07; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 790-2006; AUTHORIZED SHERIFF-CORONER TO RENEW THE CONTRACT FOR ADDITIONAL 90 DAY PERIODS THROUGH JUNE 30, 2007

**McQuiston-Watson: All Ayes**

- \*56) Request to employ retired County employee, Glenda Wigginton, as an Office Services Technician, 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: \$14,093; Budgeted; Discretionary) - APPROVED

**McQuiston-Watson: All Ayes**

- \*57) Unusual travel request for Jeff Huot to attend SANS Network Sec: Assessing and Securing Wireless Networks training course in Las Vegas, Nevada, from October 1, 2006 to October 7, 2006, in an amount not to exceed \$5,045 (Fiscal Impact: \$5,045; Budgeted; Discretionary) - APPROVED

**McQuiston-Watson: All Ayes**

- \*58) Unusual travel request for Crime Prevention Specialists, Sara Bell and Cindy Racicot, to attend Basic Crime Prevention training in Sacramento, California, from October 8, 2006 to October 20, 2006, in an amount not to exceed \$3,144.50 each (Fiscal Impact: \$6,289; Budgeted; Discretionary) - APPROVED

**McQuiston-Watson: All Ayes**

- \*59) Application to hold a biking event - Kern Wheelman Bicycle Club on September 14, 2006 (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE EVENT WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER EVENTS PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE EVENT; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**McQuiston-Watson: All Ayes**

- \*60) Application to hold a parade - Annual Fall Farm Festival - Buttonwillow Chamber of Commerce and Agriculture on September 16, 2006, in Buttonwillow, California (Fiscal Impact: None) - FOUND THAT THE SHERIFF HAS NOTED HIS APPROVAL ON THE PERMIT AND THAT THE PARADE WILL NOT RESULT IN THE UNDUE OR UNMANAGEABLE OBSTRUCTION OR HINDRANCE OF TRAFFIC ON THE HIGHWAY WHERE IT IS TO BE HELD; WILL NOT LEAD TO BREACH OF THE PEACE, PROPERTY DAMAGE, OR OTHER DISORDERLY OR UNLAWFUL CONDUCT; WILL NOT CONFLICT WITH OTHER PARADES PREVIOUSLY GRANTED PERMITS, AND THAT THE SHERIFF HAS FACILITIES TO PROPERLY SUPERVISE THE PARADE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**McQuiston-Watson: All Ayes**

- \*61) Proposed Amendment No. 9 to Agreement 334-99 with Canteen Correctional Services, a division of Compass Group USA, Inc., to adjust inmate meal price for Fiscal Year 2006-2007 by \$.033977 per meal (a 3% increase) and increase the maximum amount payable to \$3,452,052 (Fiscal Impact: Adjusted Increase \$96,350; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 791-2006

**McQuiston-Watson: All Ayes**

- \*62) Proposed retroactive Agreement with Superior Court of California, County of Kern, to provide security services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$8,907,846 (Fiscal Impact: \$8,907,946; Court; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 792-2006

**McQuiston-Watson: All Ayes**

TREASURER-TAX COLLECTOR

- \*63) Proposed Resolution and Agreement with City of Taft for sale of tax-defaulted property, in an amount not to exceed \$600 plus the cost of giving notice (Fiscal Impact: \$600 Property Tax Revenue Recovery; Budgeted; Mandatory) - APPROVED; ADOPTED RESOLUTION 2006-297; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 793-2006

**McQuiston-Watson: All Ayes**

- \*64) Proposed Resolution and Agreement with Bakersfield Redevelopment Agency for sale of tax-defaulted property, in an amount not to exceed \$66,900 plus the cost of giving notice (Fiscal Impact: \$66,900 Property Tax Revenue Recovery; Budgeted; Mandatory) - APPROVED; ADOPTED RESOLUTION 2006-298; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 794-2006

**McQuiston-Watson: All Ayes**

ADJOURNED TO CLOSED SESSION

**Watson**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 65) 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) -
- 66) Request for Closed Session regarding public employee recruitment - Title: Kern Medical Center Chief Executive Officer (Government Code Section 54957) -
- 67) Request for Closed Session regarding conference with Real Property Negotiators regarding terms and conditions of the renewal of the Lease of County Property at Poso Airport to Sun-Gro Commodities, Inc. (Government Code Section 54956.8) -
- 67A) Results of Closed Session regarding conference with Real Property Negotiators regarding terms and conditions of the renewal of the Lease of County Property at Poso Airport to Sun-Gro Commodities, Inc. (Government Code Section 54956.8) - CONTINUED TO TUESDAY, AUGUST 22, 2006 AT 9:00 A.M.

COUNTY COUNSEL

- 68) Request for Closed Session regarding a lawsuit entitled James Woodrow Moore v. County of Kern, USDC(E) Case No. CIV F 05 01115 AWI LJO (Government Code Section 54956.9(a)) -
- 69) Request for Closed Session regarding a determination of whether the County will initiate or intervene in litigation (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.

**Maben-Rubio**

/s/ Mary Schilling  
Deputy 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, August 15, 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 REQUESTS

- 1) Request from Taxpayers for Responsible & Ethical Animal Treatment (TREAT), in conjunction with Animal Friends Rescue Project (AFRP), to present mandatory spay/neuter ordinance proposal - MARILYN STEWART, TREAT; FLORENCE DUNAGAN; CONNIE BALDEN; KAREN ANDERSON; BARBARA LEE; KATHY HONAKER; JOAN PEYTON; DAWN THOMPSON; MARJORIE BLAKE; SUSAN BENNETT, SPAY/NEUTER DIRECTOR, KERN HUMANE SOCIETY; DEBORAH MCGRAW, ANIMAL FRIENDS RESCUE PROJECT; VERA EDWARDS, TREAT BOARD MEMBER; KATHRYN DAVIS; CHRISTINE MEANS; AND EDWARD RAYMOND, HEARD; REFERRED TO ANIMAL CONTROL COMMISSION TO REVIEW PROPOSAL AND REPORT BACK TO THE BOARD; RECEIVED AND FILED DOCUMENTS

**Maben-Rubio: All Ayes**

#### PUBLIC PRESENTATIONS

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

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 3) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR MABEN DISCUSSED THE SIX-ACRE METROPOLITAN BAKERSFIELD SEWER POLICY AND THE CURRENT APPEAL PROCESS

REFERRED TO PLANNING TO REPORT BACK TO THE BOARD WITH A REVISED APPEAL PROCEDURE TO INCLUDE THE BOARD OF SUPERVISORS IN THAT PROCESS

**Maben-McQuiston: All Ayes**

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*4) **Request from Kern County Waste Management Department to amend the land use from solid waste facility to solid waste/burn dump hazard to reflect a former burn dump on approximately 3.16 acres located south of the Glennville Transfer Station, south of Highway 155, Glennville Burn Dump, Glennville area (SD #1)**

Specific Request:

Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 3.4 (Solid Waste Facilities) to Map Code(s) 3.4/2.11 (Solid Waste Facilities - Burn Dump Hazard) or a more restrictive map code designation to identify a former burn dump site; amend Appendix E of the Kern County General Plan for the Glennville Sanitary Landfill map to reflect changes in map code designations (GPA #1, Map #15)

(Categorically Exempt, Section 15308 and General Rule, Section 15061(b)(3); Published Bakersfield Californian) (from 6/13/2006) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-299 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED

**Maben-Watson: All Ayes**

- \*5) **Request from Kern County Waste Management Department to amend the land use from residential 2-1/2 acres to other facilities/burn dump hazard to reflect a former burn dump on approximately 20.37 acres located approximately 800 feet south of State Highway 58 and Altus Avenue, Mojave No. 1 Burn Dump, Mojave area (SD 2)**

Specific Request:

Amend the text of the Mojave Specific Plan to include the Map Code 2.11 designation; and to amend the Mojave Specific Plan from Map Code(s) 5.6 and 3.3 to Map Code(s) 3.3/2.11 or a more restrictive map code designation for a former burn dump (SPA #6, Map #196-16)

(Categorically Exempt, Section 15308 and General Rule, Section 15061(b)(3); Published Mojave Desert News) (from 6/13/2006) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-300 APPROVING GENERAL PLAN AMENDMENT

**Maben-Watson: All Ayes**

- \*6) **Request from Kern County Waste Management Department to amend the land use from residential 2-1/2 acres to other facilities/burn dump hazard to reflect a former burn dump on approximately 20 acres located at the southwest corner of Altus Avenue and Lone Butte Road, Mojave Burn Dump No. 2, Mojave area (SD #2)**

Specific Request:

Amend the Mojave Specific Plan from Map Code(s) 5.6 and Map Code(s) 3.3 (Other Facilities) to Map Code(s) 3.3/2.11 or a more restrictive map code designation (SPA #20, Map #196) (Categorically Exempt, Section 15308 and General Rule, Section 15061(b)(3); Published Mojave Desert News) (from 6/13/2006) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-301 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED

**Maben-Watson: All Ayes**

- \*7) **Request from Kern County Waste Management Department to amend the land use from sanitary landfill to sanitary landfill/burn dump hazard to reflect a former burn dump on approximately 9.81 acres located at the southwest corner of Sullivan Road and Miller Avenue, Buttonwillow Burn Dump, Buttonwillow area (SD #4)**

Specific Request:

Amend the text of the Buttonwillow Community Development Plan to include the Map Code(s) BD designation; amend the Buttonwillow Community Development Plan from Map Code(s) SL to Map Code(s) SL/BD to identify a former burn dump site; amend the Kern County General Plan Appendix E for the Buttonwillow Sanitary Landfill map to reflect changes in map code designations (SPA #4, Map #98-14) (Categorically Exempt, Section 15308 and General Rule, Section 15061(b)(3); Published Shafter Press) (from 6/13/2006) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-302 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED

**Maben-Watson: All Ayes**

- \*8) **Request from Kern County Waste Management Department to amend the land use from intensive agriculture to intensive agriculture/burn dump hazard to reflect a former burn dump on approximately 40 acres located at the southeast corner of Burbank Street and Palm Avenue, Shafter Burn Dump, Shafter area (SD #4)**

Specific Request:

Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 8.1 to Map Code(s) 8.1/2.11 or a more restrictive map code designation to identify a former burn dump site (GPA #7, Map #78) (Categorically Exempt, Section 15308 and General Rule, Section 15061(b)(3); Published Shafter Press) (from 6/13/2006) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-303 APPROVING GENERAL PLAN AMENDMENT AS REQUESTED

**Maben-Watson: All Ayes**

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 9) **Request from Lanting Family General Partnership by Porter-Robertson Engineering and Surveying, Inc., to cancel 10.65 acres of a Williamson Act Land Use Contract and approve a conditional use permit to allow an agricultural trucking facility on approximately ten acres located on the west side of Costajo Street, 1/4 mile south of Shafter Road, south Bakersfield (SD #2)**

Specific Request:

- (a) Cancellation of 10.65 acres of a Williamson Act Land Use Contract (Cancellation #05-3)  
(b) A Conditional Use Permit to allow an agricultural trucking facility (Section 19.12.030.A.2) in an A District (CUP #4, Map #143-19)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; MURRAY TRAGISH, REPRESENTING THE ROBERT SPASIANO FAMILY; TERI BJORN, KRONICK MOSKOVITZ, REPRESENTING BRANDT HOMES; ROBERT SPASIANO; KATRINA COSTA; DON NEWCOMB, REPRESENTING APPLICANT; MARSHALL LEWIS; STEPHANIE PORTERFIELD; MIKE LELAND, PORTER-ROBERTSON ENGINEERING AND SURVEYING, INC.; AND JEAN LABORDE, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-304 DISAPPROVING CANCELLATION AND CONDITIONAL USE PERMIT; RECEIVED AND FILED DOCUMENTS

**Maben-Rubio: All Ayes**

- 10) **Request from Maria Hernandez (original applicant) to appeal the decision of the Kern County Planning Commission to allow the installation of a mobilehome that does not meet the age requirement on 2.56 acres located at 10580 Bob Street, Mojave (SD #2)**

Specific Request:

An appeal to the decision of the Kern County Planning Commission to approve Conditional Use Permit 58, Map 213 (Resolution 112-06; approved May 25, 2006) to allow the installation of a mobilehome that does not meet the age requirement (Section 19.62.030.A) in an A-1 MH (Limited Agriculture - Mobilehome Combining) District (Appeal #2, Map #213)

(Categorically Exempt, Section 15303; Published Mojave Desert News) - OPENED HEARING; MARIA HERNANDEZ, HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2006-305 UPHOLDING APPEAL AND APPROVING CONDITIONAL USE PERMIT FOR INSTALLATION OF MOBILEHOME UPON CONDITIONS ORIGINALLY IMPOSED BY PLANNING COMMISSION, EXCEPT FOR THE THREE-YEAR REQUIREMENT IN CONDITION NO. 1; RECEIVED AND FILED DOCUMENTS

**Maben-McQuiston: All Ayes**

- 11) Request from Sam and Charlene Ellwood by David R. Brown Surveying (original applicant) to appeal the decision of the Advisory Agency for the denial of a development variation to the Land Division Ordinance to allow deletion of Type A road improvements on 4.9 acres located at the northeast corner of Carmichael Street and Green Street, Boron (SD #2)

Specific Request:

An appeal to the decision of the Advisory Agency for the denial of a development variation to the Land Division Ordinance for Parcel Map 11270 (disapproved June 28, 2006) to allow deletion of Type A road improvements (TPM #11270 - Appeal)

(General Rule, Section 15061(b)(3); Published Mojave Desert News) - CONTINUED TO TUESDAY, SEPTEMBER 19, 2006, AT 2:00 P.M.

**Maben-McQuiston: All Ayes**

- \*12) Request from Norris Road Business Park, LLC, by Tim Bachman to change the permitted uses from limited agriculture to light industrial - precise development combining on approximately 1.7 acres located on the north side of Norris Road, approximately 600 feet east of Mohawk Street, Bakersfield (SD #3)

Specific Request:

A change in zone classification from A-1 to M-1 PD or a more restrictive district (ZCC #34, Map #102-10)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2006-306 AND ENACTED ORDINANCE G-7428 APPROVING ZONE CHANGE, WITH THE INCLUSION OF THE H (AIRPORT APPROACH HEIGHT COMBINING) DISTRICT

**Maben-Watson: All Ayes**

- \*13) Request from Roland F. Scholz to change the permitted uses from low-density residential to medium-density residential on approximately 9,660 square feet located at 411 Woodrow Avenue, Oildale area (SD #3)

Specific Request:

A change in zone classification from R-1 to R-2 or a more restrictive district (ZCC #46, Map #102-12)

(Categorically Exempt, Section 15303; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-307 AND ENACTED ORDINANCE G-7429 APPROVING ZONE CHANGE AS REQUESTED

**Maben-Watson: All Ayes**

NOTE: SUPERVISOR MABEN LEFT THE MEETING DURING ITEM NO. 14

- 14) Request from Phillip Ball and McCormack Homeowners Association (original applicant John Giumarra, Jr. and Carl and Mary Moreland by Moreland Consulting, Inc.) to appeal the decision of the Planning Commission approving Vesting Tentative Tract 6242 proposing to divide a 67.6-acre site into 282 lots ranging in size from 6,048 square feet (net) to 14,375 square feet (net) for single-family residential development and a 1.2-acre (net) sump lot; four limited design variations; a development variation to the Development Standards to allow more than four intersections along a major highway within a 1/2-mile distance on 67.6 acres located on the east side of Chevalier Road, between Taft Highway and Curnow Road, Greenfield area (SD #5)

Specific Request:

An appeal to the decision of the Planning Commission approving Vesting Tentative Tract 6242 (Resolution 135-06; approved July 13, 2006) proposing to divide a 67.6-acre site into 282 lots ranging in size from 6,048 square feet (net) to 14,375 square feet (net) for single-family residential development and a 1.2-acre, 52,300-square-foot (net) sump lot; four limited design variations; a development variation to the Development Standards to allow more than four intersections along a major highway within a 1/2-mile distance (TR #6242 - Appeal)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; CARL MORELAND, REPRESENTING ORIGINAL APPLICANT; MURRAY TRAGISH, REPRESENTING MCCORMACK HOMEOWNERS ASSOCIATION; PHILLIP BALL; GREG TINSLEY; DAVE HERRON; LYLE PALMER; MATT THOMPSON; RICHARD CRANE, PRESIDENT, GREENFIELD COUNTY WATER DISTRICT BOARD; LARRY BALL; CLAYTON PALMER; JOHN GIUMARRA; AND RALPH KIMMEL, HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2006-308 DENYING APPEAL AND APPROVING VESTING TENTATIVE TRACT SUBJECT TO CONDITIONS AND FINDINGS ADOPTED BY PLANNING COMMISSION AND ADDING CONDITIONS REGARDING STREET ACCESS POINTS, SUMP FENCE CONFIGURATION, AND RIGHT TURN ONLY ONTO CURNOW; RECEIVED AND FILED DOCUMENTS

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

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY  
Planning Department

Land Use

S.D. #1

- \*15) Proposed Notice of Nonrenewal Petition No. 06-42 of Zaninovich Living Trust by Sunview Vineyards of California, Inc., for approximately 78 acres within Agricultural Preserve 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*16) Proposed Notice of Nonrenewal Petition No. 06-43 of Zaninovich Living Trust by Sunview Vineyards of California, Inc., for approximately 44 acres within Agricultural Preserve 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*17) Proposed Notice of Nonrenewal Petition No. 06-44 of Zaninovich Living Trust by Sunview Vineyards of California, Inc., for approximately 39 acres within Agricultural Preserve 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*18) Proposed Notice of Nonrenewal Petition No. 06-45 of Zaninovich Living Trust by Sunview Vineyards of California, Inc., for approximately 68 acres within Agricultural Preserve 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*19) Proposed Notice of Nonrenewal Petition No. 06-46 of Zaninovich Living Trust by Sunview Vineyards of California, Inc., for approximately 118 acres within Agricultural Preserve 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*20) Proposed Notice of Nonrenewal Petition No. 06-47 of Zaninovich Living Trust by Sunview Vineyards of California, Inc., for approximately 10 acres within Agricultural Preserve 7 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

Miscellaneous

S.D. #2

- \*21) Request from Gurpreet Sidhu for Determination of Public Convenience for the issuance of an off-sale beer and wine license at 318 White Lane, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-309

**Maben-Watson: All Ayes**

- \*22) Request from Alejandro Vazquez and Arturo Flores for Determination of Public Convenience for the issuance of an on-sale beer and wine license at 8331 Kern Canyon Road, Bakersfield, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-310

**Maben-Watson: All Ayes**

All S.D.'s

- \*23) Request to hire retired County employee Colleen Gallo as Supervising Planner, 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: \$8,000; Budgeted; Discretionary) - APPROVED

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Animal Control Services

All S.D.'s

- \*24) Animal Control Department monthly report (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

Hearing

S.D. #4

- 25) Proposed Resolution ordering the extension of Zone of Benefit Nos. 3, 5 and 10 in County Service Area No. 71, determining to adopt and accept an Ordinance enacting assessments for the area included within the boundaries extended herein, Parcel Map 10995, west Bakersfield, located north of Stockdale Highway and east of Nord Road (Fiscal Impact: \$999; CSA's; Budgeted; Mandated) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; TABULATED BALLOTS; CONFIRMED THAT MAJORITY OF BALLOTS SUBMITTED WERE IN FAVOR OF ASSESSMENTS; ENACTED ORDINANCE G-7430 ESTABLISHING ASSESSMENTS; ADOPTED RESOLUTION 2006-311 CONFIRMING ENGINEERING & SURVEY SERVICES DEPARTMENT DIRECTOR'S REPORT AND APPROVING ANNUAL ASSESSMENT NOT TO EXCEED \$85 PER PARCEL FOR STREET LIGHT MAINTENANCE; \$12 PER PARCEL FOR SEPTIC MONITORING; \$36 PER PARCEL FOR STREET SWEEPING - LARGE LOT; \$200 PER PARCEL FOR MULTI-USE TRAIL, LANDSCAPE AND WALL MAINTENANCE; DETERMINING TO ADOPT AND ACCEPT AN ORDINANCE ENACTING ASSESSMENTS FOR THE AREA INCLUDED WITHIN THE BOUNDARIES EXTENDED HEREIN; ORDERING THE EXTENSION OF ZONE OF BENEFIT NOS. 3, 5 AND 10 IN COUNTY SERVICE AREA NO. 71

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

S.D. #1

- \*26) Request for approval of completed street, drainage, water, landscaping and sewer improvements and reduction of Faithful Performance Security in Subdivision Improvement Agreement, Tract 6175, southeast corner Snow Road and Coffee Road, northwest Bakersfield, and proposed Resolution for acceptance of street improvements on Coffee Road (County Road No. 185) and Snow Road (County Road No. 584) for maintenance (Fiscal Impact: None) - APPROVED COMPLETED STREET, DRAINAGE, WATER, LANDSCAPING AND SEWER IMPROVEMENTS; REDUCED EXISTING FAITHFUL PERFORMANCE SECURITY IN THE AMOUNT OF \$1,638,289 TO \$163,829 FOR THE GUARANTEE AND MAINTENANCE

(Continued on Page 25)

(Continued from Page 24)

OF COMPLETED STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A ONE-YEAR PERIOD STARTING AUGUST 15, 2006; RELEASED FAITHFUL PERFORMANCE LETTER OF CREDIT NO. 2005-30, IN THE AMOUNT OF \$823,748, TO THE ISSUING INSTITUTION, MISSION BANK; RECEIVED AND FILED LETTER OF CREDIT NO. 2006-39, ISSUED BY MISSION BANK, IN THE AMOUNT OF \$163,829; ADOPTED RESOLUTION 2006-312 FOR ACCEPTANCE OF STREET IMPROVEMENTS ON COFFEE ROAD AND SNOW ROAD AS SHOWN ON TRACT 6175, INTO THE COUNTY ROAD SYSTEM FOR MAINTENANCE

**Maben-Watson: All Ayes**

- \*27) Request to approve final map for Tract 6389, east side of Airport Drive between Seventh Standard Road and West Day Avenue, north Bakersfield, DeWalt Corporation for Denela, LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-313 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 OWNER 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), ACKNOWLEDGEMENT OF REVERSION OF FLOWAGE EASEMENT; 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; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 795-2006; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-Watson: All Ayes**

S.D. #4

- \*28) Request to approve final map for Tract 6229, Phase 1, Pacheco Road and Panama Lane, south Bakersfield, San Joaquin Engineering for LBREP/L-Suncal McAllister Ranch, LLC, a Delaware Limited Liability Company (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-314 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 WITH SURFACE ENTRY RIGHTS PER SECTION 18.15.030.K OF THE LAND DIVISION ORDINANCE AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020.D1 OF THE LAND DIVISION ORDINANCE; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-Watson: All Ayes**

- \*29) Request to set hearing on increased assessments within County Service Area No. 71.3, Tract 5353, west Bakersfield (Fiscal Impact: \$2,600; CSA's; Budgeted; Mandated) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, OCTOBER 3, 2006, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO THE PROPERTY OWNERS AFFECTED, AND TO CONDUCT A PUBLIC INFORMATIONAL MEETING IN COMPLIANCE WITH ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND TO FILE A NOTICE OF EXEMPTION, IF REQUESTED; ADOPTED RESOLUTION 2006-315

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*30) Proposed retroactive Agreement with the City of Delano for transportation services between the County of Kern and the City of Delano (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 796-2006

**Maben-Watson: All Ayes**

- \*31) Proposed establishment and posting of 40 mile per hour speed limit on Day Avenue, from North Chester Avenue to McCray Street, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

- \*32) Proposed establishment and posting of 40 mile per hour speed limit on McCray Street, from Day Avenue to Seventh Standard Road, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

- \*33) Proposed retroactive Agreement with City of Bakersfield for reimbursement of County costs associated with development of Thomas Road Improvement Projects (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 797-2006

**Maben-Watson: All Ayes**

- \*34) Proposed Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) Habitat Mitigation Fee payment for the construction of Seventh Standard Road widening from State Route 99 Interchange to Coffee Road in Bakersfield (Fiscal Impact: \$29,264; Metropolitan Bakersfield Transportation Impact Fees; Budgeted; Discretionary) - AUTHORIZED ROADS TO TRANSFER PAYMENT TO THE MBHCP IMPLEMENTATION TRUST ACCOUNT IN AN AMOUNT NOT TO EXCEED \$29,264

**Maben-Watson: All Ayes**

S.D. #2

- \*35) Proposed Rosamond/Willow Springs Transportation Impact Fee Program, reconciliation of account and request for public hearing (Fiscal Impact: None) - SET HEARING DATE FOR TUESDAY, SEPTEMBER 12, 2006, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH REQUIRED NOTICE

**Maben-Watson: All Ayes**

- \*36) Contract No. 06030, identify apparent low bid of Ortiz Asphalt Paving Company for construction on streets within Tract No. 5039 and Rosamond Boulevard at Glendower Street, in an amount not to exceed \$169,506.83 (Fiscal Impact: \$169,506.83; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Maben-Watson: All Ayes**

- \*37) Proposed Preliminary Agreement with Rosamond Community Services District, Southern California Edison and MSBH Land Corporation for County to upgrade private railroad crossing on Patterson Road, Rosamond (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 798-2006

**Maben-Watson: All Ayes**

- \*38) Proposed no stopping and no parking zones along 35th Street West and Imperial Avenue in Rosamond (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

- \*39) Easement Deed and proposed Right-of-Way Contract with Kearny Mesa, LLC, for approximately 191 square feet of property for improvement of Seventh Standard Road (Fiscal Impact: \$2,000; Road Fund; Budgeted; Discretionary) - ACCEPTED DEED; DIRECTED CLERK OF THE BOARD TO RECORD; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 799-2006; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

**Maben-Watson: All Ayes**

S.D. #3

- \*40) Easement Deed and proposed Right-of-Way Contract with the Bakersfield Californian for approximately 158 square feet of property for improvement of Seventh Standard Road (Fiscal Impact: \$800; Road Fund; Budgeted; Discretionary) - ACCEPTED DEED; DIRECTED CLERK OF THE BOARD TO RECORD; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 800-2006; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

**Maben-Watson: All Ayes**

S.D. #4

- \*41) Proposed establishment and posting of 25 mile per hour speed limit on Buttonwillow Drive, Buttonwillow (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

S.D. #5

- \*42) Contract No. 06037, identify apparent low bid of Griffith Company for construction of flashing beacon and lighting on South Union Avenue at Berkshire Road, in an amount not to exceed \$130,130 (Fiscal Impact: \$130,130; Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

**Maben-Watson: All Ayes**

- \*43) Proposed establishment of 35 mile per hour speed limit on Bernard Street from Mt. Vernon to 506 feet west of Alta Vista Drive, Bakersfield (Fiscal Impact: None) - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

**Maben-Watson: All Ayes**

S.D.'s #1 & #3

- \*44) Proposed Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) Habitat Mitigation Fee payment for the construction of Seventh Standard Road widening from Quinn Road to Wings Way, Bakersfield (Fiscal Impact: \$32,240; Metropolitan Bakersfield Transportation Impact Fees; Budgeted; Discretionary) - AUTHORIZED ROADS TO TRANSFER PAYMENT TO THE MBHCP IMPLEMENTATION TRUST ACCOUNT IN AN AMOUNT NOT TO EXCEED \$32,240

**Maben-Watson: All Ayes**

S.D.'s #1, #2, #4 & #5

- \*45) Proposed Contract No. 06035 with Granite Construction Company for asphalt concrete (stockpile and windrow stockpile) at various locations in Kern County, in an amount not to exceed \$1,183,470 (Fiscal Impact: \$1,183,470; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 801-2006

**Maben-Watson: All Ayes**

S.D.'s #4 & #5

- \*46) Contract No. 06012, Notice of Completion with Griffith Company for curb cut improvements in Bakersfield and Lamont (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

All S.D.'s

- \*47) Proposed Metropolitan Bakersfield Transportation Impact Fee Program, reconciliation of account and request for public hearing (Fiscal Impact: None) - SET HEARING DATE FOR TUESDAY, SEPTEMBER 12, 2006, AT 2:00 P.M.; DIRECTED CLERK OF THE BOARD TO PUBLISH REQUIRED NOTICE

**Maben-Watson: All Ayes**

WASTE MANAGEMENT

S.D. #4

- \*48) Proposed Amendment No. 1 to Agreement 277-98 with the City of Taft to allow the payment of non-residential waste to be based on actual weight disposed rather than through the bin disposal charge (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 802-2006

**Maben-Watson: All Ayes**

All S.D.'s

- \*49) Proposed revisions to Conflict of Interest Code for the Waste Management Department (Fiscal Impact: None) - APPROVED; RECEIVED AND FILED

**Maben-Watson: All Ayes**

- \*50) Proposed Agreement with 15th District Agricultural Association to waive up to \$5,000 in disposal fees, from September 5, 2006 through October 13, 2006, in exchange for public education outreach opportunities at the 2006 Kern County Fair (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 803-2006

**Maben-Watson: All Ayes**

- \*51) Proposed Agreement with Community Clean Sweep to provide educational outreach and promotion of waste reduction, from August 15, 2006 through June 30, 2007, in an amount not to exceed \$48,000 (Fiscal Impact: \$48,000; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 804-2006

**Maben-Watson: All Ayes**

- \*52) Proposed Request for Proposal to provide professional landfill gas flare emissions source testing services for waste management facilities (Fiscal Impact: \$100,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED DISTRIBUTION

**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- \*53) Proposed response to Grand Jury Report entitled Kern County Assessor (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

**Maben-Watson: All Ayes**

- \*54) Proposed response to Grand Jury Report entitled Kern County Recorder (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

**Maben-Watson: All Ayes**

- \*55) Proposed response to Grand Jury Report entitled Lerdo Jail Facilities (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE

**Maben-Watson: All Ayes**

- \*56) Proposed response to Grand Jury Report entitled Department of Human Services CalWORKs (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN LETTER TO SUPERIOR COURT PRESIDING JUDGE  
**Maben-Watson: All Ayes**
- \*57) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 518, Local Agency Formation Commission (LAFCO) Proceeding No. 1472 (Fiscal Impact: FY 2007-2008 \$51,816 General Fund; \$40,421 Fire Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-316  
**Maben-Watson: All Ayes**
- \*58) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 546, Local Agency Formation Commission (LAFCO) Proceeding No. 1467 (Fiscal Impact: FY 2007-2008 \$144 General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-317  
**Maben-Watson: All Ayes**
- \*59) Proposed revision to Employee Prescription Drug Benefit Plan to allow filling of 90-day prescriptions at Kern Medical Center outpatient pharmacies with no co-payment for generic and preferred brand name drugs and \$60 co-payment for non-preferred brand name drugs (Fiscal Impact: Unknown) - APPROVED  
**Maben-Watson: All Ayes**
- \*60) Proposed Amendment No. 2 to Administrative Services Agreement 189-2005 with American Administrative Group, a Division of the Parker Group, to modify fees paid by American Administrative Group to Community Care Network (CCN) to \$3.35 per subscriber per month for access to CCN's Preferred Provider Organization network for services provided to County Employee Health Plan members, effective September 1, 2006 (Fiscal Impact: Estimated Savings of \$1,000,000 Annually; Group Health Internal Service Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 805-2006  
**Maben-Watson: All Ayes**
- \*61) Report on results of Fiscal Year 2005-2006 Budget Savings Incentive program (Fiscal Impact: None) - REFERRED TO FY 2006-2007 BUDGET FILE; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO MAKE APPROPRIATE ADJUSTMENTS TO DEPARTMENTAL OPERATING BUDGETS FOR APPROVAL AT FY 2006-2007 BUDGET HEARINGS  
**Maben-Watson: All Ayes**
- \*62) Summary of annual performance measures reports for Fiscal Year 2006-2007 for all departments (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-Watson: All Ayes**
- \*63) Fiscal Year 2006-2007 Recommended Budget documents for the County of Kern and special districts governed by the Board of Supervisors (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-Watson: All Ayes**

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 63A: MADE FINDING THAT NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED WHEN LEGISLATIVE CONSULTANTS AND CALIFORNIA STATE ASSOCIATION OF COUNTIES ALERTED THE COUNTY THAT PENDING LEGISLATIVE AMENDMENTS WOULD EXEMPT LOCAL PEACE OFFICERS FROM A NUMBER OF WORKERS COMPENSATION REFORMS. IF ENACTED, THESE EXEMPTIONS COULD COST THE COUNTY MORE THAN \$4,000,000 ANNUALLY IN INCREASED WORKERS COMPENSATION COSTS. TO COMMUNICATE COUNTY'S POSITION TO LEGISLATORS AND THE GOVERNOR BEFORE FINAL ACTION IS TAKEN, BOARD ACTION IS REQUESTED TODAY.

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

COUNTY ADMINISTRATIVE OFFICE

Legislative Matter

- 63A) AB 3206, exempting local agency peace officers from workers compensation medical treatment reforms - ADOPTED A POSITION IN OPPOSITION; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

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

COUNTY ADMINISTRATIVE OFFICE

General Services Division

Hearing

S.D. #1

- \*64) Proposed Resolution and Ordinance amending Cable Television Franchise F-435 for Mediacom California, LLC, extending time for completion of upgrade (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2006-318; ENACTED ORDINANCE F-492

**Maben-Watson: All Ayes**

S.D. #1

- \*65) Proposed Agreement for Lease with Clinica Sierra Vista for a portion of 1508 Garces Highway, Suite 1, Delano, for office space for Mental Health Department (Fiscal Impact: \$200 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 806-2006

**Maben-Watson: All Ayes**

- \*66) Proposed Quitclaim Deed transferring County's interest in surplus land located next to the City of Delano for improvements to its golf course - (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; DECLARED PROPERTY TO BE SURPLUS TO COUNTY NEEDS; APPROVED; AUTHORIZED CHAIRMAN TO SIGN QUITCLAIM DEED ON BEHALF OF COUNTY

**Maben-Watson: All Ayes**

- \*67) Plans and specifications for Lake Isabella Park Swings (1960.8262.05) (Fiscal Impact: \$41,500; General Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

**Maben-Watson: All Ayes**

S.D. #3

- \*68) Proposed Agreement for Sublease with Clinica Sierra Vista for 3550 "Q" Street, Suite 203, Bakersfield, for office space for Mental Health Department (Fiscal Impact: \$1,280 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 807-2006

**Maben-Watson: All Ayes**

- \*69) Change Order No. 1 for the William M. Thomas Terminal Parking Lot Expansion, an increase of \$18,221, for a new total of \$632,894 (Project No.8994.8425.05) (Fiscal Impact: \$18,221; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-Watson: All Ayes**

S.D. #4

- \*70) Proposed Resolution consenting to assignment of Franchise Ordinance F-451 by Lone Star Gas Liquids Processing, Inc., to Plains, LPG, L.P. (Fiscal Impact: \$76 Annually; Discretionary; Budgeted) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; ADOPTED RESOLUTION 2006-319

**Maben-Watson: All Ayes**

- \*71) Proposed Resolution consenting to assignment of Franchise Ordinance F-448 by Longbow, LLC, to Rock Creek Oil, LLC (Fiscal Impact: \$25 Annually; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; ADOPTED RESOLUTION 2006-320

**Maben-Watson: All Ayes**

- \*72) Proposed Quitclaim Deed and Agreement transferring County's interest in surplus land located next to County Fire Station to Wasco Union High School District for expansion purposes (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; DECLARED PROPERTY TO BE SURPLUS TO COUNTY NEEDS; APPROVED; AUTHORIZED CHAIRMAN TO SIGN QUITCLAIM DEED AND TRANSFER AGREEMENT 808-2006 ON BEHALF OF COUNTY

**Maben-Watson: All Ayes**

S.D. #5

- \*73) Proposed Agreement for Lease with Clinica Sierra Vista for a portion of 8787 Hall Road, Lamont, for office space for Mental Health Department (Fiscal Impact: \$200 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 809-2006

**Maben-Watson: All Ayes**

- \*74) Request for subcontractor substitution for County Counsel & Public Defender's Office Remodel (1960.8200.05) (Fiscal Impact: None) - FOUND THAT SECURITY ENGINEERING FAILED TO EXECUTE A WRITTEN CONTRACT WITH SEA PAC ENGINEERING, INC.; APPROVED SUBSTITUTION OF RLH FIRE PROTECTION TO COMPLETE THE FIRE SUPPRESSION PORTION OF THE PROJECT

**Maben-Watson: All Ayes**

- \*75) Request for subcontractor substitution for County Counsel & Public Defender's Office Remodel (1960.8200.05) (Fiscal Impact: None) - FOUND THAT VALLEY JIN ELECTRIC FAILED TO EXECUTE A WRITTEN CONTRACT WITH SEA PAC ENGINEERING, INC.; APPROVED SUBSTITUTION OF SEA PAC ENGINEERING, INC. (IN-HOUSE) TO COMPLETE THE ELECTRICAL PORTION OF THE PROJECT

**Maben-Watson: All Ayes**

- \*76) Request for proposed sole source Agreement with Abateco for asbestos abatement services for the Central Plant Facility on Truxtun Avenue, in an amount not to exceed \$35,000 (1610.7001) (Fiscal Impact: \$35,000; General Fund; Unbudgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 810-2006

**Maben-Watson: All Ayes**

- \*77) Plans and specifications for Kern Medical Center Pediatric 4th Floor Remodel (8997.7001.05FF) (Fiscal Impact: \$72,475; Kern Medical Center Enterprise Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

**Maben-Watson: All Ayes**

All S.D.'s

- \*78) Request to receive and file Bond Safeguard Insurance Company's Bond No. 5013248, in the amount of \$25,000, from Cebridge Acquisition, L.P., relating to Cable Franchise Ordinance F-475, and release The Travelers Casualty and Surety Company of America's Bond No. 104397078 to Coxcom, Inc., in the amount of \$25,000 (Fiscal Impact: None) - APPROVED; RECEIVED AND FILED

**Maben-Watson: All Ayes**

- \*79) Job Order Contract Project Listing Update - RECEIVED AND FILED

**Maben-Watson: All Ayes**

- \*80) Report on issuance of Request for Proposal (RFP) to provide auto accident management services for the County of Kern (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON JULY 25, 2006

- \*81) Proposed Ordinance amending Section 2.94.060 of the Kern County Ordinance Code regarding the Board of Directors for Kern Health Systems - ENACTED ORDINANCE G-7431

**Maben-Watson: All Ayes**

- \*82) Proposed Ordinance adding subsections (7) and (8) to Section 10.16.115 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no parking zones on Universe Avenue, Bakersfield - ENACTED ORDINANCE G-7432

**Maben-Watson: All Ayes**

- \*83) Proposed Ordinance adding subsection (9) to Section 10.16.115 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no parking zone on Universe Avenue, Bakersfield - ENACTED ORDINANCE G-7433

**Maben-Watson: All Ayes**

- \*84) Proposed Ordinance adding Section 10.04.057 to Chapter 10.04 of Title 10 of the Kern County Ordinance Code concerning the establishment of a 30 mile per hour speed limit on Oildale Drive from Roberts Lane to Norris Road, Bakersfield, and repealing a 35 mile per hour speed limit in Section 10.04.195 - ENACTED ORDINANCE G-7434

**Maben-Watson: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*85) Minutes for week of June 26, 2006 - APPROVED WITH CORRECTION TO ITEM NO. 26 A.M. TO CHANGE OFFICE SERVICES SPECIALIST TO **OFFICE SERVICES TECHNICIAN**

**Maben-Watson: All Ayes**

- \*86) Miscellaneous Letters and Documents - APPROVED

**Maben-Watson: All Ayes**

- \*87) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

- \*88) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

ADJOURNED TO TUESDAY, AUGUST 22, 2006, AT 9:00 A.M.

**McQuiston**

/s/ Tracey E. Cody  
Administrative Coordinator

/s/ Barbara Patrick  
Chairman, Board of Supervisors

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

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

86) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report of purchasing card and travel claim activity for the Board of Supervisors, Clerk of the Board, County Administrative Office and Information Technology Services for the period July 1, 2002 through January 31, 2005

Clerk of the Board

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

- |                             |         |
|-----------------------------|---------|
| 1) Tract Map 5923, Phase 4  | S.D. #3 |
| 2) Tract Map 6079, Unit 5   | S.D. #4 |
| 3) Tract Map 6149, Phase 8  | S.D. #1 |
| 4) Tract Map 6214, Phase 1  | S.D. #4 |
| 5) Tract Map 6224, Phase B  | S.D. #1 |
| 6) Tract Map 6252, Phase A  | S.D. #4 |
| 7) Tract Map 6305           | S.D. #4 |
| 8) Tract Map 6373, Phase A  | S.D. #1 |
| 9) Tract Map 6446, Phase 1  | S.D. #1 |
| 10) Tract Map 6446, Phase 2 | S.D. #1 |
| 11) Tract Map 6498, Phase 1 | S.D. #3 |
| 12) Tract Map 6538          | S.D. #3 |
| 13) Tract Map 6681          | S.D. #4 |
| 14) Parcel Map 11077        | S.D. #4 |
| 15) Parcel Map 11106        | S.D. #2 |
| 16) Parcel Map 11215        | S.D. #2 |
| 17) Parcel Map 11304        | S.D. #4 |
| 18) Parcel Map 11306        | S.D. #2 |
| 19) Parcel Map 11546        | S.D. #1 |

Employers' Training Resource

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

- 1) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 29, 2006
- 2) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated June 29, 2006
- 3) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated July 17, 2006
- 4) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated July 17, 2006
- 5) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated July 17, 2006
- 6) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated July 17, 2006

- 7) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 201, dated July 17, 2006
  - 8) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 501, dated July 17, 2006
  - 9) V.O. & Co., Inc. dba Ashley Furniture Home Stores, WIA Title 501, dated July 17, 2006
  - 10) Ace Hydraulic Sales and Service, Inc., WIA Title 501/511, dated July 19, 2006
- D) Modification No. 3 to Agreement AC-15002-05-55 with the Department of Labor to extend the term to June 30, 2007 and increase funding to \$3,940,076
  - E) Modification No. 4 to Agreement AC-15002-05-55 with the Department of Labor to extend the period for the submission and approval of grant plans and the authority to incur cost through August 31, 2006
  - F) Modification No. 10 to Agreement R588725 with the Employment Development Department to increase funding by \$30,000
  - G) Modification No. 11 to Agreement R692476 with the Employment Development Department to implement TEGL No. 25-05 for the federal rescission of adult and dislocated worker funds and TEGL No. 22-05 for the reallocation of funds for dislocated worker

Engineering & Survey Services

- H) Report on City of Oxnard's efforts to remove material from their farm site northwest of Wasco (Copies to each Supervisor and CAO)
- I) Recorded Irrevocable Offer of Dedication of a Drainage Easement from 3D Spectravision, LLC (Document No. 0206143634)

Fire

- J) E-mail from Robert Klinoff, Chief Deputy, in response to comments re sale and use of smoke bombs and when they are considered legal and illegal (Copies to each Supervisor and CAO)

General Services

- K) Acceptance of Franchise and Bond No. 61BSBCX6510 by Plains Marketing, L.P. for Franchise F-460

Local Agency Formation Commission

- L) Report and Recommendation, 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)
- M) Report and Recommendation, Proceeding No. 1447, in the matter of City of Shafter, Annexation No. 78 (Copies to each Supervisor, CAO and Resource Management Agency)

- N) Report and Recommendation, Proceeding No. 1449, in the matter of City of Bakersfield, Annexation No. 506, Wible No. 13 (Copies to each Supervisor, CAO and Resource Management Agency)
- O) Resolution No. 06-22, Proceeding No. 1435, in the matter of City of Delano, Annexation No. 43 (Copies to each Supervisor, CAO and Resource Management Agency)
- P) Resolution No. 06-23, Proceeding No. 1438, in the matter of City of Bakersfield, Annexation No. 487 (Copies to each Supervisor, CAO and Resource Management Agency)
- Q) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1462, Annexation No. 516, Kern Canyon No. 3 (Copies to each Supervisor, CAO and Resource Management Agency)
- R) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1464, Annexation No. 504, Snow No. 7 (Copies to each Supervisor, CAO and Resource Management Agency)
- S) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1465, Annexation No. 524, Brite No. 10 (Copies to each Supervisor, CAO and Resource Management Agency)
- T) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1466, Annexation No. 534, Blomquist No. 2 (Copies to each Supervisor, CAO and Resource Management Agency)
- U) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1467, Annexation No. 546, Hosking No. 11 (Copies to each Supervisor, CAO and Resource Management Agency)
- V) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1471, Annexation No. 535, Snow No. 10 (Copies to each Supervisor, CAO and Resource Management Agency)
- W) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1469, Annexation No. 527, Gosford No. 1 (Copies to each Supervisor, CAO and Resource Management Agency)
- X) Letter from Virginia Gennaro, City of Bakersfield, re Proceeding No. 1468, Annexation No. 512, Snow No. 8 (Copies to each Supervisor, CAO and Resource Management Agency)

Roads

- Y) Recorded Easement Deed from Michael J. and Janice E. Holland for improvements on Brady Street, Ridgecrest (Document 0206125908)

- Z) Recorded Easement Deeds from Mennonite Brethren Church of Rosedale for additional right-of-way on Heath Road and Rosedale Highway donated for proposed intersection expansion and traffic light installation (Documents 0206135144, 0206135145 and 0206135146)

Treasurer-Tax Collector

- AA) Letter to Sharon Welker, Rosamond Community Services District, re Kern County tax defaulted property sale on August 14-16, 2006 (Copies to each Supervisor and CAO)
- BB) Treasurer's Pooled Cash Portfolio Reporting for Quarter Ended June 2006

Miscellaneous

- CC) Letter from B. M. Smith, California Highway Patrol, re Hazardous Materials Incident Report for incident occurring on Saturday, July 1, 2006, on State Route 65 at Poso Creek (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- DD) Letter from D. L. Green, California Highway Patrol, re Hazardous Materials Incident Report for incident occurring Monday, July 3, 2006, on Main Drain Road, south of Lerdo Highway (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- EE) Letter from D. E. Leach, California Highway Patrol, re Hazardous Materials Incident Report for incident occurring Friday, July 21, 2006, on State Route 58 at State Route 14 (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- FF) Letter from The California Prison Moratorium Project staff and volunteers re publication, How to Stop a Prison in Your Town: A Handbook for Community Members (Copies to each Supervisor and CAO)
- GG) Letter from Daphne C. Greene, State Department of Parks and Recreation, to Department of Conservation re acquisition of land for development as a State Vehicular Recreation Area (SVRA) (Copies to each Supervisor, CAO, Planning, Sheriff, Parks and County Counsel)
- HH) Letter from Erich Kwek, Standard School District, re Resolution No. 2007-1 canvassing and certifying election results of the June 6, 2006, General Obligation Bond Election (Copies to Elections and County Counsel)
- II) Thank you letter from Robert Van Newell re helpfulness received from Jack Gregg with the Veterans' Administration (Copies to each Supervisor, CAO and Veterans' Services)

- JJ) Letter from Karma Hackney, Governor's Office of Emergency Services, re declaration of primary counties of Del Norte, Humboldt, Marin, Mendocino, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Cruz and Sonoma, and contiguous counties of Alameda, Fresno, Glenn, Kern, Kings, Lake, Napa, San Benito, Santa Clara, Siskiyou, Solano, Tehama, Trinity and Ventura as disaster areas as a result of economic impacts caused by restrictions on salmon catches on the coasts of California and Oregon (Copies to each Supervisor, CAO and County Counsel)
- KK) Letter from Henry R. Renteria, Governor's Office of Emergency Services, re declaration of primary county of San Bernardino and the contiguous counties of Inyo, Kern, Los Angeles, Orange and Riverside as disaster areas as a result of damages caused by the Sawtooth Complex Fire from July 9 through July 18, 2006 (Copies to each Supervisor, CAO, Fire and General Services)
- LL) Letter from Michael B. Godesky, Federal Emergency Management Agency, re effects of levee improvements along the Kern River on the effective Flood Insurance Rate Map (FIRM) (Copies to each Supervisor and CAO)
- MM) Letter from Robert Takeshta, State Department of Corrections and Rehabilitation, Corrections Standards Authority, re proposed amendment to regulations contained in Title 15, Division 1, Chapter 1, Subchapter 5, California Code of Regulations, known as the Minimum Standards for Local Juvenile Facilities; and Title 24, Part 1, Section 13-201 and Part 2, Section 460A, California Code of Regulations, known as the Minimum Standards for Local Juvenile Facilities (Copies to each Supervisor, CAO and Probation)
- NN) Letter from Chris Jeffers re windsurfing at Lake Ming (Copies to each Supervisor, CAO and Parks)
- OO) Letter from Bruce McPherson, Secretary of State, re Assembly Bill 1634, special election county reimbursement (Copies to each Supervisor, CAO, Auditor-Controller-County Clerk and County Counsel)
- PP) E-mail from Christina re smoke bombs being sold and used as fireworks (Copies to each Supervisor, CAO and Fire)
- QQ) Fax from Gary Freeman, Glenn County Supervisor, re support for Senate Bill 1056, Seed Uniformity Law to protect California agriculture (Copies to each Supervisor, CAO, Agricultural Commissioner, Farm & Home Advisor)
- RR) Resolution 06-1231 from Bear Valley Community Services District determining the minimum amounts of money to be raised by taxes required by the District for payments with respect to interest and redemption charges on bonded indebtedness approved by the voters of Improvement District No. 2, for Fiscal Year 2006-2007, and fixing the rate of taxation to be levied (Copies to Auditor-Controller-County Clerk, Treasurer-Tax Collector and County Counsel)

- SS) Notice of meeting from Central Valley Regional Water Quality Control Board on Thursday and Friday, August 3 and 4, 2006 (Copies to each Supervisor and CAO)
- TT) Notice from Federal Energy Regulatory Commission re Pacific Gas and Electric Company, licensee for Mokelumne River Project Nos. 137-094 and 137-098, approving as-built Exhibit F drawings (Copies to each Supervisor and CAO)
- UU) Notice from Federal Energy Regulatory Commission re granting rehearing for further consideration of Southern California Edison Company Project No. 382-034 (Copies to each Supervisor and CAO)
- VV) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from: Arco AM/PM, 20650 Tracy Avenue, Buttonwillow; Souza Family Vineyard, 26689 Cummings Valley Road, Tehachapi; El Tapatio, 28323 Highway 119, Taft; El Viajero, 1835 Mettler Frontage Road, Suite B, Bakersfield; Power Mart, 1501 N. Chester Avenue, Bakersfield and Fury's, 1353 W. Inyokern Road, Suite J-O, Ridgecrest (Copies to each Supervisor, CAO and Planning)
- WW) Agenda of meeting from Kern County Child Care Council on Wednesday, August 2, 2006
- XX) Minutes of meeting from Kern County Child Care Council on Wednesday, June 7, 2006
- 87) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Letter from E. W. Janson re Resolution No. 1 0607 of the Sierra Sands Unified School District requesting the sale of bonds in an aggregate principal amount not to exceed \$20,000,000 - REFERRED TO COUNTY COUNSEL
- B) Letter from Larry E. Reider, Kern County Superintendent of Schools, re support of the Bakersfield Museum of Art education program - REFERRED TO FISCAL YEAR 2006-2007 BUDGET FILE (Copies to each Supervisor and CAO)
- C) Letter from Lynn Molina, Rag Gulch Water District, re Resolution 2006-8 establishing 2007 annual estimate of obligations - REFERRED TO COUNTY COUNSEL
- D) Letter from Lynn Molina, Kern-Tulare Water District, re Resolution 2006-14 establishing 2007 annual estimate of obligations - REFERRED TO COUNTY COUNSEL
- E) Letter from Pamela A. McCarthy, City of Bakersfield, re Resolution 185-06 requesting consolidation of City's General Municipal Election with the Statewide General Election to be held on Tuesday, November 7, 2006 - REFERRED TO ELECTIONS
- F) Resolution 2007-1 of the Board of Trustees of the Standard Elementary School District certifying all proceedings in the June 6, 2006, General Obligation Bond Election - REFERRED TO COUNTY COUNSEL

- 88) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Heather Taylor vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Mark Celso vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Denice Hearne vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - D) Claim in the matter of Vanik Nick Hartounian vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - E) Claim in the matter of Doug and Alice Rhine vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - F) Claim in the matter of Robert Leyva Chasco, Jr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - G) Claim in the matter of Curtis Vaughan vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - H) Claim in the matter of Ryan Watkins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - I) Claim in the matter of Southern California Edison vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - J) Claim in the matter of Alissa Orozco, a minor, by Anita Rodriguez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - K) Claim in the matter of Twana Dawn Higgins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - L) Claim in the matter of Roxanne Fowler and Angel Lopez Bravo vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - M) Claim in the matter of Mary Robles, individually and as a Successor in Interest of Ray Chris Robles, Deceased vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - N) Claim in the matter of Benjamin Huerta vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - O) Late claim in the matter of Gregory D. Robinson vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - P) Subrogation claim in the matter of Sean Leander Borrer by USAA vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- Q) Subrogation claim in the matter of Luis C. Ojeda by Progressive vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- R) Summons and complaint in the matter of Pacific Erectors, Inc. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- S) Summons and complaint in the matter of Nathaniel Yeakle vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- T) Discrimination complaint in the matter of Dan E. Lovell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)
- U) Discrimination complaint in the matter of Bernard L. Tenny vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)
- V) Notice of Case Closure of discrimination complaint in the matter of Gordie W. Gordon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)
- W) Notice of transfer of discrimination complaint in the matter of Dan E. Lovell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copies to Risk Management and Personnel)