

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, August 22, 2006

9:00 A.M.

#### BOARD RECONVENED

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

SALUTE TO FLAG - Led by Supervisor Watson

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) Proclamation proclaiming September 2006 as National Alcohol and Drug Recovery Month - PROCLAIMED; MADE PRESENTATION TO MANUEL MARIN; LINDA EVISTON, EXECUTIVE DIRECTOR, STEPS PROGRAM; DIANE KODITEK, DIRECTOR, KERN COUNTY MENTAL HEALTH SERVICES; AND ANNE KELLY, HEARD

**McQuiston-Watson: All Ayes**

- 2) Proclamation proclaiming September 2006 as National American Indian Heritage Month in Kern County - PROCLAIMED; MADE PRESENTATION TO JAMES LEON, CHAIRMAN, CHUMASH COUNCIL OF BAKERSFIELD; JAMES LEON; THOMAS MACHUKA CALDERA; AND JOSEPH LEON, CO-CHAIRMAN, CHUMASH COUNCIL, HEARD

**Rubio-McQuiston: All Ayes**

#### PUBLIC REQUESTS

- 3) Request of Alis Clausen, Region Manager Public Affairs, Southern California Edison, to address the Board regarding domestic rate changes and the impact of recent hot weather on consumer bills - ALIS CLAUSEN HEARD; RECEIVED AND FILED

**Watson-Maben: All Ayes**

PUBLIC PRESENTATIONS

- 4) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!  
- D.K. MASON ADDRESSED THE BOARD REGARDING THE POSSIBILITY OF POSTING HELP WANTED NOTICES VIA VIDEO WEB STREAMING ON KERN COUNTY PUBLIC ACCESS TELEVISION

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 5) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR RUBIO DISCUSSED THE LAWSUIT FILED BY THE CITY OF LOS ANGELES AGAINST KERN COUNTY RELATIVE TO THE PASSAGE OF MEASURE K TO PROHIBIT LAND APPLICATION OF BIOSOLIDS IN KERN COUNTY

REFERRED TO THE COUNTY ADMINISTRATIVE OFFICE AND COUNTY COUNSEL TO DRAFT A RESOLUTION FOR BOARD CONSIDERATION ON SEPTEMBER 12, 2006 TO SEEK SUPPORT FROM OTHER AFFECTED CALIFORNIA COUNTIES, AGENCIES, AND NATIONAL ALLIES TOWARD KERN COUNTY'S EFFORTS TO LITIGATE THE CASE AND REPORT BACK TO THE BOARD 30 DAYS AFTER ADOPTION OF THE RESOLUTION

**Rubio-Watson: All Ayes**

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- \*6) Proposed retroactive Amendment No. 4 to Agreement 207-2002 with Homemaker Services of Indian Wells Valley for caregiver support services in Ridgecrest, Johannesburg, and Inyokern, extending term of Agreement from July 1, 2006 through September 30, 2006, updating scope of work, and adjusting compensation, in an amount not to exceed \$2,895 (prior notification June 27, 2006) (Fiscal Impact: \$2,895; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 811-2006

**Watson-McQuiston: All Ayes**

- \*7) Proposed retroactive Amendment No. 5 to Agreement 208-2002 with Kern Around the Clock Foundation for caregiver support services, extending term of Agreement from July 1, 2006 through September 30, 2006, updating scope of work, and adjusting compensation, in an amount not to exceed \$8,348 (prior notification June 27, 2006) (Fiscal Impact: \$8,348; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 812-2006

**Watson-McQuiston: All Ayes**

- \*8) Proposed retroactive Amendment No. 5 to Agreement 209-2002 with Valley Caregiver Resource Center for caregiver support services, extending term of Agreement from July 1, 2006 through September 30, 2006, updating scope of work, and adjusting compensation, in an amount not to exceed \$10,161 (prior notification June 27, 2006) (Fiscal Impact: \$10,161; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 813-2006

**Watson-McQuiston: All Ayes**

- \*9) Proposed retroactive Amendment No. 6 to Agreement 205-2002 with Alzheimer's Disease Association of Kern County for caregiver support services, extending term of Agreement from July 1, 2006 through September 30, 2006, updating scope of work, and adjusting compensation, in an amount not to exceed \$34,904 (prior notification June 27, 2006) (Fiscal Impact: \$34,904; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 814-2006

**Watson-McQuiston: All Ayes**

- \*10) Proposed retroactive Amendment No. 4 to Agreement 609-2002 with Greater Bakersfield Legal Assistance, Inc., for Grandparent Guardianship Project through Family Caregiver Support Program, extending term of Agreement from July 1, 2006 through September 30, 2006, updating scope of work, and adjusting compensation, in an amount not to exceed \$9,849 (prior notification June 27, 2006) (Fiscal Impact: \$9,849; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 815-2006

**Watson-McQuiston: All Ayes**

- \*11) Proposed retroactive Agreement with Catholic Healthcare West for communication device services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$40,000 (prior notification June 27, 2006) (Fiscal Impact: \$40,000; Federal; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 816-2006

**Watson-McQuiston: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*12) Proposed Resolution from Bakersfield City School District requesting Elections Official to conduct their bond election to be held on November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

**Watson-McQuiston: All Ayes**

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

**Watson-McQuiston: All Ayes**

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

**Watson-McQuiston: All Ayes**

- \*15) Proposed Resolution from North Edwards Water District requesting Elections Official to conduct their tax election to be held on November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

**Watson-McQuiston: All Ayes**

- \*16) Proposed Resolution from Elk Hills School District requesting Elections Official to conduct their recall election to be held on November 7, 2006 (Fiscal Impact: None) - AUTHORIZED ELECTIONS OFFICE TO CONDUCT ELECTIONS-RELATED SERVICES REQUESTED

**Watson-McQuiston: All Ayes**

- \*17) 2005-2006 Fund Balances available for financing 2006-2007 Budget (Fiscal Impact: None) - APPROVED; AUTHORIZED THE AUDITOR-CONTROLLER-COUNTY CLERK TO RE-ESTABLISH THE APPROPRIATIONS IN PRIOR YEAR AS PRESENTED

**Watson-McQuiston: All Ayes**

CLERK OF THE BOARD

- \*18) Proposed Amendment No. 2 to Agreement with Decision Management Company, Inc., dba Questys Solutions, for annual software maintenance for the Questys Imaging System, to extend the term an additional five years through September 11, 2011, in an amount not to exceed \$78,415.06 (Fiscal Impact: \$78,415.06; FY 2006-2007, \$14,191.15; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 817-2006

**Watson-McQuiston: All Ayes**

COUNTY COUNSEL

- \*19) Resolution authorizing the issuance and sale of Standard School District General Obligation Bonds, Election of 2006, Series 2006A, in the aggregate principal amount not to exceed \$13,000,000, and providing authorization to the County Treasurer-Tax Collector to execute contract of purchase relating thereto (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-321

**Watson-McQuiston: All Ayes**

- \*20) Request to terminate County Counsel as Small Claims Legal Advisor as outlined in SB 180, with Superior Court taking over service as of August 14, 2006 (Fiscal Impact: Savings of \$27,000; General Fund; Budgeted; Discretionary) - APPROVED

**Watson-McQuiston: All Ayes**

- \*21) Request of Child Support Services 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

**Watson-McQuiston: All Ayes**

DISTRICT ATTORNEY

- 22) Briefing on Kern County Regional Crime Laboratory's accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (Fiscal Impact: None) - RECEIVED AND FILED

**Rubio-Maben: All Ayes**

- \*23) Request for approval of JAG-Funded Projects Certification of Compliance Methamphetamine Laboratory Operations for 2006-2007 Anti-Drug Abuse Enforcement Program (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Watson-McQuiston: All Ayes**

- \*24) Proposed retroactive Agreement with City of Bakersfield for use of Bakersfield Police Department's pistol range and obstacle course, from August 2, 2006 for an ongoing term at no cost to County (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 818-2006

**Watson-McQuiston: All Ayes**

- \*25) Proposed retroactive Agreement with Pen-Link, Ltd., for maintenance required for Kern County District Attorney's Lincoln System, from June 1, 2006 through May 31, 2007, in an amount not to exceed \$20,000 (Fiscal Impact: \$20,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 819-2006

**Watson-McQuiston: All Ayes**

- \*26) Proposed Resolution authorizing grant application to State of California Department of Justice for Spousal Abuser Prosecution Program for Fiscal Year 2006-2007 (Fiscal Impact: \$44,617; General Fund; Budgeted; Mandated) - APPROVED; ADOPTED RESOLUTION 2006-322 AUTHORIZING DISTRICT ATTORNEY TO SUBMIT GRANT APPLICATION AND EXECUTE ALL APPLICABLE DOCUMENTS

**Watson-McQuiston: All Ayes**

- \*27) Request for approval of U.S. Department of Justice and U.S. Department of the Treasury Federal Annual Certification Report for the period July 1, 2005 through June 30, 2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Watson-McQuiston: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*28) Request for authorization to apply for Community-Based Job Training funding from Department of Labor to increase the capacity at community colleges to better serve the needs of manufacturing and logistic sectors (Fiscal Impact: None) - APPROVED; AUTHORIZED EMPLOYERS' TRAINING RESOURCE AS THE FISCAL AGENT; AUTHORIZED EMPLOYERS' TRAINING RESOURCE DIRECTOR TO EXECUTE REQUIRED DOCUMENTS

**Watson-McQuiston: All Ayes**

- \*29) Proposed retroactive sole source purchase order with Kern Community College District, Cerro Coso Community College, to provide employment and training activities to customers eligible under the Workforce Investment Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$20,000 (prior notification July 25, 2006) (Fiscal Impact: \$20,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 820-2006

**Watson-McQuiston: All Ayes**

- \*30) Proposed retroactive Agreement with the City of Ridgecrest, 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 \$66,500 (prior notification June 27, 2006) (Fiscal Impact: \$66,500; Federal Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 821-2006

**Watson-McQuiston: All Ayes**

FIRE DEPARTMENT

- \*31) Report on unpaid costs incurred for fire hazard abatement work (Fiscal Impact: None) - RECEIVED AND FILED; ORDERED UNPAID COSTS TO BE PLACED ON TAX ROLLS BY AUDITOR-CONTROLLER AS SPECIAL ASSESSMENT AGAINST PROPERTY TO BE COLLECTED IN THE SAME MANNER AND SUBJECT TO THE SAME PENALTIES AS PROPERTY TAXES

**Watson-McQuiston: All Ayes**

- \*32) Proposed sole source Agreement with i2 Incorporated for intelligence gathering software and training for Sheriff's Department, in an amount not to exceed \$23,000 (Fiscal Impact: \$23,000; Homeland Security Grant; Budgeted; Discretionary) - CONTINUED TO TUESDAY, SEPTEMBER 12, 2006 AT 9:00 A.M.

**Watson-McQuiston: All Ayes**

HUMAN SERVICES

- 33) Kern County Department of Human Services Response to the Citizen Review Panel's 2004-2005 Annual Report (Fiscal Impact: None) - TERRI FOLEY, CITIZEN'S REVIEW PANEL, HEARD; RECEIVED AND FILED

**Watson-Rubio: All Ayes**

- \*34) Proposed Agreement with California Department of Justice for conducting criminal background checks for Child Welfare Services (Fiscal Impact: None) - APPROVED; AUTHORIZED DIRECTOR TO SIGN

**Watson-McQuiston: All Ayes**

- \*35) Proposed Agreement with Kern Community College District for Foster Parent Pre-Service Training program, from August 22, 2006 through June 30, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 822-2006

**Watson-McQuiston: All Ayes**

- \*36) Proposed Amendment No. 2 to Agreement 760-2005 with Moss Beach Homes, Inc., as represented by Aspira Foster and Family Services, for provision of Senate Bill 163 Wraparound Services, to extend term to September 30, 2006, and increase total compensation by \$239,762, to an amount not to exceed \$2,607,396 (Fiscal Impact: \$95,905 State/Federal; \$143,857 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 823-2006

**Watson-McQuiston: All Ayes**

- \*37) Proposed Amendment No. 1 to Agreement 866-2005 with Charlotte Daniel for Parent Leader position to increase compensation by \$4,072, to an amount not to exceed \$28,072 (Fiscal Impact: \$3,421 State/Federal; \$611 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 824-2006

**Watson-McQuiston: All Ayes**

- \*38) Proposed Amendment No. 1 to Agreement 866-2005 with Eugene Alonzo for Parent Leader position to increase compensation by \$3,263, to an amount not to exceed \$27,263 (Fiscal Impact: \$2,775 State/Federal; \$488 County; Budgeted; Discretionary) -

**WITHDRAWN**

- \*39) Proposed Amendment No. 1 to Agreement 866-2005 with Gregory D. Colver for Parent Leader position to increase compensation by \$4,800, to an amount not to exceed \$28,800 (Fiscal Impact: \$4,080 State/Federal; \$720 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 825-2006

**Watson-McQuiston: All Ayes**

KERN MEDICAL CENTER

- \*40) Proposed authorization to expend intergovernmental transfer to California Department of Health Services to allow Kern Medical Center to participate in the disproportionate hospital share program in an amount not to exceed \$1,200,000 (Fiscal Impact: \$3,703,776 in additional MediCal redesign revenue) - APPROVED PAYMENT TO CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR INTERGOVERNMENTAL TRANSFER IN AN AMOUNT NOT TO EXCEED \$1,200,000

**Watson-McQuiston: All Ayes**

- 41) Proposed Amendment No. 4 to Agreement 898-2002 with Murray A. Brown, M.D., an independent contractor, for psychiatric consulting services, extending the term for one year through September 23, 2007, and increasing the maximum payable by \$75,000, from \$300,000 to \$375,000 (Fiscal Impact: \$75,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 826-2006

**McQuiston-Maben: All Ayes**

- 42) Proposed Amendment No. 4 to Agreement 899-2002 with Marvin Karno, M.D., an independent contractor, for psychiatric consulting services, extending the term for one year through September 23, 2007, and increasing the maximum payable by \$75,000, from \$300,000 to \$375,000 (Fiscal Impact: \$75,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 827-2006

**McQuiston-Maben: All Ayes**

- \*43) Proposed Amendment No. 1 to Agreement 018-2005 with Access Nurses, Inc., an independent contractor, for temporary nurse staffing, increasing the annual not to exceed amount for year one of the Agreement by \$50,000, from \$200,000 to \$250,000, and increasing the maximum payable by \$50,000, from \$400,000 to \$450,000 (Fiscal Impact: \$50,000, KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 828-2006

**Watson-McQuiston: All Ayes**

- \*44) Proposed Agreement with Jamshid Jamshidian, M.D., an independent contractor, for radiology services, from August 22, 2006 through August 21, 2008, in an amount not to exceed \$360,000 (Fiscal Impact: \$360,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 829-2006

**Watson-McQuiston: All Ayes**

- \*45) Proposed Agreement with Clinica Sierra Vista, an independent contractor, to provide adjunct faculty for resident education in the Department of Obstetrics and Gynecology, and for Kern Medical Center to provide patient coverage, surgical assistance and consultative services for obstetric and gynecologic patients, from September 1, 2006 through August 31, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 830-2006

**Watson-McQuiston: All Ayes**

- \*46) Proposed retroactive Agreement with The Regents of the University of California, an independent contractor, to provide consultant services to the pediatric medical and education programs, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$85,200 (prior notification June 27, 2006) (Fiscal Impact: \$85,200; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 831-2006

**Watson-McQuiston: All Ayes**

- \*47) Proposed Agreement with Clinica Sierra Vista, an independent contractor, for nutritional services to patients participating in the Women, Infants and Children (WIC) program, from September 1, 2006 through August 31, 2008 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 832-2006

**Watson-McQuiston: All Ayes**

- \*48) Proposed Agreement with Kimberly A. Smith, Pharm.D., an independent contractor, dba Pacific Pharmaceutical Consulting, for clinical pharmacy services in the inpatient psychiatric department, from October 5, 2006 through October 4, 2008, in an amount not to exceed \$166,400 (Fiscal Impact: \$166,400; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 833-2006

**Watson-McQuiston: All Ayes**

- \*49) Proposed Agreement with Svetozar Stefan Stukovsky, M.D., an independent contractor, for medical services to inmates at detention facilities owned and operated by the County, from November 1, 2006 through October 31, 2008, in an amount not to exceed \$60,000 (Fiscal Impact: \$60,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 834-2006

**Watson-McQuiston: All Ayes**

- \*50) Proposed Agreement with Central Cardiology Medical Clinic, an independent contractor, for specialized cardiac services to patients and teaching services to resident physicians, from September 1, 2006 through August 31, 2008, in an amount not to exceed \$900,000 (Fiscal Impact: \$900,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 835-2006

**Watson-McQuiston: All Ayes**

- \*51) Proposed annual renewal of Agreement to participate in adult care food program with the State of California, Department of Education, an independent contractor, to fund nutritional supplements for participants in ElderLife Adult Day Health Care (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 836-2006

**Watson-McQuiston: All Ayes**

LIBRARY

- \*52) Request to employ retired County employees, Delores Gisinger, Shafter Branch, as an Office Services Assistant, Step E; Mary Jeffers, Ridgecrest Branch, as an Office Services Assistant, Step E; Linda Knowles, Taft Branch, as an Office Services Technician, Step E; Vivian Stowers, Tehachapi Branch, as an Office Services Technician, Step E; and Karyl Towse, Bakersfield Libraries, 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: \$68,548; Budgeted; Discretionary) - APPROVED

**Watson-McQuiston: All Ayes**

- \*53) Request to employ retired County employee, Linda Dierck, Kern River Valley, Kernville, and Wofford Heights Branches, 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: \$14,304; Budgeted; Discretionary) - APPROVED

**Watson-McQuiston: All Ayes**

- \*54) Request to amend Bookmobile I Schedule, effective September 11, 2006 (Fiscal Impact: None) - APPROVED

**Watson-McQuiston: All Ayes**

MENTAL HEALTH SERVICES

- \*55) Proposed retroactive Amendment No. 2 to Agreement 261-2005 with the Department of Alcohol and Drug Program (State Agreement No. NNA15, Amendment No. 2 [05-06], for alcohol and drug prevention services, from July 1, 2004 through June 30, 2008, increasing funding for FY 2005-2006 from its original amount of \$8,560,399 to an amount not to exceed \$8,734,110 (an increase of \$173,711) (Fiscal Impact: \$173,711; Mandated; Budgeted) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 837-2006

**Watson-McQuiston: All Ayes**

- \*56) Proposed relief from accountability of patient accounts totaling \$62,072.80 (Fiscal Impact: \$62,072.80; Realignment; Discretionary; Not Budgeted) - APPROVED

**Watson-McQuiston: All Ayes**

PROBATION

- \*57) Request to employ retired County employee, James O'Harra, as Group Counselor III, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following date of employment (Fiscal Impact: \$24,892.80; Probation; Budgeted; Discretionary) - APPROVED

**Watson-McQuiston: All Ayes**

- \*58) Request authorization to submit grant application to Governor's Office of Emergency Services for Special Emphasis Victim Assistance Program (SEVAP), in the amount of \$137,500, which includes a 20% match, for the period October 1, 2006 to September 30, 2007 (Fiscal Impact: \$110,000 Grant; \$27,500 Local Match; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHIEF PROBATION OFFICER TO EXECUTE REQUIRED APPLICATION AND GRANT AGREEMENT

**Watson-McQuiston: All Ayes**

- \*59) Proposed retroactive Agreement with Santa Barbara Business College (SBBC) for Probation Group Counselor Intern Program, from August 16, 2006 through August 31, 2008, and approval of form of Agreement with SBBC for additional intern programs (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 838-2006; APPROVED FORM OF AGREEMENT FOR FUTURE INTERN PROGRAM AND AUTHORIZED CHIEF PROBATION OFFICER TO SIGN SUBJECT TO APPROVAL BY COUNTY COUNSEL AS TO FORM

**Watson-McQuiston: All Ayes**

PUBLIC HEALTH SERVICES

- \*60) Proposed Agreement with State Department of Health Services for Epidemiology Fellowship, from September 1, 2006 through August 31, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 839-2006

**Watson-McQuiston: All Ayes**

- \*61) Proposed Agreement with Public Health Foundation Enterprises, Inc., for Epidemiology Fellowship Services, from September 1, 2006 through August 31, 2007, in an amount not to exceed \$46,384 (Fiscal Impact: \$46,384; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 840-2006

**Watson-McQuiston: All Ayes**

- \*62) Proposed Agreement with Maric College, Kaplan Higher Education, for medical assistant externship program, beginning August 31, 2006 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 841-2006

**Watson-McQuiston: All Ayes**

- \*63) Proposed retroactive Agreement with Clinica Sierra Vista, for immunization services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$195,000 (prior notification June 27, 2006) (Fiscal Impact: \$195,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 842-2006

**Watson-McQuiston: All Ayes**

- \*64) Proposed 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 (Fiscal Impact: \$9,879; Private Foundation Subcontract; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 843-2006

**Watson-McQuiston: All Ayes**

- \*65) Request for sole source purchase order with Cardinal Health Medical Product Services, to purchase miscellaneous medical supplies for emergency kits, first aid kits, vaccines, antibiotics, female contraceptives, and permethrin lotion for head lice, in an amount not to exceed \$79,000 (Fiscal Impact: \$79,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Watson-McQuiston: All Ayes**

- \*66) Request for sole source purchase order with Meridian Bioscience Corporation, to purchase ELISA kits for Valley Fever, in an amount not to exceed \$165,000 (Fiscal Impact: \$165,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Watson-McQuiston: All Ayes**

- \*67) Request for sole source purchase order with Becton Dickinson, to purchase testing supplies for Chlamydia and Gonorrhea, in an amount not to exceed \$64,752 (Fiscal Impact: \$64,752; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Watson-McQuiston: All Ayes**

- \*68) Request for sole source purchase order with Sanofi Pasteur, to purchase vaccines for yellow fever, typhoid, and meningitis, in an amount not to exceed \$80,000 (Fiscal Impact: \$80,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Watson-McQuiston: All Ayes**

SHERIFF

- \*69) Proposed retroactive Agreement with State of California, Commission on Peace Officer Standards and Training, for training services by Kern County Sheriff's Department, from July 1, 2006 through June 30, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 844-2006

**Watson-McQuiston: All Ayes**

- \*70) Application to hold a parade - Gold Rush Days and 130th Birthday of Mojave - Mojave Chamber of Commerce on September 16, 2006, in Mojave, 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

**Watson-McQuiston: All Ayes**

ADJOURNED TO CLOSED SESSION

**Maben**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 71) 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) -
- 72) Request for Closed Session regarding public employee recruitment - Title: Kern Medical Center Chief Executive Officer (Government Code Section 54957) -
- 73) 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) (from 8/15/06) -

COUNTY COUNSEL

- 74) Request for Closed Session regarding a lawsuit entitled Gary Roskam v. County of Kern, (WCAB Case No. BAK 0143166), (Government Code Section 54956.9(a)) -

(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-McQuiston**

/s/ Denise Pennell  
Clerk of the Board

/s/ Barbara Patrick  
Chairman, Board of Supervisors

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue  
Bakersfield, California

Regular Meeting  
Tuesday, August 22, 2006

2:00 P.M.

BOARD RECONVENED

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

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

BOARD ACTION SHOWN IN CAPS

#### PUBLIC PRESENTATIONS

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

#### BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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

CONTINUED HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*3) **Request from LeRoy Cass, Trustee of Lila Weldon Living Trust (original applicant - Tri Western Resources, LLC), to appeal the decision of the Planning Commission approving a reclamation plan for a mining operation on federally owned land on 40 acres located approximately 15 miles west of the intersection of State Highway 14 and Jawbone Canyon Road (SD #2)**

**Specific Request:**

An appeal to the decision of the Planning Commission to approve Conditional Use Permit 2, Map 131 (Resolution 84-06; approved April 27, 2006) to allow a mining reclamation only plan in accordance with the Surface Mining and Reclamation Act (SMARA) of 1975 (Section 19.16.030.H) in an E (20) District (Appeal #1, Map #131) (Negative Declaration; Published Mojave Desert News) (from 6/27/2006 & 7/25/2006) - REFERRED BACK TO STAFF

**Maben-Watson: All Ayes**

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

**Specific Request:**

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

(General Rule, Section 15061(b)(3); Published Rosamond Weekly News) (from 7/18/2006 & 7/25/2006) - OPENED HEARING; JOHN REHKLAU HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2006-323 DISAPPROVING APPEAL AND APPROVING PARCEL MAP 11327 UPON CONDITIONS ORIGINALLY IMPOSED BY ADVISORY AGENCY

**Maben-Rubio: All Ayes**

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*5) **Request from Las Palmas Properties, Inc., by Delmarter and Deifel to vacate 13 feet of excess right-of-way on both sides of South "P" Street between Wilson Road and the Kern Island Canal, Bakersfield (SD #5)**

**Specific Request:**

Nonsummary vacation of 13 feet of excess right-of-way on both sides of South "P" Street between Wilson Road and the Kern Island Canal (124-7 3 098 Streets and Highways)

(General Rule, Section 15061(b)(3); Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING DEPARTMENT RECOMMENDATION, ADOPTED RESOLUTION 2006-324 APPROVING VACATION AS RECOMMENDED, EXCEPTING AND RESERVING AN EASEMENT FOR EXISTING PUBLIC UTILITIES

**Maben-Watson: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Land Use

S.D. #1

- \*6) Proposed Notice of Nonrenewal Petition No. 06-48 by James Nickel on behalf of Nickel Family, LLC, for approximately 76 acres within Agricultural Preserve 13 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

S.D. #2

- \*7) Proposed Notice of Nonrenewal Petition No. 06-37 by Carl Costerisan and Caron Costerisan Dias for approximately 77 acres within Agricultural Preserves 10 and 11 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

S.D. #5

- \*8) Proposed Notice of Nonrenewal Petition No. 06-23 by Paul Biane on behalf of Almonds Eight, LLC, for approximately 154 acres within Agricultural Preserve 13 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

- \*9) Proposed Notice of Nonrenewal Petition No. 06-24 by Paul Biane on behalf of Java Ranch 8, LLC, for approximately 266 acres within Agricultural Preserve 13 (Fiscal Impact: None) - DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-Watson: All Ayes**

All S.D.'s

- \*10) Annual confirmation of the boundaries of Agricultural Preserves (Fiscal Impact: None) - ADOPTED RESOLUTIONS 2006-325 THROUGH 2006-344 CONFIRMING BOUNDARIES OF EACH OF THE 20 AGRICULTURAL PRESERVES; DIRECTED CLERK OF THE BOARD TO RECORD; DIRECTED CLERK OF THE BOARD TO TRANSMIT A COPY OF EACH RESOLUTION AND MAP TO STATE OF CALIFORNIA, DIRECTOR OF DEPARTMENT OF CONSERVATION

**Maben-Watson: All Ayes**

Miscellaneous

S.D. #2

- \*11) Proposed Consulting Agreement with Stantec Consulting, Inc., to prepare the Environmental Impact Report (EIR) for Clearvista Ranch Development by Pannon Design and Development, in an amount not to exceed \$281,408, and proposed Agreement with Clearvista Ranch, LLC, to pay all County costs for processing of the EIR (Fiscal Impact: \$281,408, Application Processing Fees; Not Budgeted; Discretionary) - CONTINUED TO TUESDAY, SEPTEMBER 12, 2006 AT 2:00 P.M.

**Maben-Watson: All Ayes**

S.D. #4

- \*12) Proposed Consulting Agreement with Ultrasystems Environmental, Inc., to prepare the Environmental Impact Report (EIR) for Beech Street Development by McIntosh and Associates, in an amount not to exceed \$163,644, and proposed Agreement with Beech Street Development, LLC, to pay all County costs for processing of the EIR (Fiscal Impact: \$163,644; Application Processing Fees; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 845-2006 AND 846-2006

**Maben-Watson: All Ayes**

All S.D.'s

- \*13) Response to referral regarding effects of building construction to neighborhood residential use (Fiscal Impact: None) - REFERRED THE MATTER OF IMPLEMENTING A CONSTRUCTION NOISE ORDINANCE BACK TO STAFF FOR FURTHER RESEARCH

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

Hearing

S.D. #1

- \*14) Public Hearing to amend the County of Kern's Fiscal Year 2005-2006 Annual Action Plan for Community Development Programs to cancel CD Activity No. 18.05.2, Shafter Town Square Improvements, and Agreement 1084-2005 with the City of Shafter (Fiscal Impact: \$95,723.97; Community Development Block Grant Funds; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED AMENDMENT AND CANCELLATION OF AGREEMENT; AUTHORIZED NECESSARY BUDGET ADJUSTMENTS; AUTHORIZED INTERIM DIRECTOR TO SUBMIT ALL RELATED DOCUMENTATION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Maben-Watson: All Ayes**

- \*15) Proposed Amendment No. 4 to Agreement 710-2003 with the City of Shafter for construction of park offsite improvements, CD No. 18.03.1, an increase in funds of \$90,102.80, for a new total not to exceed \$793,380.80 (Fiscal Impact: \$90,102.80; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 847-2006

**Maben-Watson: All Ayes**

- \*16) Proposed Agreement with the City of McFarland to provide Community Development Block Grant funds for McFarland Streetlight Enhancement, CD No. 16.04.6, in an amount not to exceed \$50,000 (Fiscal Impact: \$50,000; Federal Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 848-2006

**Maben-Watson: All Ayes**

All S.D.'s

- \*17) Approval of Fiscal Year 2006-2007 Grant Agreements for the Community Development Block Grant (CDBG) Program in the amount of \$5,186,210; HOME Investment Partnerships (HOME) Program in the amount of \$2,140,249; and Emergency Shelter Grant (ESG) Program in the amount of \$231,829 (Fiscal Impact: \$7,558,288; Federal CDBG, HOME, and ESG Grants; Budgeted; Discretionary) - APPROVED GRANT AGREEMENTS AND CERTIFICATION; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 849-2006, 850-2006 AND 851-2006; AUTHORIZED INTERIM DIRECTOR TO TRANSMIT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Maben-Watson: All Ayes**

- 18) Briefing on department operations (Fiscal Impact: None) -

**WITHDRAWN**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #1

- \*19) Request for release of Laborers and Materialmen Security for Tract 6138, North Country Meadows (Fiscal Impact: None) - APPROVED; RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 2085067, ISSUED BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$284,634

**Maben-Watson: All Ayes**

- \*20) Request for release of Laborers and Materialmen Security for Tract 6162, Norris Road Partners, LLC (Fiscal Impact: None) - APPROVED; RELEASED LABORERS AND MATERIALMEN SECURITY BOND NO. 2085113, ISSUED BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$507,507

**Maben-Watson: All Ayes**

S.D. #2

- \*21) Request to set public hearing to consider levying assessments for Zone of Benefit Nos. 1, 2, 3 and 5 within County Service Area No. 63 and proposed Resolution of Intention to extend Zone of Benefit Nos. 1, 2, 3 and 5, Tract 6231, located north of Rosamond Boulevard and west of 15th Street West, Rosamond (Fiscal Impact: \$34,720; CSA's; Budgeted; Mandated) - APPROVED; MADE FINDING ACTION IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO SECTION 15061(B)(3) AND SECTION 15273 OF THE STATE CEQA GUIDELINES; SET PUBLIC HEARING FOR TUESDAY, OCTOBER 10, 2006, AT 2:00 P.M., TO RECEIVE PUBLIC COMMENT AND TABULATE BALLOTS; DIRECTED ENGINEERING & SURVEY SERVICES DEPARTMENT TO MAIL NOTICES AND BALLOTS, ALONG WITH AN ENGINEER'S REPORT, TO 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 2006-345

**Maben-Watson: All Ayes**

S.D. #4

- \*22) Request to approve final map for Tract 6154, Phase 2, southwest corner of Rosedale Highway and Renfro Road, western Rosedale, The Lusich Company for Delfino Bakersfield, LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-346 MAKING FINDINGS PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNERS WITHOUT SURFACE ENTRY RIGHTS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE) AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "A" IN TRACT NO. 6154, PHASE 1; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED SEWAGE MONITORING EASEMENT; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-Watson: All Ayes**

S.D. #5

- \*23) Request to authorize Director of Engineering & Survey Services to sign and submit grant agreement documents for the Rexland Acres Sewer System for the United States Environmental Protection Agency (EPA) \$1,433,600 Grant (Fiscal Impact: \$1,433,600; Grant Funds; Discretionary) - APPROVED; AUTHORIZED DIRECTOR OF ENGINEERING & SURVEY SERVICES TO SIGN AND SUBMIT

**Maben-Watson: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

S.D. #1

- \*24) Proposed Agreement with Sprint Communications for reimbursement of relocation costs associated with the Seventh Standard Road and State Highway 99 interchange modification and grade separation project, in an amount not to exceed \$144,104.95 (Fiscal Impact: \$144,104.95; Road Fund, STIP Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 852-2006

**Maben-Watson: All Ayes**

- \*25) Contract No. 05011, Plans, Specifications and Notice to Contractors for construction on Seventh Standard Road from Airport Drive to McCray Street (Fiscal Impact: \$1,395,000; Metropolitan Bakersfield Transportation Impact Fee; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA PER SECTION 15301(c) OF STATE CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, SEPTEMBER 20, 2006, AT 11:00 A.M.

**Maben-Watson: All Ayes**

- \*26) Proposed Amendment No. 1 to Joint Agencies Agreement 1107-2000 with the Greater Bakersfield Separation of Grade District for Seventh Standard Road and Union Pacific Railroad Separation of Grade Project, in an amount not to exceed \$2,365,000 (Fiscal Impact: \$2,365,000; Metropolitan Bakersfield Transportation Impact Fee, Section 190 Separation of Grade Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 853-2006

**Maben-Watson: All Ayes**

S.D. #3

- \*27) Contract No. 07001, Plans, Specifications and Notice to Contractors for construction on Olive Drive from Knudsen to Coffee Road (Fiscal Impact: \$750,000; Road Fund; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA, PER SECTION 15301(c) OF STATE CEQA GUIDELINES; AUTHORIZED ROADS TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED ROADS TO PUBLISH NOTICE TO CONTRACTORS IN A NEWSPAPER OF GENERAL CIRCULATION, PURSUANT TO SECTION 20392 OF PUBLIC CONTRACT CODE; BID OPENING TO BE WEDNESDAY, SEPTEMBER 13, 2006, AT 11:00 A.M.

**Maben-Watson: All Ayes**

WASTE MANAGEMENT

All S.D.'s

- \*28) Request to hire retired County employee Frank Chmiel as a Planner III, Step E, for a term not to exceed 120 working days or 960 hours, whichever is greater, in the 12 month period following date of employment (Fiscal Impact: \$27,784; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED

**Maben-Watson: All Ayes**

- \*29) Proposed Agreement with GC Environmental, Inc., to provide landfill gas management and regulatory compliance services from August 22, 2006 through December 31, 2009, in an amount not to exceed \$400,000 (Fiscal Impact: \$400,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 854-2006

**Maben-Watson: All Ayes**

- \*30) Proposed Agreement with SCS Engineers, Inc., to provide air and regulatory compliance, and landfill gas management services from August 22, 2006 through December 31, 2009, in an amount not to exceed \$150,000 (Fiscal Impact: \$150,000; Solid Waste Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 855-2006

**Maben-Watson: All Ayes**

- 31) Report concerning financial impacts of growth and construction cost increases (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-McQuiston: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- 32) Proposed one-year Agreement with The Camden Group for interim management and strategic planning services at Kern Medical Center, in an amount not to exceed \$739,400 (Fiscal Impact: \$739,400; Budgeted; Discretionary) - DAVID K. CULBERSON, INTERIM DIRECTOR, KERN MEDICAL CENTER, ACKNOWLEDGED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 856-2006  
**Watson-Rubio: All Ayes**
- \*33) Response to referral regarding contract administration (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-Watson: All Ayes**
- \*34) Quarterly Report on authorized positions and vacancies for Fiscal Year 2005-2006, third and fourth quarters (Fiscal Impact: None) - RECEIVED AND FILED  
**Maben-Watson: All Ayes**
- \*35) Proposed Administrative Bulletin No. 29 establishing policy in compliance with Emergency Shelter Grant program requirements (Fiscal Impact: None) - APPROVED  
**Maben-Watson: All Ayes**
- \*36) Proposed Resolution supporting City of Arvin Enterprise Zone application and authorizing the inclusion of certain unincorporated area within the Enterprise Zone boundaries (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-347  
**Maben-Watson: All Ayes**
- \*37) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 512, Local Agency Formation Commission (LAFCO) Proceeding No. 1468 (Fiscal Impact: FY 2007-2008 \$300; General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-348  
**Maben-Watson: All Ayes**
- \*38) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 527, Local Agency Formation Commission (LAFCO) Proceeding No. 1469 (Fiscal Impact: FY 2007-2008 \$573; General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-349  
**Maben-Watson: All Ayes**
- \*39) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 535, Local Agency Formation Commission (LAFCO) Proceeding No. 1471 (Fiscal Impact: FY 2007-2008 \$1,632; General Fund; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-350  
**Maben-Watson: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

S.D. #1

- \*40) Proposed Quitclaim Deed transferring roadway and parkland to City of Bakersfield, proposed Berm Drainage Easement in favor of Centex Homes, proposed Cooperative Agreement between the County, City of Bakersfield and Centex Homes and proposed Permission to Enter Agreement with Centex Homes, allowing them to enter County property on the Kern River Golf Course to construct improvements (Fiscal Impact: None) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15061(b)(3); AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN COOPERATIVE AGREEMENT 857-2006, PERMISSION TO ENTER AGREEMENT 858-2006, BERM EASEMENT AGREEMENT 859-2006 AND QUITCLAIM DEED, UPON FINAL APPROVAL BY COUNTY COUNSEL, AND RETURN ALL DOCUMENTS TO GENERAL SERVICES FOR PROCESSING

**Maben-Watson: All Ayes**

S.D. #3

- 41) Identify apparent low bid from JTS Construction for the International Airlines Terminal Phase II, in an amount not to exceed \$4,657,000 (8994.8422.04B) (Fiscal Impact: \$4,657,000; Airport Enterprise Fund; Budgeted; Discretionary) - IDENTIFIED LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND TO PREPARE CONTRACT DOCUMENTS; AUTHORIZED INCREASE TO AIRPORT ENTERPRISE FUND LINE OF CREDIT IN AN AMOUNT NOT TO EXCEED \$4,300,000

**Watson-Maben: All Ayes**

S.D. #5

- \*42) Request for subcontractor substitution for County Counsel & Public Defender's Office Remodel (1960.8200.05) (Fiscal Impact: None) - MADE FINDING THAT SE CHANG ENGINEERING, INC., FAILED TO EXECUTE A WRITTEN CONTRACT WITH SEA PAC ENGINEERING, INC.; APPROVED SUBSTITUTION OF GBS COMPANY TO COMPLETE THE STRUCTURAL STEEL PORTION OF THE PROJECT

**Maben-Watson: All Ayes**

- \*43) Report on the status of the Animal Control Kennel Coating Project (1650.7051.05) (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-Watson: All Ayes**

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

- \*44) Plans and specifications for the Fire Station Diesel Exhaust Evacuation Phase II (2415.8153.05B) (Fiscal Impact: \$273,100; Aid to Firefighters Grant; Budgeted; Discretionary) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, SEPTEMBER 14, 2006, AT 11:00 A.M.

**Maben-Watson: All Ayes**

CONSIDERATION OF ORDINANCES INTRODUCED ON AUGUST 15, 2006

- \*45) Proposed Ordinance repealing Chapter 8.12 of the Kern County Ordinance Code and adding a new Chapter 8.12 regulating ambulance services - ENACTED ORDINANCE G-7435

**Maben-Watson: All Ayes**

- \*46) 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 mile per hour speed limit on Seventh Standard Road - ENACTED ORDINANCE G-7436

**Maben-Watson: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*47) Minutes for week of July 10, 2006 - APPROVED

**Maben-Watson: All Ayes**

- \*48) Miscellaneous Letters and Documents - APPROVED

**Maben-Watson: All Ayes**

- \*49) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

- \*50) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED

**Maben-Watson: All Ayes**

ADJOURNED TO MONDAY, AUGUST 28, 2006, AT 7:00 P.M.

**Rubio**

/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 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.

48) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Statements of Money in the County Treasury as of February 28, 2006 and May 16, 2006

Clerk of the Board

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

- 1) Parcel Map 10997 S.D. #2  
2) Parcel Map 11252 S.D. #1

Engineering & Survey Services

- C) Recorded Irrevocable Offer of Dedication from Desert Star Communities for Temporary 1-foot Non-Access Strip and Slope Easement, Tract 6450, Phase A (Document 0206159097)

Local Agency Formation Commission

- D) Resolution 06-21, Proceeding No. 1447, in the matter of City of Shafter, Annexation No. 78 (Copies to each Supervisor, CAO and Resource Management Agency)

Treasurer-Tax Collector

- E) Cash Receipts and Disbursements for July 2006

Miscellaneous

- F) Letter from Milton M. Younger, Chain-Younger-Cohn-Stiles, re Bakersfield Performing Arts Center (Copies to each Supervisor and CAO)
- G) Letter from A. G. Kawamura, Governor's Office of Emergency Services, to County Agriculture Commissioners, requesting information to support losses caused by extreme heat (Copies to each Supervisor, CAO, Emergency Services, Fire, Agricultural Commissioner, Resource Management Agency and Farm & Home Advisor)
- H) Letter from State Department of Toxic Substances Control re new Independence High School Bakersfield site on northwest corner of Old River Road and McCutchen Road (Copies to each Supervisor, CAO, Planning, Environmental Health and Engineering & Survey Services)
- I) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses from: Fastrup Food Store, 2350 Highway 58, Mojave; and Los Potrillos, 3933 So. Chester Avenue, Bakersfield (Copies to each Supervisor, CAO and Planning)
- J) Resolution 01-0806 from Kernville Union School District requesting County to issue and sell General Obligation Bonds of Kernville Union School District, Election of 2004, Series 2006 B
- K) Resolution R-12-06 from Kern Community College District requesting County to issue and sell bonds of the Kern Community College Safety, Repair and Improvement District of the Kern Community College District

- L) Preliminary Official Statement from Piper Jaffray & Co. re Standard Elementary School District General Obligation Bonds, Election of 2006, Series 2006 A
  
- 49) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
  - A) Resolution 06-29 from the Golden Hills Community Services District re intention to acquire and/or construct improvements and determining to proceed, Golden Knolls Road Assessment District - REFERRED TO COUNTY COUNSEL
  
- 50) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
  - A) Claim in the matter of Jessica Irwin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
  - B) Claim in the matter of Casey Cason vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
  - C) Claim in the matter of Burbank Land Club vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
  - D) Late claim in the matter of Frank Andrade, Sr. vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
  - E) Summons and complaint in the matter of Martin Esquivl Serda and Erika Nuno vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  
  - F) Discrimination complaint in the matter of Elizabeth Calderon vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)
  
  - G) Letter from Patrice Doehrn, State Department of Fair Employment & Housing, re discrimination complaint in the matter of Isaiah Crompton vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)