

## SUMMARY OF PROCEEDINGS

### BOARD OF SUPERVISORS - COUNTY OF KERN

KERN MEDICAL CENTER  
1830 Flower Street  
Conference Room  
Bakersfield, California

Regular Meeting  
Monday, September 11, 2006

2:00 P.M.

BOARD RECONVENED

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

NOTE: SUPERVISOR PATRICK REQUESTED THAT ATTENDEES REMAIN STANDING AFTER THE FLAG SALUTE FOR A MOMENT OF SILENCE IN MEMORY OF THE 9/11 TRAGEDY IN NEW YORK, WASHINGTON AND PENNSYLVANIA

SALUTE TO FLAG - Led by Supervisor Rubio

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!  
- DIANA ANDERSON, DIRECTOR, HEALTH CAREERS ACADEMY, EAST BAKERSFIELD HIGH SCHOOL, HEARD; KELLY VELASQUEZ, EAST BAKERSFIELD HIGH SCHOOL STUDENT, INTRODUCED AND 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 RUBIO CONGRATULATED TONI SMITH FOR THE HARD WORK THAT SHE AND HER STAFF PUT INTO THE KERN MEDICAL CENTER INVESTMENT INITIATIVE

SUPERVISOR PATRICK THANKED THE AUXILIARY FOR THE DEVELOPMENT OF THE GARDEN CONSULTATION ROOM AND DISCUSSED THE RIBBON CUTTING CEREMONY HELD EARLIER IN THE DAY

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  
**Watson-Rubio: All Ayes**
- \*5) Proposed Agreement with Witt/Kieffer for Kern Medical Center Chief Executive Officer recruitment services, in an amount not to exceed \$130,000 (Fiscal Impact: \$130,000; KMC Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 860-2006  
**Watson-Rubio: All Ayes**
- 6) Notification of proposed retroactive Agreement with Group Administrative Practice Strategies, Inc., an independent contractor, for management services for the bariatric surgery program (Fiscal Impact: None) - SUPERVISOR RUBIO REQUESTED THAT KMC REPORT BACK IF THEY BECOME CERTIFIED BY MEDICAID OR MEDI-CAL AND THEREBY ELIGIBLE FOR REIMBURSEMENT BY THE STATE FOR BARIATRIC PROCEDURES; DAVID CULBERSON, INTERIM CEO, STATED THAT KMC WILL PROVIDE THIS INFORMATION WHEN THIS CONTRACT IS PRESENTED TO THE BOARD; RECEIVED AND FILED  
**Rubio-Maben: All Ayes**
- \*7) Proposed Amendment No. 3 to Agreement 1007-2003 with Javed M. Syed, M.D., a contract employee, for radiology services, stabilizing the current annual salary at \$425,000, and decreasing the maximum not to exceed amount by \$206,173, from \$2,537,500 to \$2,331,327, effective September 16, 2006 (Fiscal Impact: \$206,173 Savings; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 861-2006  
**Watson-Rubio: All Ayes**

- \*8) Proposed Amendment No. 3 to Agreement 739-2004 with Bahram Raofi, M.D., a contract employee, for radiology services, stabilizing the current annual salary at \$425,000, and decreasing the maximum not to exceed amount by \$213,613, from \$2,158,208 to \$1,944,595, effective September 16, 2006 (Fiscal Impact: \$213,613 Savings; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 862-2006

**Watson-Rubio: All Ayes**

- \*9) Proposed Amendment No. 2 to Agreement 1008-2003 with M. Javad Naderi, M.D., a contract employee, for radiology services, stabilizing the current annual salary at \$425,000, and decreasing the maximum not to exceed amount by \$200,685, from \$2,537,500 to \$2,336,815, effective September 16, 2006 (Fiscal Impact: \$200,685 Savings; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 863-2006

**Watson-Rubio: All Ayes**

- \*10) Proposed approval of new job classification of Per Diem Medical Social Worker (Fiscal Impact: \$46,987; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED CREATION OF JOB CLASSIFICATION OF PER DIEM MEDICAL SOCIAL WORKERS; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Watson-Rubio: All Ayes**

- \*11) Update report on County of Kern/Kern Medical Center Investment in Nursing Initiative and Clinical Recruitment and Retention Plan (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Rubio: All Ayes**

- \*12) Proposed approval of additional elements of program entitled "An Investment in Nursing Initiative" and nursing scholarship Agreements (Fiscal Impact: \$635,440; KMC Enterprise Fund; Partially Budgeted; Discretionary) - APPROVED; AUTHORIZED CEO OF KMC TO SIGN; APPROVED ELIGIBILITY OF PER DIEM AND EXTRA HELP EMPLOYEES AND NON-COUNTY STUDENTS WHO ARE CANDIDATES IN THE NURSE SCHOLARSHIP PROGRAM WITH BAKERSFIELD COLLEGE TO RECEIVE REIMBURSEMENT OF EDUCATION EXPENSES

**Watson-Rubio: All Ayes**

- \*13) Proposed Agreement for Professional Services with VA Greater Los Angeles Healthcare System, for the ElderLife Adult Day Health Care Center, to adjust per diem rate from \$70 to \$80 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 864-2006

**Watson-Rubio: All Ayes**

- \*14) Proposed Contract Supplement 1-EKN6W to Agreement 276-99 with McKesson Information Solutions LLC for McKesson STAR and EC2000 upgrades and Claims Administrator training (Fiscal Impact: \$99,055; KMC Enterprise Fund; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 865-2006

**Watson-Rubio: All Ayes**

ADJOURNED TO TUESDAY, SEPTEMBER 12, 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, September 12, 2006

9:00 A.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 (\*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

#### RESOLUTIONS/PROCLAMATIONS

- 1) Certificate of Recognition recognizing Eugene Voiland, 2006 John Brock Award recipient - MADE PRESENTATION TO GENE VOILAND; GENE VOILAND AND HENRY LOWENSTEIN HEARD
- 2) Resolution honoring George Lopez, Department of Parks and Recreation, upon his retirement with 27 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO GEORGE LOPEZ; BOB LERUDE, DIRECTOR OF PARKS AND RECREATION, AND GEORGE LOPEZ HEARD

**Rubio-Maben: All Ayes**

- 3) Resolution honoring James Larma, upon his retirement with 32 years of service to the County of Kern - ADOPTED RESOLUTION; MADE PRESENTATION TO JAMES LARMA; MARK ARNOLD, PUBLIC DEFENDER, AND JAMES LARMA HEARD

**Watson-Maben: All Ayes**

- 4) Proclamation proclaiming September 2006 as Disaster Preparedness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO KERN COUNTY FIRE CHIEF DENNIS THOMPSON AND PUBLIC HEALTH OFFICER DR. B.A. JINADU; CHIEF THOMPSON AND DR. JINADU HEARD

**McQuiston-Maben: All Ayes**

- 5) Proclamation proclaiming September 16, 2006 as American Kennel Club Responsible Dog Ownership Day - PROCLAIMED; MADE PRESENTATION TO JANICE ANDERSON, CHAIRPERSON, KERN COUNTY ANIMAL CONTROL COMMISSION; JANICE ANDERSON HEARD

**Maben-Watson: All Ayes**

- \*6) Resolution honoring Peter Bryan upon his retirement with 10 years of service as Chief Executive Officer of Kern Medical Center - ADOPTED RESOLUTION; REFERRED TO BOARD OF TRADE FOR PREPARATION

**Watson-Maben: All Ayes**

- \*7) Proclamation proclaiming September 17-23, 2006 as Constitution Week in Kern County - PROCLAIMED; REFERRED TO CLERK OF THE BOARD FOR PREPARATION

**Watson-Maben: All Ayes**

- \*8) Ratify retroactive Proclamation proclaiming August 31, 2006 as Floyd Young Thornburgh Day in Kern County in recognition of his 100th birthday - PROCLAIMED

**Watson-Maben: All Ayes**

PUBLIC REQUESTS

- 9) Request of Fred Drew, Executive Director, Community Action Partnership of Kern, to address the Board regarding plans to implement a 211 System in Kern County - FRED DREW, EXECUTIVE DIRECTOR, AND ROMALA RAMKISSOON, FAMILY AND CHILD SERVICES DEPARTMENT, HEARD; RECEIVED AND FILED; REFERRED TO COUNTY ADMINISTRATIVE OFFICER TO PREPARE LETTER OF SUPPORT TO THE CPUC FOR THE CHAIRMAN'S SIGNATURE

**Rubio-Maben: All Ayes**

PUBLIC PRESENTATIONS

- 10) 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!  
- FRANK TRIPICCHIO, REPRESENTING THE BAKERSFIELD SISTER CITIES PROJECT, AND BOARD OF DIRECTORS OF SISTER CITIES INTERNATIONAL, ANNOUNCED ARRIVAL OF A DELEGATION OF VISITORS FROM HUCHON, KOREA, FOR A WELCOME DINNER AT THE PETROLEUM CLUB ON SEPTEMBER 25 AND A BRUNCH BY THE CITY OF BAKERSFIELD ON SEPTEMBER 26

DALE SPEER ADDRESSED THE BOARD REGARDING THE LACK OF A CURFEW ON ICE CREAM TRUCKS WHICH PRESENTS HAZARDS TO CHILDREN LATE AT NIGHT. SUPERVISOR RUBIO RESPONDED THAT HE WILL COORDINATE WITH THE KERN COUNTY SHERIFF'S DEPARTMENT TO ADDRESS THE ISSUE

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 11) 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 COMMENDED THE GRADUATING CLASS FROM THE PARKS DEPARTMENT ACADEMY

CHAIRMAN PATRICK ANNOUNCED THE END OF THE SUMMER SEASON AND THE RETURN TO NORMAL BUSINESS ATTIRE FOR COUNTY EMPLOYEES, TO BE EFFECTIVE NEXT TUESDAY

**Maben-Patrick: All Ayes**

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

- \*12) Proposed retroactive Agreement with California Department of Food and Agriculture for inspection services for fruit and vegetable standardization enforcement program, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$59,519 (Fiscal Impact: \$59,519; Revenue; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 866-2006

**Watson-Maben: All Ayes**

- \*13) Proposed retroactive Agreement with California Department of Food and Agriculture for enforcement of California Organic Foods Act, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$1,700 (Fiscal Impact: \$1,700; Revenue; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 867-2006

**Watson-Maben: All Ayes**

- \*14) Notification of anticipated retroactive Agreements with California Department of Food and Agriculture for egg quality control inspections, inspection of navel and valencia oranges, and high risk pest exclusion activities (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

- \*15) Notification of anticipated retroactive Agreement with California Department of Food and Agriculture for eradication of Spotted Knapweed (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

- \*16) Notification of anticipated retroactive Agreement with Pine Mountain Club Property Owners Association for eradication of Spotted Knapweed (Fiscal Impact: None) - RECEIVED AND FILED

**Watson-Maben: All Ayes**

AIRPORTS

- \*17) Proposed Memorandum of Agreement with Customs and Border Protection Bureau for User Fee Airport Program at Meadows Field Airport (Fiscal Impact: Expend Approximately \$1,500,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 868-2006

**Watson-Maben: All Ayes**

ASSESSOR-RECORDER

- \*18) Request to employ retired County employee, Carol J. Anderson, as a Fiscal Support Specialist, 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: \$17,903; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

- \*19) Proposed retroactive Addendum to Memorandum of Understanding Agreement 862-2005 with California Department of Justice for development and implementation of regulations and oversight for Electronic Recording Delivery System, extending term of MOU Agreement through June 30, 2006, in an amount not to exceed \$20,449.77 (Fiscal Impact: FY 2006-07 \$20,449.77; Recorder's Modernization Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 869-2006

**Watson-Maben: All Ayes**

AUDITOR-CONTROLLER-COUNTY CLERK

- \*20) Proposed Resolution from City of Maricopa 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-Maben: All Ayes**

- \*21) Proposed Resolution from Greenfield Union 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-Maben: All Ayes**

- \*22) Proposed Resolution from Kern Valley Healthcare 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-Maben: All Ayes**

- \*23) Proposed Amendment No. 12 to Audit Agreement 327-2004 with Brown Armstrong Accountancy Corporation to provide for audits of Juvenile Accountability Block Grant, from July 1, 2005 through June 30, 2006; Special Emphasis Victim Assistance Program, from October 1, 2005 through September 30, 2006; Violence Against Women - Probation Specialized Units Program, from October 1, 2005 through September 30, 2006; Victim Witness Assistance Program, from July 1, 2005 to June 30, 2006; Residential Substance Abuse Treatment, from October 1, 2004 to September 30, 2005 (Fiscal Impact: \$5,000 (Probation); Grants; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 870-2006

**Watson-Maben: All Ayes**

- \*24) Proposed Resolution setting the 2006/2007 tax rates for all agencies included on the County Tax Roll - APPROVED; ADOPTED RESOLUTION 2006-359

**Watson-Maben: All Ayes**

CLERK OF THE BOARD

- \*25) Amended Conflict of Interest Codes for Kern County Parks and Recreation Department, Kern County Air Pollution Control District, and Public Cemetery District No. 1 (Fiscal Impact: None) - APPROVED

**Watson-Maben: All Ayes**

COUNTY COUNSEL

- \*26) Proposed revision to County Counsel Conflict of Interest Code (Fiscal Impact: None) - APPROVED

**Watson-Maben: All Ayes**

- \*27) Resolution authorizing the issuance and sale of Richland School District General Obligation Bonds, Election of 2002, Series 2006 in the aggregate principal amount not to exceed \$4,152,978.50, and providing authorization to the County Treasurer-Tax Collector to execute contract of purchase relating thereto (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-360

**Watson-Maben: All Ayes**

- \*28) Request of Assessor-Recorder 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-Maben: All Ayes**

- \*29) Request of Farm and Home Advisors 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-Maben: All Ayes**

- \*30) Proposed Ordinance adding subsections (5), (6) and (7) to Section 10.16.058 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning no stopping zones on 35th Street West and Imperial Avenue in Rosamond - WAIVED READING; INTRODUCED ORDINANCE

**Watson-Maben: All Ayes**

- \*31) Proposed Ordinance adding subsection (10) to Section 10.16.130 of Chapter 10.16, Title 10 of the Kern County Ordinance Code concerning a no parking zone on the south side of Imperial Avenue in Rosamond - WAIVED READING; INTRODUCED ORDINANCE

**Watson-Maben: All Ayes**

- \*32) Proposed Ordinance adding Section 10.04.324 to Chapter 10.04, Title 10 of the Kern County Ordinance Code establishing a 40 mile-per-hour speed limit on Day Avenue - WAIVED READING; INTRODUCED ORDINANCE

**Watson-Maben: All Ayes**

- \*33) Proposed Ordinance adding Section 10.04.385 to Chapter 10.04, Title 10 of the Kern County Ordinance Code establishing a downward speed limit of 40 miles-per-hour on McCray Street - WAIVED READING; INTRODUCED ORDINANCE

**Watson-Maben: All Ayes**

- \*34) Proposed Ordinance adding Section 10.04.096 to Chapter 10.04, Title 10 of the Kern County Ordinance Code establishing a 35 mile-per-hour speed limit on Bernard Street - WAIVED READING; INTRODUCED ORDINANCE

**Watson-Maben: All Ayes**

- \*35) Proposed Ordinance adding Section 10.04.032 to Chapter 10.04, Title 10 of the Kern County Ordinance Code establishing a 25 mile-per-hour speed limit on Buttonwillow Drive - WAIVED READING; INTRODUCED ORDINANCE

**Watson-Maben: All Ayes**

EMERGENCY MEDICAL SERVICES

- 36) Selection of ambulance provider for each Exclusive Operational Area (EOA) and proposed Agreements for ground ambulance service, including payment for indigent services with Kern Ambulance Service, Delano Ambulance Service, CARE Ambulance Service, Liberty Ambulance Service, and Hall Ambulance Service, Inc. (Fiscal Impact: Varies per BU 4203; Budgeted, Discretionary) - MADE FINDING THAT KERN AMBULANCE SERVICE FOR EOA 1, DELANO AMBULANCE SERVICE FOR EOA 3, CARE AMBULANCE SERVICE FOR EOA 6, LIBERTY AMBULANCE SERVICE FOR EOA 7, AND HALL AMBULANCE SERVICE, INC. FOR EOAs 2, 4, 5, 8, AND 9 MET GRANDFATHER ELIGIBILITY CRITERIA ESTABLISHED BY RESOLUTION 2005-065; APPROVED AGREEMENTS FOR GROUND AMBULANCE SERVICE PERFORMANCE INCLUDING INDIGENT SERVICE PAYMENTS NOT TO EXCEED LISTED PERCENTAGE OF TOTAL AMOUNT APPROPRIATED FOR GROUND AMBULANCE SERVICE IN BUDGET UNIT 4203, WITH: KERN AMBULANCE SERVICE FOR EOA 1, PAYMENTS NOT TO EXCEED 8 PERCENT; DELANO AMBULANCE SERVICE FOR EOA 3, PAYMENTS NOT TO EXCEED 7 PERCENT; CARE AMBULANCE SERVICE FOR EOA 6, PAYMENTS NOT TO EXCEED 7 PERCENT; LIBERTY AMBULANCE SERVICE FOR EOA 7, PAYMENTS NOT TO EXCEED 4 PERCENT; AND HALL AMBULANCE SERVICE, INC. FOR EOAs 2, 4, 5, 8, 9, AND 11, PAYMENTS NOT TO EXCEED 74 PERCENT; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 871-2006 THROUGH 876-2006

**Maben-Watson: All Ayes**

- \*37) Proposed sole source Agreement with Hospital Association of Southern California for Deployment of Reddinet software to monitor hospital capacity/status (Fiscal Impact: \$38,750; Budgeted, Grant Funded, Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 877-2006

**Watson-Maben: All Ayes**

EMPLOYERS' TRAINING RESOURCE

- \*38) Proposed retroactive Agreement with the Tulare County Workforce Investment Board for a Nurse Workforce Initiative Grant program, from July 1, 2006 through June 30, 2007 (prior notification July 18, 2006) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 878-2006

**Watson-Maben: All Ayes**

FIRE DEPARTMENT

- 39) Update on progress of 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) (from August 15, 2006) - RECEIVED AND FILED

**Rubio-Watson: All Ayes**

- \*40) Request for sole source purchase order with Forest Technology Systems to purchase six (6) remote automated weather stations (RAWS), in an amount not to exceed \$110,000 (Fiscal Impact: \$110,000; Fire Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Watson-Maben: All Ayes**

- \*41) Proposed sole source Agreement with FirstWatch Solutions, Inc., for syndromic surveillance system software for Emergency Medical Services Department, in an amount not to exceed \$77,379 (Fiscal Impact: \$77,379; Homeland Security Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 879-2006

**Watson-Maben: All Ayes**

- \*42) Request for sole source procurement of a bomb suit ensemble for Bakersfield Police Department from Med-Eng Systems, Inc., in an amount not to exceed \$35,000 (Fiscal Impact: \$35,000; Homeland Security Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE PURCHASE ORDER

**Watson-Maben: All Ayes**

- \*43) 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) (from August 22, 2006) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 880-2006

**Watson-Maben: All Ayes**

HUMAN SERVICES

- \*44) Proposed Agreement with Moss Beach Homes, Inc. for adoptive home study services, from September 11, 2006 through August 31, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 881-2006

**Watson-Maben: All Ayes**

- \*45) Proposed Agreement with Kern County Network for Children for implementation of Senate Bill 163 Wraparound Services Plan, from September 12, 2006 through September 30, 2008 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 882-2006

**Watson-Maben: All Ayes**

- \*46) Proposed Agreement with Urban Institute and U.S. Department of Health and Human Services multi-site evaluation of foster youth programs, from September 11, 2006 through June 30, 2008 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 883-2006

**Watson-Maben: All Ayes**

- \*47) Proposed Professional Services Agreement with Charlotte Daniel for Parent Leader position, from October 1, 2006 through September 30, 2007, in an amount not to exceed \$31,500 (Fiscal Impact: \$26,775 State/Federal; \$4,725 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 884-2006

**Watson-Maben: All Ayes**

- \*48) Proposed Professional Services Agreement with Darryn Green for Foster Youth Permanency Assistant position, from October 1, 2006 through September 30, 2007, in an amount not to exceed \$20,250 (Fiscal Impact: \$17,213 State/Federal; \$3,037 County; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 885-2006

**Watson-Maben: All Ayes**

PERSONNEL

- \*49) Classification of positions recommended by Civil Service Commission effective September 16, 2006 (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Watson-Maben: All Ayes**

- \*50) Unusual travel request for Senior Personnel Analyst, Michael Goulart to attend the Government HR Innovations Conference in Arlington, VA, from September 19, 2006 through September 23, 2006, estimated amount \$2,896 (Fiscal Impact: \$2,896 estimated; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

PROBATION

- \*51) Proposed retroactive Agreement with Bakersfield City School District for prevention and intervention services, from August 23, 2006 through June 30, 2007, in an amount not to exceed \$200,000 (Fiscal Impact: \$200,000 Revenue; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 886-2006

**Watson-Maben: All Ayes**

- \*52) Proposed retroactive Agreement with Bakersfield City School District for truancy prevention and truancy reduction services, from August 23, 2006 through June 7, 2007, in an amount not to exceed \$73,330 (Fiscal Impact: \$73,330 Revenue; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 887-2006

**Watson-Maben: All Ayes**

- \*53) Request for relief from accountability of 397 delinquent Kern County Juvenile Traffic Court accounts, totaling \$261,308 (Fiscal Impact: \$261,308; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

PUBLIC HEALTH SERVICES

- \*54) Proposed retroactive Agreement with Community Action Partnership of Kern for immunization services, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$30,000 (prior notification June 27, 2006) (Fiscal Impact: \$30,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 888-2006

**Watson-Maben: All Ayes**

- \*55) Proposed retroactive Agreement with State Department of Health Services for immunization project subvention funds, from July 1, 2006 through June 30, 2007, in an amount not to exceed \$130,000 (prior notification June 27, 2006) (Fiscal Impact: \$130,000; State Grant; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 889-2006

**Watson-Maben: All Ayes**

- \*56) Proposed Amendment No. 1 to Agreement 739-2005 with American Fundware, Inc. for cost accounting and budget monitoring software and maintenance extending term through August 23, 2007 (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 890-2006

**Watson-Maben: All Ayes**

SHERIFF

- \*57) Application to hold a parade - Rosamond High School Homecoming - Rosamond High School on October 12, 2006, in Rosamond, 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-Maben: All Ayes**

- \*58) Retroactive unusual travel request for Sergeant Mike Dunham, Senior Deputy Avery Simpson, and Deputies Mike Booker and Brad Brandon to attend Tactical Operations Conference and Tems Training in Burbank, California, from September 10, 2006 to September 15, 2006, in an amount not to exceed \$1,863 each (Fiscal Impact: \$7,452; Budgeted; Discretionary) - APPROVED

**Watson-Maben: All Ayes**

- \*59) Unusual travel request for Sergeant Kevin Zimmermann and Deputy Brad Brandon to attend Special Weapons and Tactics Training in Stockton, California, from October 22, 2006 to November 3, 2006, in an amount not to exceed \$3,618 each (Fiscal Impact: \$7,236; Budgeted, Discretionary) - APPROVED

**Watson-Maben: All Ayes**

- \*60) Request for approval to negotiate a lease with Alta Vista Partners LLC, for a Sheriff's Regional Training Facility for a ten year term (Fiscal Impact: To be determined) - DIRECTED GENERAL SERVICES PROPERTY MANAGEMENT DIVISION TO ENTER INTO NEGOTIATIONS FOR SHERIFF'S DEPARTMENT WITH ALTA VISTA PARTNERS LLC

**Watson-Maben: All Ayes**

- \*61) Proposed Amendment No. 2 to Agreement 490-2005 with Keefe Commissary Network to provide a four-cent increase to the cost of indigent inmate packages (Fiscal Impact: \$36,200.76 Inmate Welfare Fund for Fiscal Year 2006-07; Budgeted; Mandated) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 891-2006

**Watson-Maben: All Ayes**

VETERANS' SERVICE DEPARTMENT

- \*62) Request for waiver of park fees for the Eighth Annual Kern County Veterans Stand Down to be held October 19-22, 2006 at Stramler Park - APPROVED

**Watson-Maben: All Ayes**

ADJOURNED TO CLOSED SESSION

**Watson**

CLOSED SESSION

COUNTY ADMINISTRATIVE OFFICE

- 63) 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) -
- 64) Request for Closed Session regarding public employee recruitment - Title: Kern Medical Center Chief Executive Officer (Government Code Section 54957) -

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

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

**Maben-Watson**

/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, September 12, 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

HEARINGS

RESOURCE MANAGEMENT AGENCY  
Planning Department

- 3) **Request from Accent Design, Inc., by Robert G. Hogue, L.S., to change the permitted uses from 2-1/2-acre estate residential to one-acre estate residential on approximately 4.56 acres located at 24201 Jacaranda Drive, Bear Valley area (SD #2)**

**Specific Request:**

A change in zone classification from E (2-1/2) RS to E (1) RS or a more restrictive district (ZCC #64, Map #165) (Categorically Exempt, Section 15303; Published Tehachapi News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-361 AND ENACTED ORDINANCE G-7437 APPROVING ZONE CHANGE AS REQUESTED

**Maben-Rubio: All Ayes**

GENERAL PLAN AMENDMENT HEARINGS

Amendment of the Land Use, Open Space and Conservation Element of Kern County General Plan, Metropolitan Bakersfield General Plan, Western Rosedale Specific Plan, Willow Springs Specific Plan, Rosamond Specific Plan; Amend the Circulation Element of the Western Rosedale Specific Plan; Alteration of Agricultural Preserve 24; and other items as cited which include amendments of certain zoning maps and applications and proceedings

RESOURCE MANAGEMENT AGENCY  
Planning Department

- \*4) **Request from Shafter Properties, LLC, and Brad and Sharon Bonner by Bruce Anderson to eliminate the multipurpose trail alignment on the west side of Cherry Avenue, between Seventh Standard Road and Coberly Road, southeast of Shafter (SD #1)**

**Specific Request:**

Amend the Circulation Element of the Western Rosedale Specific Plan to eliminate the multipurpose trail alignment on Cherry Avenue, between Seventh Standard Road and Coberly Road, southeast of Shafter (GPA #17, Map #79) (General Rule, Section 15061(b)(3); Published Shafter Press) - PER PLANNING DEPARTMENT RECOMMENDATION, CONTINUED TO TUESDAY, OCTOBER 3, 2006, AT 2:00 P.M.

**Maben-McQuiston: All Ayes**

- \*5) **Request from Millionaire Mom II, LLC, by Cornerstone Engineering, Inc., to change the permitted uses from five-acre residential to one-acre residential on approximately 82 acres located at the northwest corner of the intersection of Saratoga Avenue and San Bernardino Boulevard, Ridgecrest area (SD #1)**

Specific Request:

(a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 5.7, 5.7/2.5, and 5.7/2.1 to Map Code(s) 5.5, 5.5/2.5, and 5.5/2.1 or more restrictive map code designations (GPA #4, Map #71-11)

(b) A change in zone classification from E (10) RS to E (1) or a more restrictive district (ZCC #12, Map #71-11)

(Negative Declaration; Published Daily Independent) - PER PLANNING DEPARTMENT RECOMMENDATION, CONTINUED TO TUESDAY, OCTOBER 24, 2006, AT 2:00 P.M.

**Maben-McQuiston: All Ayes**

- \*6) **Request from Denela, LLC, by DeWalt Corporation to change the permitted uses of a 19-acre parcel from general commercial to medium-density residential on 14 acres to allow 126 multifamily units, near an unaffected 5-acre commercial area, all located at the southeast corner of Airport Drive and Seventh Standard Road, north Bakersfield (SD #1)**

Specific Request:

(a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) MC to Map Code(s) HMR or a more restrictive map code designation (GPA #10, Map #102-1)

(b) A change in zone classification from C-2 PD H to R-2 PD H or a more restrictive district (ZCC #34, Map #102-1)

(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 RESOLUTIONS 2006-362 AND 2006-363 AND ENACTED ORDINANCE G-7438 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

**Maben-McQuiston: All Ayes**

- 7) **Request from Denela, LLC, by DeWalt Corporation to change the permitted uses from general commercial to medium-density residential to allow 78 multifamily units on approximately 10 acres located at the southwest corner of North Chester Avenue and Seventh Standard Road, north Bakersfield (SD #1)**

Specific Request:

(a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) MC to Map Code(s) HMR or a more restrictive map code designation (GPA #11, Map #102-1)

(b) A change in zone classification from C-2 PD to R-2 PD or a more restrictive district (ZCC #35, Map #102-1)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; HECTOR LOPEZ, DEWALT CORPORATION, HEARD; CLOSED HEARING; CONTINUED TO TUESDAY, SEPTEMBER 19, 2006, AT 2:00 P.M.

**McQuiston-Rubio: All Ayes**

- \*8) **Request from Antelope Valley Water Bank by Western Development and Storage, LLC, to change the permitted land uses on 990 acres to facilitate the development of a water bank for recharge and recovery of imported surface water, bounded by Holiday Avenue to the north, Avenue A to the south (Kern County/Los Angeles County lines), 170th Street West to the west, and 150th Street West to the east, west of Rosamond (SD #2)**

Specific Request:

(a) & (b) Amend the Willow Springs Specific Plan from Map Code(s) 5.3/4.4/2.85 to Map Code(s) 8.1/2.85 on approximately 320 acres; and from Map Code(s) 7.1/4.4 to Map Code(s) 8.1 on approximately 320 acres; and from Map Code(s) 8.5/2.85 to Map Code(s) 8.1/2.85 on approximately 300 acres; and from Map Code(s) 8.5/2.85/2.6 to Map Code(s) 8.1/2.85/2.6 on approximately 50 acres or more restrictive map code designations; Amend the Circulation Element of the Willow Springs Specific Plan to eliminate arterial and collector alignments affecting the 640 acres of the project site (SPA #13, Map #232; SPA #2, Map #233)

(c) Inclusion of approximately 360 acres within the boundaries of an Agricultural Preserve (Ag Pres #24 - Incl) (Environmental Impact Report; Published Rosamond Weekly News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT; ADOPTED SECTION 15091 FINDINGS; ADOPTED SECTION 15093 STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTED MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2006-364 AND 2006-365 APPROVING SPECIFIC PLAN AMENDMENTS AND APPROVING INCLUSION INTO AGRICULTURAL PRESERVE 24, AS RECOMMENDED BY STAFF; ALL APPROVALS NOT TO BECOME EFFECTIVE UNLESS A MEMORANDUM OF UNDERSTANDING APPROVED AS TO FORM BY COUNTY COUNSEL IS EXECUTED BY CLOSE OF BUSINESS ON THURSDAY, NOVEMBER 30, 2006

**Maben-McQuiston: All Ayes**

- \*9) **Request from G. Chris and Jane Sherman by Cornerstone Engineering, Inc., to change the permitted uses from limited agricultural to residential on 2-1/2 acres located on the east side of Appleblossom Street, approximately 5/8 mile north of Rosamond Boulevard, one mile east of Rosamond (SD #2)**

Specific Request:

(a) Amend the Rosamond Specific Plan from Map Code(s) 5.6 to Map Code(s) 5.3 or a more restrictive map code designation (GPA #62, Map #230)

(b) A change in zone classification from A-1 to R-1 or a more restrictive district (ZCC #110, Map #230)

(Negative Declaration; Published Rosamond Weekly News) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTIONS 2006-366 AND 2006-367 AND ENACTED ORDINANCE G-7439 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

**Maben-McQuiston: All Ayes**

- \*10) **Request from Terence Pierce for a General Plan Amendment on approximately 50 acres and zone change on approximately 10 acres to change the permitted uses from agricultural to rural residential located south of Backus Road, west of State Route 14, at the southeast corner of 20th Street West and Gibbs Avenue, Mojave area (SD #2)**

Specific Request:

(a) Amend the Land Use, Open Space and Conservation Element of the Kern County General Plan from Map Code(s) 8.5 to Map Code(s) 5.6 or a more restrictive map code designation on approximately 40 acres and from Map Code(s) 5.7 to Map Code(s) 5.6 or a more restrictive map code designation on approximately ten acres (GPA #21, Map #213)

(b) A change in zone classification from E (5) to E (2-1/2) or a more restrictive district on approximately ten acres to facilitate up to twenty 2-1/2-acre parcels for residential development on approximately 50 acres (ZCC #54, Map #213)

(Negative Declaration; Published Mojave Desert News) - REFERRED BACK TO STAFF

**Maben-McQuiston: All Ayes**

- 11) **Request from Central Valley Investors II, LLC, by McMillin Commercial to change the permitted uses from office commercial to general commercial on approximately 4.37 acres located on the southeast corner of Olive Drive and Victor Street, Bakersfield (SD #3)**

Specific Request:

(a) Amend the Metropolitan Bakersfield General Plan from Map Code(s) OC to Map Code(s) GC or a more restrictive map code designation (GPA #6, Map #102-15)

(b) A change in zone classification from CO PD to C-2 PD or a more restrictive district (ZCC #25, Map #102-15)

(c) A Precise Development Plan for a general commercial retail development in a C-2 PD District (PD Plan #17, Map #102-15)

(Negative Declaration; Published Bakersfield Californian) - REFERRED BACK TO STAFF

**Maben-Watson: All Ayes**

- \*12) **Request from Reynold Mettler Farms by R.L. Abbott and Associates to change the permitted uses from agricultural to industrial on 39 acres located approximately 1,300 feet west of Interstate 5 on the north side of Highway 166, west of Mettler (SD #4)**

Specific Request:

(a) 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) 7.1 or a more restrictive map code designation (GPA #3, Map #203)

(b) A change in zone classification from A-1 to M-1 PD or a more restrictive district (ZCC #18, Map #203)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION; ADOPTED RESOLUTIONS 2006-368 AND 2006-369 AND ENACTED ORDINANCE G-7440 APPROVING GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED

**Maben-McQuiston: All Ayes**

- \*13) Request from Thomas J. Willis by Cornerstone Engineering, Inc., to change the permitted uses from residential to light industrial on approximately 7-1/2 acres located on the west side of Allen Road, between Hageman Road and Meacham Road, western Bakersfield (SD #4)

Specific Request:

(a) Amend the Western Rosedale Specific Plan from Map Code(s) UER to Map Code(s) LI or a more restrictive map code designation (SPA #9, Map #101-23)

(b) A change in zone classification from E (2-1/2) RS PE to M-1 PD or a more restrictive district to facilitate approximately 81,675 square feet (gross) of light industrial uses on four parcels (ZCC #35, Map #101-23)

(Negative Declaration; Published Bakersfield Californian) - PER PLANNING DEPARTMENT RECOMMENDATION, REFERRED BACK TO STAFF

**Maben-McQuiston: All Ayes**

- 14) Request from Forum Capital by M.S. Walker and Associates to change the permitted uses from minimum five-acre single-family residential to high medium-density multifamily residential and commercial to facilitate the construction of 40 condominium units and 19,000 square feet of commercial buildings on 4.76 acres located on the east side of Allen Road, approximately 1/4 mile south of Rosedale Highway, west Bakersfield area (SD #4)

Specific Request:

(a) Amend the Western Rosedale Specific Plan from Map Code(s) UER to Map Code(s) HMR and GC or more restrictive map code designations (SPA #4, Map #101-25)

(b) A change in zone classification from E (5) RS to R-2 and C-1 or more restrictive districts (ZCC #27, Map #101-25)

(Negative Declaration; Published Bakersfield Californian) - OPENED HEARING; STEVE KIEKE, M.S. WALKER AND ASSOCIATES; RANDY BREWER, JOY COMMUNITY CHURCH; DIXIE SWITZER, REPRESENTING LETHA WELLER; ANTHONY MUNGARY; DREW BURTON; KAREN ALLEN; AND GEENA DAVIS, HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2006-370 DISAPPROVING SPECIFIC PLAN AMENDMENT AND ZONE CHANGE

**Watson-Rubio: All Ayes**

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY

Planning Department

Miscellaneous

S.D. #2

- \*15) Proposed Consulting Agreement with Pacific Municipal Consultants, Inc., to prepare the Environmental Impact Report (EIR) for Service Rock Products Garlock Pit by Kjelstrom & Associates, in an amount not to exceed \$154,311, and proposed Agreement with Service Rock Products Corporation to pay all County costs for processing of EIR (Fiscal Impact: \$154,311; Application Processing Fees; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 892-2006 AND 893-2006

**Maben-McQuiston: All Ayes**

- \*16) 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 EIR (from 8/22/2006) (Fiscal Impact: \$281,408; Application Processing Fees; Not Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 894-2006 AND 895-2006

**Maben-McQuiston: All Ayes**

All S.D.'s

- \*17) Proposed appointment of Thomas Blackmon as Public At-Large Advisory Member of the Metropolitan Bakersfield Habitat Conservation Plan Implementation Trust Group for a two-year term, effective immediately (Fiscal Impact: None) - APPROVED

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Community and Economic Development Department

S.D. #1

- \*18) Request for Release of Funds (RROF) for CD Activity No. 28.06.1, Lake Isabella Park Service Road Improvements (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN RROF AND CERTIFICATION; AUTHORIZED INTERIM DIRECTOR TO SUBMIT RROF AND CERTIFICATION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Engineering and Survey Services

S.D. #1

- \*19) Request for release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 6053, Phase 1, southeast corner of Seventh Standard Road and McCray Street, north Bakersfield, North Country Meadows, Inc. (Fiscal Impact: None) - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. 1883649, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$95,219; RELEASED LABORERS AND MATERIALMEN BOND NO. 1883649, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$465,990

**Maben-McQuiston: All Ayes**

- \*20) Request for release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 6053, Phase 2, 600 feet south and 289 feet east of the southeast corner of Seventh Standard Road and McCray Street, north Bakersfield, North Country Meadows, Inc. (Fiscal Impact: None) - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. 1883650, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$18,057; RELEASED LABORERS AND MATERIALMEN BOND NO. 1883650, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$85,420

**Maben-McQuiston: All Ayes**

S.D. #3

- \*21) Request for release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5990, Phase 2, north side of Eucalyptus Drive, between Royal Way and Monica Street, Orangewood area, Dennis W. DeWalt (Fiscal Impact: None) - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. 1886558, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$43,576

**Maben-McQuiston: All Ayes**

- \*22) Request for release of Faithful Performance Security for street, water and sewer one-year guarantee period, Tract 5990, Phase 3, northwest corner of Eucalyptus Drive and Monica Street, Orangewood area, Dennis W. DeWalt (Fiscal Impact: None) - APPROVED; RELEASED 10% FAITHFUL PERFORMANCE BOND NO. 2082991, UNDERWRITTEN BY INSURANCE COMPANY OF THE WEST, IN THE AMOUNT OF \$36,139

**Maben-McQuiston: All Ayes**

S.D. #4

- \*23) Request to approve final map for Tract No. 6145, west side of Patrick Lane south of Hageman Road, northwest Bakersfield, Type "A" Subdivision, The Lusich Company for Bulldog Land Company, Inc., a California Corporation (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-371 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), ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY SLOPE EASEMENTS AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "A" IN TRACT NO. 6035; 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; CONSENTED TO MAKING OF IRREVOCABLE OFFER OF DEDICATION FOR OFF-SITE DRILL SITE ACCESS, TEMPORARY TURNAROUND AND TEMPORARY SECONDARY EMERGENCY ACCESS EASEMENTS; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-McQuiston: All Ayes**

S.D. #5

- \*24) Proposed Resolutions for Assessment District Formation Proceedings, Appoint Engineer of Work, and Approval of Assessment Diagram for the Rexland Acres Sewer System (Fiscal Impact: \$2,462,000; USDA/RD Loan Funds; Discretionary) - CONTINUED TO TUESDAY, SEPTEMBER 26, 2006, AT 2:00 P.M.

**Maben-McQuiston: All Ayes**

- \*25) Request to approve final map for Tract No. 6400, Phase 2, east of Cottonwood Road and north of Casa Loma Drive, south Bakersfield, Type "A" Subdivision, DeWalt Corporation for Casa Loma-Cottonwood Homes LLC (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-372 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 EASEMENT HOLDER PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE AND RESTORATION OF INGRESS AND EGRESS ACROSS LOT "B" IN TRACT NO. 6400, PHASE 1; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Environmental Health Services

All S.D.'s

- \*26) Proposed deletion of two (2) vacant Hazardous Materials Specialist and addition of one (1) Environmental Health Specialist and one (1) Building Plans Technician positions (Fiscal Impact: None) - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

**Maben-McQuiston: All Ayes**

RESOURCE MANAGEMENT AGENCY  
Roads Department

Hearings

S.D. #2

- \*27) Proposed update of Capital Improvement Plan and review of public information for Rosamond/Willow Springs Transportation Impact Fee Program (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2006-373; RECEIVED AND FILED

**Maben-McQuiston: All Ayes**

All S.D.'s

- \*28) Proposed update of Capital Improvement Plan and review of public information for Metropolitan Bakersfield Transportation Impact Fee Program (Fiscal Impact: None) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; ADOPTED RESOLUTION 2006-374; RECEIVED AND FILED

**Maben-McQuiston: All Ayes**

S.D. #1

- \*29) Proposed Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) Habitat Mitigation fee payment for the construction of Seventh Standard Road widening from Coffee Road to immediately west of the existing residential area adjacent to the Burlington Northern Santa Fe Railroad and Santa Fe Way (Fiscal Impact: \$72,180.40; Metropolitan Bakersfield Transportation Impact Fees; Budgeted; Discretionary) - AUTHORIZED ROADS TO TRANSFER PAYMENT TO MBHCP IMPLEMENTATION TRUST ACCOUNT, IN AN AMOUNT NOT TO EXCEED \$72,180.40

**Maben-McQuiston: All Ayes**

- \*30) Contract No. 06011, identify apparent low bid of Griffith Company for construction on McCray Street between Seventh Standard Road and James Road, in an amount not to exceed \$172,792 (Fiscal Impact: \$172,792; Federal RSTP Funds and Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**Maben-McQuiston: All Ayes**

- \*31) Proposed Reimbursement Agreement with Qwest Communications Corporation for costs associated with relocation of Qwest fiber optic facilities within the interchange modification and separation of grade project area, in an amount not to exceed \$6,551.20 (Fiscal Impact: \$6,551.20; Seventh Standard Road Project Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 896-2006

**Maben-McQuiston: All Ayes**

S.D. #4

- \*32) Proposed Resolution to accept an Offer of Dedication, declaration as a public highway and incorporation into the County road system as a portion of Heath Road (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-375; DIRECTED CLERK OF THE BOARD TO RECORD

**Maben-McQuiston: All Ayes**

- \*33) Contract No. 07002, Plans, Specifications and Notice to Contractors for asphalt concrete (windrow stockpile) at various locations in Kern County (Fiscal Impact: \$1,025,000; 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 PLANS AND SPECIFICATIONS; 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, OCTOBER 4, 2006, AT 11:00 A.M.

**Maben-McQuiston: All Ayes**

- \*34) Proposed Agreement with Delfino Bakersfield, LLC, for roadway improvements along Renfro Road and State Route 58, Bakersfield, in an amount not to exceed \$51,610.50 (Fiscal Impact: \$51,610.50 to County; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 897-2006

**Maben-McQuiston: All Ayes**

S.D. #5

- \*35) Proposed Contract No. 06037 with Griffith Company for construction of flashing beacon and lighting at South Union Avenue at Berkshire Road, Bakersfield, in an amount not to exceed \$130,130 (Fiscal Impact: \$130,130; Road Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 898-2006

**Maben-McQuiston: All Ayes**

- \*36) Contract No. 06020, identify apparent low bid of Griffith Company for construction on Panama Road from Fairfax Road to Eastside Canal, in an amount not to exceed \$359,359 (Fiscal Impact: \$359,359; Federal RSTP Funds and Road Fund; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

**Maben-McQuiston: All Ayes**

All S.D.'s

- \*37) Report regarding Contract Change Orders approved during the second quarter of 2006 (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-McQuiston: All Ayes**

- \*38) Approval of Transit Transportation Development Act (TDA) claim and authorization to sign Streets and Roads claim for Fiscal Year 2006-2007 (Fiscal Impact: \$4,078,179; TDA Funds; Budgeted; Discretionary) - APPROVED; AUTHORIZED DIRECTOR OF ROADS TO SIGN TRANSIT AND ROADS CLAIMS; AUTHORIZED SUBMITTAL OF TRANSIT TDA CLAIM TO KERN COG

**Maben-McQuiston: All Ayes**

WASTE MANAGEMENT

S.D. #2

- \*39) Identify apparent low bid of Cullinan Engineering, Inc., to provide operational services at Boron Sanitary Landfill, in an amount not to exceed \$15,800 monthly (Fiscal Impact: \$127,000; Solid Waste Enterprise Fund; Budgeted; Mandatory) - IDENTIFIED APPARENT LOW BID; AUTHORIZED WASTE MANAGEMENT TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**Maben-McQuiston: All Ayes**

S.D.'s #1 & #2

- \*40) Proposed retroactive Agreement with San Bernardino County for disposal of waste at the Boron and Ridgecrest Sanitary Landfills and Randsburg Transfer Station from July 1, 2006 through June 30, 2009 (Fiscal Impact: \$26,334 [Revenue]; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 899-2006

**Maben-McQuiston: All Ayes**

All S.D.'s

- \*41) Progress Update regarding referral on Construction and Demolition Waste Ordinance (Fiscal Impact: None) - RECEIVED AND FILED

**Maben-McQuiston: All Ayes**

- \*42) Proposed purchase of 1-ton pickup and groundwater monitoring equipment (Fiscal Impact: \$68,500; Solid Waste Enterprise Fund; Budgeted; Discretionary) - APPROVED

**Maben-McQuiston: All Ayes**

COUNTY ADMINISTRATIVE OFFICE

- 43) Appointment of member of Board of Supervisors to Strategic Workforce Planning Task Force (Fiscal Impact: None) - SUPERVISOR WATSON APPOINTED AS BOARD OF SUPERVISORS REPRESENTATIVE TO STRATEGIC WORKFORCE PLANNING TASK FORCE

**McQuiston-Maben: All Ayes**

- \*44) Proposed Amendment No. 9 to Memorandum of Understanding (Agreement 720-2004) with Central California Association of Public Employees (CCAPE) for continuation of availability pay allowance for those classifications moved from representation by CCAPE-CJU to bargaining units represented by CCAPE (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 900-2006; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK, COUNTY ADMINISTRATIVE OFFICER, AND DIRECTOR OF PERSONNEL TO IMPLEMENT

**Maben-McQuiston: All Ayes**

- \*45) Proposed Amendment No. 1 to Agreement 137-2006 with Child Welfare League of America increasing the scope of work and increasing compensation by \$31,500, for a new total of \$207,500 (Fiscal Impact: \$31,500; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 901-2006

**Maben-McQuiston: All Ayes**

- \*46) Proposed Amendment No. 2 to Agreement 616-2004 with Jim Wise for legislative consultant services to increase scope of work and compensation by \$5,000 per month for the period of October 1, 2006 through December 1, 2006 (Fiscal Impact: \$15,000; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 902-2006

**Maben-McQuiston: All Ayes**

- \*47) Proposed contribution to Friends of Ready Community Emergency Response Teams, Inc. (FOR-CERT), in the amount of \$12,700 to purchase disaster related supplies and training materials (Fiscal Impact: \$12,700; Budgeted; Discretionary) - APPROVED; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO PAY

**Maben-McQuiston: All Ayes**

- \*48) Request to establish interest bearing trust fund for deposit of DNA penalty assessments associated with the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Fiscal Impact: None; Mandated) - APPROVED; DIRECTED AUDITOR-CONTROLLER-COUNTY CLERK TO IMPLEMENT

**Maben-McQuiston: All Ayes**

- \*49) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 541, Local Agency Formation Commission (LAFCO) Proceeding No. 1474 (Fiscal Impact: FY 2007-2008 None) - APPROVED; ADOPTED RESOLUTION 2006-376

**Maben-McQuiston: All Ayes**

- 50) Proposed Resolution requesting assistance in defending Measure E, anti-sludge ordinance, against legal challenge (Fiscal Impact: None) - APPROVED; ADOPTED RESOLUTION 2006-377; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

**McQuiston-Maben: All Ayes**

COUNTY ADMINISTRATIVE OFFICE  
General Services Division

Hearing

S.D. #2

- \*51) Proposed Resolution and Ordinance granting pipeline franchise to FPL Energy Solar Partners III-VIII, LLC (Fiscal Impact: \$1,200 One Time Fee; \$1,680 Franchise Fee Revenue; Budgeted; Discretionary) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION AS APPROPRIATE; ADOPTED RESOLUTION 2006-378 AND ENACTED ORDINANCE F-493

**Maben-McQuiston: All Ayes**

S.D. #1

- \*52) Identify apparent low bid of Graham Prewett, Inc., for Lerdo Kitchen and Laundry Reroof, in an amount not to exceed \$1,165,000 (1650.7026.04) (Fiscal Impact: \$1,165,000; General Fund Major Maintenance; Budgeted; Discretionary) - IDENTIFIED APPARENT LOW BID; AUTHORIZED GENERAL SERVICES TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE CONTRACT DOCUMENTS

**Maben-McQuiston: All Ayes**

S.D. #3

- \*53) Proposed Agreement with 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) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 903-2006

**Maben-McQuiston: All Ayes**

- \*54) Proposed Escrow Agreement with JTS Construction for the International Airlines Terminal Phase II, in the amount of 10% of total construction contract amount (8994.8422.04B) (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 904-2006

**Maben-McQuiston: All Ayes**

- \*55) Proposed Amendment No. 2 to Agreement 616-2006 with Mechanical Design Concepts for engineering services for the International Airlines Terminal Phase II, an increase of \$1,450, for a new total of \$23,950 (8994.8422) (Fiscal Impact: \$1,450; Airport Enterprise Fund; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 905-2006

**Maben-McQuiston: All Ayes**

- \*56) Change Order No. 25 for the New Airport Terminal at Meadows Field, an increase of \$42,981, for a new total of \$22,053,544, and proposed Resolution to dispense with bidding requirements for Change Orders in excess of 10% of contract amount (8215.8415) (Fiscal Impact: \$42,981; Airport Project Fund; Budgeted; Discretionary) - APPROVED; ADOPTED RESOLUTION 2006-379; AUTHORIZED CHAIRMAN TO SIGN

**Maben-McQuiston: All Ayes**

S.D. #4

- \*57) Request to sign Sale Escrow Instructions for transfer of two (2) acres of land (APN 046-163-22) to State of California on behalf of the Metropolitan Bakersfield Habitat Conservation Plan Implementation Trust Group (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-McQuiston: All Ayes**

- \*58) Proposed Lease with Crimson Resource Management Corporation for lease of an area used as little league baseball fields in Taft, from September 12, 2006 to July 31, 2035 (Fiscal Impact: \$225 Annually; 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 906-2006

**Maben-McQuiston: All Ayes**

S.D. #5

- \*59) Change Order No. 1 for County Counsel and Public Defender Offices Remodel, an increase of \$19,069, for a new total of \$624,869 (1960.8200.05) (Fiscal Impact: \$19,069; Capital Projects; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

**Maben-McQuiston: All Ayes**

S.D.'s #1, #3, #4 & #5

- \*60) Change Order No. 1 for Fire Station Diesel Exhaust Evacuation Phase I, a decrease of \$12,250 for a new total of \$156,728 (2415.8153.05) (Fiscal Impact: (\$12,250); Aid to Firefighters Grant; Budgeted; Discretionary) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN  
**Maben-McQuiston: All Ayes**

MATTERS FOR EXECUTIVE APPROVAL

- \*61) Budget Transfers - NONE  
**Maben-McQuiston: All Ayes**
- \*62) Minutes for weeks of July 17, 2006 and July 24, 2006 - APPROVED  
**Maben-McQuiston: All Ayes**
- \*63) Miscellaneous Letters and Documents - APPROVED  
**Maben-McQuiston: All Ayes**
- \*64) Miscellaneous Departmental Referrals by Clerk of the Board - APPROVED AND FILED  
**Maben-McQuiston: All Ayes**
- \*65) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED  
**Maben-McQuiston: All Ayes**

ADJOURNED TO MONDAY, SEPTEMBER 18, 2006, AT 5:30 P.M., JOINT CITY/COUNTY MEETING, BOARD OF SUPERVISORS CHAMBERS

**McQuiston**

/s/ Denise Pennell  
Clerk of the Board

/s/ Barbara Patrick  
Chairman, Board of Supervisors

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

The 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.

63) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit report of purchasing card and travel claim activity for General Services for the period July 1, 2002 - January 31, 2005
- B) Audit report of purchasing card and travel claim activity for Personnel for the period July 1, 2002 - January 31, 2005
- C) Audit report of purchasing card and travel claim activity for Mental Health for the period July 1, 2002 - January 31, 2005
- D) Report on audit activity by the Auditor-Controller-County Clerk during the Fiscal Year ended June 30, 2006
- E) Status report on Excess Proceeds from Tax Deeded Land Sales
- F) Report of activity in County Revolving Funds, Cash Difference Funds and Cash Overage Funds for the period of July 1, 2005 through June 30, 2006
- G) Report on refunds (Government Code Section 26906) of Erroneous Deposits pursuant to Board Resolution 71-4

Board of Trade

- H) Response to referral to Michelle P. Foxman, Fross Zelnick Lehrman & Zissu, re posting of events under the name of Super Soccer Stars on the County website (Copies to each Supervisor, CAO and County Counsel)

Clerk of the Board

- I) Letter to Shaen Magan, Tule Ranch/Magan Ranch & Honey Bucket Farms, re notice of public hearing on Tuesday, October 3, 2006, at 2:00 p.m., concerning appeal of Shaen Magan at Dairy Ranch, Scofield Ranch and Rowlee Ranch relating to Environmental Health Services Department decision to deny request for extension of time to discontinue land application of biosolids
- J) Letter from Luisa L. Burkes re resignation from Commission on Aging (Copies to each Supervisor and CAO)
- K) Monthly Referral Report - July, 2006

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

- 1) Tract Map 6154, Phase 2      S.D. #4
- 2) Tract Map 6229, Phase 1      S.D. #4
- 3) Tract Map 6349, Phase 1      S.D. #4
- 4) Tract Map 6389                      S.D. #1
- 5) Tract Map 6429, Phase 1      S.D. #4
- 6) Tract Map 6437                      S.D. #1
- 7) Tract Map 6537                      S.D. #3

- 8) Tract Map 6589, Phase 1      S.D. #4
- 9) Tract Map 6590                      S.D. #4
- 10) Parcel Map 10545                  S.D. #5
- 11) Parcel Map 10975                  S.D. #1
- 12) Parcel Map 11010                  S.D. #3
- 13) Parcel Map 11014                  S.D. #4
- 14) Parcel Map 11211                  S.D. #1

Community & Economic Development

- M) County Loan Agreement, HOME Investment Partnerships Program, Owner Rehabilitation Program, with Gretchen Urquidez, Successor Trustee of The Doris M. Brand Trust dated December 15, 1997

Engineering & Survey Services

- N) Response to referral re request from Liz Little for her son to continue to live in recreational travel trailer adjacent to her property on Palma Lane (Copies to each Supervisor and CAO)

Grand Jury

- O) 2006-2007 Final Report re Kern County Sheriff's Department, Central Receiving Facility (Copies to each Supervisor, CAO and Sheriff)

Local Agency Formation Commission

- P) Report and Recommendation, Proceeding No. 1452, in the matter of City of Bakersfield, Annexation No. 502, Panama No. 17 (Copies to each Supervisor, CAO and Resource Management Agency)
- Q) Report and Recommendation, Proceeding No. 1455, in the matter of City of Bakersfield, Annexation No. 488, McKee No. 5 (Copies to each Supervisor, CAO and Resource Management Agency)
- R) Report and Recommendation, Proceeding No. 1450, in the matter of City of Bakersfield, Annexation No. 468, McCutchen No. 3 (Copies to each Supervisor, CAO and Resource Management Agency)
- S) Resolution 06-24, Proceeding No. 1450, in the matter of City of Bakersfield, Annexation No. 468, McCutchen No. 3 (Copies to each Supervisor, CAO and Resource Management Agency)
- T) Letter from Virginia Gennaro, City of Bakersfield, re McAllister Ranch Annexation No. 518, Proceeding No. 1472 (Copies to each Supervisor, CAO and Resource Management Agency)

Planning

- U) Recorded Grant of Avigation Easement from PH Rosamond LLC, re Tract 6355 (Document 0206164441)

Roads

- V) Recorded Irrevocable Offer of Dedication from Keven Earl Pascoe and Laura Cregger Pascoe, Trustees of the Pascoe Living Trust dated April 25, 2002; Steve Barnes and Barbara Grimm, Trustees of the Rodney L. Grimm Marital Trust dated January 19, 1998; and Robert A. Grimm and Kari L. Grimm, Trustees of the Robert A. Grimm and Kari L. Grimm Living Trust dated October 3, 1995, for additional right-of-way on Renfro Road and Reina Road as a condition of Tentative Tract No. 6364 (Document 0206168583)

Treasurer-Tax Collector

- W) Pooled Cash Portfolio Analysis for Month Ended July 2006

Miscellaneous

- X) Letter from D. L. Green, California Highway Patrol, re Hazardous Materials Incident Report on Tuesday, August 8, 2006, on Franco West Road (Copies to each Supervisor, CAO, Environmental Health and Fire Haz-Mat)
- Y) Letter from Carole Cadle re use of Lake Ming by non-motorized boats and kayakers (Copies to each Supervisor, CAO and Parks)
- Z) Letter from Andrea Murillo re reserve funding for retirement benefits, County Budget No. 1970 (Copies to each Supervisor and CAO)
- AA) Letter from Ramon J. Hirsig, State Board of Equalization, re Kern County Assessment Practices Survey Report, August 2006 (Copies to each Supervisor and CAO)
- BB) Letter from Koral Hancharick, Buena Vista Museum of Natural History, re workshop on Tuesday, October 3, 2006, to discuss preserving and managing paleontological resources within Kern County (Copies to each Supervisor and CAO)
- CC) Letter from Paul M. Bartkiewicz, Bartkiewicz, Kronick & Shanahan, re temporary water transfer during 2007 from Yuba County Water Agency to Department of Water Resources (Copies to each Supervisor, CAO and Engineering & Survey Services)
- DD) E-mail from David Karrs in support of Planning Commission's denial of SPA No. 4, Map No. 101-25, Zone Change Case No. 27, Map No. 101-25 on Thursday, August 10, 2006 (Copies to each Supervisor, CAO, Planning and County Counsel)
- EE) E-mail from Miranda Everett re over-crowded animal shelters (Copies to each Supervisor, CAO, Resource Management Agency and Animal Control)
- FF) E-mail from Ron Forcucci re dog spaying or neutering (Copies to each Supervisor, CAO, Resource Management Agency and Animal Control)
- GG) News article from Michael Turnipseed, Kern County Taxpayers Association, re New York pensions (Copies to each Supervisor, CAO and Retirement)

- HH) Resolution 07-656 from East Kern Airport District amending Resolution 99-1-585 (Administrative Code) relating to the date of General District Elections (Copy to Elections)
- II) Notice from Central Valley Regional Water Quality Control Board re Performance Review Committee Meeting on August 21, 23 and 28, 2006 (Copies to each Supervisor and CAO)
- JJ) Notice from Pacific Gas and Electric Company re Application 06-08-004 for recovery in rates of unreviewed costs associated with planned divestiture of generation assets; and Application 06-06-034 for approval of programs and budgets for 2007 and 2008 California Low Income Energy Efficiency (LIEE) and California Alternate Rates for Energy (CARE) (Copies to each Supervisor and CAO)
- KK) Notice from Pacific Gas and Electric Company re application to recover costs incurred to study feasibility of obtaining electric power from British Columbia generated from renewable sources of power (Copies to each Supervisor and CAO)
- LL) Notice from State Industrial Welfare Commission re postponement of August 24, 2006, public meeting (Copies to each Supervisor and CAO)
- MM) Notice from U.S. Federal Energy Regulatory Commission re Southern California Edison Company Project No. 382-036, Order Granting Extensions of Time Under Article 301 for Borel Project on North Fork of Kern River and main stem of the Kern River and Article 402 for Boating Flow Augmentation Plan (Copies to each Supervisor and CAO)
- NN) Notices from State Department of Alcoholic Beverage Control re applications for alcoholic beverage licenses as follows: Birrieria Guadalajara, 3217 Niles Street, Suites E & F, Bakersfield; Red's Kern Valley Marina, 9651 Highway 178, Lake Isabella; Quick & Easy, 2805 Edison Highway, Bakersfield; La Tapatia Mexican Grill, 1015 North Chester Avenue, Bakersfield; and Boron, 27037 Twenty Mule Team Road, Boron (Copies to each Supervisor, CAO and Planning)
- OO) Minutes of meeting from Kern County Commission on Aging, Executive Committee Meeting on Thursday, June 1, 2006
- PP) Agenda of meeting from In-Home Supportive Services Advisory Committee on Thursday, September 14, 2006
- QQ) Minutes of meeting from In-Home Supportive Services Advisory Committee on Thursday, July 13, 2006
- RR) Agenda of meeting from Kern County Child Care Council on Wednesday, September 6, 2006
- SS) Minutes of meeting from Kern County Child Care Council on Wednesday, August 2, 2006

- 64) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
- A) Resolution 2007-5 from Standard Elementary School District requesting County to issue and sell General Obligation Bonds of Standard Elementary School District, Election of 2006, Series 2006 A - REFERRED TO COUNTY COUNSEL
  - B) Resolution 2007-04 from Richland School District requesting County to issue and sell bonds of Richland School District - REFERRED TO COUNTY COUNSEL
  - C) Official Statement from UBS Investment Bank, August 25, 2006, re Sierra Sands Unified School District General Obligation Bonds (Election of 2006), Series 2006A - REFERRED TO COUNTY COUNSEL
  - D) Letter from Michelle P. Foxman, Fross, Zelnick Lehrman & Zissu, re objection to Board of Trade using the name Super Soccer Stars - REFERRED TO BOARD OF TRADE (Copies to each Supervisor, CAO and County Counsel)
  - E) Letter from Richard J. McCarthy, State Seismic Safety Commission, re retrofit programs to be completed by 2010 for Seismic Zone 4 locations - REFERRED TO ENGINEERING & SURVEY SERVICES (Copies to each Supervisor, CAO and Resource Management Agency)
  - F) Letter from Shaen Magan, Tule Ranch/Magan Ranch & Honey Bucket Farms, re appeal of August 4, 2006, denial of request for hardship extension for Shaen Magan at Dairy Ranch, Scofield Ranch and Rowlee Ranch concerning the discontinuance of land application of biosolids - REFERRED TO ENVIRONMENTAL HEALTH SERVICES (Copies to each Supervisor, CAO, Resource Management Agency, Planning and County Counsel)
  - G) Letter from Lynn Molina, Rag Gulch Water District, re Resolution 2006-9 fixing 2007 water rates, standby and assessments of the District - REFERRED TO COUNTY COUNSEL
  - H) Letter from Lynn Molina, Kern-Tulare Water District, re Resolution 2006-15 fixing 2007 water rates, standby and assessments of the District - REFERRED TO COUNTY COUNSEL
- 65) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Carolyn S. Havins vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - B) Claim in the matter of Evelyn Rose Warren vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
  - C) Claim in the matter of Lynda Martin, Tanaj Fritz, Jessica Fritz and Ariane Fritz vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)

- D) Claim in the matter of Sarah Tyndall vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Jean Arrayet vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Bobbie and LeRoy Rufus vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of AT&T vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Florencia Pineda vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Amended complaint in the matter of Harold P. Boushell vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Subrogation claim in the matter of Esparza Enterprises, Inc. by Unitrin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Complaint in the matter of City of Los Angeles; Orange County Sanitation District; County Sanitation District No. 2 of Los Angeles County; Responsible Biosolids Management, Inc.; R&G Fanucchi, Inc.; Shaen Magan, both individually and dba Honey Bucket Farms and Tule Ranch/Magan Farms; Western Express, Inc.; Sierra Transport, Inc.; California Association of Sanitation Agencies vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Summons and complaint in the matter of Colette Crann and Christian Dewey vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- M) Summons and complaint in the matter of Joyce Rosenau, individually and as successor-in-interest to George Rosenau; Estate of George Rosenau; Linda Thiltgen; Gloria Rosenau Stern; Wendy Sornberger; and Ryan Brottlund, a minor, by and through his Guardian ad Litem, David Brottlund vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- N) Summons in the matter of Amparo Perez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- O) Summons in the matter of John C. Johnston and A-C Electric Company vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- P) Notice of Co-Respondent Discrimination complaint by Bernard L. Tenny in the matter of Christopher Reilly vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management and Personnel)