



## **BAKERSFIELD CITY COUNCIL MINUTES MEETING OF JUNE 10, 2020**

**Council Chambers, City Hall, 1501 Truxtun Avenue**  
Regular Meeting- 5:15 p.m.

### **SPECIAL MEETING -4:00 PM**

#### **1. ROLL CALL**

Present: Mayor Goh, Vice-Mayor Parlier, Councilmembers Rivera, Gonzales, Weir, Smith (participated by telephone), Freeman (participated by telephone), Sullivan

Absent: None

### **SPECIAL NOTICE Public Participation and Accessibility June 10, 2020 Bakersfield City Council Meetings**

On March 18, 2020, Governor Gavin Newsom issued Executive Order N-29-20, which includes a waiver of Brown Act provisions requiring physical presence of the Council or the public in light of the COVID-19 pandemic.

Based on guidance from the California Governor's Office and Department of Public Health, as well as the County Health Officer, in order to minimize the potential spread of the COVID-19 virus, the City of Bakersfield hereby provides notice that as a result of the declared federal, state, and local health emergencies, and in light of the Governor's order, the following adjustments have been made:

1. The meeting scheduled for **June 10, 2020, at 5:15 p.m.** will have limited public access.
2. Consistent with the Executive Order, Councilmembers may elect to attend the meeting telephonically and to participate in the meeting to the same extent as if they were physically present.
3. The public may participate in each meeting and address the City Council as follows:

View a live video stream of the meeting at  
<https://bakersfield.novusagenda.com/AgendaPublic/> or, on your local government channel (KGOV 2).

If you wish to comment on a specific agenda item, submit your comment via email to the City Clerk at [City\\_Clerk@bakersfieldcity.us](mailto:City_Clerk@bakersfieldcity.us) **no later than 1:00 p.m. prior to the Council meeting**. Please clearly indicate which agenda item number your comment pertains to.

If you wish to make a general public comment not related to a specific agenda item, submit your comment via email to the City Clerk at [City\\_Clerk@bakersfieldcity.us](mailto:City_Clerk@bakersfieldcity.us) **no later than 1:00 p.m. prior to the Council meeting**.

Alternatively, you may comment by calling **(661) 326-3100** and leaving a voicemail of no more than 3 minutes no later than **4:00 p.m. the Tuesday prior** to the Council meeting. Your message must clearly indicate whether your comment relates to a particular agenda item, or is a general public comment. If your comment meets the foregoing criteria, it will be transcribed as accurately as possible.

If you are watching the live stream of the meeting and wish to make a comment on a specific agenda item as it is being heard, please email your written comment to the City Clerk at [City\\_Clerk@bakersfieldcity.us](mailto:City_Clerk@bakersfieldcity.us). All comments received during the meeting **may not be read, but will be included** as part of the permanent public record of the meeting.

**2. INVOCATION**

by Public Works Director Fidler.

**3. PLEDGE OF ALLEGIANCE**

by Councilmember Sullivan.

**4. PRESENTATIONS**

None.

**5. PUBLIC STATEMENTS**

- a. Mitchell Rowland expressed concern with the City's proposals to the Public Safety Vital City Services Committee to hire additional staff and feels the focus should be on public safety.

***Vice-Mayor Parlier requested staff consolidate a list of all department personnel requests before the budget and what that costs, and future projections, including retirement.***

- b. MT Merickel spoke in support of expanding zoning to include R-1 lots for backyard hens; and submitted written material.
- c. Julie Solis expressed concern with the Bakersfield Police Department.

**5. PUBLIC STATEMENTS** continued

- d. Tina Bengston expressed appreciation to Councilmember Rivera for his efforts in Ward 1.
- e. The following individuals emailed comments expressing concern with the City's efforts to protect victims of domestic violence and the confidentiality of addresses: Mary Sue; Jane Doe; Jenny G.; Bakersfield Mom; Anita Kanitz; Mary Shadden; Fast One; Bryan Smith; Lila Ray; and Bakersfield New Homes.
- f. Landen King emailed comments requesting basketball courts be replaced at City parks.
- g. MT Merickel emailed comments in support of backyard hen ownership and requested the City Council expand zoning to include R-1 lots for backyard hens.

**6. WORKSHOPS**

- a. Citywide Market Analysis and Economic Development Strategy and B3K Prosperity Project  
***(Staff recommends approval of the agreement and receive and file workshop presentation.)***
  - 1. Consultant Agreement with the Natelson Dale Group (not to exceed \$179,000) to prepare the City of Bakersfield Market Analysis and Economic Development Strategy.  
  
**AGR 2020-079**
  - 2. Overview of integration of City Strategy with the future "B3K Prosperity Project" and future request for Contribution Agreement from the Greater Bakersfield Chamber of Commerce (not to exceed \$83,175).  
  
**AGR 2020-080**

City Manager Clegg made staff comments and provided a PowerPoint presentation.

Roger Dale, Natelson Dale Group, made comments and provided a PowerPoint presentation.

Nick Ortiz, Greater Bakersfield Chamber of Commerce, made comments and provided a PowerPoint presentation.

Troy Hightower spoke in support of the City's effort to prepare a market analysis and Economic Development Strategy; and submitted written material.

**6. WORKSHOPS** continued

***Councilmember Weir requested staff forward the link related to economic development for Ontario, California, to all Councilmembers.***

***Motion by Councilmember Weir to approve the staff recommendation. Motion passed.***

Mayor Goh recessed the meeting at 6:59 p.m. and reconvened the meeting at 7:10 p.m.

**7. APPOINTMENTS**

None.

**8. CONSENT CALENDAR**

***(Staff recommends adoption of Consent Calendar items.)***

**Minutes:**

- a. Approval of minutes of the May 20, 2020, Regular and Special City Council Meetings, and the May 22, 2020, and May 27, 2020, Special City Council Meetings.

**Payments:**

- b. Receive and file department payments from May 8, 2020, to May 28, 2020, in the amount of \$33,812,981.14; Self Insurance payments from May 8, 2020, to May 28, 2020, in the amount of \$743,951.12; totaling \$34,556,932.26.

**Ordinances:**

**Resolutions:**

- c. Resolution calling and giving notice of holding a General Municipal Election for Election of Councilmembers for Wards 2, 5, and 6, calling a Special Municipal Election for the Election of Councilmember for Ward 1 and requesting the Board of Supervisors of the County of Kern to consolidate with the Statewide General Election to be held on Tuesday, November 3, 2020.

**REMOVED BY STAFF**

- d. Resolution approving an application to the Kern County Local Agency Formation Commission to annex inhabited territory into the City, identified as Annexation No. 691 (Cottonwood No. 5), located at the northeast corner of the Feliz Drive/Cottonwood Road intersection. A finding that the project is exempt from the California Environmental Quality Act under Section 15061(b)(3) will also be considered.

**RES 067-2020**

**8. CONSENT CALENDAR** continued

- e. Resolution confirming approval by the City Manager designee of the Chief Code Enforcement Officer's report regarding assessments of certain properties in the City for which structures have been secured against entry or for the abatement of certain weeds, debris and waste matter and the demolition of dangerous buildings and authorizing collection of the assessments by the Kern County Tax Collector.

**RES 068-2020**

- f. Precast concrete wall panels:
  - 1. Resolution determining that precast concrete wall panels cannot be reasonably obtained through the usual bidding procedures and authorizing the Finance Director to dispense with bidding thereof, not to exceed \$40,000.

**RES 069-2020**

- 2. Agreement with StructureCast (\$40,000) for the supply, demolition, and installation of precast concrete wall panels in the 1600 block of Ashe Road.

**AGR 2020-081**

- g. Purchase of Morbark Grinder:
  - 1. Resolution determining that a Morbark grinder can most efficiently be obtained through cooperative procurement bidding procedures from Morbark and authorizing the Finance Director to dispense with bidding thereof, not to exceed \$1,008,544.

**RES 070-2020**

- 2. Appropriate \$687,196 Equipment Management Fund balance to the Public Works Department's Operating Budget for the purchase.
  - 3. Appropriate and Transfer \$321,348 Refuse Enterprise Fund balance to the Public Works Department's Operating Budget within the Equipment Management Fund for the purchase of Morbark Grinder.

**8. CONSENT CALENDAR** continued

- h. Resolutions providing for the collection of delinquent sewer and refuse charges by Kern County Auditor-Controller's Office on the Fiscal year 2020-21 property tax roll:
  - 1. Resolution providing for the collection of delinquent sewer fees.  
**RES 071-2020**
  - 2. Resolution providing for the collection of delinquent refuse fees.  
**RES 072-2020**
- i. Resolutions providing for the adoption and collection of sewer service user charges and fees for Fiscal Year 2020-21:
  - 1. Resolution adopting Fiscal Year 2020-21 sewer and storm sewer user rates (no proposed rate increases).  
**RES 073-2020**
  - 2. Resolution providing for the collection of residential and commercial sewer and storm sewer service user's charges by the Kern County Auditor-Controller's Office.  
**RES 074-2020**
- j. Resolution of Intention No. 2048 preliminarily adopting, confirming and approving the Public Works Director's Report for the Consolidated Maintenance District ("CMD" herein) and the 2020-2021 budget and setting the time and place for hearing protests regarding the amount of park landscaping assessments to be levied throughout the CMD.  
**ROI 2048**
- k. Resolution of Intention No. 2049 preliminarily adopting, confirming and approving the Public Works Director's Report for the Consolidated Maintenance District ("CMD" herein) and the 2020-2021 budget and setting the time and place for hearing protests regarding the amount of street and median landscaping assessments to be levied throughout the CMD.  
**ROI 2049**
- l. Resolution of Intention No. 2050 preliminarily adopting, confirming and approving the Public Works Director's Report for 23 Traffic Signal Maintenance Districts and the 2020-2021 budgets and setting the time and place for hearing protests on the amount of Traffic Signal assessments to be levied for each TSMD.  
**ROI 2050**

**8. CONSENT CALENDAR** continued

- m. Resolutions of Intention (ROI) to add the following areas to the Consolidated Maintenance District and preliminarily approving, confirming, and adopting the Public Works Director's Report for each:
  - 1. ROI No. 2051 adding Area 4-217 (3345 & 3405 Bernard Street) – Ward 3  
**ROI 2051**
  - 2. ROI No. 2052 adding Area 4-218 (721 Brundage Lane) – Ward 1  
**ROI 2052**

**Agreements:**

- n. Agreement with The Segal Company for Health Care Consulting, not to exceed \$372,000 (\$91,000 in FY 2020-21, \$91,000 in FY 2021-22, \$91,000 in FY 2022-23 and \$99,000 in FY 2023-2024).  
**AGR 2020-082**
- o. Agreement with the State of California regarding the Law Enforcement Support Office Program.  
**AGR 2020-083**
- p. Agreement with CivicPlus (not to exceed \$330,000 over a five year period) for development, implementation, and support for a hosted content management software system supporting the City's primary web site.  
**AGR 2020-084**
- q. Agreement with Kern County Children and Families Commission (First 5 Kern) for a five-year grant (\$225,000) program.  
**AGR 2020-085**
- r. Grant Agreement with Bitwise Industries (not to exceed \$50,000) for Economic Opportunity Area Incentive Program.  
**AGR 2020-086**
- s. Agreement with Bakersfield Senior Center (not to exceed \$25,000) for COVID-19 related operation and services at 530 4th Street.  
**AGR 2020-087**

**8. CONSENT CALENDAR** continued

- t. Agreement with the County of Kern (\$13,007,128) in funding to the City of Bakersfield from the County administered Coronavirus Relief Fund Program of the Coronavirus Aid, Relief, and Economic Security Act.

**AGR 2020-088**

- u. Purchase Agreement and Farming Lease with Bolthouse Land Company, LLC., a California limited liability company (\$886,000), for the purchase of future right-of-way located at the west end of White Lane.

**AGR 2020-089, AGR 2020-090, DEED 9133**

- v. Amendment No. 1 to Agreement No. CM20-014 with Sitrep Security Solutions (\$40,000; revised not to exceed \$94,000 and extend the term one year), to continue access control and concierge services at City Hall North.

**AGR 2020-091**

- w. Amendment No. 2 to Agreement No. 17-074 with W.M. Lyles Co. (\$160,000; revised not to exceed \$460,000 and extend term to September 30, 2020) to provide pump installation services at Calloway Drive Overcrossing Pump Plant.

**AGR 17-074(2)**

- x. Contract Change Orders No. 6 and 27 to Agreement No. 18-176 with Security Paving Company (\$249,373.66; revised not to exceed \$49,419,956.46) for the Bakersfield Freeway Connector Project.

**AGRMT 18-176 CCO 6, CCO 27**

**Bids:**

- y. Accept bid from Maven IT Group LLC (\$40,448.70) for HP LaserJet Multi-Function Printers for the Technology Services Division.
- z. Accept bid from Jim Burke Ford (\$139,810.63) for the purchase of a Graffiti Van with Walk in Box.
- aa. Accept bid from Jim Burke Ford (\$172,373.60) for seven replacement midsize pickups.
- ab. Accept bid from Jim Burke Ford (\$44,824.92) for a service body truck with ladder rack and lift gate.
- ac. Accept bid from Jim Burke Ford (\$128,323.14) for the purchase of a service truck with a hydrant valve for the Water Resources Department.



**8. CONSENT CALENDAR** continued

ad. Accept bid from McPeek's Chrysler Dodge Jeep Ram of Anaheim (\$81,154.97) for the purchase of a Fire battalion command vehicle for use by the Fire Department.

ae. Rehabilitation of the Storm Water Lift Station located at the Police Department Pistol Range:

1. Accept bid and approve contract with Nicholas Construction, Inc. (\$1,485,600) for the Storm Water Lift Station: Police Dept. Pistol Range.

**AGR 2020-092**

2. Appropriate \$550,000 in Sewer Enterprise Fund balance to the Public Works Department's Capital Improvement Program budget.

af. Accept bid and approve contract with Sancon Engineering (\$57,070) for the Sewer Rehabilitation on F Street from 24th Street to 26th Street.

**AGR 2020-093**

ag. Accept bid and approve contract with Granite Construction Company (\$1,171,726) for Pavement Rehabilitation 2019-2020 RSTP: F Street from 24th Street to State Route 204.

**AGR 2020-094**

ah. Accept bid and approve contract with Granite Construction Company (\$2,786,864) for Pavement Rehabilitation 2019-2020 RSTP: Brundage Lane from Washington Street to Oswell Street.

**AGR 2020-095**

**Miscellaneous:**

ai. Appropriate \$97,771 State Grant Revenue for the Waste Tire Enforcement Grant Program to the General Fund Development Services Operating Budget.

aj. Miscellaneous Appropriations:

1. Appropriate \$370,000 from the Sewer Enterprise Fund Balance to the Public Works Department's operating budget for increased electrical costs.
2. Appropriate \$730,000 from the Refuse Enterprise Fund Balance to the Public Works Department's operating budget for increased operating costs.

**8. CONSENT CALENDAR** continued

- ak. Fiscal Year 2019-20 Capital Improvement Program Project Defunding and Deferments.

**Successor Agency Business:**

- al. Receive and file Successor Agency payments from May 8, 2020, to May 28, 2020, in the amount of \$2,750.00.

**Public Safety/Vital Services Measure:**

- am. Accept bid from Jim Burke Ford (210,372.26) for light duty Fire rescue vehicles for the Fire Department.

City Clerk Drimakis announced a staff memorandum was received regarding item 8.c., transmitting correspondence received in support and in opposition of staff's recommendation; a staff memorandum was received requesting item 8.c. be removed from the agenda; and an additional staff memorandum was received regarding item 8.f., correcting the Ward listed on the administrative report to state Ward 6.

***Motion by Vice-Mayor Parlier to adopt Consent Calendar items 8.a. through 8.am., with the removal of item 8.c. Motion passed.***

***Councilmember Gonzales requested staff schedule an online workshop for prospective grantees for the EOA program.***

**9. CONSENT CALENDAR PUBLIC HEARINGS**

None.

**10. HEARINGS**

- a. Public Hearing to consider resolutions adopting refuse and recycling rates for Fiscal Year 2020-2021:  
***(Staff recommends adoption of the resolutions.)***

1. Resolution adopting increases to Fiscal Year 2020-21 refuse and recycling rates.

**RES 075-2020**

2. Resolution providing for the collection of residential and commercial refuse and recycling charges by the Kern County Auditor-Controller's Office.

**RES 076-2020**

City Clerk Drimakis announced a staff memorandum was received transmitting correspondence protesting an increase in refuse and recycling rates for 19 parcels.

Public Works Director Fidler made staff comments.

**10. HEARINGS** continued  
ITEM 10.a. CONTINUED

Hearing item 10.a. opened at 7:14 p.m.

No one spoke.

Hearing item 10.a. closed at 7:15 p.m.

***Councilmember Smith requested a comparison on commercial refuse rates.***

***Motion by Vice-Mayor Parlier to approve the staff recommendation. Motion passed.***

- b. Public hearing for the Fiscal Year 2020-21 Operating and Capital Improvement Program Budgets  
***(Staff recommends City Council hear public testimony.)***

City Clerk Drimakis announced a staff memorandum was received regarding item 10.b., transmitting revised FY 21 proposed operating and capital budgets; and an additional staff memorandum was received transmitting correspondence, due to the numerous comments received, the comments will be available for public review in the City Clerk's office.

Assistant City Manager Huot made staff comments.

Hearing item 10.b. opened at 7:24 p.m.

The following individuals spoke in opposition to the proposed budget: Eddy Laine, Sierra Club (submitted written material); Michael Turnipseed, Kern County Taxpayers Association; and Nicholas Emilio.

No one spoke in favor of the proposed budget.

Written material was submitted by Troy Hightower.

Hearing item 10.b. closed at 7:39 p.m.

***Councilmember Gonzales requested staff provide a list for all improvements required for existing parks today in the context of what is currently being budgeted, before the Council votes on the budget.***

***Councilmember Gonzales asked staff to highlight the action steps in this year's budget so that the community can identify the City's efforts in reducing violence and crime and can begin a conversation about future efforts and investments in the next fiscal year budget.***

**10. HEARINGS** continued  
ITEM 10.b. CONTINUED

***Councilmember Gonzales requested staff move the Mechanics Bank Arena projects to the contingent project list and hold off on the proposed items until the deferred projects from fiscal year 2019-2020 are completed.***

**11. REPORTS**

None.

**12. DEFERRED BUSINESS**

None.

**13. NEW BUSINESS**

None.

**14. COUNCIL AND MAYOR STATEMENTS**

Councilmember Rivera expressed gratitude to staff for the Cottonwood annexation and Brundage Lane improvement project items on tonight's agenda.

***Councilmember Gonzales requested staff review Municipal Code Section 17.58.120 to clarify the language to ensure parking requirements apply to all uses and not just mixed uses.***

***Councilmember Gonzales requested staff provide the Council with an update on the neighborhood improvement plan surrounding the County shelter on M Street.***

***Councilmember Gonzales requested staff draft a letter to the County asking them to open additional beds at the M Street shelter; as a funder, the beds are needed.***

***Councilmember Gonzales requested staff develop a document that clearly communicates the policies and practices that have changed over last 3.5 years within the Bakersfield Police Department.***

***Councilmember Gonzales requested staff review and analyze the "8 Can't Wait" policy recommendations and develop an action plan to present to the Council within the next 30 days.***

***Councilmember Gonzales requested staff create a 6-month task force of community members to review policies being requested by the community and help community members learn what has been implemented; and develop an action plan for the future.***

***Councilmember Gonzales requested staff develop a violence prevention strategy for discussion at the Safe Neighborhoods Committee.***

**14. COUNCIL AND MAYOR STATEMENTS**

***Councilmember Sullivan requested the Legislative and Litigation Committee discuss the possibility of allowing backyard hens within the City limits.***

Councilmember Smith responded to Councilmember Sullivan's request regarding backyard hens and stated staff is planning on presenting information to Council at an upcoming workshop in July.

**15. ADJOURNMENT**

**Mayor Goh adjourned the meeting at 7:59 p.m.**

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**KAREN GOH**

MAYOR of the City of Bakersfield

ATTEST:

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**JULIE DRIMAKIS, CMC**

CITY CLERK and Ex Officio Clerk of  
the Council of the City of Bakersfield