



BAKERSFIELD CITY COUNCIL MINUTES MEETING OF JUNE 14, 2023

Council Chambers, City Hall, 1501 Truxtun Avenue
Regular Meetings – 3:30 p.m. and 5:15 p.m.

REGULAR MEETING - 3:30 PM

1. ROLL CALL

Present: Mayor Goh, Vice Mayor Gonzales (seated at 3:36 p.m.), Councilmembers
Arias (seated at 3:33 p.m.), Weir, Smith, Freeman, Gray and Kaur (seated
at 3:34 p.m.)

2. PUBLIC STATEMENTS

a. Agenda Item Public Statements

None.

b. Non-Agenda Item Public Statements

None.

3. REPORTS

a. Report to City Council regarding the Regional Public Safety Communication
Network.

(Staff recommends City Council receive and file the update and report).

City Manager Clegg and Technology Services Director Pronovost made staff
comments and provided a PowerPoint Presentation.

***Motion by Vice Mayor Gonzales to receive and file the report. Motion
unanimously approved.***

4. ADJOURNMENT

Mayor Goh adjourned the 3:30 p.m. meeting at 4:04 p.m.

REGULAR MEETING - 5:15 PM

1. ROLL CALL

Present: Mayor Goh, Vice Mayor Gonzales, Councilmembers Arias, Weir, Smith, Freeman, Gray and Kaur

2. INVOCATION

By Giani (Priest) Gurcharan Singh, founding member of the Bakersfield Sikh Punjabi Senior Citizens Association.

3. PLEDGE OF ALLEGIANCE

By Micah Eldredge, 7th grader at Walter Stiern Middle School.

4. PRESENTATIONS

- a. Proclamation to MacKenzie Boone, Vice President of the Boys & Girls Clubs of Kern County Board of Directors, declaring National Boys & Girls Clubs Week in Bakersfield during the week of June 26, 2023.

5. PUBLIC STATEMENTS

- a. Agenda Item Public Statements

- 1. Ryan Nance spoke regarding item 7.a.c.
- 2. Dennis Fox spoke regarding item 7.i. and 7.o.

- b. Non-Agenda Item Public Statements

- 1. Laura Halford spoke regarding damaged sewer lines in her neighborhood by companies that are no longer in business.

Mayor Goh requested staff reach out to Laura Halford to discuss her concerns regarding the contractor repairing the sewer line at 1201 and 1209 Fairview Road due to installation of fiber optic cable in the area.

- 2. Camila Chavez, Delores Huerta Foundation spoke regarding Delores Huerta Peace and Justice Cultural Center (written material provided).

Vice Mayor Gonzales requested staff search for ways and opportunities to financially partner and support the Delores Huerta Peace and Justice Center to be in Downtown at 21st and Eye Streets.

6. APPOINTMENTS

- a. Appointment of an Alternate Member to Local Agency Formation Commission (LAFCO) by Vice Mayor Gonzales for 2023-25.
(To be determined by Vice Mayor and ratified by Council.)

Motion by Vice Mayor Gonzales to appoint Councilmember Arias as the Alternate LAFCO Member. Motion unanimously approved.

7. CONSENT CALENDAR
(Staff recommends adoption of Consent Calendar items.)

Minutes:

- a. Approval of minutes of the May 24, 2023, Regular City Council Meeting.

Payments:

- b. Receive and file department payments from May 12, 2023, to June 1, 2023, in the amount of \$26,478,694.68 and Self Insurance payments from May 12, 2023, to June 1, 2023, in the amount of \$1,109,618.07, totaling \$27,588,312.75.

Ordinances:

- c. First reading of ordinance amending Bakersfield Municipal Code Section 17.06.020 by changing the official zoning map from Regional Commercial (C-2) to Regional Commercial (C-2) to remove a Declaration of Restrictions on 5.94 acres located at 4215 Letzring Lane. Applicant is Housing Authority of the County of Kern representing property owner LMCHAO, LLC (Zone Change No. 22- 0014).

FR ONLY

- d. Adoption of an Ordinance amending the Bakersfield Municipal Code Section 17.06.020 by changing the official zoning map from Limited Multiple Family Dwelling Unit (R-2) to Multiple Family Dwelling Unit/Planned Unit Development (R-3/PUD) located at the southwest corner of Berkshire Road and Ashe Road. Applicant is Cornerstone Engineering, Inc. representing property owner Timothy and Marilyn Banducci Family Trust (Zone Change No. 22- 0125)
(FR 5/10/23)

ORD 5126

Resolutions:

- e. Resolution to dispense with bidding with Gridless Power, not to exceed \$191,000 for the purchase of three (3) Gridless Sentry Trailers and Accessories.

RES 077-2023

- f. Resolution determining that Vacall freightliner 114SD vacuum combination truck can most efficiently be obtained through cooperative procurement bidding procedures from Vacall and authorizing the Finance Director to dispense with bidding thereof, not to exceed \$550,000.

RES 078-2023

- g. Resolution determining repairs to a Solid Waste loader cannot be reasonably obtained through the usual bidding procedures, and authorizing the Finance Director to dispense with bidding, not to exceed \$66,000.

RES 079-2023

- h. Dispense with Bidding for the purchase of a wheel loader for the Solid Waste Division:

7. CONSENT CALENDAR continued

Item 7.h. continued

1. Resolution determining that a wheel loader can most efficiently be obtained through cooperative procurement bidding procedures from Quinn Cat and authorizing the Finance Director to dispense with bidding thereof, not to exceed \$331,550.

RES 080-2023

2. Appropriate and transfer \$331,550 Refuse Enterprise Fund balance to the Public Works Department's Operating Budget within the Equipment Management Fund to fund the purchase of one unit.

i. Gosford Road Planned Sewer Area (Wards 5 & 7)

1. Resolution of Intention No. 2169 to establish the Gosford Road Planned Sewer Area and preliminarily approving the boundaries of the area and the cost and fee schedule.

ROI 2169

2. First Reading of an Ordinance amending Section 16.32.060 (E) of the Bakersfield Municipal Code relating to Sewer Facilities by adding the Gosford Road Planned Sewer Area.

- j. Amendment No. 1 to Resolution No. 170-2021 determining that urgent repairs to Solid Waste Division's front loader cannot be reasonably obtained through the usual bidding procedures and authorizing the Finance Director to dispense with bidding because of necessity to integrate with existing equipment, not to exceed \$85,000.

RES 170-2021 (1)

Agreements:

- k. Agreement with Citibot, Inc. (three years, totaling \$124,100), for automated interactive chat solutions.

REMOVED FOR SEPARATE CONSIDERATION. PLEASE SEE PAGE 7.

- l. Agreement with Global CTI, Inc. (not to exceed \$396,688.34 for a three-year term), for installation and three-year software licensing and maintenance for an Employee Mass Notification System.

AGR 2023-131

- m. Agreement with Grammarly, Inc. (\$13,050 for a one-year term), for software subscription services.

AGR 2023-132

- n. Agreement with the following contractors to provide various on-call services City-wide for a one-year term with an automatic extension of time option for up to three additional years:

7. CONSENT CALENDAR continued

Item 7.n. continued

1. RLH Fire Protection, Inc. (not to exceed \$600,000), for fire sprinkler inspection and maintenance services; and

AGR 2023-133

2. San Joaquin Fence (not to exceed \$500,000) for wrought iron installation and repair services; and

AGR 2023-134

3. Hansen's Moving & Storage (not to exceed \$250,000) for moving and storage services.

AGR 2023-135

- o. Repair and Remodel of the Wastewater Treatment Plant 3 Maintenance Building located at 6901 McCutchen Road in Bakersfield:

1. Accept proposal and approve agreement with RYMAC General Contracting, Inc. (not to exceed \$503,000), for said project.

AGR 2023-136

2. Authorize staff to approve, as necessary, up to \$50,000 in City-controlled contingency for unforeseen conditions encountered during the construction of the project.
3. Appropriate \$128,000 Sewer Enterprise Fund balance to the Public Works Department's Capital Improvement Program (CIP) budget to complete this project.

- p. Amendment No. 5 to Agreement No. 19-101 with RM Industries (increase of \$42,000, revised not to exceed \$214,328.52 and extend term by one year) for janitorial services at the McMurtrey Aquatic Center.

AGR 19-101 (5)

- q. Amendment No. 3 to Agreement No. 2020-211 with Flood Ministries to extend term till June 30, 2024, for Community Development Block Grant – Outreach and Family Reunification services.

AGR 2020-211 (3)

- r. Amendment No. 3 to Agreement No. 2020-187 with Telecom Law Firm, PC (extend term June 30, 2024, and update Exhibit B) for wireless siting application review.

AGR 2020-187 (3)

- s. Amendment No. 2 to Agreement No. 2021-144 with CCS Facility Services (increase of \$82,140; revised not to exceed \$246,420 and extend term by one year) to continue the supply of janitorial maintenance.

AGR 2021-144 (2)

7. CONSENT CALENDAR continued

- t. Amendment No. 3 to Agreement No. 93-144 for Bakersfield Municipal Airport Long-Term Ground Lease Agreement with Jerry Manda for Hangar Space A2.

AGR 93-144 (3)

- u. Amendment No. 6 to Agreement No. 18-123 with Solenis LLC (\$572,000; for a revised total contract amount of \$1,318,000, extend term to December 31, 2024, and acknowledge price increase per pound of polymer) to provide polymer for the dissolved air flotation units at Wastewater Treatment Plant No. 3.

AGR 18-123 (6)

- v. Amtrak Rail repairs and inspections:

- 1. Amendment No. 2 to Agreement No. 19-068 with Railworks Track Services, Inc. (increasing compensation \$95,000; revised not to exceed \$498,250 and extend the term to June 30, 2024), to provide railroad track maintenance services.

AGR 19-068 (2)

- 2. Amendment No. 2 to Agreement No. 19-093 with V3 Companies, LTD (increasing compensation \$70,000; revised not to exceed \$320,000 and extend the term to June 30, 2024) to provide railroad track inspection and testing services.

AGR 19-093 (2)

Bids:

- w. Accept bid from Hypertec USA Inc. (\$185,244.45) for the purchase of Dell Latitude 5440 laptop computers and accessories for the Technology Services Department.
- x. Accept bid from Hypertec USA Inc. (\$80,321.45), for the purchase of Panasonic FZ55 laptops.
- y. Accept bid from Engineered Air, Inc., Bakersfield, CA (\$94,463.28), for the purchase of three trailer mounted diesel air compressors for the Streets Division.
- z. Accept bid and approve purchase of four 7'x16' damping ram tilt trailers for the Streets Division:
 - 1. Accept bid from SS1 Inc., dba Brock's Trailers, Bakersfield (\$66,103.80) for four 7'x16' damping ram tilt trailers.
 - 2. Appropriate \$25,103.80 Equipment Management Fund balance to the Public Works Department's Operating Budget to complete the purchase of four trailers

7. CONSENT CALENDAR continued

Miscellaneous:

- aa. Appropriate \$65,637 inspection fee revenue to the Public Works Department operating budget within the Development Services Fund for inspection of fiber optic cable installation by Verizon/MCI.
- ab. Authorize the Finance Director to write off accounts receivable in various funds totaling \$49,785.55 and forward non-bankrupt accounts to a collection agency for additional collection efforts.
- ac. Recommendation by the Legislative and Litigation Committee for Council to support SB 423 (Wiener) - Streamlined housing approvals on state owned or leased property and SB 4 (Wiener) - Housing development by higher education institutions and religious institutions.

REMOVED FOR SEPARATE CONSIDERATION. PLEASE SEE PAGE 7.

Successor Agency Business:

None.

Public Safety/Vital Services Measure:

- ad. Agreement with Motorola Solutions Inc. (not to exceed \$27,000,000), for the Regional Public Safety Communications Network.

AGR 2023-137

Councilmember Gray requested Consent Calendar item 7.k. be removed for separate consideration.

Councilmember Weir requested Consent Calendar item 7.ac. be removed for separate consideration.

Motion by Vice Mayor Gonzales to adopt Consent Calendar items 7.a. through 7.ad., with the removal of items 7.k. and 7.ac. for separate consideration. Motion unanimously approved.

- k. Agreement with Citibot, Inc. (three years, totaling \$124,100), for automated interactive chat solutions.

AGR 2023-130

Motion by Councilmember Gray to adopt Consent Calendar item 7.k. Motion unanimously approved.

- ac. Recommendation by the Legislative and Litigation Committee for Council to support SB 423 (Wiener) - Streamlined housing approvals on state owned or leased property and SB 4 (Wiener) - Housing development by higher education institutions and religious institutions.

Motion by Vice Mayor Gonzales to adopt Consent Calendar item 7.ac. Motion approved with Councilmembers Weir and Gray voting no.

Mayor Goh recessed the meeting at 6:22 p.m. and reconvened the meeting at 6:23 p.m.

8. CONSENT CALENDAR PUBLIC HEARINGS

(Staff recommends conducting Consent Calendar Public Hearing and approval of items.)

- a. Public Hearing to consider Resolution approving and adopting the Public Works Director's Report for the Consolidated Maintenance District (CMD) and the 2023-2024 CMD budget confirming the park landscaping assessments and authorizing the collection of assessments by the Kern County Tax Collector.

RES 081-2023

- b. Public Hearing to consider Resolution approving and adopting the Public Works Director's Report for the Consolidated Maintenance District (CMD) and the 2023-2024 CMD budget confirming the street and median landscaping assessments and authorizing the collection of assessments by the Kern County Tax Collector.

RES 082-2023

- c. Public Hearing to consider Resolution approving and adopting the Public Works Director's Report for 25 Traffic Signal Maintenance Districts (TSMD) and the 2023-2024 CMD budget confirming the assessments and authorizing the collection of assessments by the Kern County Tax Collector.

RES 083-2023

Consent Calendar Public Hearing items 8.a. through 8.c., opened at 6:24 p.m.

No one spoke.

Consent Calendar Public Hearing items 8.a. through 8.c., closed at 6:27 p.m.

Motion by Vice Mayor Gonzales to adopt Consent Calendar Public Hearing items 8.a. through 8.c. Motion unanimously approved.

9. HEARINGS

- a. Public Hearing to consider adoption of Domestic Water Quantity and Monthly Readiness-to-Serve Rates for Fiscal Year 2023-2024 to Fiscal Year 2027-2028.

(Staff recommends adoption of the resolution.)

RES 084-2023

City Clerk Drimakis announced a staff memorandum was provided transmitting five protests.

Hearing Item 9.a. opened at 6:29 p.m.

No one spoke.

Hearing item 9.a. closed at 6:30 p.m.

Motion by Vice Mayor Gonzales to approve the staff recommendation. Motion unanimously approved.

9. HEARINGS continued

- b. Public Hearing for the Fiscal Year 2023-24 Operating and Capital Improvement Program Budgets.

(Staff recommends City Council hear public testimony.)

City Clerk Drimakis announced staff memorandum was received for item 9.b., transmitting correspondence from Sandra Melgoza-Plascencia, Leadership Counsel for justice and accountability.

Hearing item 9.b. opened at 6:31 p.m.

The following individuals spoke in opposition to the proposed budget: Sandra Melgoza, Leadership Counsel for Justice and Accountability, Wendell Wesley Jr., Rosa Lopez, ACLU, Rebecca, Michael King, Hector Hernandez

No one spoke in support of the proposed budget.

Hearing item 9.b. closed at 6:46 p.m.

Vice Mayor Gonzales requested staff coordinate with Community Stakeholders and Leaders to hear about community programs facing funding gaps in which the City may be able to provide funding opportunities. He requested staff incorporate item into the contingency budget for mid-year.

10. REPORTS

- a. Storm Drain Improvements along 20th Street and 'P' Street:
(Staff recommends the City Council receive and file the report, accept the low bid, approve the contract, and authorize the City-controlled contingency.)

1. Receive and file Staff Report regarding Downtown Master Storm Drain Study and the 20th and P Street Storm Drain Improvements Project.
2. Accept bid and approve contract with Kern Pacific Construction Co. (not to exceed \$721,047.62), for the construction of the 20th and 'P' Street Storm Drain Improvements.

AGR 138-2023

3. Authorize staff to approve, as necessary, up to \$50,000 in City-controlled contingency for unforeseen conditions encountered during construction.

Councilmember Smith abstained due to redeveloping property adjacent to the project and left the dais at 6:49 p.m.

Public Works Director Strakaluse made staff comments and provided a PowerPoint Presentation.

Motion by Vice Mayor Gonzales to approve the staff recommendation. Motion approved with Councilmember Weir voting no and Councilmember Smith abstaining.

11. DEFERRED BUSINESS

None.

12. NEW BUSINESS

None.

13. COUNCIL AND MAYOR STATEMENTS

Vice Mayor Gonzales requested staff reach out to Cal Water to discuss the subpar street patching of Chester Avenue recently repaved. He also requested staff develop a strategy to coordinate infrastructure improvements with the utility companies that would be cost effective for taxpayers.

Councilmember Kaur made comments uplifting the voices of Ward 7, regarding safety in streets due to speeding.

Mayor Goh made comments regarding Flag Day and the ceremony of retiring over 3200 flags at Greenlawn Southwest.

14. ADJOURNMENT

Mayor Goh adjourned at 7:32 p.m.

KAREN GOH

MAYOR of the City of Bakersfield

ATTEST:

JULIE DRIMAKIS, MMC

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