BAKERSFIELD CITY COUNCIL AGENDA MEETING OF NOVEMBER 6, 2019

Council Chambers, City Hall, 1501 Truxtun Avenue
Regular Meeting 5:15 PM

REGULAR MEETING - 5:15 PM

1. ROLL CALL

Introduction of students participating in Teen Government Day.

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

a. Proclamation to Kern County Homeless Collaborative Youth Committee Chair, Allyson Seal, and Members, Victoria Limbean, Reyna Perez De Burbank, and Andrea Caldwell, declaring Homeless Youth Awareness Month in Bakersfield during November 2019.

b. Proclamation to O2 Seekers of Bakersfield Support Group Leader, Deanna "Dee Dee" Towle, and member Raymond Mars, recognizing Alpha-1 Antitrypsin Deficiency Awareness Month in Bakersfield during November 2019.

5. PUBLIC STATEMENTS

6. WORKSHOPS

a. Update on City Efforts to Address Homelessness: Emergency Shelter

Authorize the City Manager to: (1) negotiate preparation of a Purchase and Sale Agreement (PSA) with terms to be consistent with the executed Letter of Intent (LOI), with Calcot LTD to purchase 7.24 acres and associated Office Complex for $3,827,000 and 10-acres of adjacent vacant land for $1,100,000, all located at 1900 E. Brundage Avenue ($4,927,000 total); and, (2) immediately initiate actions to begin conversion of the property as described in Administrative Report ($1,900,000 estimated).

b. Presentation by Development Services Department on Affordable Housing.

Staff recommends to receive and file.

7. APPOINTMENTS

8. CONSENT CALENDAR

Staff recommends adoption of Consent Calendar items.

Minutes:

a. Approval of minutes of the October 23, 2019, Special City Council Meetings.

Payments:

b. Receive and file department payments from October 11, 2019, to October 24, 2019, in the amount of $20,029,498.20; Self Insurance payments from October 11, 2019, to October 24, 2019, in the amount of $388,361.64; totaling $20,417,859.84.

Ordinances:

c. Adoption of ordinance amending Chapter 15.65 of the Bakersfield Municipal Code relating to the California Fire Code. (***FR 10/23/19)***

Resolutions:

d. 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 demolishment of dangerous buildings and authorizing collection of the assessments by the Kern County Tax Collector.

e. Resolution determining that a Caterpillar tractor can most efficiently be obtained through cooperative procurement bidding procedures from Quinn CAT, Bakersfield and authorizing the Finance Director to dispense with bidding thereof, not to exceed $375,000.

f. Resolution Granting Funds ($300,000) to the Kern County District Attorney to Reinstate the Community Prosecution Program.

g. Senate Bill 2 Planning Grant Program Application:

1. Resolution authorizing the City of Bakersfield's application for, and receipt of, Senate Bill 2 Planning Grant Program (PGP) funds.
2. Appropriate $625,000 Senate Bill 2 Planning Grant Program (PGP) funds to Development Services Operating budget in the General Fund.

Ward 2

h. Sewer connection fee assessment for 745 Real Road:

1. Resolution confirming assessments for sewer connection fee and authorizing the collection of assessment by the Kern County Tax Collector.
2. Agreement with Titus Linares and Donna Linares, 745 Real Road, to pay the sewer connection fee through the Kern County Tax Collector.

Agreements:

Ward 5

i. Final Map and Improvement Agreement with Norris Road, LLC (Developer) for Tract 7288 Unit 3 located east of Windermere Street and south of Campus Park Drive.

Bids:

j. Extend bid from Gibbs Truck Center, Bakersfield ($456,695.28) for the purchase of two asphalt-patching trucks for the Streets Division.

k. Accept bid from Saitech Inc. ($119,995.13) for Dell Optiplex 3070 computers for the Technology Services Division.

Ward 2

l. Accept bid and approve contract to California Waters Development, Inc., dba California Waters ($431,614) for pool filter renovations at McMurtrey Aquatic Center and Jefferson Park pool.

m. Purchase of a service truck for the Wastewater Division

1. Accept bid from Jim Burke Ford, Bakersfield ($67,855.77) for a replacement service truck.
2. Appropriate $23,000 Sewer Enterprise Fund balance to the Public Works Department's Operating Budget within the Equipment Management Fund to fund the purchase.

Miscellaneous:

n. Fiscal Year 2018-2019 Annual Compliance Report for Park Impact Fees prepared in accordance with California Government Code §66006.

Successor Agency Business:

Public Safety/Vital Services Measure:

o. Resolution dispensing with formal bidding procedure in the purchase of JVC Kenwood mobile radios for the Bakersfield Police Department from Applied Technology Group, Inc. and authorizing the use of a cooperative procurement contract for the purchase of the radios in an amount not to exceed $94,500.

Ward 2

p. Amendment No. 1 to Resolution No. 121-19 to dispensing with bidding procedures due to the rejection of previous bids

for the Bakersfield Police Department Shooting Range, not to exceed $2,400,000.

9. CONSENT CALENDAR PUBLIC HEARINGS

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

10. HEARINGS

Ward 3

a. Cancellation of Public Hearing Regarding Bond Financing for the Housing Authority of the County of Kern:

1. Resolution approving the issuance of revenue bonds by the California Debt Limit Allocation Committee ("CDLAC") for the purpose of financing the construction of approximately 81 multi-family units of affordable housing and certain other matters relating thereto
2. Indemnification agreement between the City and the Housing Authority of the County of Kern.

Staff recommends the City Council open the public hearing and take no further action on the resolution and the indemnity agreement.

Ward 1

b. Appeal by Dowling Aaron Incorporated of the September 10, 2019 decision of the Board of Zoning Adjustment to deny a conditional use permit to allow a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value (CRV) containers from the public in a C-2 (Regional Commercial Zone) district, located at 830 Union Avenue.

Staff recommends upholding the decision of the Board of Zoning Adjustment and denying Conditional Use Permit No. 18-0397.

11. REPORTS

12. DEFERRED BUSINESS

Ward 2

a. Adoption of ordinance amending Section 17.58.120 of the Bakersfield Municipal Code relating to parking space requirements within the "central district" and other mixed-use areas. ***(FR 10/23/19)***

Staff recommends adoption of the ordinance.

13. NEW BUSINESS

a. Resolution setting the dates of the regular City Council meetings, budget hearings, and department budget presentations for calendar year 2020.

Staff recommends City Council determination.

14. COUNCIL AND MAYOR STATEMENTS

15. ADJOURNMENT

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Presentations 4. a.

TO: Honorable Mayor and City Council

FROM: Mayor Karen K. Goh

DATE: 10/30/2019

WARD:

SUBJECT: Proclamation to Kern County Homeless Collaborative Youth Committee Chair, Allyson Seal, and Members, Victoria Limbean, Reyna Perez De Burbank, and Andrea Caldwell, declaring Homeless Youth Awareness Month in Bakersfield during November 2019.

STAFF RECOMMENDATION:

BACKGROUND:

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Presentations 4. b.

TO: Honorable Mayor and City Council

FROM: Mayor Karen K. Goh

DATE: 10/30/2019

WARD:

SUBJECT: Proclamation to O2 Seekers of Bakersfield Support Group Leader, Deanna "Dee Dee" Towle, and member Raymond Mars, recognizing Alpha-1 Antitrypsin Deficiency Awareness Month in Bakersfield during November 2019.

STAFF RECOMMENDATION:

BACKGROUND:

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Workshops 6. a.

TO: Honorable Mayor and City Council

FROM: Alan Tandy, City Manager

DATE: 10/25/2019

WARD:

SUBJECT: Update on City Efforts to Address Homelessness: Emergency Shelter

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STAFF RECOMMENDATION:

Authorize the City Manager to: (1) negotiate preparation of a Purchase and Sale Agreement (PSA) with terms to be consistent with the executed Letter of Intent (LOI), with Calcot LTD to purchase 7.24 acres and associated Office Complex for $3,827,000 and 10-acres of adjacent vacant land for $1,100,000, all located at 1900 E. Brundage Avenue ($4,927,000 total); and, (2) immediately initiate actions to begin conversion of the property as described in Administrative Report ($1,900,000 estimated).

BACKGROUND:

HOMELESS CRISIS IN BAKERSFIELD

In recent years, the State of California has experienced an increase in the number of homeless individuals throughout the State, including within the City of Bakersfield. The annual 2019 "Point in Time Count" showed 1,330 homeless individuals in Kern County with 1,150 (or 80%) located within the Metropolitan Bakersfield area. These numbers represent an overall increase of 50% over the prior year, with 643 un-sheltered individuals in the Metro area.

SEPTEMBER 11, 2019 WORKSHOP

On September 11, 2019, a comprehensive workshop was presented to the City Council to review the action items that the City of Bakersfield has taken to address homelessness. Discussion included an overview of past City actions to support homelessness service providers and the City's new 3-Point approach to address homelessness:

1. Acknowledge the Crisis
2. Strengthen Existing Providers
3. Implement new PSVS funds

At the conclusion of the September 11, 2019 Workshop, the City Council gave Staff specific direction for 5 Action Items, as noted in ***Table 1: City Council Action Items – Status.***

SEPTEMBER 25, 2019 WORKSHOP

On September 25, 2019, Staff provided a status update on the 5 "Action Items" and the City Council acted to complete Action Items 1, 2 and 3 (See Table 1: City Council Action Items – Status).

EMERGENCY SHELTER LOCATION UPDATE

Since the September 11, 2019 City Council meeting, Staff has been working through negotiations to secure an appropriate location for the Emergency Shelter Facility. Staff used a 3-part approach to search for a property that met specific criteria, as detailed in the September 11, 2019 Administrative Report and supporting Research Analysis (attached). Staff submitted a Letter of Intent (LOI) to purchase on two qualified properties and negotiated offers and counter offers with the two property owners.

RECOMMENDED SITE – CALCOT OFFICE COMPLEX

Based on a thorough review of the two final sites, costs and benefits associated with each property, staff recommends the purchase and development of a "Low Barrier Emergency Shelter Facility" at Site number 1, the Calcot Office Complex (1900 East Brundage Lane).

The full Calcot facility is a 110-acre property, located north of Highway 58 in east Bakersfield. The Facility address is 1900 E. Brundage Lane, and the site is between Martin Luther King Boulevard and Washington, and south of Virginia Ave. The facility has been home to a cooperative of California cotton farmers since the 1930s and once employed several hundred office workers and more than 500 seasonal employees each year.

The northern three-quarters of the Facility site (not being purchased) is developed with approximately 40 metal storage buildings, averaging 40,000 square feet each. The southern 17.25-acres of the site, as proposed for purchase, includes the main Office Complex on 7.24-acres, consisting of 34,832 square feet of office space and 34,975 square feet of connected warehouse space. The remaining 10-acres east of the Office Complex is vacant and fronts East Brundage Lane.

BENEFITS OF CALCOT

The Calcot Office Complex meets all necessary criteria identified in the Staff Research documents presented to City Council on September 11, 2019 and is recommended for the following reasons:

1 . **Suitable Location.** The Site is sufficiently buffered from sensitive users and businesses and is zoned M-2 (General Manufacturing), which means that this use is permitted "by right." This is important because it means that the City Council has already made a finding that "Emergency Shelters" are an appropriate land use on properties zoned M-2; and there are no further discretionary hearings needed.

2 . **Sufficient Space.** As demonstrated on the attached "Conceptual layout," the Calcot Office Complex includes 7.8-acres which has sufficient room to locate the City's Low Barrier Emergency Shelter Campus and all of the necessary amenities; including but not limited to:

- Up to 450 emergency beds, constructed in 2-3 Phases
- Existing office space to house all Service Providers on-site.
- Existing office space for new Bakersfield-Kern Regional Homeless Collaborative staff.

- Existing conditioned warehouse for Possessions Storage with minimal renovations.
- Existing Day-room and Green-Space.
- Existing cafeteria area and room for a commercial kitchen.
- Appropriate layout and access for Coordinated-Entry
- Ability for on-site "referral only" drop off system via shuttle and coordination with partners.
- Space for on-site employee parking that will not interfere with operations.
- Room for future addition of "safe parking area" if needed.

3 . **Future Police Substation.** The Office Complex has space to house a Substation to serve the residents of Southeast Bakersfield. The Police Department needs more space due to staff expansion

residents of Southeast Bakersfield. The Police Department needs more space due to staff expansion. This location is good because it covers the southeast and creates geographic balance with the main Downtown Police Station and the Westside Substation. It will also be less costly to retrofit the Calcot space than to building a new facility.

4. **Adjacent 10-Acres.** In addition to the Office Complex, the sale also includes 10-acres of adjacent vacant property directly to the East; which offers several development options; subject to future approval of the City Council:

- Development of "next step" permanent Affordable Housing (Permanent and Supportive Housing);
- Development of a City Corporation Yard;
- Development and re-sale of the property to private developer (promotes economic development); or,
- Combination of the above.

5. **Second Site Considered.** The second site did not have the same capacity for future growth. It is 1.89 acres as opposed to 17 acres. It also does not have the same level of existing building space and would require construction of a dining tent and portable trailers. It was also adjacent to single family residential area on one side.

BUDGET CONSIDERATIONS

Site Acquisition & Phase 1 Construction. The property acquisition includes two parts: (1) the Office Complex on 7.24 acres for $3,827,000 and (2) 10-acres of adjacent vacant land for $1,100,000 (See attached Letter of Intent, 10/29/19).

To prepare the site for Phase 1 (100 beds), construction activities will include, but are not limited to: Electric and water utilities connection modifications, exterior updates, and installation of: 100 Dorm beds, bathrooms and showers, animal cages, dining tables and chairs, laundry machines, commercial kitchen construction, securitization of unused portions of the building, bathroom conversion to comply with American Disability Act (ADA), replacement of glass offices windows, and day room furniture (See ***Table 2. Calcot Facility Components & Phase 1 Construction Needs***). The estimated construction cost for Phase 1 is $1,900,000.

Property Acquisition: Office Complex on 7.24 acres and Utility improvements:	$3,827,000
Property Acquisition: 10-Acres of Adjacent Vacant Property	$1,100,000
Property Adaption: Update for Phase 1 needs:	$1,900,000
Total:	$6,827,000

Operating Budget. Staff has researched the annual operating budgets of existing facilities throughout California and the nation. A sample of known budgets is illustrated in ***Table 3, Operating Budget Research***. As shown in this table, Annual Operating Budgets vary significantly, based on several factors including the staff to client ratio, private vendor costs, food costs, degree of donor participation and more. Table 3 illustrates an estimated annual budget for Phase 1 and Full Build out at the Calcot Facility; however, final costs will be dependent on the actual bids received for services and the level of partnership with existing local services providers and benefactors.

A list and description of the anticipated services and potential partners is included in ***Table 4, Operational Needs and Potential Partners***.

Fund Availability. The FY 19/20 adopted budget contains $9.0 million to address housing for the homeless; including $4.0 million for Shelter acquisition/construction and $5.0 million for Affordable Housing to act as a potential "next step" for homeless clients after their time at the Emergency Shelter Facility.

Staff has issued a Request for Proposals for the affordable/homeless housing component; however, it is unlikely that these funds will be fully committed in this fiscal year. Acquisition of the Calcot Facility facilitates

unlikely that those funds will be fully committed in this fiscal year. Acquisition of the Calcot Facility facilitates completion of the Shelter component of the project; and also enables the acquisition stage of the Affordable Housing component. $2.173 million would remain unallocated for the next initial phases of the Affordable Housing project. It is also anticipated that a portion of the funds will convert in future fiscal years from capital investment to operations and maintenance.

NEXT STEPS

Timing is of the essence in moving this important project forward. Therefore, Staff recommends that the City Council direct Staff to take the following actions:

1. Authorize the City Manager to enter into a Purchase and Sale Agreement for the Calcot Property.
2. Issue Request for Proposals for Operational Services, as noted in Table 4. Upon receipt of bids; define and Operational budget and return to Council with Agreements.
3. Retain an Architect for professional Facility Advisory Services, with experience designing Emergency Shelter Facilities or similar.
4. Return to Council with Agreement to initiate actions to begin Phase 1 retrofit of the facility, as described in Table 2.

Based on the information provided to date, Staff is confident that Phase 1 of the facility can begin operations within five to six months.

Table 1. City Council Action Items – Status Table

	Action Item	Direction to Staff	Status	Next Steps
1	**Downtown Cleaning**	Return to Council with Contract for cleaning service.	RFP Issued 9/13/19. 2 responses received. Recommended bid: $90,740	**Complete.** City Council approved Contract 9/25/19
2	**Private Security**	Return to Council with Contract for private security service.	RFP Issued 9/13/19. 3 responses received. Recommended bid: $86,856.32	**Complete.** City Council approved Contract 9/25/19
3	**Homeless Collaborative**	Return to Council with MOU and budget appropriation to support the Homeless Collaborative.	MOU prepared; Budget Appropriation: $155,000	**Complete.** City Council approved Contract 9/25/19
4	**Emergency Shelter**	Within 30 days, return to Council with a Purchase or Lease Contract for property.	Item set for discussion at 11/6/2019 City Council meeting.	***Action Needed:*** 10/30/19 City Council Agenda Item
5	**Community Prosecution Program**	Negotiate with Kern County to provide partial funding in support of the Program.	City Staff has been engaged in ongoing meetings with Kern County Staff to discuss plan & costs. County continuing to prepare operational and cost calculations.	***Pending:*** City Staff awaiting further cost estimates from Kern County

Table 2. Calcot Facility Components & Phase 1 Construction Needs

What	How
Low Barrier Components	
Possessions Storage	Add storage space within existing Warehouse 2
Pet Area	Install Kennel Space

Pet Area	Install Kennel Space
Partners	Created Dedicated space within dorm area
On-site Amenities	
Safe Clean Sleeping area	Add dorm beds to Warehouse 1
Showers	Upgrade or Install portable (Phase 1)
Restrooms	Upgrade or Install portable (Phase 1)
Green Space	Fence/secure existing green space (Phase 1)
Dining	Renovate existing Cafeteria & Install Kitchen
Laundry	Install permanent Machines
Parking	Fence parking area for Employees
On-site Services	
Facility Manager	Approximately 30 separate offices exist at the facility. A majority are in "ready" working condition and need simple modifications (replacement of glass with durable materials, furniture etc.) to become operational.
Facility Operator	
Case Manager (1/20 beds)	
Housing Navigators	
Medical Provider (at least 3x week)	
Mental Health (at least 3x week)	
Transportation	
Food Service (3 meals per day)	
Vet Tech/Animal Care & Veterinarian	
Private Security (onsite & offsite)	Provide check-in area and data sharing.
Note: Other construction components include but are not limited to utility connection modifications, exterior updates, securitization of unused portions of the building, bathroom conversion to comply with American Disability Act (ADA), replacement of glass	

Table 3. Operating Budget Research

Loc	Annual	Beds	Person/Yr	Person/Day	100 Bed Annual
SD Alpha	$5,317,209	325	$16,361	$45	$1,636,064
SD Alpha Bridge 2	$3,050,500	150	$20,337	$56	$2,033,667
SD Father Joes	$2,247,713	150	$14,985	$41	$1,498,475
SD Veterans Village	$2,300,000	200	$11,500	$32	$1,150,000
SLO 40 Prado	$1,290,500	100	$12,905	$35	$1,290,500
Average	**$3,551,481**	**231**	**$15,217**	**$42**	**$1,521,741**
Calcot Est - Phase 1	$1,521,741	100	$15,217	$42	$1,521,741

Table 4. Operational Needs and Potential Partners

	Service	Description	Potential Partners*
1	Facility Manager	General Management: - All administrative activities - Oversee all sub-contracts - Professional accounting & reporting - Coordinated entry - Coordinate case managers - IT Support (if capable) - Other day to day as needed	CAPK, BHC, Mission, or other third party or combination thereof
2	Facility Operator	Daily Operation of the facility: - 24-hour client management - Daily Programming - Bedding Materials	Same as item 1
3	Facility	Daily on-going maintenance:	Same as item 1

	Maintenance	- General Repairs and upkeep. - Janitorial (Including Toiletries supply) - Gardening including supplies	
4	Facility Meal Program	3 meals per day. To include food orders/ delivery and on-site full or partial preparation (depending on kitchen set-up)	Same as item 1
5	Laundry Service	Weekly service of on-site machines, possible management of "credit" system.	Vendor
6	Transportation Service	Shuttle system and direct referral and transport to facility. A bus has ability, has been donated and grants are being explored.	Flood, GET, BPD, Rapid Response Teams, County, etc.
7	Case Managers	Ratio Goal: 1 per 20 beds	BHC, HACK, variety of others
8	Housing Navigators	Provide housing placement; goal within 90 days.	HACK
9	Medical Provider	On-site multiple times per week, as recommended by Provider.	KMC, Good Sam
10	Mental Health Provider	On-site multiple times per week, as recommended by Provider.	KCBH
11	Insurance & Funding Match	On-site to connect to programs (Calfresh, Calworks, Medi-cal, etc.)	KCBH, KMC, KC Human Services, etc.
12	Job Training Programs	On-site to connect and train	KCETR
13	Veteran's Services	On-site to connect to programs	KC Veterans Service
14	Vet Technician or Animal Care Veterinarian Services	Weekly visits for minor medical needs, to provide vaccines	Vendor
15	Private Security - Onsite	To support Facility Operator	Vendor
16	Private Security - Offsite	To support Facility Operator	Vendor
17	Portable Showers	Weekly service/maintenance.	Vendor
18	Portable Restrooms	Weekly service/maintenance.	Vendor
19	Utilities	Monthly Power, Sewer, Water	Utilities
20	Misc City Support (City staff oversight, Technical Support)		City

NOTES

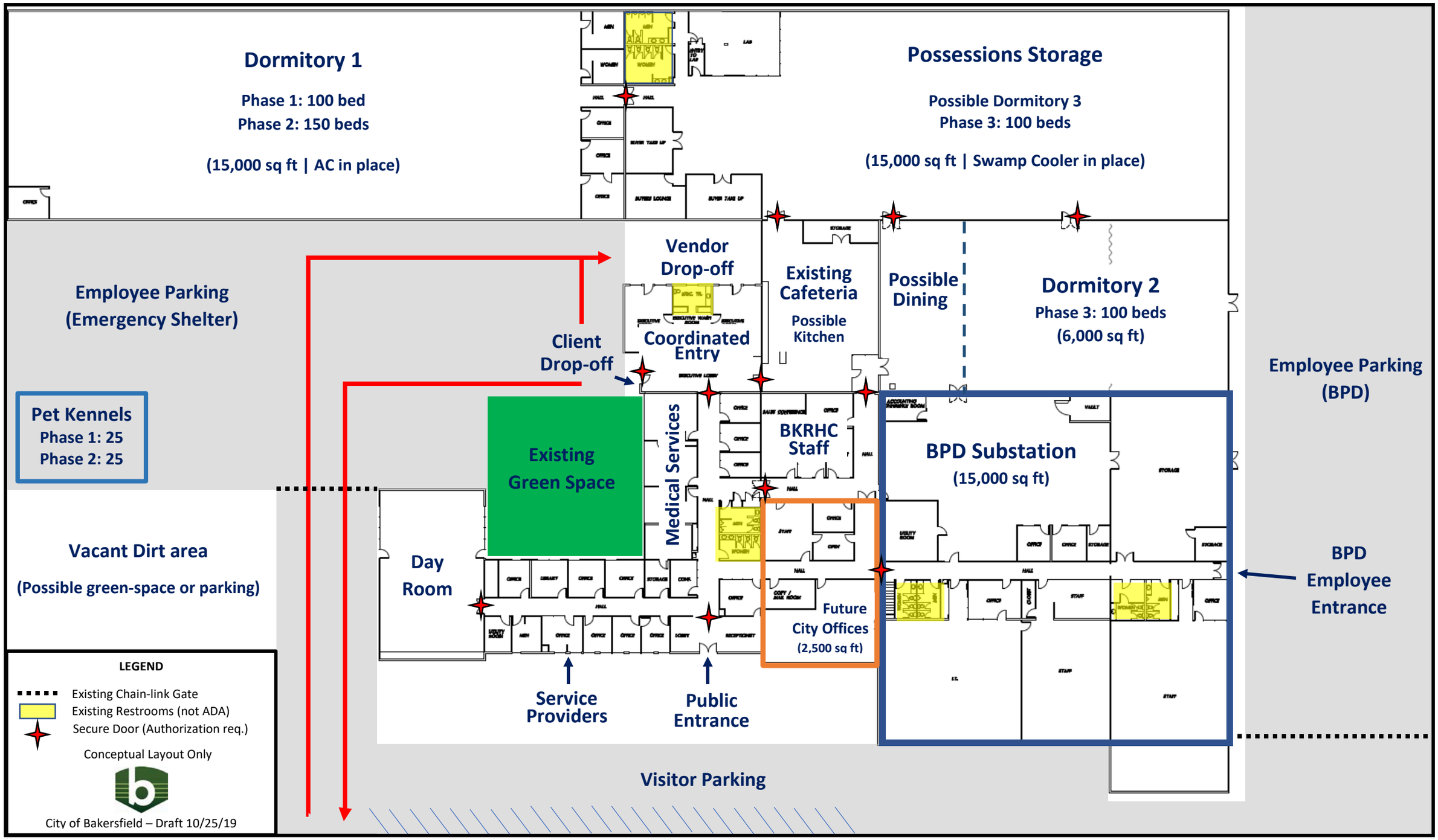
- Items 1-4 can be all separate parties, one party or a combination of several.
- City has had preliminary discussions with the noted parties to gain an understanding of services provided, scope, and need; however, no formal contracts or proposals have been extended.
- Individual Vendors will be required to provide Insurance consistent with City requirements; however, City of Bakersfield is investigating additional insurance needs/costs.

ATTACHMENTS:

Description	Type
Conceptual Site Layout	Backup Material
Letter of Intent, Signed 10/29/19	Backup Material
Sept 11 2019 City Council Admin Report	Backup Material
Sept 11 2019 City Council PowerPoint	Backup Material
Emergency Shelter Research Document	Backup Material
PowerPoint Presentation Nov 6 2019	Presentation

Written material submitted by Kaelyn Peterson Correspondence

DRAFT – CONCEPTUAL LAYOUT - Calcot Benefits: Suitable Space & Police Substation



Duane Keathley
Executive Director/Principal
Lic. #01273287
5060 California Avenue, Suite 1000
Bakersfield, CA 93309
Direct +1 661 633 3816
Fax +1 661 633 3801
Duane.Keathley@paccra.com
www.paccra.com

October 28, 2019

Paul E. Bush
c/o Oscar Baltazar & Stephen Haupt
10000 Stockdale Hwy. Suite 102
Bakersfield, CA 93311
Via email delivery: Oscar.baltazar@colliers.com, Stephen.haupt@colliers.com

RE: Counter 1900 E. Brundage Ln. a portion of apn. 019-260-03 and 019-260-02
Bakersfield, CA 93307

Dear Paul:

On behalf of The City of Bakersfield and/or Assignee (Buyer), the following outlines the terms and conditions under which Buyer is willing to consider buying the referenced property:

1. **SELLER:** Calcot LTD

2. **BUYER:** The City of Bakersfield and/or Assignee

3. **PROPERTY:** The Property consist of two adjacent properties defined as follows:

Property 1: Includes 69,808sf total office and warehouse space on an estimated 7.5-acre site; located on portions of APN; 019-260-03 and 019-260-02 (see attached Exhibit "A")

Property 2: Includes 10 acres of vacant property, immediately east of Property 1; located on a portion of APN: 019-260-03 (see attached Exhibit "B").

4. **PURCHASE PRICE:** The purchase price for Property 1 is **Three Million Eight Hundred and Twenty-Seven Thousand ($3,827,000.00),** and the purchase price for Property 2 is **One Million One Hundred Thousand ($1,100,000.00):** payable all cash at Close of Escrow. The sales price includes any and all claims by SELLER for compensation arising from this transaction including, but not limited to, relocation assistance benefits and loss of goodwill. City may dispose of any items of personal property remaining at the subject Property at the time of transfer of possession without further liability.

5. **DEPOSIT:** A deposit in the amount of $450,000.00 shall be deposited into escrow within 15 days from the execution of the Purchase Agreement. The Deposit plus all accrued interest thereon will become nonrefundable to Buyer upon expiration of the Due Diligence Period, with the exception of Seller's work commitments in Appendix A. The Deposit will be a credit to Buyer against the Purchase Price at the close. The balance of the

Purchase Price, subject to adjustment for prorations, will be payable all cash at the Close of Escrow.

6. **DEPOSIT IN ESCROW:** The Deposit $450,000 shall remain in Escrow and released to the Seller upon the end of the Due Diligence Period.

7. **EFFECTIVE DATE:** Upon Fully Executed Purchase Sale Agreement ("PSA").

8. **CLOSING COSTS:** Seller will pay for all property assessments including taxes, liens and encumbrances. Buyer will pay for CLTA Owner's Policy of Title Insurance, documentary transfer tax, and base escrow fees. All other closing costs will be allocated between the parties. There will be NO prorations of property taxes as Buyer is a Tax-exempt entity.

9. **CONTINGENCIES:** The purchase is subject to Buyer's approval or disapproval of the Property during the Due Diligence Period, and approval of the PSA by the Bakersfield City Council and Seller's board of directors.

10. **DUE DILIGENCE PERIOD:** Buyer shall have until November 30, 2019 to perform any and all due diligence. Seller to authorize buyer to perform a Phase I & Phase II inspection of the site. In the event a Phase II is required, the Due Diligence shall be extended to December 17, 2019. Buyer to have the right to parcel the Exhibit "A" portion of the estimated 7.5 acres with the seller's written approval.

11. **CLOSE OF ESCROW:** The Close of Escrow shall be five (5) days following the completion of Seller's work which shall be completed no later than December 31, 2019, unless otherwise extended by Buyer and Seller, final inspections, City approval, and all lien releases.

12. **ESCROW HOLDER:** Escrow Holder shall be: Ticor Title Company

13. **ENTERING PROPERTY:** Seller grants Buyer the right to enter upon the property to conduct test and inspections and Buyer agrees to indemnify, Seller from any liability associated with Buyer, or Buyer's agents, vendors, etc. when entering upon the Property. Buyer shall indemnify Seller from any liability associated with Buyer and or Buyer's vendors entering the Property.

14. **BROKERAGE COMMISSION:** Purchaser and Seller have dealt with no other real estate brokers concerning this transaction except for Cushman & Wakefield | Pacific Commercial Realty Advisors, who represents Purchaser, and Colliers International, who represents Seller. Seller shall pay a sales commission of $180,000 to be split 50/50.

15. **LEASE BACK:** Lease back to be 3 months after the close of escrow for office space currently being utilized by Calcot (not to exceed March 31, 2020). City will only allow construction by licensed contractors and or Bakersfield City staff in the space not currently being used by Calcot during the 3-

month term for construction and remodeling purposes. The city agrees not to provide any housing shelter during Calcot's occupancy.

This Letter of Intent is not a binding proposal and shall only be binding at such time as a formal purchase agreement is mutually approved and signed by both parties. If the terms and conditions outlined in this letter are acceptable to you, we will prepare a formal Purchase and Sale Agreement. If you have any questions please call, otherwise I will look forward to hearing from you after you had an opportunity to review this proposal. Please respond to this proposal by 5:00 p.m. on October 28, 2019 at which time this proposal shall expire.

Sincerely,

Duane Keathley
Executive Director/Principal
Cushman & Wakefield Pacific

AGREED AND ACCEPTED.

Buyer: The City of Bakersfield and/or Assignee

By: _____

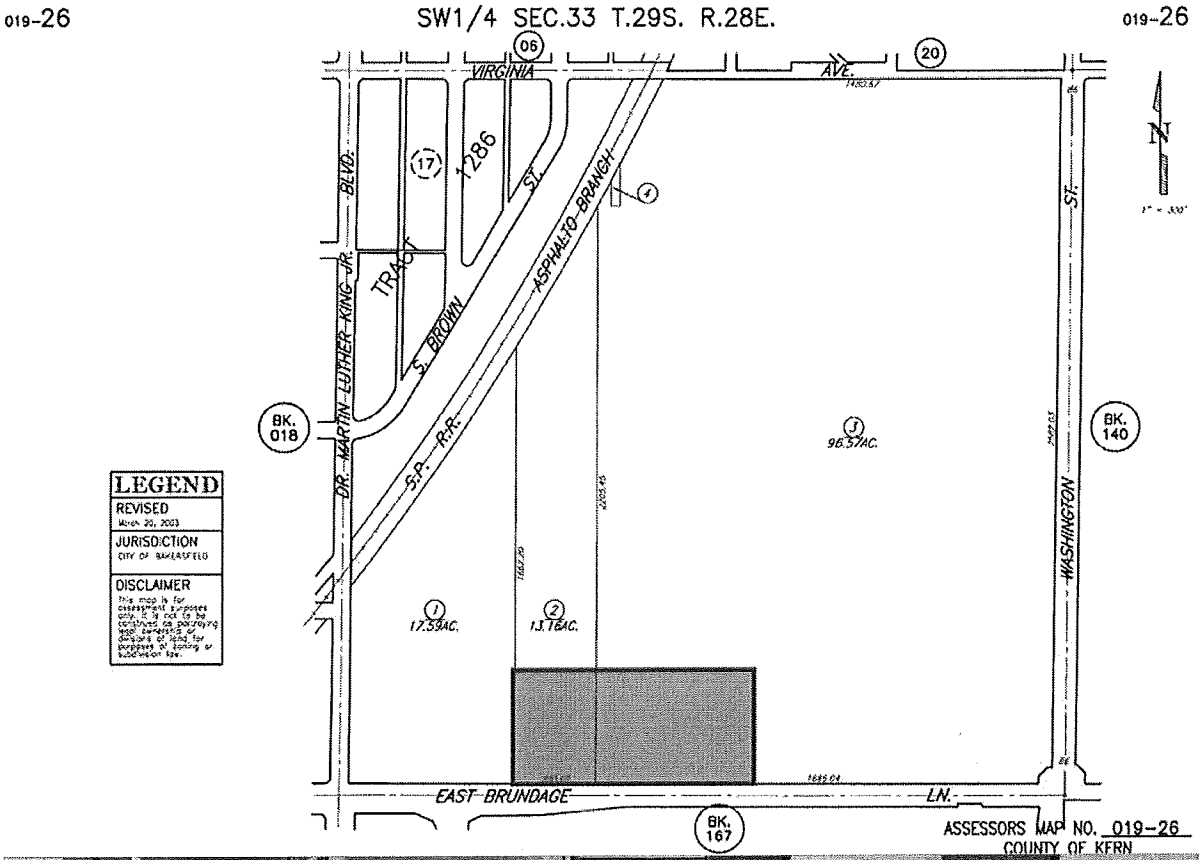
Date: 10/28/19

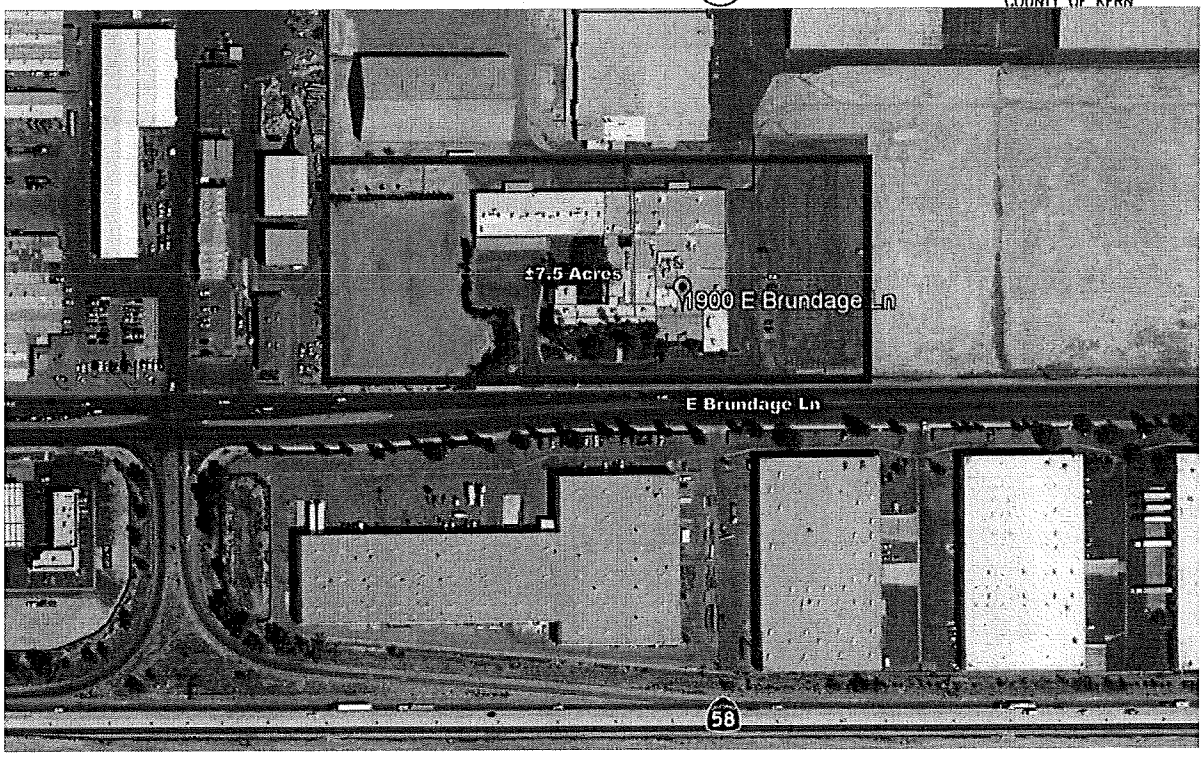
Seller: Calcot LTD

By: _____ CEO

Date: 10/29/19

EXHIBIT "A"
SITE PLAN

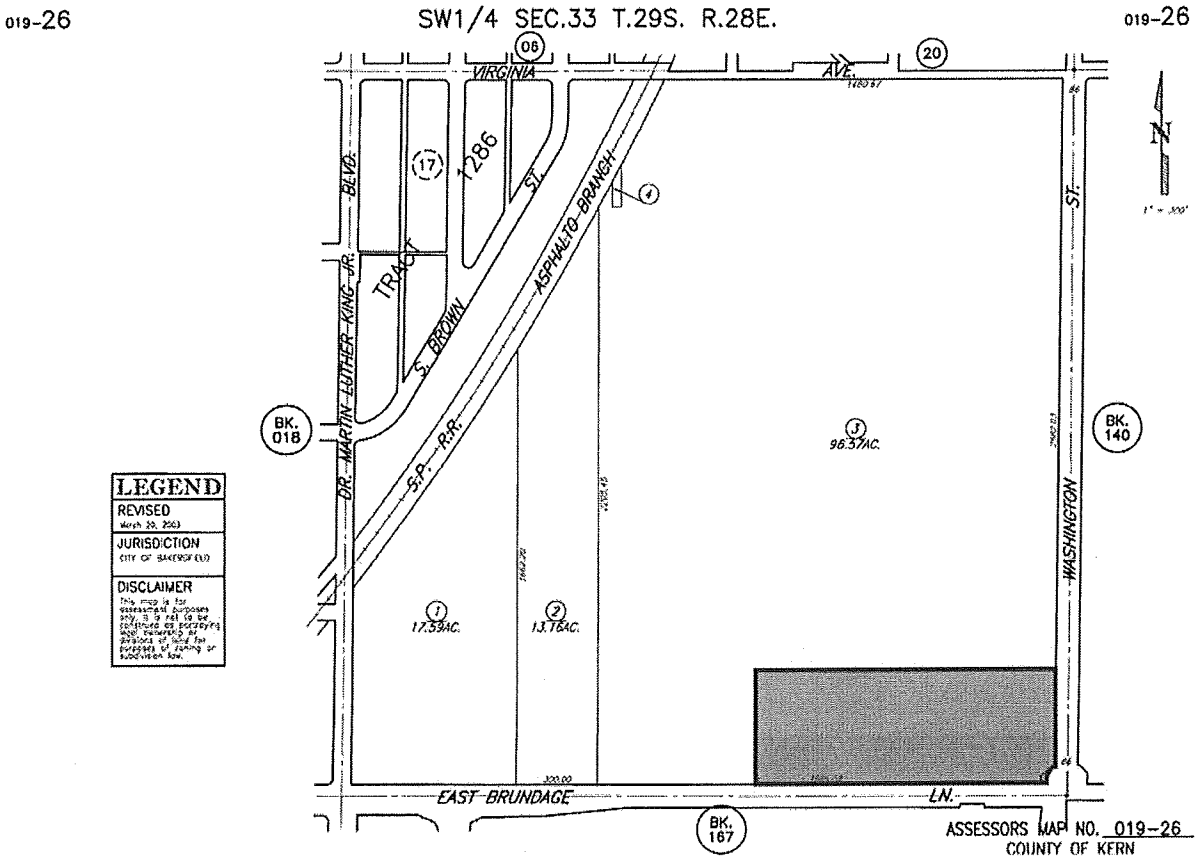




APPENDIX A
CALCOT REPAIR

OWNERS WORK/REPAIRS
ROOF
FLOOR REPAIR
PAINT
FENCES
COOLERS/HEATERS

EXHIBIT "B"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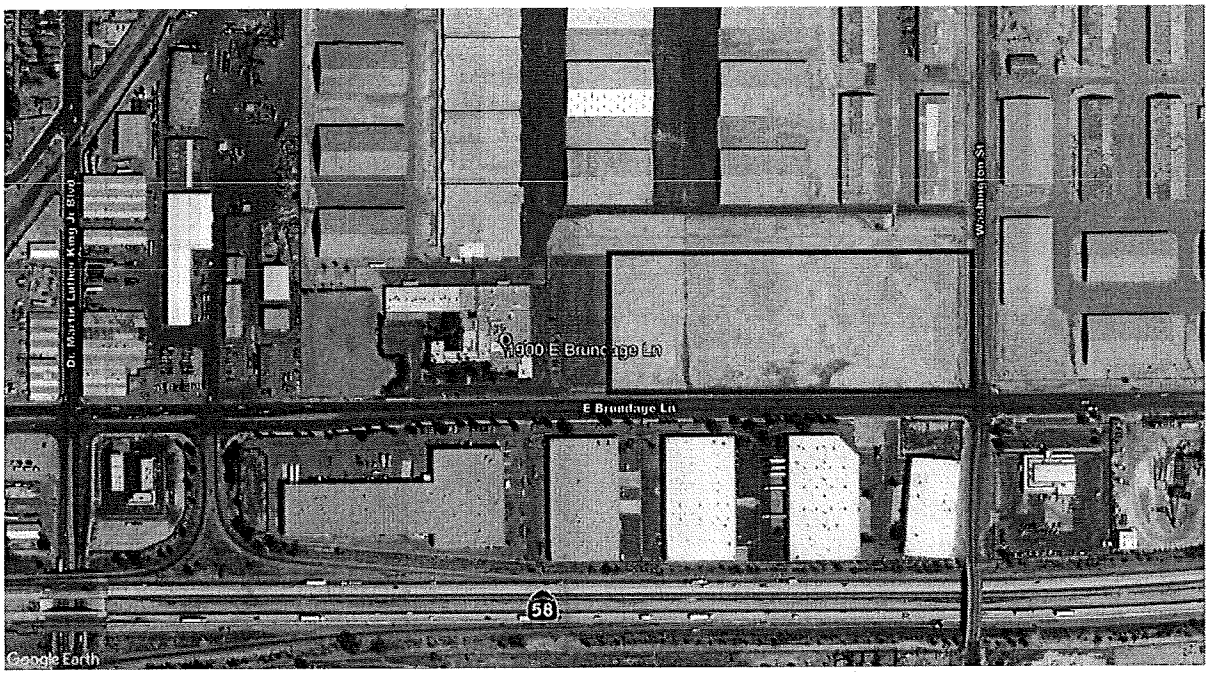
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ADMINISTRATIVE REPORT

MEETING DATE: 9/11/2019	Workshops 6. b.

TO: Honorable Mayor and City Council

FROM: Alan Tandy, City Manager

DATE: 9/4/2019

WARD:

SUBJECT: Update on City Efforts to Address Homelessness

STAFF RECOMMENDATION:

Direct staff to move forward with items one, two, three and four.

BACKGROUND:

HOMELESS CRISIS INBAKERSFIELD

In recent years, the State of California has experienced an increase in the number of homeless individuals throughout the State, including within the City of Bakersfield. The annual 2019 “Point in Time Count” showed 1,330 homeless individuals in Kern County with 1,150 (or 80%) located within the Metropolitan Bakersfield area. These numbers represent an overall increase of50% over the prior year, with 643 un-sheltered individuals in the Metro area.

CALL TO ACTION

In response to the crisis, Senate Bill 850 created the 2018Homeless Emergency Aid Program (HEAP) to allocate funding to cities to address the impending crisis. Local jurisdictions that declared a “shelter crisis” were eligible for funds. Therefore, on November 1, 2018, the Bakersfield City Council adopted Resolution No. 143-18 declaring a shelter crisis within the City of Bakersfield.

Over the last year, the City of Bakersfield has partnered with local service providers to provide funds for the construction of **80 new emergency beds** and to help address homelessness through several programs and new services; including:

- Allocation of former RDA/CDBG funds to the Bakersfield Homeless Shelter (BHC) to **add 40 additional emergency shelter beds** to the existing facility.
- Allocation of State HEAP funds ($1.2 Million) to the Mission at Kern County to **add 40 additional emergency shelter beds** to the existing facility.

- Allocation of State HEAP funds ($67,000) to United Way and the Kern County Housing Authority for rental assistance to homeless youth.
- Allocation of annual Federal HUD Emergency Solutions Grant funds ($293,680) to support local Emergency Shelter, Street Outreach and Rapid Re-Housing programs.
- Allocation of former Redevelopment funds ($200,000) to the Bakersfield Homeless Center in support of operational needs.
- Funding of BHC Employment Contracts – nearly $1 million per year (over 50 employed last year):
    - Animal Control Facility Program (approximately $210,000), operating since 201
    - Greenwaste Facility Program (approximately $250,000), operating since 2010
    - Freeway Litter Removal Program, Multi-agency with Caltrans and KernCOG funding.

ADDITIONAL RECENT EFFORTS TO ADDRESS HOMELESSNESS

In addition to these efforts, the passage the Public Safety & Vital City Services Measure (also known as Measure N) allowed the City to dedicate more than $11.5 million additional dollars to addressing homelessness. The City has since used these funds to launch several new and creative initiatives to address to homelessness:

1. Support Downtown Clean Teams

A variety of volunteer-based clean-up activities occur within the Downtown area of Bakersfield, and City Staff from the Solid Waste Division of the Public Works Department has supported these efforts by coordinating with volunteers to schedule extra trash-hauling pick up services, etc.
At the request of the City Council, Staff is also reviewing the provision of cleaning services to the Downtown area, with specific focus on addressing recent complaints related to human feces. Options under consideration include contracting with a private professional cleaning service or providing support to the existing privately funded “Clean Team” that operates through a contract with the Bakersfield Homeless center.

Action: Direct Staff to return to Council with a Contract for Downtown cleaning service.

2. Increased Policing and Security

The Bakersfield Police Department (BPD) recently launched increased Problem Oriented Policing patrols throughout the areas of the City most impacted by recent increases in reported crime. This program includes deployment of specialized Impact Team officers to focus on pro-active policing activities geared toward reduction of crimes of opportunity.

At the request of the City Council, the BPD has also initiated review of the possible temporary addition of private security services to areas of the City which are most impacted by recent increases in crime. Program elements are under evaluation; however, the focus would be the prevention of property crimes; including burglary, theft, vandalism, auto theft, etc. The BPD is exploring the use of reported crime data to deploy private security details to areas of the city experiencing the highest volume of property crimes and quality of life issues.

Action: Direct Staff to return to Council with a Contract for private security service.

3. Support for Kern County Homeless Collaborative

The existing Kern County Homeless Collaborative includes dedicated members from a variety of organizations including non-profits, faith-based, governments, and more. The collaborative acts as the "continuum of care" with a mission to get homeless individuals off the street, connect them to resources, and create a path to permanent housing. The effort is funded by an annual Federal Grant used to support housing vouchers, supportive services and case management. A small portion of the grant is set aside for administration allowing the Collaborative to be managed by the United Way and through the volunteer efforts of the members. However, homeless issues have grown in complexity and past funding levels have become in sufficient.

Therefore, in 2019, the City of Bakersfield, Kern County and other services providers recognized the need for additional administrative support for the Homeless Collaborative. The City and County each pledged $155,000 to support on-going funding for full-time staff, creation of an Executive Board and creation of a Non-Profit.

In July 2019, the existing Governing Board voted to support the restructure in an effort to strengthen ongoing efforts within the community. These actions will improve coordination of City, County, and non-profit resources by facilitating the hiring professional staff who will help the Collaborative expand, coordinate, and implement resources to address homelessness.

Action: Direct Staff to return to Council with a budget appropriation ($155,000) to support the new staff for the Collaborative.

4. Construction of Additional Emergency Shelter Beds

The PSVS allowed for the allocation of $4 million to construct additional emergency shelter beds. Work toward the expedited implementation of this critical project is underway. This project will result in the initial construction of **100 – 300 additional emergency beds**, with the ability to add additional beds and phases as needed.

As detailed in the attached Analysis document, Staff has identified the Facility components that will be required to ensure that the Facility is safe, clean and successful in encouraging homeless individuals to come to the site, receive services and move on to permanent housing options.

Using this information, Staff initiated a multi-faceted search for a location; including:

- Consultation with commercial realtor to search for "listed properties."
- Outreach to local stakeholders for assistance in locating potential unlisted properties.
- Review of existing M-2 zoned property throughout the City (approximately 650 parcels).

Many of the initial properties were found unsuitable due to size, location, proximity to sensitive users, existing conditions on the site, property price, etc. Staff also continues to receive inquiries from private property owners throughout the City who are interested in leasing or selling property to the City and additional options continue to be added for evaluation.

As of the time of preparation of this report, several properties have been identified with high

development potential and include office/warehouse structures, vacant property and motels. Staff is in the process of evaluating each site in further detail and engaging in discussions with the property owners and expects to have a recommended site in the very near future.

Action: Direct Staff to return to Council with a Purchase or Lease Contract for a recommended property.

5. Rapid Response Team Launch

The PSVS funded the creation of dedicated “Rapid Response Teams” within the Recreation & Parks Department and within Code Enforcement. These teams launched in August of 2019, operate 7 days per week, and are dispatched through the City’s updated Mobile App which allows residents to quickly and easily report encampment and litter issues from their mobile home or computer.

Code Enforcement Teams respond to reports of illegal encampments and trash throughout the City and work with business owners to mitigate the effects of homelessness. Recreation and Parks Teams respond to encampment clean-ups in the City’s Parks and on the City’s streetscapes, landscape areas and medians.

6. Community Prosecution Program

City Staff has supported a concept developed by the Kern County District Attorney’s Office to develop a Community Prosecution Program. This program would reserve 100 County jail cells for individuals who commit crimes and are sentenced for up to 90 days. During the term, the individuals would receive medical, mental health and detoxification services.

The City has agreed to allocate up to $300,000 to fund two prosecuting Deputies within the District Attorney’s office to work on this program.

7. Clarification of Use of City Facilities

At the request of Councilmember Gonzales, the City Attorney's office prepared an update to Section 12.56.055 of the Municipal Code to clarify that City employees shall have the authority to expel an individual or group from any and all City amenities, equipment or facilities if said individuals or groups are not using the city amenities, equipment, or facilities in accordance with its design and/or its intended use as determined reasonable under the circumstances.

This item is included on the September 11, 2019 City Council Agenda.

ATTACHMENTS:

	Description	Type
	Emergency Shelter Analysis	Backup Material

Update on City Efforts to Address Homelessness

Bakersfield City Council Meeting

September 11, 2019

Homelessness in Bakersfield: A Growing Crisis

May 24, 2017: City Council Discussion on Homelessness

- Bakersfield Homeless Center, Mission at Kern County, Flood Ministries
- Insufficient Shelter beds, Supportive & Preventative Services, Case Managers & Training, Supportive & Transitional Housing

February 21, 2018: Update on City Response to Homelessness

- HUD/ESG Funding for Shelter Operations and Supportive Services
- BHC Jobs Programs: $1 million allocated & over 50 employed per year
- Department Responses: Police, Code Enforcement, Public Works, Recreation and Parks, Water Resources

May 9, 2018: Workshop on Annual Point in Time Count

- Presentation from Kern County Homeless Collaborative
- 885 homeless individuals (+ 9%), 370 Unsheltered (+ 46%)

Homelessness in Bakersfield: 2019 – Dramatic Increase

- Visible changes throughout the Community
- Increased calls for service to multiple Agencies
- Impacts to residents and quality of life

2019 Point in Time County Summary			
By Area & Status	**January 2018**	**January 2019**	**% Change**
Metro Sheltered	498	507	+ 2%
Regional Sheltered	17	18	+ 6%
Total Sheltered	**515**	**525**	**+ 2%**
Metro Unsheltered	309	643	+ 108%
Regional Unsheltered	61	162	+ 166%
Total Unsheltered	**370**	**805**	**+ 118%**
Total Metro Bakersfield	807	1,150	+ 43%
Total Regional (Rural)	78	180	+ 131%
2019 Combined Total	**885**	**1,330**	**+ 50%**

The Face of Homelessness in 2019

2019 PIT Count Data

- 51% Reported a Substance Abuse Issue
- 27% Reported a Serious Mental Illness
- 24% Reported a Chronic Illness
- 8% Under Age 24
- 79% Had Zero Income
- 19% Homeless Before Coming To Kern County
- 10% Homeless Due To Domestic Violence

Changes in California Law

- AB 109 2011 - Prison realignment, reduced penalty for release violation
- Prop 47 2014 - Reduced sentences for drug possession & theft <$950
- Prop 57 2016 - Early release and redefining “non-violent” crimes

- Increased early releases = impact on local network of service providers.

The Face of Homelessness in 2019

Flood Ministries Outreach Team

Survey of 69 individuals & 15 Couples

What keeps you from going to a local Emergency Shelter?

- 6 No place for their possessions
- 13 Safety concerns
- 12 Can't keep their pets
- 17 Do not want to be separated from their partner

Other barriers: Location, Negative Staff, No Services Provided, No Room, Active Users, Privacy Concerns, Restrictions (rules), Undocumented, Outstanding Warrants, Too Ill to stay and Unsanitary.

- 91% (77) open to a low barrier shelter if their concerns are addressed
- 9% (8) not open to a shelter

Homeless Population in Bakersfield is complex, no single-solution

- City in Action -
Multi-Faceted Approach

The City recognized the need for action

- **Acknowledge the Crisis**
- **Strengthen Existing Service Providers**
- **Implement new PSVS resources dedicated to Homelessness**

- City Council Action - Acknowledge the Crisis

November 7, 2018 City Council Meeting

Declaration of Homeless Crisis in Bakersfield

- Senate Bill 850 - Homeless Emergency Aid Program (HEAP)
- $500 million one-time block grant
- 11 largest cites with population of 330,000 or more
- Required a declaration of local shelter crisis
- $1.2 million available to Bakersfield upon a declared crisis
- 50% obligated by January 1st 2020 with 100% spent by June 30, 2021

CALIFORNIA
HOMELESS COORDINATING
AND FINANCING COUNCIL

- City Council Action - Strengthen Existing Service Providers

Funds to Bakersfield Homeless Center

November 7, 2018. City Council Meeting

- $1.1 Million CDBG/RDA for **40 new Emergency Shelter Beds**

December 12, 2018. City Council Meeting

- $200,000 One-time allocation for BHC Operations

- City Council Action -
Strengthen Existing Service Providers

Mission at Kern County

January 23, 2019. City Council Meeting

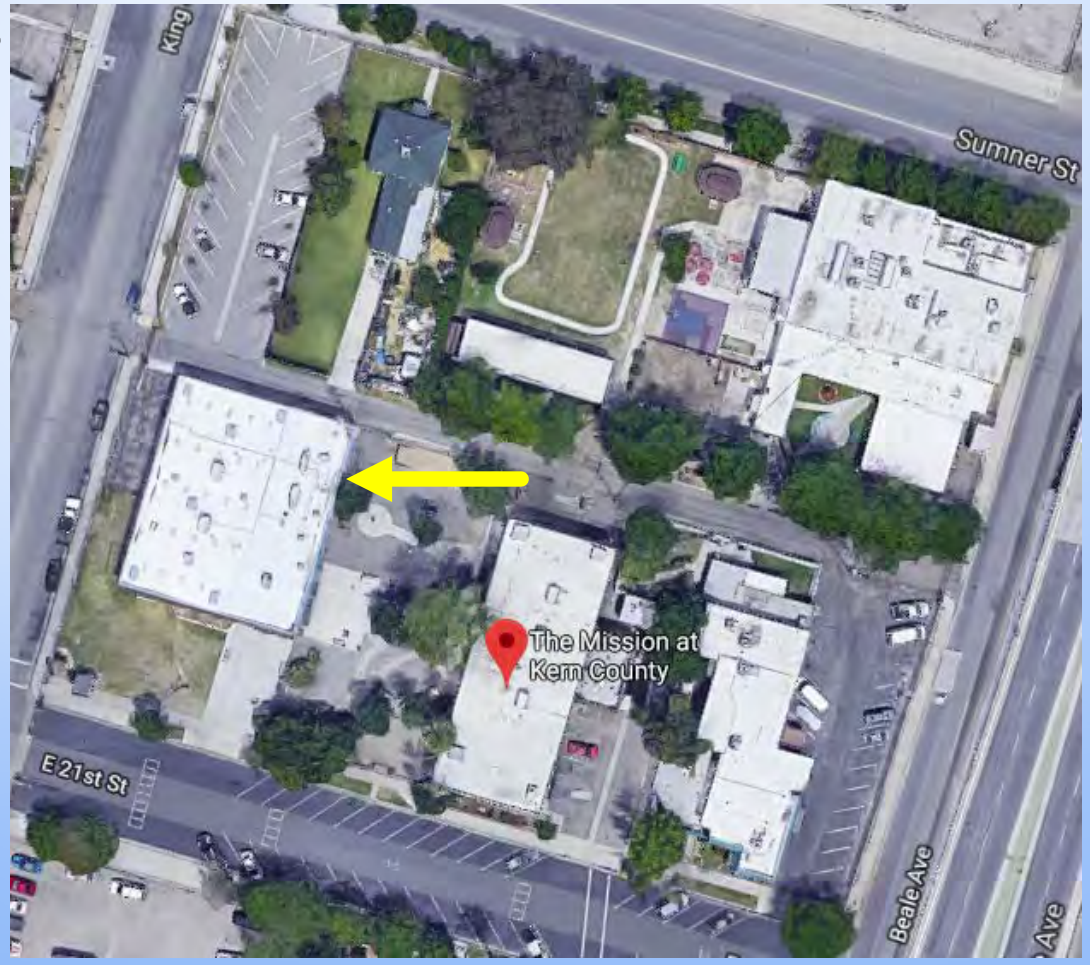
- $1.1 Million State HEAP

  40 new Emergency

  Shelter Beds
- 100% spent by

  June 30, 2021
- Board of Zoning

  Adjustment
- Upcoming OpenHouse



- City Council Action -
New Resources to Address Homelessness

Spring 2019. Annual Budget Process – FY 19/20

- Budget Presentations to PSVS Oversight Committee & City Council
- Funds & programs to provide immediate response to Homelessness:

✓ **Rapid Response Teams**

7 Days a Week – Code Enforcement & Recreation & Parks

✓ **Emergency Shelter Project (up to $4,000,000)**

Emergency shelter facility, temporary, short-term beds for the homeless. Terms included "bridge," "low barrier," etc.

✓ **Permanent/Transitional Housing Project (up to $5,000,000)**

Long-term housing project with support services.

✓ **Homeless Services Contracts (up to $450,000 per year)**

Funds to 3rd party operator of shelter and outreach facilities.

- City in Action -
PSVS Implementation

Implement new PSVS resources dedicated to Homelessness:

1. Support for Downtown Clean Teams
2. Increased Policing & Security
3. Support for the Kern County Homeless Collaborative
4. Rapid Response Team Launch
5. Support of Community Prosecution Program
6. Clarification of Use of City Facilities
7. Construction of Additional Emergency Shelter Beds

- City in Action -
PSVS Implementation

1. Downtown Clean Teams

- ✓ City support of Volunteer-based clean-up activities within the Downtown area of Bakersfield: Extra trash-hauling pick up services and volunteer support.
- ✓ City Council direction to Staff: Review additional cleaning services to the Downtown area, with specific focus on addressing recent complaints related to human feces.

  Options: Private professional cleaning service or support to the existing privately funded "Clean Team."

Action: Direct Staff to return to Council with a Contract for Downtown cleaning service.

- City in Action -
PSVS Implementation

2. Increased Policing & Security

- ✓ BPD launched **Problem Oriented Policing** patrols:
  - Deployed specialized Impact Team officers
  - Areas of City most impacted by increases in reported crime.
  - Focus: Pro-active policing to reduce crimes of opportunity.
- ✓ City Council direction to Staff: Review temporary **private security** services.
  - Focus on prevention of property crimes; including burglary, theft, vandalism, auto theft, etc.
  - Use reported crime data to deploy private security details to areas experiencing highest volume of property crimes & quality of life issues.

Action: Direct Staff to return to Council with Contract for private security services.

- City in Action -
PSVS Implementation

3. Support for Kern County Homeless Collaborative

- ✓ Existing membership include service providers, non-profits, public agencies, etc.
- ✓ Mission: Get homeless off the street, connect to resources and permanent housing.
- ✓ Funded by federal Grant used for housing vouchers, services, case management.
- ✓ Admin set-aside allows management by United Way and member volunteers.
- ✓ Homeless issues more complex - past funding now insufficient.

KC HC Kern County Homeless Collaborative

- City in Action -
PSVS Implementation

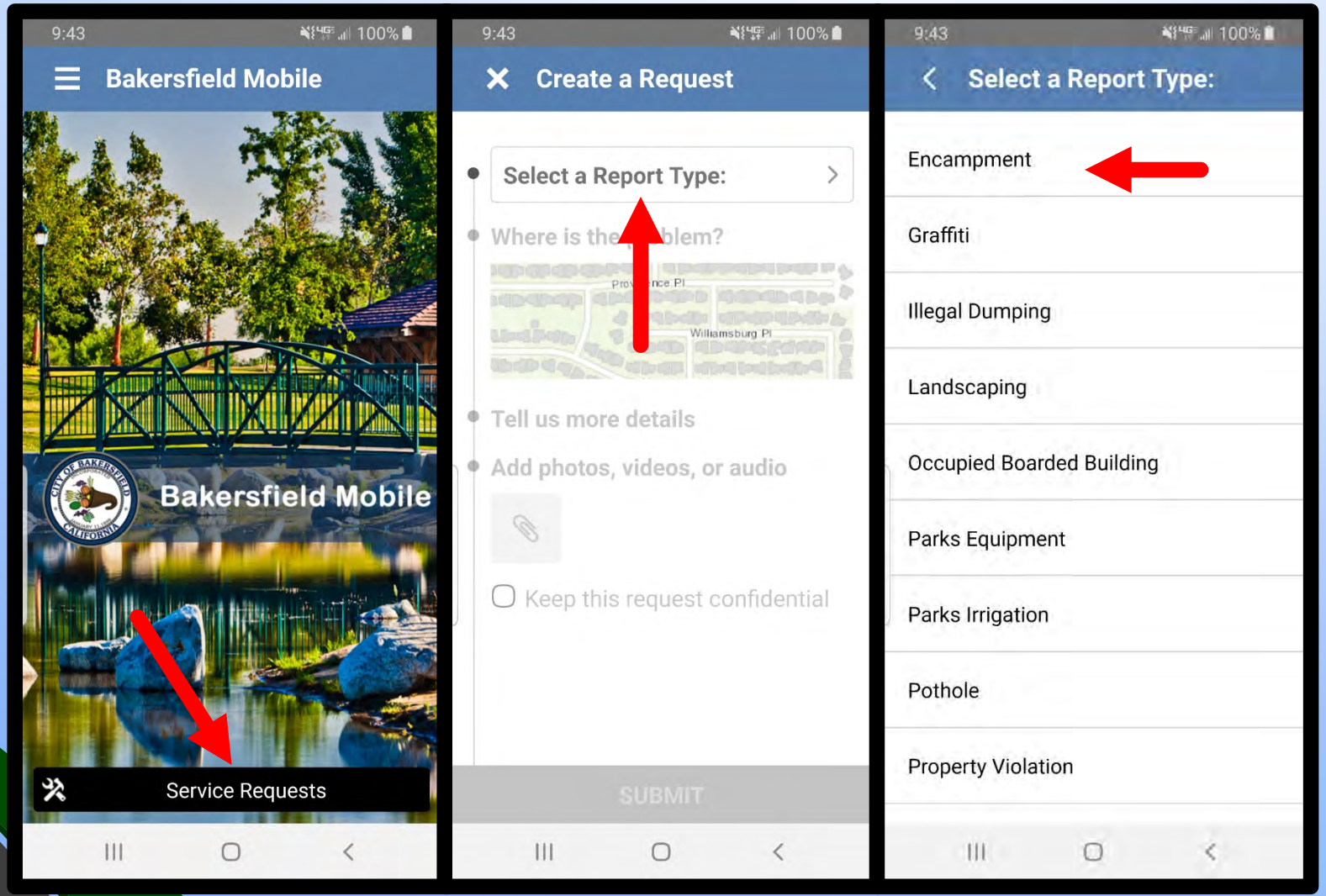
Support for Kern County Homeless Collaborative

- ✓ City and County recognized need for additional support & each pledged $155,000 to fund full-time staff and create a Non-Profit.
- ✓ Also volunteered to participate in an Executive Board to oversee implementation.
- ✓ Purpose: Strengthen ongoing efforts within the community and improve coordination of City, County, and non-profit resources & devote professional staff to expand, coordinate, and implement programs.
- ✓ In July 2019, the existing Governing Board voted to support the restructure.

Action: Direct Staff to return to Council with a budget appropriation ($155,000) to support the new staff for the Collaborative.

- City in Action -
PSVS Implementation

4. Rapid Response Team Launch



- City in Action -
PSVS Implementation

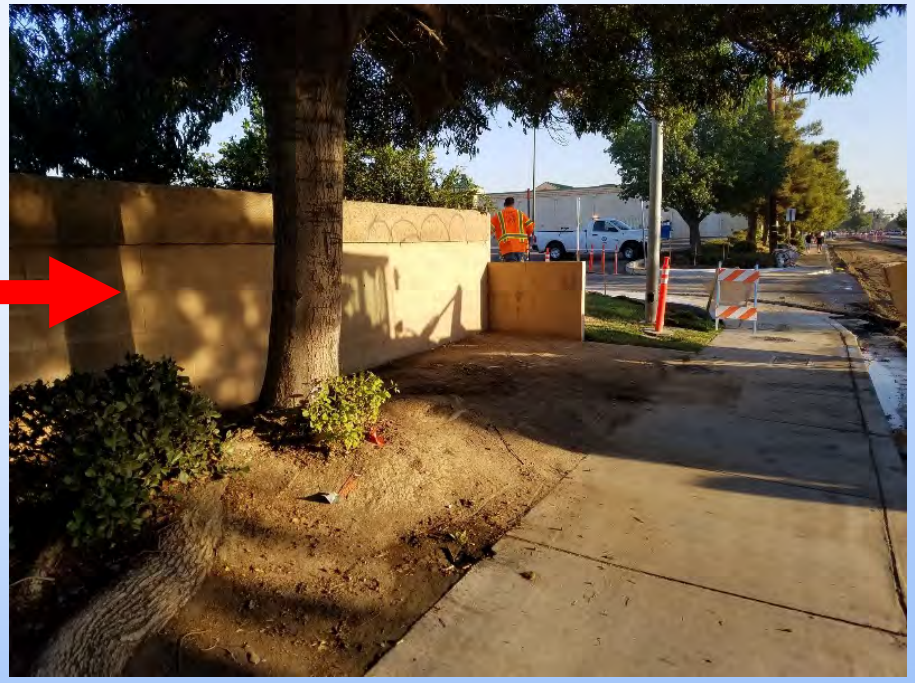
Rapid Response Team Launch

- ✓ **Recreation & Parks Teams** respond to encampment clean-ups in City's Parks and on the City's streetscapes, landscape areas and medians.
- ✓ Since August 30th over 14 assignment completed!
- ✓ MLK Park, Central Park, Centennial Park, Lowell Park, Central Park, Ming Avenue, South H & White Lane and more.
- ✓ **Code Enforcement Teams** respond to reports of illegal encampments and trash throughout the City and work with business owners to mitigate the effects of homelessness.
- ✓ Since August 12th over 123 complaints received and processed!

AUGUST	Total Complaints	Encampments	Vacant Structures	Abandoned Property Sites	Clean-Up Sites	Contacts	Trash Removed (CY)	Shopping Carts (Ea)	Property Seized (Bins)
	123	88	31	5	32	95	90	15	7

- City in Action -
PSVS Implementation

Rapid Response – South H & White Lane

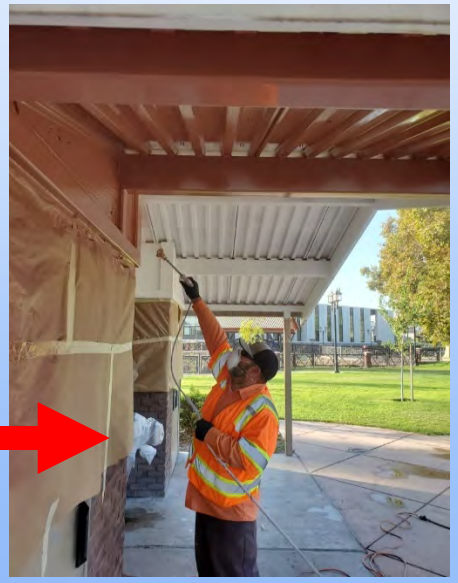


- City in Action -
PSVS Implementation

Rapid Response Team – MLK Park Cleanup

- City in Action -
PSVS Implementation

Rapid Response Team Launch – Central Park Vandalism



- City in Action -
PSVS Implementation

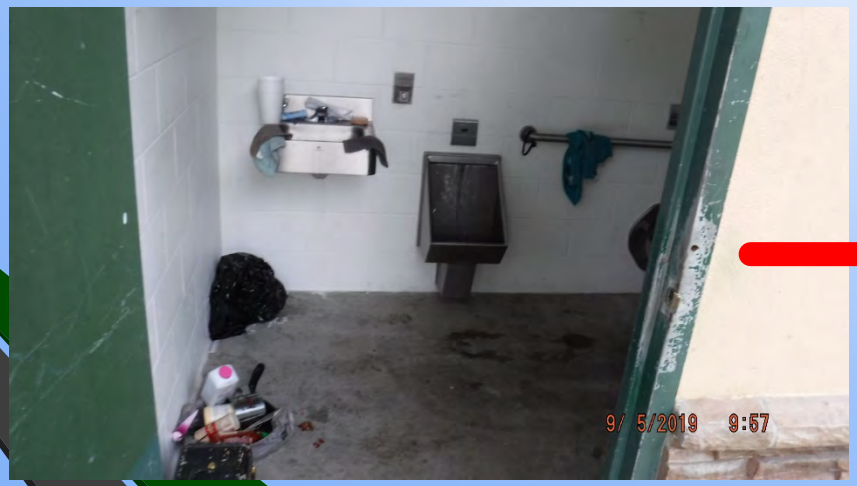
Rapid Response Team Launch – Repairs at San Lauren & Ming Avenue

- City in Action -
PSVS Implementation

Rapid Response Team Launch – Wayside Park

- City in Action -
PSVS Implementation

Rapid Response Team Launch – Lowell Park Restrooms



- City in Action -
PSVS Implementation

Rapid Response Team Launch – Q Street Private Property

- City in Action -
PSVS Implementation

5. Community Prosecution Program

- ✓ Concept developed by the Kern County District Attorney's Office to develop a Community Prosecution Program.
- ✓ Program would reserve 100 County jail cells for individuals who commit crimes and are sentenced for up to 90 days.
- ✓ During the term, the individuals would receive medical, mental health and detoxification services.
- ✓ The City has agreed to allocate up to $300,000 to fund two prosecuting Deputies within the District Attorney's office to work on this program.

- City in Action -
PSVS Implementation

6. Clarification of Use of City Facilities

- ✓ At the request of Councilmember Gonzales, the City Attorney's office prepared an update to the Municipal Code regarding City Parks and facilities.
- ✓ Section 12.56.055 updated to clarify that City employees shall have the authority to expel an individual or group from any and all City amenities, equipment or facilities if said individuals or groups are not using the city amenities, equipment, or facilities in accordance with its design and/or its intended use as determined reasonable under the circumstances.

Action: This item is included on the September 11, 2019 City Council Agenda.

- City in Action -
PSVS Implementation

7. Additional Emergency Shelter Beds

- ✓ When the **Residents of the City of Bakersfield** voted to approve the Public Safety and Vital Services Measure (Measure N), did so with an **expectation** that a portion of the funding would be used to address homelessness.
- ✓ The **Bakersfield City Council** then adopted a budget that allocated funds specifically for an Emergency Shelter facility in Bakersfield.
- ✓ Expedited implementation of this critical project is underway.
- ✓ 150 Beds is not Enough, more than a quick fix.
- ✓ PIT Data shows that an initial phase of **100 – 300 additional emergency beds needed**, with the ability to add more.

- City in Action -
PSVS Implementation

Additional Emergency Shelter Beds – Important Considerations

- ✓ More than just a bed for the night.
- ✓ To encourage the local population to come to a new Facility, it must provide an opportunity to live with dignity.
- ✓ Purpose is to quickly remove homeless individuals from the streets and immediately offer programming that will help them move out of crisis and on to permanent housing.
- ✓ In the past, the City has provided funding to help construct the existing BHC and annual funds to service providers.
- ✓ However, no local public Agency has operated an emergency shelter.
- ✓ Therefore, the City engaged in comprehensive research effort to quickly identify best practices and understand operational needs.

Goal:

Identify necessary Facility components to ensure that the Facility is safe, clean and successful in encouraging homeless individuals to come to the site, receive services and move on to permanent housing options.

- City in Action -
PSVS Implementation

Additional Emergency Shelter Beds

Multiple-Part Analysis:

1. Service Provider Outreach
2. Research and Education
3. Site Visits to Existing Shelter Facilities and Operations
4. Define Basic Components of an Emergency Shelter
5. Bakersfield Needs Analysis
6. Bakersfield Costs Analysis – Construction
7. Bakersfield Costs Analysis – Operation
8. Considerations & Next Steps

- City in Action – Emergency Shelter Facility Research

SERVICE PROVIDER OUTREACH

Understand "wrap-around"

- Bakersfield Homeless Shelter
- The Mission at Kern County
- Kern County Housing Authority
- Flood Ministries
- Kern County Homeless Collaborative
- Kern County Behavior Health
- Office of Veterans Affairs
- United Way
- Fresno Rescue Mission
- City of San Diego

Emergency Shelter Update

RESEARCH AND EDUCATION

- Landlords Summit – June 20th
- Homeless Collaborative:

  - CoC Planning & Performance Committee Meetings

  - CoC Trainings

  - CoC General Board Meetings
- HEAP Weekly Calls
- Big 13 Mayors
- Other Service Providers

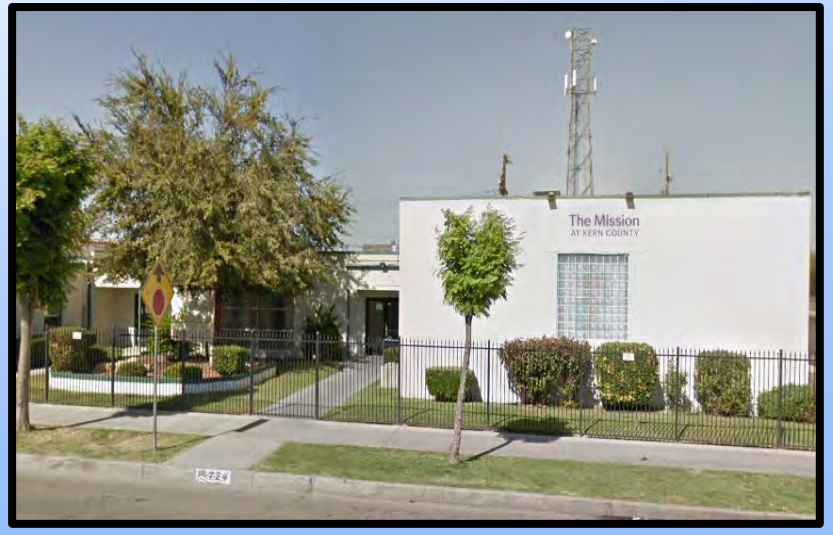
- City in Action – Emergency Shelter Facility Research

SITE VISITS

- Bakersfield Homeless Shelter – Ongoing
- Kern County Rescue Mission – Ongoing
- Fresno Rescue Mission – June 14, 2019
- San Diego Alpha Project – July 11, 2019
- San Louis Obispo – July 29, 2019

Possible & Upcoming:

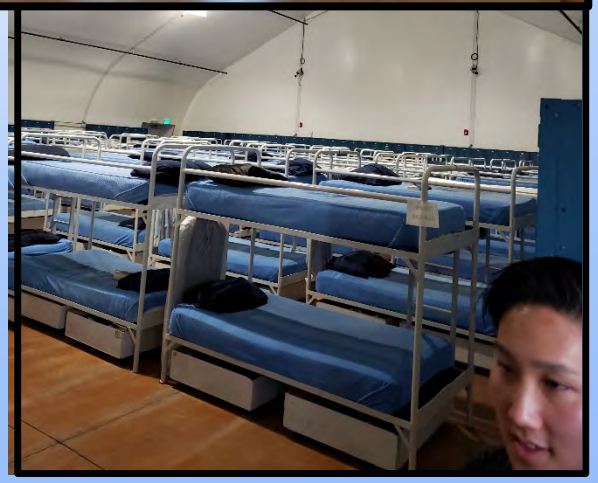
- Poverello (Fresno)
- El Puente (Los Angeles)



- City in Action – Emergency Shelter Facility Research

Fresno Rescue Mission

- Sprung Tent Structures
- On-site Classrooms
- Full Kitchen, No Pets
- $8.2 Million Construction
- 18-month program



- City in Action – Emergency Shelter Facility Research

Alpha Project - San Diego

- 325 beds (men and women)
- Areas for Pets and Storage
- Closed a dead-end City Street
- Jobs program & Day Programs
- 70 Staff, 24 hours a day
- $5.2 Million/ Year Operating

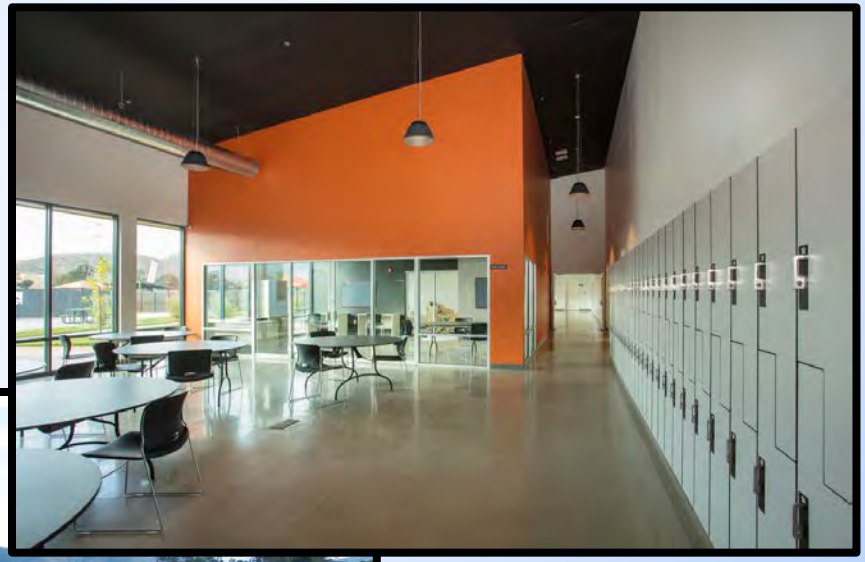
- City in Action –
Emergency Shelter Facility Research

San Diego Storage Connect Facility

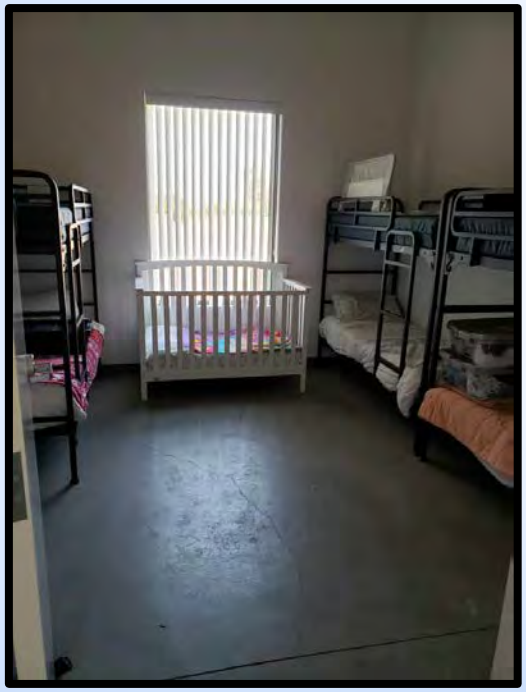
- City in Action – Emergency Shelter Facility Research

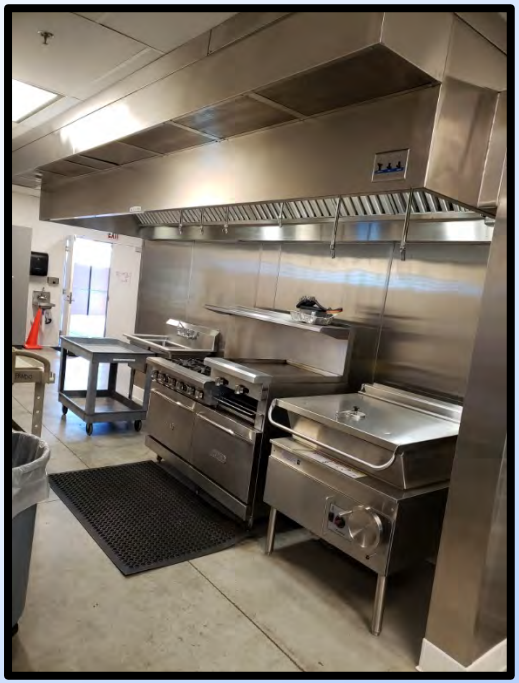
San Luis Obispo

- "40 Prado Services Center"
- 100 beds, day center, services
- $1.3 million/year operations



- City in Action –
Emergency Shelter Facility Research





- City in Action - Emergency Shelter Facility

Los Angeles

- "Bridge Home" Program: 4 Facilities various stages
- "El Puente Project" first to open:
  - 45 Beds in a parking lot near Olvera Street
  - $2.4 million: 3 trailers for beds, hygiene, staff

Modesto Outdoor Emergency Shelter (MOES)

- Temporary Tent-City – 300 tents for 400 people
- Restrooms and 1 meal per day
- Interim until December, while permanent site built:
  - 180-bed facility by the City /Salvation Army
  - 103 room motel conversion

- City in Action -
PSVS Implementation

What Did the Research Show?

- ✓ **In order to encourage homeless individuals to come to a new shelter facility,** it must be safe, it must be clean, it must be dignified and it must offer specific amenities and services **not otherwise available on the streets**.
- ✓ The Facility must be located in an area that will **minimize and mitigate impacts to the surrounding community and businesses**.
- ✓ The Facility must be professionally operated to ensure the safety and success of clients, and to create a suitable work environment for employees, service providers and case managers.
- ✓ Addressing homelessness is a multiple-part, long-term commitment and must be done right.

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APPENDICES

A. 2019 Point in Time Summary
B. Site Visit & Operating Data – Existing California Shelters
C. 2019 California Building Code

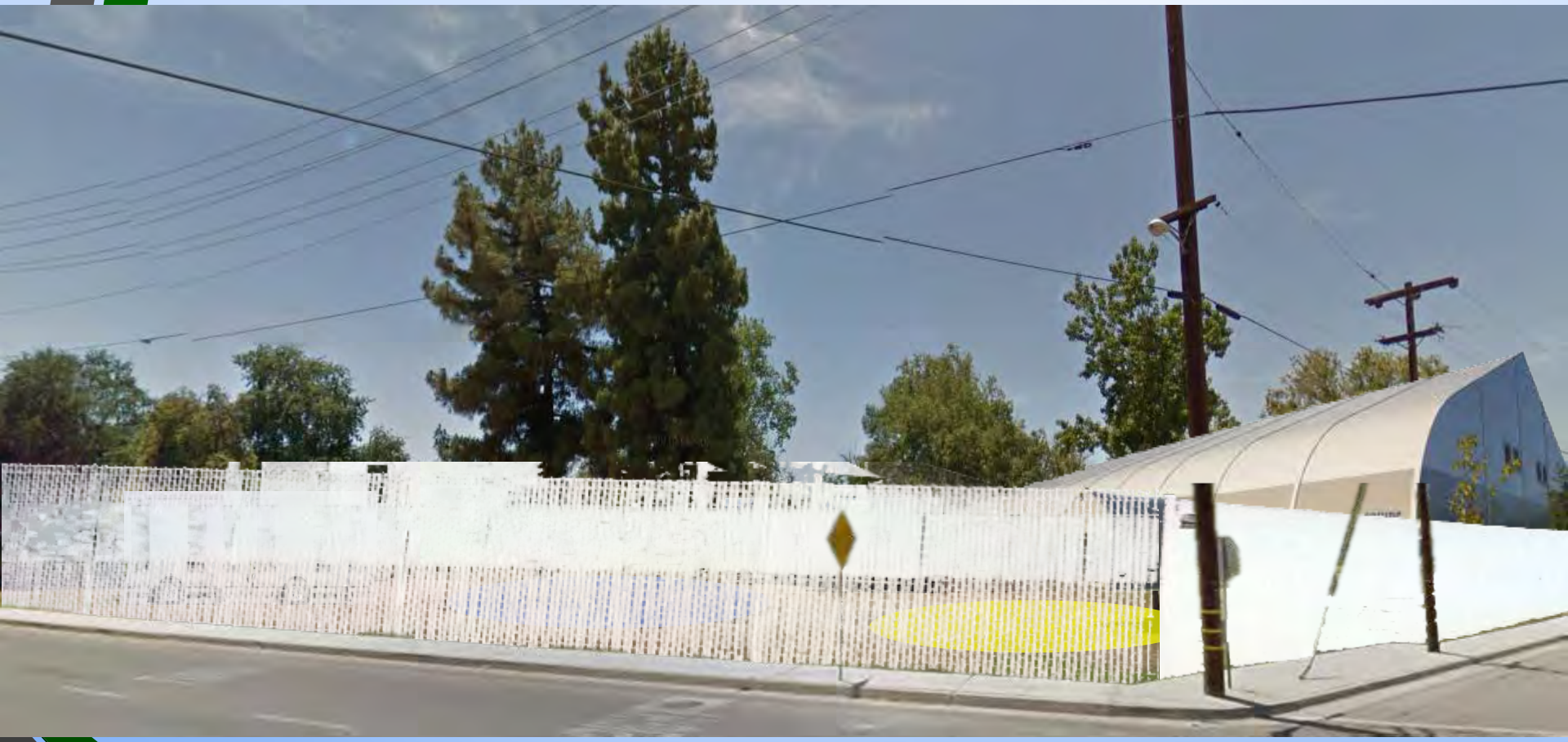
Table 2. Recommended Facility Components

	On-site Need	Purpose
Basic Physical Features	• Office space for coordinated entry & intake • Office space for benefits management • Sleeping quarters • Restrooms, Showers • Laundry facilities • Kitchen & cooking and warming area • Dining/Cafeteria area • Day-room and recreational areas	• Efficient intake • Connect clients to benefits • Place to shelter at night • Provide for clean sanitation • Preparation for services • Provide consistent meal service • Provide sanitary area to eat • On-site area for clients during day
Low Barrier Features	• Pets: Dedicated areas and supplies for pets • Partners: Areas for couples to stay together • Possessions: Storage areas with sanitization	• Ensure pet wellbeing • Allow couples into facility • Encourage daytime productivity
Safety Features	• Full Fencing and Lighting • Well-planned entry and registration area • Consideration of “referral only” model • Separate Dormitory areas for men and women • Separate “Quiet Areas” for sensitive residents • Adequate Staff training • On-Site Private Security, potentially Off-Site • Pro-active Police in area (Local Impact Team)	• Increase Security & Visibility • Ensure efficient operation • Reduce impacts to surrounding area • Create privacy for clients • Prevent and reduce conflicts • Ensure safety of clients and staff • Safety of staff and clients • Reduce impacts to surrounding area
On-site Services	• Professional Facility Operator • Outreach Services • Transportation Services • Coordinated Entry (HMIS) & Benefits Review • Physical & Mental Health Services • Food Service • Employment & Job Training • Case Management • Housing Navigation & Placement • Veterinary Care (including spay & neuter)	• Run Efficient and Safe Facility • Connect People to the Facility • Streamline access to Facility • Reduce duplication of services • Provide care & incentive to come • Address hunger, provide stability • Encourage productivity & growth • Ensure Program success & progress • Facilitate next steps after emergency • Ensure pet health & safety

Weill Park

Golden State Ave
Golden State Motors
RENT A WRECK
K Daddyz Kustomz
La Cabana
Kern Patriot Partnership
Veterans Affairs
Vet Center
Public Services Building
Kern County Landfills
Espee St
James St
Panama St
O St
28th St
San Dimas St
Victor Villas
Homaker Joshua Park
WestRock Recycling
Weill Park
Kiwi Automotive
W Niles St
27th St
26th St
25th St
24th St
L St
M St
N St
P St
Summit Bible College
G I Trucking
Bakersfield Music &
Recording Studios
Southern Sierra Council,
Boy Scouts of America
Bakersfield
Flower Market
A & B Athletics
Donuthut & Deli
Bakersfield Budo
California State Route 178
Motor World
Automotive
Google

Weill Park



100 – 200 beds
Food Service Area
Area for Pets

Service Providers
Recreation Area
Transportation

Showers & Restrooms
Storage Area
Fully Fence, retain trees

- City in Action -
PSVS Implementation

Additional Emergency Shelter Beds

- ✓ Multi-faceted search for a location:
  1. Commercial realtor search for "listed properties."
  2. Outreach to local stakeholders for help locating unlisted properties.
  3. Review existing M-2 zoned sites throughout City (~ 650 parcels).
- ✓ Many properties found unsuitable due to size, location, proximity to sensitive users, existing conditions on the site, price, etc.
- ✓ City receiving calls from private property owners interested selling.
- ✓ Several properties identified with high development potential; including office/warehouse structures, vacant property and motels.
- ✓ Final stages underway; including discussions with owners.

Action: Direct Staff to return to Council with a Purchase or Lease Contract for a recommended property.

- City in Action -
PSVS Implementation

Next Steps

1. **Downtown Cleaning:** Direct Staff to return to Council with a Contract for Downtown cleaning service.
2. **Private Security:** Direct Staff to return to Council with a Contract for private security service.
3. **Homeless Collaborative:** Direct Staff to return to Council with a budget appropriation ($155,000) to support the new staff for the Homeless Collaborative.
4. **Emergency Shelter:** Direct Staff to return to Council with a Purchase or Lease Contract for a recommended property.

ADMINISTRATIVE REPORT

MEETING DATE: 9/25/2019 Workshops 6. a.

TO: Honorable Mayor and City Council

FROM: Alan Tandy, City Manager

CREATED BY: Jacqui Kitchen, Assistant City Manager

DATE: 9/19/2019

SUBJECT: City Efforts to Address Homelessness, follow-up from September 11, 2019 Workshop.

STAFF RECOMMENDATION: Receive and File update.

BACKGROUND:

HOMELESS CRISIS IN BAKERSFIELD

In recent years, the State of California has experienced an increase in the number of homeless individuals throughout the State, including within the City of Bakersfield. The annual 2019 "Point in Time Count" showed 1,330 homeless individuals in Kern County with 1,150 (or 80%) located within the Metropolitan Bakersfield area. These numbers represent an overall increase of 50% over the prior year, with 643 un-sheltered individuals in the Metro area.

SEPTEMBER 11, 2019 WORKSHOP

On September 11, 2019, a Workshop was presented to the City Council to review the actions that the City has taken to address homelessness in Bakersfield. Discussion included an overview of past City actions to support homeless service providers and the following new initiatives and programs:

<u>City's 3-Point approach to address Homelessness:</u>

1. Acknowledge the Crisis:

- Emergency Resolution passed November 8, 2019.

2. Strengthen Existing Providers:

- **40 new Emergency Beds at Bakersfield Homeless Center:** $1.1 Million CDBG/RDA allocated 11/7/18.
- **40 new Emergency Beds at the Mission at Kern County:** $1.1 Million State HEAP funds allocated 1/23/19.
- **Fund BHC Operations:** $200,000 allocated on 12/12/18.
- **Fund BHC Job Programs:** Nearly $1 million per year (over 50 employed last year):
  - Animal Control Facility Program (approximately $210,000), operating since 2013
  - Greenwaste Facility Program (approximately $250,000), operating since 2010
  - Freeway Litter Removal Program, Multi-agency with Caltrans & KernCOG funds.

3. Implement PSVS funds for New Programs:

- Support Downtown Clean Teams
- Increased Policing and Security
- Support for Kern County Homeless Collaborative
- Construction of Additional Emergency Shelter Beds
- Rapid Response Team Launch
- Community Prosecution Program
- Clarification of Use of City Facilities

COUNCIL DIRECTION

At the conclusion of the September 11, 2019 Workshop, the City Council gave Staff specific direction to take next steps toward implementation of several programs. The specific direction and current status are noted below.

	Topic	Direction	Status	Next Steps
1	**Downtown Cleaning**	Directed Staff to return to Council with a Contract for Downtown cleaning service.	RFP Issued on 9/13/19 with 48-hour response window. 2 responses received. Recommended bid: $90,740	Council Action: Consent Item on 9/25/19 Agenda
2	**Private Security**	Directed Staff to return to Council with a Contract for private security service.	RFP Issued on 9/13/19 with 48-hour response window. 3 responses received. Recommended bid: $86,856.32	Council Action: Consent Item on 9/25/19 Agenda
3	**Homeless Collaborative**	Directed Staff to return to Council with a budget appropriation to support the new staff for the Homeless Collaborative.	MOU prepared and ready for signature; along with Budget Appropriation ($155,000)	Council Action: Consent Item on 9/25/19 Agenda
4	**Emergency Shelter**	Directed Staff to return to Council with a Purchase or Lease Contract for a recommended property within 30 days.	Staff engaged in active real estate negotiations.	Upcoming Agenda Item Goal:10/23/19
5	**Community Prosecution Program**	Directed Staff to negotiate with Kern County to provide partial funding in support of the Program.	On 9/18/19, City Staff met with Kern County Supervisor Scrivner, the District Attorney, the Sheriff and CAO staff to discuss preliminary plan and costs. The County is continuing work to prepare operational and cost calculations; discussions are ongoing.	Upcoming Agenda Item Goal:10/23/19

REC'D & PLACED ON FILE
AT BAKERSFIELD CITY COUNCIL
MEETING
11/6/19 Workshops 6.a.

11/6/2019

City Efforts to Address Homelessness

Update 3 – Emergency Shelter

Bakersfield City Council Meeting

November 6, 2019

Homelessness in Bakersfield: A Growing Crisis

May 24, 2017: City Council Discussion on Homelessness

- Bakersfield Homeless Center, Mission at Kern County, Flood Ministries
- Insufficient Shelter beds, Supportive & Preventative Services, Case Managers & Training, Supportive & Transitional Housing

February 21, 2018: Update on City Response to Homelessness

- HUD/ESG Funding for Shelter Operations and Supportive Services
- BHC Jobs Programs: $1 million allocated & over 50 employed per year
- City Staff: Police, Code Enforcement, Public Works, Rec & Parks, Water

May 9, 2018: Workshop on Annual Point in Time Count

- Presentation from Kern County Homeless Collaborative
- 885 homeless individuals (+ 9%), 370 Unsheltered (+ 46%)

Homelessness in Bakersfield: A Growing Crisis

- 2019 = Visible changes throughout the Community
- Increased calls for service to multiple Agencies
- Impacts to residents and quality of life
- Less than 400 Emergency Beds in Bakersfield

2019 Point in Time County Summary			
By Area & Status	January 2018	January 2019	% Change
Metro Sheltered	498	507	+ 2%
Regional Sheltered	17	18	+ 6%
[illegible]	[illegible]	[illegible]	[illegible]
Metro Unsheltered	309	643	+ 108%
Regional Unsheltered	61	162	+ 166%
[illegible]	[illegible]	[illegible]	[illegible]
Total Metro Bakersfield	807	1,150	+ 43%
Total Regional (Rural)	78	180	+ 131%
2019 Combined Total	885	1,330	+ 50%

The Face of Homelessness in 2019

Flood Ministries Outreach Team

September 2019 Survey of 69 individuals & 15 Couples

What keeps you from going to a local Emergency Shelter?

- 6 No place for their possessions
- 13 Safety concerns
- 12 Can't keep their pets
- 17 Do not want to be separated from their partner

Other barriers: Location, Negative Staff, No Services Provided, No Room, Active Users, Privacy Concerns, Restrictions (rules), Undocumented, Outstanding Warrants, Too Ill to stay and Unsanitary.

- 91% (77) open to a low barrier shelter if their concerns are addressed
- 9% (8) not open to a shelter

Homeless Population in Bakersfield is complex, no single-solution

City in Action: September 11, 2019 Workshop

- Discussed historical efforts of the City to address homelessness.
- Discussed the **City's new Three-Point Approach:**

1. **Acknowledge the Crisis.** City Council Passed Emergency Resolution in November 2018
2. **Strengthen Existing Providers**
   - **11/07/18.** $1.1 Million for **40 new Emergency Beds** at BHC
   - **12/12/18.** $200,000 allocation for BHC Operations
   - **01/23/19.** $1.1 Million for **40 new Emergency Beds** at Mission
   - **Fund BHC Job Programs:** Nearly $1 million per year (Animal Control Facility Program, Greenwaste Facility Program, Freeway Litter Removal Program)
3. **Implement new PSVS (Measure N) funds**

City in Action: September 11, 2019 Workshop

40 Community Meetings = 13 Priorities for PSVS (Measure N)

City in Action: September 11, 2019 Workshop

City Efforts to implement new PSVS resources dedicated to Homelessness

1. Support for Downtown Clean Teams
2. Increased Policing & Security
3. Support for the Kern County Homeless Collaborative
4. Rapid Response Team Launch
5. Support of Community Prosecution Program
6. Clarification of Use of City Facilities
7. Additional Emergency Shelter Beds

City in Action: September 11, 2019 Workshop

Emergency Shelter Research

- Bakersfield Homeless Shelter – Ongoing
- KC Rescue Mission – Ongoing
- Fresno Rescue Mission – June 14, 2019
- San Diego Alpha Project – July 11, 2019
- San Louis Obispo – July 29, 2019

City in Action: September 11, 2019 Workshop

- City in Action - City Council Direction on 9/11/19

	Action Item	9/11 Direction to Staff	Current Status	Next Steps
1	**Downtown Cleaning**	Return to Council with Contract for cleaning service.	RFP Issued 9/13/19. 2 responses received. Recommended bid: $90,740	**COMPLETE** City Council approved Contract on 9/25/19
2	**Private Security**	Return to Council with Contract for private security service.	RFP Issued 9/13/19. 3 responses received. Recommended bid: $86,856.32	**COMPLETE** City Council approved Contract on 9/25/19
3	**Homeless Collaborative**	Return to Council with MOU and budget appropriation.	MOU prepared; Budget Appropriation: $155,000	**COMPLETE** City Council approved Contract on 9/25/19
4	**Emergency Shelter**	Within 30 days, return to Council with a Purchase or Lease Contract.		**ACTION NEEDED** 11/06/19 City Council Agenda Item
5	**Community Prosecution Program**	Negotiate with Kern County to provide partial funding in support of the Program.	Kern County preparing preliminary plan, operational parameters and cost estimates.	**Pending** Possible Upcoming City Council Agenda

City in Action: Emergency Shelter Update

Action Item 4: Since 9/11 meeting, Staff has continued work:

- Continued meeting with potential Operators and Service Providers to gain clear understanding of Site Needs.
- 3-Tier Property Search (Searched all City M-2 zoned property, Active Commercial Listings, and Local outreach)
- Searched for property that met Site Criteria presented on 9/11/19:
  - **M-2 Zone** = "by-right" use and more operating flexibility
    - 2007 Housing Accountability Act & Housing Element law
    - 2009 Council Resolution & Rationale: Buffered from sensitive uses (residential neighborhoods & schools)
  - **Sufficient Space** = co-locate Services on-site & add future phases.
  - **Safety** = Ability to design a layout that meets security needs.

Emergency Shelter Update

Considerations during Evaluation: Lessons Learned

To be Successful, the Facility Must:

- ✓ Be professionally operated.
- ✓ Be located in an area that will minimize and mitigate impacts to the surrounding community and businesses.

To encourage the homeless to come to the facility:

- ✓ Facility must be **safe**.
- ✓ Facility must be **clean**.
- ✓ Facility must be offer specific amenities and services **not otherwise available on the streets**.

12

Table 2. Recommended Facility Components

	On-site Need	Purpose
Basic Physical Features	• Office space for coordinated entry & intake • Office space for benefits management • Sleeping quarters • Restrooms, Showers • Laundry facilities • Kitchen & cooking and warming area • Dining/Cafeteria area • Day-room and recreational areas	• Efficient intake • Connect clients to benefits • Place to shelter at night • Provide for clean sanitation • Preparation for services • Provide consistent meal service • Provide sanitary area to eat • On-site area for clients during day
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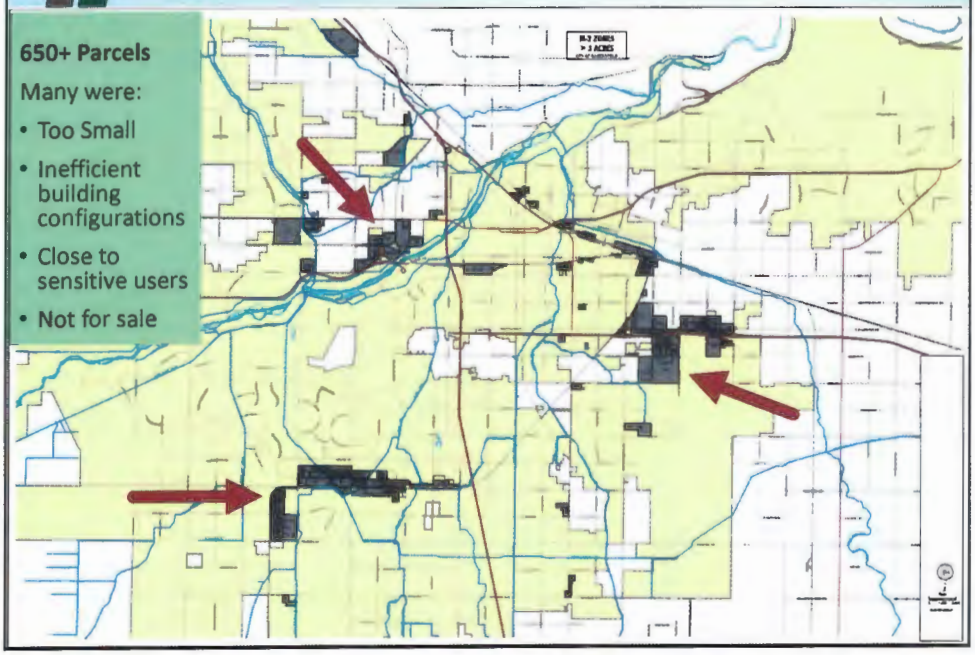
M-2 Property Search

650+ Parcels

Many were:

- Too Small
- Inefficient building configurations
- Close to sensitive users
- Not for sale



Emergency Shelter Update

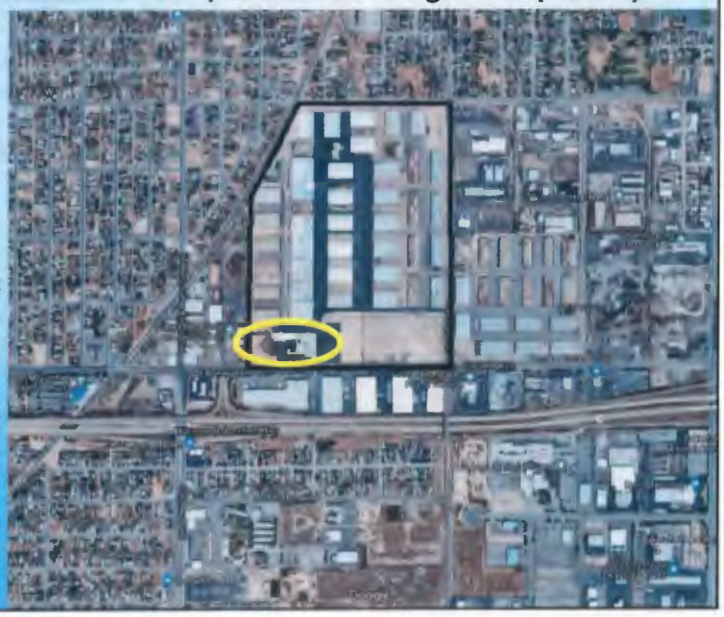
Using Research Information, 2 Site Finalists Selected

- Issued LOI on 2 properties.
- Property Owner Confidentiality
- Evaluated cost, amenities, location, ability to grow, ability to meet all needs.
- Signed LOI 10/29 = Immediate Press Release

Emergency Shelter Update

Recommendation: Site 1, 1900 E. Brundage Lane (CalCot)

- 110-acres
- Between MLK Blvd & Washington
- North of Hwy 58
- 40+ Metal Warehouses
- 7.24-acre Office Complex
- 34,832 sq ft office space
- 34,975 sq ft warehouse



Emergency Shelter Update

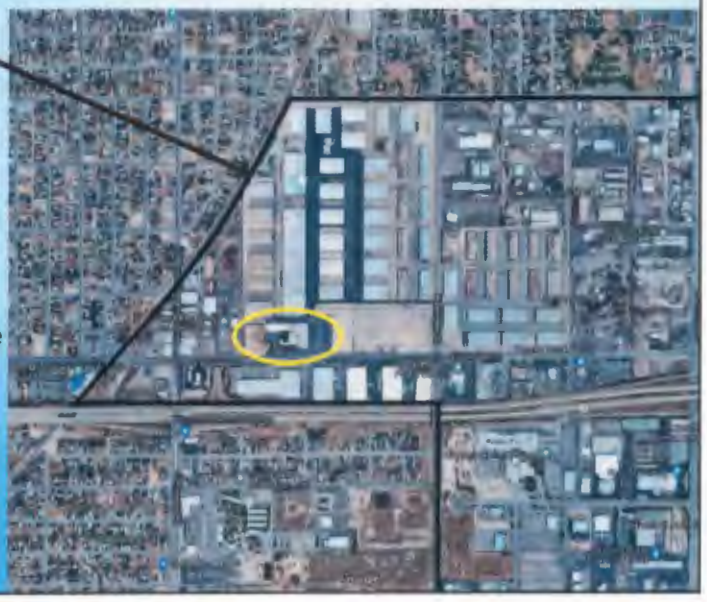
Calcot Site Benefit 1: Suitable Location

Within area Zoned M-2

Buffered from sensitive uses on all sides by train track, and industrial uses

Closest school 0.9 miles to the west

Close to Regional Transportation



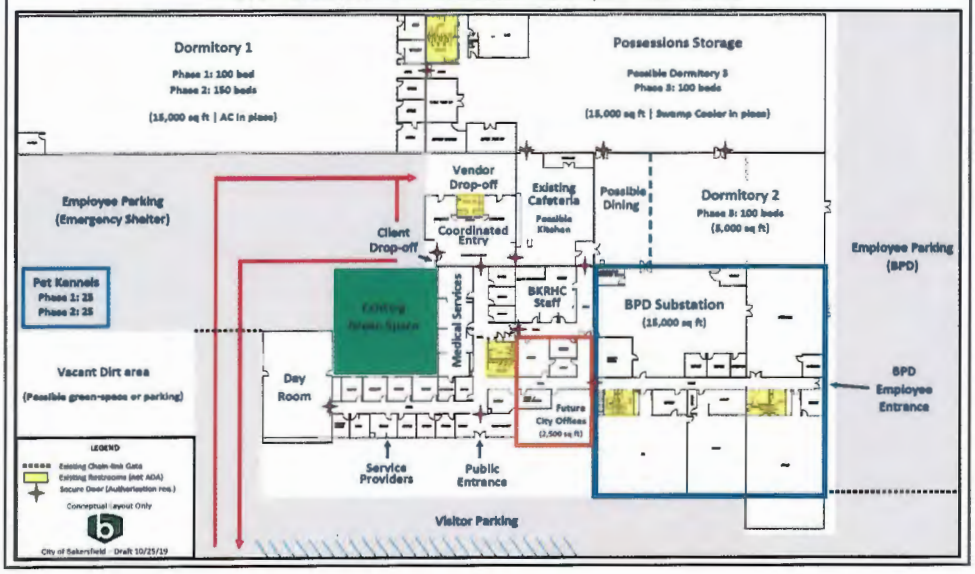
Emergency Shelter Update

Calcot Benefit 2: Sufficient Space

Emergency Shelter Update

Calcot Benefit 2: Sufficient Space for Full-Service Facility

DRAFT – CONCEPTUAL LAYOUT - Calcot Benefits: Suitable Space & Police Substation



Emergency Shelter Update

Calcot Benefit 2: Sufficient Space for Full-Service Facility

Emergency Shelter Update

Calcot Benefit 3: Police Substation

Full time Staff and Service for Residents:

- Desk officer (7am – 7pm)
- Clerks (8am – 5pm)
- Front counter services
- Provide copies of reports & related services
- Receive citizen complaints

On-site Police activity

- Patrol Shift Briefings & Deployment (6am, 1pm, 9pm)
- New Community room (Community meetings, training, briefing for patrol officers)
- Parking & storage for PD's fleet and equipment, Fuel service
- Safe exchange
  Possible home to the Impact Unit

Site Location & Design = <u>Different type of Program</u>:

- NO Walk-ups
- Referral Only Model
- No daily meal service (no migration of people)
- Transportation Program and Parking
- Full-time Security - On-site & 10-block radius
- Fully Fenced & contained

Security Plan in consultation with BPD:

- Coordinated Entry
- Registration & Visible ID
- Screening & Weapons removal
- Cameras
- Enhanced lighting
- Secure Access Areas
- Fully fenced
- Electronic Entry Gates

Emergency Shelter Update

Calcot Benefit 4: Adjacent 10-Acres

Emergency Shelter Update

[redacted]

Adjacent 10 Acres = Options

- "Next Step" permanent Affordable Housing (Permanent and Supportive Housing)
- Development of a City Corporation Yard
- Re-sale to a private developer for economic development

Emergency Shelter Update

Opportunity to Build upon Recent and Upcoming City Improvements in SE Bakersfield

- **MLK Park:** New Electrical & Lighting for courts, security, rec center, and pool
- **MLK Community Center:**
  - Summer Day Camps & Free Meal Programs
  - Swimming Pool with $5 Swim Lessons
  - Exercise: Drop-in basketball & fitness center
  - Activities: Halloween Town, Santa's Winter Wonderland, Kwaanza, Harambee Art Gallery and Springtime Egg Hunt, Build-a-Bike programs, Good Neighbor Festival, etc.
- **Friendship House:** 2424 Cottonwood, facilities and improvements
- **Linnell-Brahma Neighborhood Park:** S Union and Panama Lane area, City has submitted a Prop 68 grant to construct.
- **Belle Terrace Park:** City may contribute 2020 CDBG funds for renovation of County Park.

Emergency Shelter Update

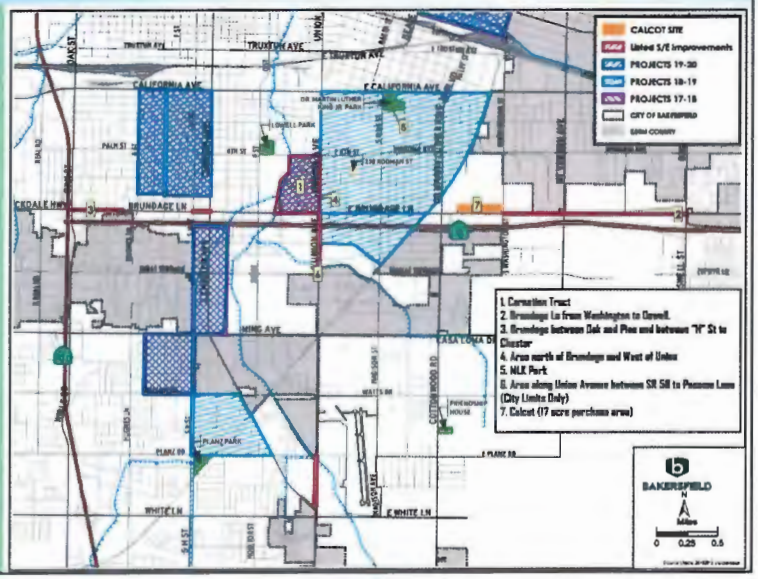
Opportunity to Build upon Recent and Upcoming Improvements in SE Bakersfield

$8,110,733 in last 6 Years (HUD)

- Streets, Curbs, Gutters, Sidewalks
- Parks Upgrades
- BPD Impact Team
- Senior Center, CAPK, BARC

$7,313,691 in last 2 years (Transit)

- Brundage Ln Pavement & Pedestrian Improvements
- Union Avenue Pavement Rehab



Emergency Shelter Update

Upcoming Opportunities for Additional Investment in SE Bakersfield

Economic Opportunity Areas (EOA)

- Locally initiated program that uses property tax increment financing to promote economic growth.
- Intended to facilitate increased private sector investment to promote businesses growth and generate new jobs.
- 3 EOAs in SE Bakersfield: Airport, Hwy 58 / Mt. Vernon, Southeast
- $100,000 each

US EPA Community Assessment Grant (Airport Revitalization Plan)

- Upcoming Revitalization Plan to help guide redevelopment and define reuse options and public improvements.
- Goals and objectives for plan:
  - Promote cleanup and reuse of brownfield properties
  - Stimulate economic development
  - Expand public infrastructure and utilities

Emergency Shelter Update

Budget Considerations – Capital Cost

- FY 19/20 budget includes $9.0 million to address homeless housing:
  - $4.0 Million Low Barrier Emergency Shelter
  - $5.0 Million "next step" Affordable Housing
- Request for Proposals out for Affordable Housing component; however, unlikely those funds will be fully committed this FY.
- Calcot Facility facilitates completion of the Shelter component **and** potential acquisition stage of the Affordable Housing component.
- Portion of the $9.0 million will convert in future fiscal years from capital investment to operations and maintenance.

Property Acquisition Building & Utilities:	$ 3,827,000
10-Acres Adjacent Vacant Property :	$ 1,100,000
Adaption of Structure for Phase 1 needs:	$1,900,000
Total:	**$6,827,000**

Emergency Shelter Update

Table 2. Calcot Facility Components & Phase 1 Construction Needs

What	How
Low Barrier Components	
Possessions Storage	Add storage space within existing Warehouse 2
Pet Area	Install Kennel Space
Partners	Create Dedicated space within Dorm Area
On-site Amenities	
Safe Clean Sleeping Area	Add Dorm Beds & Partitions to Warehouse 1
Showers	Install portable (Phase 1), later permanent
Restrooms	Install portable (Phase 1), later permanent
Green Space	Fence/secure existing Green Space (Phase 1)
Dining	Renovate existing Cafeteria & Install Kitchen
Laundry	Install permanent machines
Parking	Fence parking area for Employees
On-site Services	
Facility Manager	Approximately 30 separate offices exist at the facility. A majority are in "ready" working condition and need simple modifications (replacement of glass with durable materials, furniture etc.) to become operational.
Facility Operator	
Case Managers (1/20 beds)	
Housing Navigators	
Medical Provider (3x week)	
Mental Health (3x week)	
Transportation	
Food Service (3 meals/day)	
Vet Tech/Animal Care & Veterinarian	
Private Security – Onsite & Offsite	Yes

Note: Other construction components include but are not limited to utility connection modifications, exterior updates, securitization of unused portions of the building, bathroom conversion to comply with American Disability Act (ADA), replacement of glass offices windows, etc.

Emergency Shelter Update

Budget Considerations – Operating Estimate

Research of annual operating budgets of existing facilities in CA and nation.

Budgets vary significantly, based on several factors including the staff to client ratio, private vendor costs, food costs, degree of donor participation and more. Final costs will be dependent on the actual bids received for services and the level of partnership with existing local services providers and benefactors.

Anticipated services and potential partners in ***Table 4, Operational Needs and Potential Partners***.

Table 3. Operating Budget Research

Location	Annual	Beds	Person/ Year	Person/ Day	100 Bed Annual
SD Alpha	$5,317,209	325	$16,361	$45	$1,636,064
SD Alpha Bridge 2	$3,050,500	150	$20,337	$56	$2,033,667
SD Father Joes	$2,247,713	150	$14,985	$41	$1,498,475
SD Veterans	$2,300,000	200	$11,500	$32	$1,150,000
SLO 40 Prado	$1,290,500	100	$12,905	$35	$1,290,500
Average	$3,551,481	231	$15,217	$42	$1,521,741
Calcot Est - Phase 1 (100 Beds)	$1,521,741	100	$15,217	$42	$1,521,741

Emergency Shelter Update

Next Steps

1. Authorize the City Manager to negotiate and return with Purchase and Sale Agreement for the Calcot Property.
2. Begin space planning using Architect experienced with designing Emergency Shelter Facilities. Include known and potential Service Providers.
3. Issue Request for Proposals for Operational Services, as noted in Table 4. Upon receipt of bids; define Operational budget and return to Council with Agreements.
4. Initiate actions to begin Phase 1 retrofit of the facility, as described in Table 2. Return to Council with Agreements.

Based on the information provided to date, goal is to open Phase 1 within 6 months of acquisition.

END

Table 4. Operational Needs and Potential Partners

	Service	Description	Potential Partners*
1	Facility Manager	General Management	CAPK, BHC, Mission, or other third party or combination thereof
2	Facility Operator	Daily Operation of the facility	Same as item 1
3	Facility Maintenance	Daily on-going maintenance	Same as item 1
4	Facility Meal Program	3 meals per day. To include food orders/ delivery and on-site full or partial preparation (depending on kitchen set-up)	Same as item 1
5	Laundry Service	Weekly service of on-site machines, possible management of "credit" system.	Vendor
6	Transportation	Shuttle system and direct referral and transport to facility. A bus has ability, has been donated and grants are being explored.	Flood, GET, BPD, Rapid Response Teams, County, etc.
7	Case Managers	Ratio Goal: 1 per 20 beds	BHC, HACK, variety of others
8	Housing Navigators	Provide housing placement; goal within 90 days.	HACK
9	Medical Provider	On-site multiple times per week, as recommended by Provider.	KMC, Good Sam
10	Mental Health	On-site multiple times per week, as recommended by Provider.	KCBH
11	Insurance & Funding	On-site to connect to programs (Calfresh, Calworks, Medi-cal, etc.)	KCBH, KMC, KC Human Services
12	Job Training	On-site to connect and train	KCETR
13	Veteran's Services	On-site to connect to programs	KC Veterans Service
14	Vet Tech /Vet Services	Weekly visits for minor medical needs, to provide vaccines	Vendor
15	Security - Onsite	To support Facility Operator	Vendor
16	Security - Offsite	To support Facility Operator	Vendor
17	Portable Showers	Weekly service/maintenance.	Vendor
18	Portable Restrooms	Weekly service/maintenance.	Vendor
19	Utilities	Monthly Power, Sewer, Water	Utilities
20	Misc City Support		

NOTES: Items 1-4 can be all separate parties, one party or a combination of several

REC'D & PLACED ON FILE
AT BAKERSFIELD CITY COUNCIL
MEETING 11/6/19
WORKSHOP 6.a
Kaelyn Peterson

GREATER BAKERSFIELD CHAMBER

November 6, 2019

Hon. Karen Goh
Mayor, City of Bakersfield

Hon. Chris Parlier
Vice Mayor, City of Bakersfield

Mr. Alan Tandy
City Manager, City of Bakersfield

Mayor Goh, Vice Mayor Parlier and Mr. Tandy:

On behalf of the Greater Bakersfield Chamber – Kern County's largest and broadest business association – I am writing to offer our support for the city's proposal to purchase the CalCot property on East Brundage Avenue for the purpose of establishing and operating a low barrier homeless shelter. Our members view homelessness as a top priority for local government; indeed, in a recent survey of our largest employers, combatting homelessness was identified as the top concern for our businesses.

Beyond our overall interest in the issue of homelessness, we have an interest in the fiscal matters of the City and most importantly and specifically in the discussions around how funds from the City's Public Safety and Vital Services (PSVS/Measure N) sales tax measure are spent. As a key supporter, ballot argument signatory and champion of the campaign to pass the PSVS, we have a clear point of view about how those funds should be spent. Homelessness was identified as one of the funding priorities in the PSVS ballot language, and we have supported the city's appropriations toward this area.

Homelessness has become a crisis in California, and for a variety of reasons low barrier shelters have become necessary aspects of any large city's plans to address the issue and the population of chronically homeless individuals. No one facility, no one program, and no one organization can "fix" this issue – it will take sustained effort and investment. Unfortunately, there is also no "perfect" location for a facility of this type. There will always be concerns about neighborhood safety. While we support the establishment of this facility, we will expect and our members will demand that this facility operates as a good neighbor. We are encouraged by the intake and operational plans for the facility and most importantly by the proposal to site a police substation on this property.

As you know we also submitted a letter last week to the City and County on our desire for collaboration between local governments, and support for certain funding proposals including the efforts around the community

prosecution program. We continue to stand by the comments submitted last week – and especially around collaboration between local governments, housing agencies and nonprofit service providers.

Finally, we would like to commend the city – both the Council and the staff – for your diligence, thoughtful approach and commitment to developing the best possible plan. We urge not only your approval but your sustained efforts toward continued dialogue with stakeholders and neighbors affected by the location of this facility and developing solutions which address their concerns.

Sincerely,

Nick Ortiz
President & CEO
Greater Bakersfield Chamber

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Workshops 6. b.

TO: Honorable Mayor and City Council

FROM: Phil Burns, Interim Development Services Director

DATE: 11/6/2019

WARD:

SUBJECT: Presentation by Development Services Department on Affordable Housing.

STAFF RECOMMENDATION:

Staff recommends to receive and file.

BACKGROUND:

Through the years, the City of Bakersfield has had various programs in place to address housing need of the Community, which are outlined in the City's Housing Element. This items will include an overview of the City's housing need, an explanation of housing funding levels through the years, and what the City is currently doing to address future affordable housing needs.

BAKERSFIELD'S HOUSING NEED

The City has an adopted Housing Element which identifies housing need over the 8 years from 2015 to 2023. The Housing Element also outlines the policies and programs the City uses to address that need. Each year, the City provides HCD with an Annual Housing Progress Report showing the construction of housing units within the City. Per Housing Element law, "local governments must adopt plans and regulatory systems that provide opportunities for housing development." With the completion of the 5th Cycle in February 2016, the California Department of Housing and Community Development (HCD) found the City to be in full compliance with Housing Element law.

ADDRESSING AFFORDABLE HOUSING NEED

Over the years, the City has used various tools to encourage affordable housing construction; including the issuance of State redevelopment funds and Federal funds through the Department of Housing and Urban Development. However, since 2008 drastic cuts in Federal and State funding have led to reduced investment in affordable housing in Kern County. This reduction has impacted not only the City, but other community organizations that work on providing affordable housing as well (both through vouchers or construction of new units).

AFFORDABLE HOUSING SOLUTIONS GOING FORWARD

Recognizing the need, City residents (with the passage of the Public Safety and Vital Services (PSVS) Measure), as well as the State (with the passage of affordable housing legislation over the last two years), have created additional tools and resources dedicated to providing affordable housing for the City of Bakersfield.

The City now has $5 million in capital funding for the construction of affordable housing through the PSVS Measure. These funds are in addition to the City's annual entitlement of HOME funds of approximately $1.4 Million. Starting in 2020, the State will also begin to provide an annual allocation to the City of Bakersfield to further encourage the construction of more affordable housing. Finally, the State is providing a onetime allocation of planning funds to assist jurisdictions in meeting their RHNA goals through the SB2 Planning Grant. These additional incentives will allow the City to spur much needed affordable housing construction.

The Staff will include an overview the City's housing need, go through past and current programs used to address that need, and outline future programs, resources and policy solutions that can help address the City's growing need for affordable housing options for its residents.

ATTACHMENTS:

	Description	Type
	PowerPoint presentation	Presentation

REC'D & PLACED ON FILE
AT BAKERSFIELD CITY COUNCIL
MEETING
11/6/19 - Workshops 6.b.

11/6/2019

Affordable Housing

What's the Key?

BAKERSFIELD
THE SOUND OF Something Better

Agenda

- What is Affordable Housing in Bakersfield?
- Bakersfield's Housing Need
  - Housing Element Overview
  - Annual Housing Progress Reports
- Bakersfield Affordable Housing
  - Past 10 Years
  - What is takes to Build & Fund
  - Solutions Going Forward

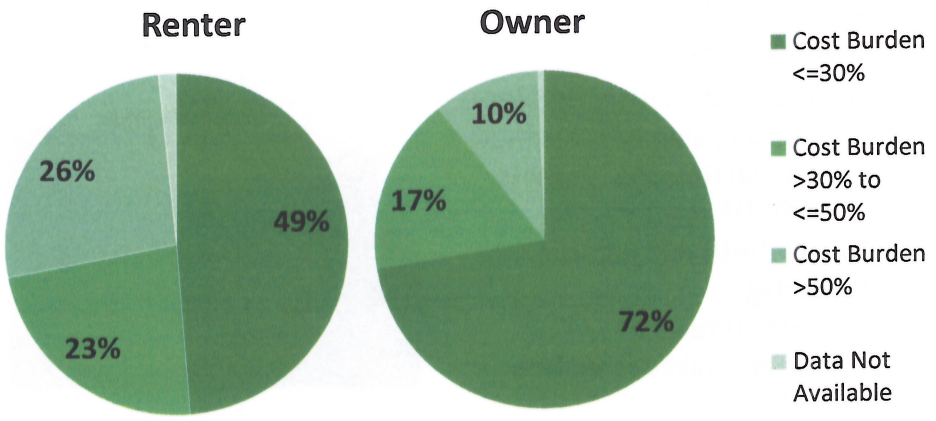
What is Affordable Housing?

Income Group	Income Range	Affordable Monthly Housing Costs (Rent, Utilities, Taxes & Insurance)
Very Low	Below $32,400	$926
Low	$32,400 to $51,850	$1,296
Moderate	$51,850 to $69,480	$1,737
Above Moderate	Above $69,480	

Source: HUD 2019 Income Limits, $57,900 Median Family Income (4 Persons)

- Affordability is defined as a household spending 30 percent or less of annual income for housing.
- In Kern County, the income needed to afford median monthly rent ($915) is $17.60/hour.

What is Affordable Housing?



Source: US Census – 2016 CHAS data

Bakersfield's Housing Need

Income Level	RHNA	Vacant Acres	Unit Capacity	Net Capacity Over Need
Very Low	9,706	604	19,477	9,771
Low	5,800	2,194	22,777	16,977
Moderate	6,453	12,780	63,994	57,541
Above Moderate	14,331	8,809	30,773	16,442
Total	36,290	24,387	137,022	100,732

Source: City's 2015-2023 Housing Element

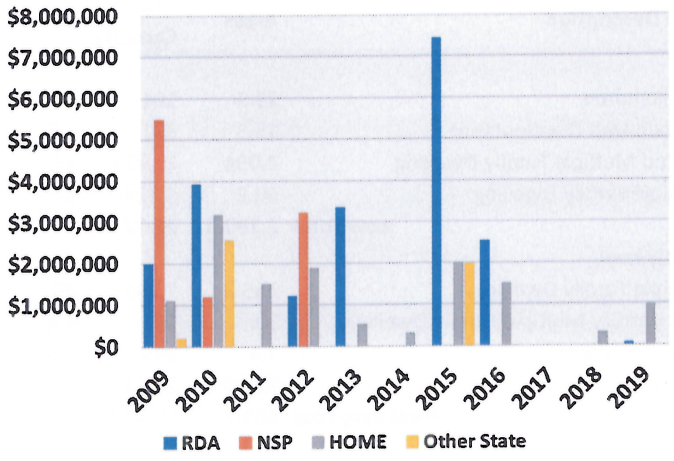
Bakersfield's Housing Need

Zone	Zone Description	Acres	Unit Capacity	%
Low Income				
MH	Mobile home	23.9	101	0.4
PUD	Planned Unit Development	15.3	331	1.5
R-2	Limited Multiple Family Dwelling	2,094	**21,221**	**93**
R-3	Multiple Family Dwelling	60.6	1,124	5
	Low Total	**2,193.8**	**22,777**	
Very Low & Extremely Low				
R-3	Multiple Family Dwelling	355.2	7,741	40
R-4	High Density Multiple Family Dwelling	5.6	271	1.4
C-B	Central Business	7.4	349	1.8
C-C	Commercial Center	235.5	**11,115**	**57**
	Total Very Low	**603.7**	**19,477**	

Annual Housing Progress Report

	Calendar Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total Units to Date	Total Remaining RHNA by Income Level
Income Level	RHNA by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
VL	9,706	30	114	38				3			185	9,521
L	5,800	9	12	24		31	1	12			89	5,711
M	6,453	933	947	957	874	677	1				4,389	2,064
AM	14,331	557	926	584	546	504	1,178	1,038			5,336	8,998
	36,290	1,529	1,999	1,603	1,420	1,212	1,180	1,053			9,996	26,294

Affordable Housing Development 2009-2019



600+ units constructed

$51,000,162 in gap financing

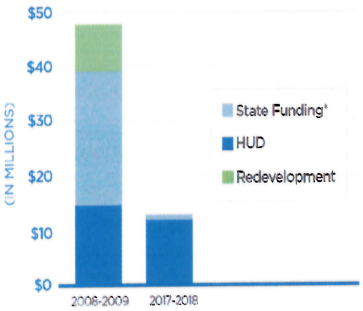
CRITICAL YEARS

- 2012 : RDA dissolved
- 2012-14 : decrease in HOME

Regional Funding Levels 2009-2019

KERN COUNTY LOST 73% OF STATE AND FEDERAL FUNDING FOR HOUSING PRODUCTION AND PRESERVATION FROM FY 2008-09 TO FY 2017-18

Funding reduced by **73%**



FUNDING SOURCE	FY 2008-09 (In thousands)	FY 2017-18	% CHANGE
Redevelopment	$8,999	$0	-100%
State Housing Bonds and Housing Programs	$23,895	$1,000	-96%
HUD	$14,678	$11,958	-19%
TOTAL	$47,572	$12,958	-73%

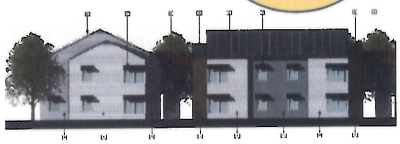
Source: *California Housing Partnership analysis of 2008-2009 annual Redevelopment Housing Activities Report; 2008-2009 and 2017-2018 Annual HCD Financial Assistance Programs Reports; 2008-2009 and 2017-2018 HUD CPD Appropriations Budget Reports*
**FY 2017-2018 does not include No Place Like Home Funding (NPLH) and no funds for the Affordable Housing Sustainable Communities (AHSC) program were awarded.*

Source: California Housing Partnership – 2019 Kern County's Housing Emergency Update

What Does it Take to Build Affordable Housing?

Item	Cost	%
Land Acquisition	$1,151,850	5%
Construction	$15,561,451	67%
Construction Interest	$843,300	4%
Architecture/ Engineering	$625,000	3%
Legal	$155,000	1%
Impact Fees	$1,191,383	5%
Developer Overhead	$2,000,000	9%
Capitalized Reserves	$488,489	2%
Miscellaneous Costs	$1,214,666	5%
TOTAL	**$23,231,139**	

$287 thousand per unit



ADDITIONAL CONSTRAINTS:

- **Prevailing wage**
- **Higher Building Standards**
- **Low Profit Margin**
- **Competitive Tax Credits**

Local & Statewide Response

STATE	LOCAL
○ Statewide Policy Changes – 15 Bill Housing Package	• Keep Housing Element in Compliance
○ Housing Element Accountability	• General Plan Update
○ Investment in State Housing Loan Program for Developers	• Addition of staff through PSVS to help manage new affordable housing programs
○ Increase in Tax Credits	• Affordable housing developers can receive up to a 35% increase in housing units.
○ Inventory of State Property for Affordable Housing Development	• PSVS Allocation for Affordable Housing ($2.1M)
○ SB-2 Permanent Local Housing Allocation ($1.6M)	• Continue to Administer HOME Grants ($1.4M)
○ SB-2 Planning Grants ($650,000)	• Develop Long-Term Strategy to Increase Affordable Housing with Measurable Outcomes.

Affordable Housing - 2020 Forward

2020 ANTICIPATED FUNDS
2020 HOME Allocation (~$1.4M)
PSVS Allocation (~$2.1M)
PLHA (~$1.6M)
Previous HOME Funds (~1.4M)
TOTAL: $6,500,000

COMMITTED FUNDS

139 Units

Affordable Housing – What's Next?

PSVS Request for Proposals for Affordable Housing Projects	**Due November 22nd**
HOME Application for Affordable Housing Projects	**Due November 22nd**
SB2 Planning Grant Application Submittal	**November 30th**
New PSVS Funded Affordable Housing Projects Awarded	**February 2020**
New HOME Funded Affordable Housing Projects Awarded	**May 2020**
Increase Affordable Housing Production and Meet RHNA Needs	**Ongoing**

Looking forward . . .

Questions?

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Minutes a.

TO: Honorable Mayor and City Council

FROM: Julie Drimakis, City Clerk

DATE: 9/24/2019

WARD:

SUBJECT: Approval of minutes of the October 23, 2019, Special City Council Meetings.

STAFF RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

Description	Type
Minutes	Backup Material

BAKERSFIELD CITY COUNCIL
MINUTES
MEETING OF OCTOBER 23, 2019

Council Chambers, City Hall, 1501 Truxtun Avenue
Special Meetings- 4:00 p.m. and 5:15 p.m.

SPECIAL MEETING -4:00 PM

1. ROLL CALL

Present: Mayor Goh, Vice-Mayor Parlier, Councilmembers Rivera, Gonzales (seated at 4:01 p.m.), Smith, Freeman, Sullivan

Absent: Weir

2. PUBLIC STATEMENTS

None.

3. WORKSHOPS

None.

4. CLOSED SESSION

a. Closed session pursuant to Government Code section 54957(b)(1) to consider/discuss the employment of the City Manager (respond to his October 8th 2019 email concerning his retirement).

b. Conference with Legal Counsel — Existing Litigation; Closed session pursuant to Government Code section 54956.9(d)(1) regarding *Kiaie, et al. v. City of Bakersfield*.

***Motion by Vice-Mayor Parlier to adjourn to Closed Session at 4:01 p.m.* Motion passed with Councilmember Weir absent.**

The Closed Session meeting was adjourned at 4:32 p.m.

Meeting reconvened at 4:38 p.m.

5. CLOSED SESSION ACTION

a. "Closed session pursuant to Government Code section 54957(b)(1) to consider/discuss the employment of the City Manager (respond to his October 8th 2019 email concerning his retirement)".

Vice-Mayor Parlier announced the City Council has accepted City Manager Tandy's last day, before retirement, as January 10, 2020.

b. Conference with Legal Counsel — Existing Litigation; Closed session pursuant to Government Code section 54956.9(d)(1) regarding *Kiaie, et al. v. City of Bakersfield*.

By a 6-0 vote, with Councilmember Weir absent, the *City Attorney was authorized to take the appropriate steps to resolve this matter.*

6. ADJOURNMENT

Mayor Goh adjourned the 4:00 p.m. meeting at 4:39 p.m.

SPECIAL MEETING- 5:15 p.m.

1. ROLL CALL

Present: Mayor Goh, Vice-Mayor Parlier, Councilmembers Rivera, Gonzales, Smith, Freeman, Sullivan

Absent: Weir

2. INVOCATION

by Reverend Sylvia Lack, Vessels of Honor.

3. PLEDGE OF ALLEGIANCE

by Denisse Silva, Graduate Student at California State University Bakersfield.

Mayor Goh presented the Mayor's Medal to Ms. Silva in recognition of receiving the 2019 California State University Trustees' Award for outstanding achievement.

4. PRESENTATIONS

a. Certificate of Recognition to David Gleeson, owner of the Polo Saddle Drive home, awarded Yard of the Season, Summer 2019.

Mr. Gleeson accepted the certificate and made comments.

5. PUBLIC STATEMENTS

a. Tina Bengtson expressed concern with street lights and poor road conditions in the area of Cottonwood Road and East Planz Road.

b. Isaiah Crompton stated a Southeast Bakersfield Community meeting was held on October 8, 2019, to address concerns in Ward 1; the residents are concerned about sidewalks, curbs, parks, and lighting; and requested the Council address these issues.

c. Heather Pennella, Keep Bakersfield Beautiful, announced Make a Difference Day will be held this Saturday, October 26th; stated America Recycles Day will be held on November 9th; and submitted written material.

d. The following individuals spoke regarding Deferred Business item 12. a., pertaining to Accessory Dwelling Units: Bill Descary; Joseph Kandle (submitted written material); Gary Simmons; Janice Knowlton; and John Knowlton.

6. WORKSHOPS

None.

7. APPOINTMENTS

None.

8. CONSENT CALENDAR

(Staff recommends adoption of Consent Calendar items.)

Minutes:

a. Approval of minutes of the September 25, 2019, Regular City Council Meetings.

Payments:

b. Receive and file department payments from September 13, 2019, to October 10, 2019, in the amount of $38,595,333.97; Self Insurance payments from September 13, 2019, to October 10, 2019, in the amount of $862,264.09, totaling $39,457,598.06.

Ordinances:

c. First reading of ordinance amending Section 17.58.120 of the Bakersfield Municipal Code relating to parking space requirements within the "central district" and other mixed-use areas.

REMOVED FOR SEPARATE CONSIDERATION

d. First reading of ordinance amending Chapter 15.65 of the Bakersfield Municipal Code relating to the California Fire Code.

FR ONLY

8. CONSENT CALENDAR continued

e. Adoption of an ordinance amending Sections 15.04, 15.05, 15.07, 15.09, 15.11, 15.13, 15.15, 15.17, and 15.19 of the Bakersfield Municipal Code, relating to the Building and Construction codes, specifically, the California Building Code, Mechanical Code, Plumbing Code, Electrical Code, Existing Building Code, Historical Building Code, California Residential Code, and California Green Building Code, 2019 editions. ***(FR 9/25/2019)***

ORD 4994

Resolutions:

f. Resolution determining that Active Shooter Kits from Victory Tactical Gear, LLC. cannot be reasonably obtained through the usual bidding procedures and authorizing the Finance Director to dispense with bidding thereof, not to exceed $174,000.

RES 159-19

g. Resolution setting salaries and related benefits for officers and employees of the General Supervisory, Police Supervisory and Management Units.

RES 160-19

h. Resolutions setting salaries and related benefits:

1. Resolution approving the Memorandum of Understanding, setting salaries and related benefits for Firefighters and Fire Engineers Unit represented by the Bakersfield Firefighters Labor Organization (BFLO).

RES 161-19

2. Resolution approving the Memorandum of Understanding, setting salaries and related benefits for Fire Supervisory represented by the Bakersfield Firefighters Labor Organization (BFLO).

RES 162-19

i. Resolution dispensing with bidding under section 3.20.060(D)(5) of the Bakersfield Municipal Code relating to the design/build construction procurement process for the upgrade and replacement of the television broadcasting and recording equipment in use in the City Council chambers.

RES 163-19

8. CONSENT CALENDAR continued

j. Geotab Global Positioning System (GPS) equipment and fleet tracking systems:

1. Resolution of the Bakersfield City Council dispensing with formal bidding procedures in the purchase of Geotab USA global positioning system (GPS) equipment and monthly monitoring from Blackhole Technologies Inc. and authorizing the use of cooperative procurement contracts for the purchase of the said items, not to exceed $470,000.

RES 164-19

2. Agreement with Blackhole Technologies, Inc. for service, installation and repair of GPS equipment (not to exceed $120,000 for a three year term).

AGR 19-189

k. Emergency repair to 2016 Caterpillar Asphalt Paver:

1. Resolution dispensing with bidding due to emergency repairs of asphalt paver, and authorizing Quinn Company to perform necessary repairs, not to exceed $61,500.

RES 165-19

2. Amendment No. 1 to Agreement No. PW19-079 with Quinn Company ($61,500; revised not to exceed $101,500), for service and repair of construction and off-road equipment.

AGR 19-190

l. Resolutions to add the following territories to the Consolidated Maintenance District and approving, confirming, and adopting the Public Works Director's Report for each:

1. Area 1-126 (3915 Rosedale Highway) – Ward 3

RES 166-19

2. Area 4-202 (1118 Murdock Street) – Ward 1

RES 167-19

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. 2023 adding Area 3-114 (9801 Compagnoni Street) – Ward 6

ROI 2023

8. CONSENT CALENDAR continued
ITEM 8.m. CONTINUED

2. ROI No. 2024 adding Area 4-203 (314 H Street) – Ward 2

ROI 2024

3. ROI No. 2025 adding Area 5-101 (Tract 7322 – Berkshire Road approximately 1000' east of South H Street) – Ward 7

ROI 2025

4. ROI No. 2026 adding Area 5-102 (4915 South H Street)– Ward 7

ROI 2026

5. ROI No. 2027 adding Area 5-103 (52 Planz Road) – Ward 1

ROI 2027

Agreements:

n. Approval of FY2019-20 Emergency Solutions Grant (ESG) Agreements:

1. Bethany Services/Bakersfield Homeless Center ($67,438) for ESG funds to provide Emergency Shelter Services at 1600 East Truxtun Avenue;

AGR 19-191

2. The Mission at Kern County ($66,000) for ESG funds to support Emergency Shelter activities at 816 E. 21st Street;

AGR 19-192

3. Alliance Against Family Violence and Sexual Assault ($28,164) for ESG funds to support Emergency Shelter services administered at1921 19th Street;

AGR 19-193

4. Flood Bakersfield Ministries ($23,625) for ESG funds for Street Outreach services administered at 601 24th Street; and

AGR 19-194

5. Bethany Services/Bakersfield Homeless Center ($100,332) for ESG funds to provide Rapid Re-Housing Program services administered at 1600 East Truxtun Avenue.

AGR 19-195

8. CONSENT CALENDAR continued

o. Approval of FY2019-20 Community Development Block Grant (CDBG) Agreements:

1. Agreement with Bakersfield Senior Center, Inc. ($90,000), of Community Development Block Grant funds for operational expenses at 530 4th Street.

AGR 19-196

2. The Mission at Kern County ($35,000) of CDBG funds to support Emergency Shelter activities at 816 E. 21st Street.

AGR 19-197

p. Agreement with Paymentus Corporation to provide electronic bill payment services for utilities, business licenses, and other customer charges.

AGR 19-198

q. Hold Harmless Agreement between the Bakersfield Fire Department and California Water Service Company.

AGR 19-199

r. Reimbursement Agreement with North Kern Water Storage District (not to exceed $182,397.75 for 2019 through 2022) for Weather Modification Program.

AGR 19-200

s. Agreement with W3i Engineering ($98,750) to provide design and engineering services for Wastewater Treatment Plant No. 2 Digester Mixing Pumps and Sludge Recirculation Pumps and Wastewater Treatment Plant No. 3 Sludge Recirculation Pumps Replacement Project.

AGR 19-201

t. Final Map, Improvement Agreement and Landscape agreement with Woodside 06 N, LP (Developer) for Tract Map 6419, Phase 4 located East of Quail Creek Road and South of Etchart Road.

AGR 19-202, AGR 19-203

u. Final Map and Improvement Agreement with Castle & Cooke a California Inc. (Developer) for Tract 7299, Unit 3 located South of Ming Avenue and East of Highgate Park Boulevard.

AGR 19-204

8. CONSENT CALENDAR continued

v. Final Map and Improvement Agreement with Castle & Cooke a California Inc. (Developer) for Tract 7299, Unit 6 located South of Ming Avenue and East of Highgate Park Boulevard.

AGR 19-205

w. Final Map and Improvement Agreement with Castle & Cooke a California Inc. (Developer) for Tract 7300, Unit 5 located South of Ming Avenue and East of Highgate Park Boulevard.

AGR 19-206

x. Transportation Impact Fee Credit Agreement with Castle & Cooke California, Inc. (not to exceed $330,450), for construction of Allen Road between White Lane and Ming Avenue.

AGR 19-207

y. Transportation Impact Fee Credit Agreement with Castle & Cooke California, Inc. (not to exceed $387,487), for construction of Ming Avenue west of Allen Road along the frontage of Tentative Tract 7299.

AGR 19-208

z. Transportation Impact Fee Credit Agreement with Castle & Cooke California, Inc. (not to exceed $557,098), for construction of Ming Avenue west of Allen Road along the frontage of Tentative Tract Maps 7255 & 7256.

AGR 19-209

aa. Transformative Climate Communities Grant Program – Grant funds to conduct planning activities related to affordable housing, workforce development and alternative transportation in Downtown Bakersfield.

1. Agreement with Dudek, to implement required components, tasks and deliverables for the City of Bakersfield's Transformative Climate Communities Planning Grant Project; and

AGR 19-210

2. Appropriate $200,000 in Transformative Climate Communities Grant funds to the Development Services Operating budget in the General Fund.

ab. Amendment No. 1 to Agreement No. 17-056 with Clifford & Brown ($50,000) to provide outside legal services in the matter of *Hillary Bjorneboe v. City of Bakersfield*.

AGR 17-056(1)

8. CONSENT CALENDAR continued

ac. Amendment No. 1 to Agreement No. CD18-051 with Muxlow Construction (not to exceed $80,000 HUD Community Development Block Grant (CDBG) funds) to provide handicap accessibility improvement services to qualified low-income residents in privately owned structures.

AGR 19-214

ad. Amendment No. 5 to Agreement No. 17-002 with Trans-West Security Services, Inc. ($278,223; revised not to exceed $662,892 and extend term one year), for continued park security services.

AGR 17-002(5)

ae. Amendment No. 1 to Agreement No. 19-183 with Asela Environmental Inc. ($13,275; revised not to exceed $104,015), to provide additional cleanup services to Downtown and Old Town Kern neighborhoods of Bakersfield.

REMOVED FOR SEPARATE CONSIDERATION

af. Amendment No. 1 to Agreement No. 17-130 with Clean Energy ($75,000; revised not to exceed $275,000) to perform inspections, maintenance, and repairs of the Liquefied and Compressed Natural Gas (LCNG) fueling facilities.

AGR 17-130(1)

ag. Amendment No. 1 to Agreement No. 19-043 with Argo Chemical, Inc. ($55,000; revised not to exceed $100,000), to continue the supply of pool chemicals.

AGR 19-043(1)

ah. Amendment No. 1 to Agreement No. 18-179 with JCI Jones Chemicals, Inc. ($60,000; revised not to exceed $120,000), to continue the supply of sodium hypochlorite.

AGR 18-179(1)

ai. Amendment No. 3 to Agreement No. 16-265 with Rotational Molding, Inc. ($400,000; revised not to exceed $1,809,400 and extend term one year), to continue the supply of refuse and recycling carts.

AGR 16-265(3)

aj. Amendment No. 1 to Agreement No. 17-190 with Soils Engineering, Inc. ($175,000; revised not to exceed $896,750), for material testing services for various Capital Improvement Projects, Calendar Years 2018 and 2019.

AGR 17-190(1)

8. CONSENT CALENDAR continued

ak. Contract Change Order No. 1 to Agreement No. 18-153 with WM Lyles Co. ($23,467.36; revised not to exceed $892,977.36), for the Tevis Ranch PDA - Lift Station Project.

AGR 18-153 CCO 1

al. Contract Change Order No. 32, 44, and 47 to Agreement No. 18-135 with Granite Construction ($156,841.70; revised not to exceed $35,920,848.69) for the Belle Terrace Operational Improvements Project.

AGR 18-135 CCO 32, CCO 44, CCO 47

am. Contract Change Order Nos. 20, and 28 to Agreement No. 18-154 with Griffith Company ($62,500; revised not to exceed $28,852,052.37) for 24th Street Operational Improvement Project.

AGR 18-154 CCO 20, CCO 28

an. Contract Change Order No. 39 to Agreement No. 17-044 with Security Paving Company ($75,000; revised not to exceed $42,110,425.19) for the Kern River Bridge Improvement Project.

AGR 17-044 CCO 39

ao. Contract Change Order Nos. 2, and 3 to Agreement No. 18-200 with Griffith Company ($77,286.54; revised not to exceed $6,915,070.54) for Stockdale Hwy and Enos Lane/SR 43 Roundabout Project.

AGR 18-200 CCO 2, CCO 3

ap. Contract Change Order No. 1 to Agreement No. 18-176 with Security Paving Company ($95,012; revised not to exceed $48,788,947) for the Bakersfield Freeway Connector Project.

AGR 18-176 CCO 1

Bids:

aq. Reject all bids for Storm Water Pump Station: Police Department Pistol Range Project.

ar. Accept bid from Golden Star Technology, Inc., Cerritos, California ($61,428.38) for Juniper® extended warranty for the Technology Services Division.

as. Accept bid and approve contract to Midstate Sheetmetal, Inc., Bakersfield ($103,350) for the Fire Station 10 re-roof project.

AGR 19-211

8. CONSENT CALENDAR continued

at. Accept bid and approve contract with Griffith Company ($449,330) for Street Widening: Wible Road, Between Esperanza Drive and Medallion Rose Avenue.

AGR 19-212

au. Accept bid and approve contract with Bowman Asphalt, Inc. ($882,851), for the Street Improvements and Widening on Panama Lane from Young Street to Cactus Patch Drive.

AGR 19-213

Miscellaneous:

Successor Agency Business:

av. Receive and file Successor Agency payments from September 13, 2019, to October 23, 2019, in the amount of $187,262.50.

Public Safety Vital Services Measure:

aw. Resolution dispensing with bidding procedures, authorizing American Emergency Products California to outfit police vehicles, and authorizing Finance Director to dispense with bidding, not to exceed $1,550,000 due to Public Safety concerns.

RES 168-19

City Clerk Drimakis announced a staff memorandum was received regarding item 8.c., transmitting correspondence.

Councilmember Gonzales requested item 8.c. be removed for separate consideration.

Councilmember Rivera requested item 8.ae. be removed for separate consideration.

***Motion by Vice-Mayor Parlier to adopt Consent Calendar items 8.a. through 8.aw, with the removal of items 8.c. and 8.ae. for separate consideration.* Motion passed with Councilmember Weir absent.**

c. First reading of ordinance amending Section 17.58.120 of the Bakersfield Municipal Code relating to parking space requirements within the "central district" and other mixed-use areas.

FR ONLY

***Motion by Councilmember Gonzales to adopt Consent Calendar item 8.c., and requested staff provide a presentation regarding this matter at the second reading of the ordinance.* Motion passed with Councilmember Weir absent.**

8. CONSENT CALENDAR continued

ae. Amendment No. 1 to Agreement No. 19-183 with Asela Environmental Inc. ($13,275; revised not to exceed $104,015), to provide additional cleanup services to Downtown and Old Town Kern neighborhoods of Bakersfield.

AGR 19-183(1)

***Motion by Councilmember Rivera to adopt Consent Calendar item 8.ae.* Motion passed with Councilmember Weir absent.**

9. CONSENT CALENDAR PUBLIC HEARINGS

None.

10. HEARINGS

a. Appeal by Keith Lawless of the September 10, 2019 decision of the Board of Zoning Adjustment to approve a conditional use permit to allow an indoor banquet venue in the C-1 (Neighborhood Commercial Zone) district, located at 2520 Brundage Lane.
(Staff recommends adopting the resolution upholding the decision of the Board of Zoning Adjustment and approving Conditional Use Permit No. 18-0397.)

RES 169-19

City Clerk Drimakis announced a staff memorandum was received transmitting correspondence regarding item 10.a.

Planning Director Coyle made staff comments and provided a PowerPoint presentation.

Hearing item 10.a. opened at 6:04 p.m.

Keith Lawless and Greg Carlon spoke in opposition to the staff recommendation.

Timothy Stormont and Will Winn spoke in favor of the staff recommendation.

Hearing item 10.a. closed at 6:17 p.m.

***Motion by Councilmember Gonzales to adopt the resolution.* Motion passed with Councilmember Weir absent.**

b. Public Hearing to consider resolution setting Domestic Water Availability Fee for service areas of the City of Bakersfield Domestic Water system.

RES 170-19

Water Resources Manager Chianello made staff comments.

10. HEARINGS continued
ITEM 10.b. CONTINUED

Hearing item 10.b. opened at 6:22 p.m.

No one spoke.

Hearing item 10.b. closed at 6:23 p.m.

***Motion by Vice-Mayor Parlier to adopt the resolution.* Motion passed with Councilmember Weir absent.**

11. REPORTS

a. Update from the City Council Ad-Hoc Committee related to the recruitment efforts for the position of City Manager.

Councilmember Freeman provided an update on the recruitment efforts.

12. DEFERRED BUSINESS

a. Ordinances amending Sections 17.04.539, 17.58.110, and Chapter 17.65 of the Bakersfield Municipal Code relating to Accessory Dwelling Units.

Two Options:

1. Adopt two ordinances regarding Accessory Dwelling Units: (1) reducing parking requirement for Accessory Dwelling Units, and (2) waiving all impact fees and removing the owner occupancy requirement for Accessory Dwelling Units **(FR 09/11/19)**

   ORD 4995, ORD 4996

2. First reading of ordinance mirroring state law regarding Accessory Dwelling Units.

(Staff recommends City Council determination.)

City Clerk Drimakis announced a staff memorandum was received transmitting correspondence regarding this item.

Planning Director Coyle made staff comments and provided a PowerPoint presentation.

Motion by Vice-Mayor Parlier to approve option 1.

***Motion by Councilmember Freeman to approve option 1, with a modification to alter the language to state that it will revert to requiring owner occupancy for Accessory Dwelling Units, after January 1, 2025.* Motion failed with Vice-Mayor Parlier, Councilmembers Rivera, Gonzales, and Smith voting no; and Councilmember Weir absent.**

12. DEFERRED BUSINESS continued

***Motion by Vice-Mayor Parlier to approve option 1.* Motion passed with Councilmember Freeman voting no, and Councilmember Weir absent.**

13. NEW BUSINESS

None.

14. COUNCIL AND MAYOR STATEMENTS

Councilmember Rivera requested the Legislative and Litigation Committee explore the possibility of creating an ordinance banning the use of shopping carts in City parks.

Councilmember Smith made comments regarding the report that Improvement District No. 4 of the Kern County Water Agency will be running water in the Kern River channel, for groundwater recharge purposes, for the next couple of months.

Councilmember Smith expressed appreciation to staff organizing the Bakersfield Marathon.

Councilmember Smith requested staff draft a Resolution in support of continuing improvements on Highway 46.

Vice-Mayor Parlier requested the Legislative and Litigation Committee discuss the possibility of a Municipal Code cleanup regarding junk vehicles.

Vice-Mayor Parlier announced that he and Councilmember Rivera will attend the annual Trunk or Treat event held at Planz Park on Tuesday, October 29th.

Mayor Goh advised that a delegation of students and educators, from Saint Jean de Luz, have been visiting with the City to explore the possibility of a Sister City relationship.

15. ADJOURNMENT

Mayor Goh adjourned the meeting, in honor of the delegation from Saint Jean de Luz, and in celebration of our friendship at 6:41 p.m.

_____

KAREN GOH
MAYOR of the City of Bakersfield

ATTEST:

_____

JULIE DRIMAKIS, CMC
CITY CLERK and Ex Officio Clerk of
the Council of the City of Bakersfield

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Payments b.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 10/25/2019

WARD:

SUBJECT: Receive and file department payments from October 11, 2019, to October 24, 2019, in the amount of $20,029,498.20; Self Insurance payments from October 11, 2019, to October 24, 2019, in the amount of $388,361.64; totaling $20,417,859.84.

STAFF RECOMMENDATION:

Staff recommends receiving and filing the report.

BACKGROUND:

In accordance with Bakersfield Municipal Code Section 2.08.020 the Finance Director must report the city's disbursements periodically to the City Council.

ATTACHMENTS:

Description	Type
1-AP Check Register Admin 11-06-2019	Backup Material
2-EAP Check Register Admin 11-06-2019	Backup Material

FROM 10/11/2019 to 10/24/2019

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
697772	13847	DEPARTMENT OF INDUSTRIAL RELATIONS	Oct 11, 2019	$450.00
697773	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$39.94
697774	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$39.92
697775	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$39.94
697776	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$127.62
697777	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$104.35
697778	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$22.95
697779	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$22.95
697780	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$136.57
697781	4570	KCTTC - JORDAN KAUFMAN	Oct 11, 2019	$20.52
697782	28	A C ELECTRIC COMPANY	Oct 17, 2019	$3,338.51
697783	497	A T & T	Oct 17, 2019	$125.00
697784	537	A T & T	Oct 17, 2019	$2,327.24
697785	6129	A T & T	Oct 17, 2019	$220.51
697786	18484	A T & T	Oct 17, 2019	$8,806.73
697787	537	A T & T	Oct 17, 2019	$16,812.95
697788	537	A T & T	Oct 17, 2019	$783.44
697789	537	A T & T	Oct 17, 2019	$1,160.14
697790	30229	ABM INDUSTRY GROUPS LLC	Oct 17, 2019	$548.00
697791	80	ACTION SPORTS	Oct 17, 2019	$4,427.38
697792	15433	ADVANCE MOBILE SECURITY	Oct 17, 2019	$1,810.85
697793	79	ADVANCE MUFFLER	Oct 17, 2019	$350.00
697794	81	ADVANCED DATA STORAGE INC	Oct 17, 2019	$52.50
697795	25074	AEP CALIFORNIA LLC	Oct 17, 2019	$40,316.25
697796	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$30.00
697797	26563	AIR SCIENCE	Oct 17, 2019	$974.25
697798	12128	ALERT ALL CORPORATION	Oct 17, 2019	$541.25
697799	30586	ALVARADO, INO	Oct 17, 2019	$315.00
697800	29505	AMERICAN BICYCLE ASSOC USA BMX	Oct 17, 2019	$10,000.00
697801	1049	APPLIED LNG TECHNOLOGIES LLC	Oct 17, 2019	$18,211.39
697802	16127	AQUATIC ACCESS INC	Oct 17, 2019	$220.00
697803	523	ATCO INTERNATIONAL	Oct 17, 2019	$682.84
697804	25610	AUTO DAMAGE APPRAISERS	Oct 17, 2019	$100.00
697805	520	AUTO TINT WEST INC	Oct 17, 2019	$141.68
697806	25940	BACA, ANTHONY	Oct 17, 2019	$294.00
697807	675	BAKERSFIELD CALIFORNIAN	Oct 17, 2019	$1,125.02
697808	12135	BAKERSFIELD COLLEGE	Oct 17, 2019	$59.00
697809	70249	BAKERSFIELD PLUMBING CO INC	Oct 17, 2019	$400.00
697810	857	BAKERSFIELD S P C A	Oct 17, 2019	$1,514.72
697811	875	BAKERSFIELD TRUCK CENTER	Oct 17, 2019	$1,045.62
697812	877	BAKERSFIELD WELL & PUMP	Oct 17, 2019	$2,985.86
697813	14764	BARBER AUTOMOTIVE GROUP	Oct 17, 2019	$30,237.56
697814	557	BARC	Oct 17, 2019	$27,950.40
697815	13424	BARNES WELDING SUPPLY	Oct 17, 2019	$28.23
697816	945	BARNETT'S TOWING SERVICE INC	Oct 17, 2019	$37.00
697817	30446	BERNAL, ALEX	Oct 17, 2019	$399.00
697818	28231	BIG BRAND TIRE & SERVICE	Oct 17, 2019	$60.00
697819	29237	BLACK, JOHNNY	Oct 17, 2019	$147.00
697820	19197	BLAKEMORE, JEREMY	Oct 17, 2019	$49.00
697821	28341	BOB'S AUTO GLASS INC	Oct 17, 2019	$732.36
697822	70348	BOBBY CLOUD LAW	Oct 17, 2019	$57.40
697823	22817	BORN AGAIN BODYWORKS	Oct 17, 2019	$150.47
697824	18692	BOUND TREE MEDICAL LLC	Oct 17, 2019	$1,392.30
697825	1249	BRANDCO	Oct 17, 2019	$354.37

FROM 10/11/2019 to 10/24/2019

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
697826	28385	BREWSTER, STEVEN	Oct 17, 2019	$391.00
697827	19303	BRIGHT HOUSE NETWORKS	Oct 17, 2019	$144.98
697828	16565	BTE COMMUNICATIONS	Oct 17, 2019	$205.69
697829	10267	BUDGET BOLT INC	Oct 17, 2019	$223.84
697830	29802	BULLOCK, JACQUELINE	Oct 17, 2019	$378.00
697831	22565	BURTCH CONSTRUCTION INC	Oct 17, 2019	$14,572.47
697832	10891	C A L E D	Oct 17, 2019	$350.00
697833	12549	C C A S A	Oct 17, 2019	$3,750.00
697834	1477	CAL VALLEY EQUIPMENT INC	Oct 17, 2019	$277.50
697835	70296	CASTLE & COOKE CALIFORNIA INC	Oct 17, 2019	$96,948.67
697836	29890	CAVANAUGH & ASSOC P A	Oct 17, 2019	$4,900.00
697837	22658	CDW GOVERNMENT	Oct 17, 2019	$240.24
697838	27074	CEN-CAL CONSTRUCTION INC	Oct 17, 2019	$41,978.25
697839	1888	CHAMPION HARDWARE	Oct 17, 2019	$1,422.54
697840	27727	CHAVEZ, MIGUEL	Oct 17, 2019	$693.02
697841	2016	CLARK PEST CONTROL INC	Oct 17, 2019	$300.00
697842	25259	COMMERCIAL CLEANING SYSTEMS INC	Oct 17, 2019	$6,088.27
697843	25288	COMPLETE PAPERLESS SOLUTIONS	Oct 17, 2019	$2,310.16
697844	27509	CONTRERAS, ANGEL	Oct 17, 2019	$336.00
697845	29517	COOPERS PETROLEUM DISTRIBUTOR INC	Oct 17, 2019	$1,003.21
697846	25689	CORTECH ENGINEERING	Oct 17, 2019	$3,994.99
697847	30595	CORTES, FERNANDO MACIEL	Oct 17, 2019	$645.68
697848	12281	COTTLE, MIKE	Oct 17, 2019	$90.00
697849	27839	CRITTERS WITHOUT LITTERS	Oct 17, 2019	$2,400.00
697850	2253	CULLIGAN WATER CONDITIONING	Oct 17, 2019	$180.00
697851	27218	CUMMINS PACIFIC LLC	Oct 17, 2019	$1,338.63
697852	25337	DAVES FLEET MAINT & TOWING INC	Oct 17, 2019	$37.00
697853	26491	DAVIS, AMY	Oct 17, 2019	$289.00
697854	26895	DE LAGE LANDEN INC	Oct 17, 2019	$599.86
697855	13970	DELL MARKETING L P	Oct 17, 2019	$48,339.02
697856	2469	DEPARTMENT OF JUSTICE	Oct 17, 2019	$64.00
697857	29256	DEWITZ, JEFF	Oct 17, 2019	$483.00
697858	16539	DOSSEY, RICHARD	Oct 17, 2019	$863.00
697859	11656	DOUBLETREE BY HILTON HOTEL ONTARIO	Oct 17, 2019	$205.20
697860	28574	DR RONALD OSTROM	Oct 17, 2019	$1,000.00
697861	18544	DUANE MORRIS LLP	Oct 17, 2019	$60,638.73
697862	30459	EAM SOLUTIONS LLC	Oct 17, 2019	$41,168.00
697863	2752	ELBERT DISTRIBUTING	Oct 17, 2019	$54.35
697864	27467	EMERGENCY VEHICLE OUTFITTERS	Oct 17, 2019	$394.25
697865	30144	EMTS INC	Oct 17, 2019	$5,132.00
697866	11861	ES ENGINEERING SERVICES INC	Oct 17, 2019	$20,050.41
697867	2901	FEDEX	Oct 17, 2019	$71.18
697868	15252	FIDLER, NICK	Oct 17, 2019	$160.32
697869	28511	FIRST ADVANTAGE BACKGROUND	Oct 17, 2019	$217.16
697870	19657	FIRST CHOICE SERVICES INC	Oct 17, 2019	$261.72
697871	22590	FLETCHER, NIAROBI	Oct 17, 2019	$119.06
697872	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$65.00
697873	22966	FORENSIC NURSE SPECIALISTS INC	Oct 17, 2019	$9,300.00
697874	29238	FOX, PERRY	Oct 17, 2019	$252.00
697875	21457	FUNCTIONAL ERGONOMICS INC	Oct 17, 2019	$1,050.00
697876	3213	GALLS, LLC	Oct 17, 2019	$5,259.80
697877	25779	GCI EQUIPMENT RENTAL	Oct 17, 2019	$2,874.01
697878	17350	GHA TECHNOLOGIES INC	Oct 17, 2019	$795.64
697879	3358	GILLIAM & SONS INC	Oct 17, 2019	$35,464.50

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
697880	29928	GOLDEN STAR TECHNOLOGY	Oct 17, 2019	$9,442.72
697881	3403	GOLDEN STATE PETERBILT	Oct 17, 2019	$4,361.76
697882	3452	GRAYBAR ELECTRIC COMPANY	Oct 17, 2019	$2,316.85
697883	3511	GRIFFITH COMPANY INC	Oct 17, 2019	$787,980.98
697884	29000	GURROLA, RAUL	Oct 17, 2019	$61.00
697885	24139	GUTIERREZ TIRE & WHEEL INC	Oct 17, 2019	$2,177.50
697886	3569	H & S BODY WORKS & TOWING	Oct 17, 2019	$951.62
697887	30000	H&H AUTO PARTS WHOLESALE	Oct 17, 2019	$1,896.61
697888	3579	HACH COMPANY	Oct 17, 2019	$2,204.56
697889	3593	HALL LETTER SHOP	Oct 17, 2019	$567.06
697890	3660	HARBOR FREIGHT TOOLS	Oct 17, 2019	$134.08
697891	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$480.01
697892	30282	HAUS CONSTRUCTION INC	Oct 17, 2019	$111,299.71
697893	22003	HERRIOTT, GABRIEL	Oct 17, 2019	$289.00
697894	3774	HI STANDARD AUTOMOTIVE	Oct 17, 2019	$3,015.80
697895	29354	HISSONG, SHAWN	Oct 17, 2019	$1,380.00
697896	20053	HLP, INC	Oct 17, 2019	$15.75
697897	20491	HOLCOMBE, BRIAN	Oct 17, 2019	$594.00
697898	7933	HOME DEPOT	Oct 17, 2019	$2,656.27
697899	25660	HORIZON WATER & ENVIRONMENT LLC	Oct 17, 2019	$13,283.96
697900	18263	HUB CONSTRUCTION SPECIALTIES INC	Oct 17, 2019	$23.18
697901	3929	HYDRAULIC CONTROLS INC	Oct 17, 2019	$1,608.81
697902	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$30.00
697903	28917	JAN-PRO CLEANING SYSTEMS	Oct 17, 2019	$1,365.00
697904	70465	JEFFRIES BROTHERS INC	Oct 17, 2019	$4,418.25
697905	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$500.00
697906	26387	JIM BURKE FORD-EQ	Oct 17, 2019	$349,457.36
697907	29001	JIMENEZ, JUSTINE	Oct 17, 2019	$726.00
697908	30356	JM LORD INC	Oct 17, 2019	$285.00
697909	4226	JOHNSTONE SUPPLY OF BAKERSFIEL	Oct 17, 2019	$2,640.19
697910	4243	JORGENSEN & CO	Oct 17, 2019	$400.22
697911	28989	K & I SERVICES INC	Oct 17, 2019	$2,682.00
697912	19554	K & R TOWING	Oct 17, 2019	$111.00
697913	4288	KAMAN INDUSTRIAL TECHNOLOGIES INC	Oct 17, 2019	$277.84
697914	27250	KARISH INDUSTRIES	Oct 17, 2019	$1,793.40
697915	22379	KEMIRA WATER SOLUTIONS INC	Oct 17, 2019	$6,652.32
697916	4435	KERN COUNTY CLERKS	Oct 17, 2019	$350.00
697917	4529	KERN COUNTY PUBLIC WORKS	Oct 17, 2019	$156,305.20
697918	7492	KERN MACHINERY INC	Oct 17, 2019	$3,066.00
697919	25735	KERN MASONRY STRUCTURES INC	Oct 17, 2019	$23,542.50
697920	4677	KERN REFUSE DISPOSAL, INC	Oct 17, 2019	$5,775.00
697921	4740	KERN TURF SUPPLY	Oct 17, 2019	$1,268.46
697922	4861	KISCO SALES INC	Oct 17, 2019	$131.15
697923	20194	KITCHEN, PAULA	Oct 17, 2019	$42.96
697924	4277	KME FIRE APPARATUS	Oct 17, 2019	$239.24
697925	17737	KNUTSON, CHRIS	Oct 17, 2019	$594.00
697926	10417	KOGA INSTITUTE	Oct 17, 2019	$5,000.00
697927	14219	L A GRINDING INC	Oct 17, 2019	$45.00
697928	17229	L C ACTION SUPPLY INC	Oct 17, 2019	$845.99
697929	30293	L&W SUPPLY CORPORATION	Oct 17, 2019	$1,534.06
697930	25309	LANGO, PETER M	Oct 17, 2019	$357.00
697931	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$263.58
697932	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$215.42
697933	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$275.00

FROM 10/11/2019 to 10/24/2019

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
697934	29268	LAWSON PRODUCTS INC	Oct 17, 2019	$942.05
697935	28755	LEVEL 3 COMMUNICATIONS LLC	Oct 17, 2019	$2,090.02
697936	25044	LEXISNEXIS RISK SOLUTIONS INC	Oct 17, 2019	$1,051.00
697937	30056	LIBERTY COMPOSTING INC	Oct 17, 2019	$18,860.30
697938	30597	M - III PARTNERS LP	Oct 17, 2019	$728.57
697939	19334	MALDONADO, DANIEL R	Oct 17, 2019	$142.00
697940	30321	MANNING, JUSTIN	Oct 17, 2019	$147.00
697941	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$5.16
697942	5370	MCLELLAN INDUSTRIES INC	Oct 17, 2019	$122.89
697943	28676	MCNABB, KYLE	Oct 17, 2019	$1,364.00
697944	20156	MEAD & HUNT INC	Oct 17, 2019	$7,247.45
697945	28760	MEDIWASTE DISPOSAL LLC	Oct 17, 2019	$35.00
697946	7064	MERCHANTS PRINTING & ENVELOPE	Oct 17, 2019	$489.17
697947	18520	METROPOLITAN RECYCLING LLC	Oct 17, 2019	$18,701.01
697948	30587	METZLER, DEIDRA DVM	Oct 17, 2019	$1,325.00
697949	19252	MEYER CIVIL ENGINEERING INC	Oct 17, 2019	$35,510.00
697950	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$96.27
697951	24077	MICHEL AUTO TECH	Oct 17, 2019	$993.12
697952	1316	MICHELIN NORTH AMERICA INC	Oct 17, 2019	$10,510.48
697953	27634	MID VALLEY PUBLISHING	Oct 17, 2019	$308.00
697954	28366	MINOR, TYLER	Oct 17, 2019	$104.00
697955	28768	MKN & ASSOCIATES INC	Oct 17, 2019	$1,333.85
697956	5634	MONROE SYSTEMS FOR BUSINESS	Oct 17, 2019	$230.48
697957	28984	MORALES & MORALES GARDENING	Oct 17, 2019	$1,550.00
697958	5681	MOSS, ROBERT B JR	Oct 17, 2019	$3,055.00
697959	5688	MOTION INDUSTRIES INC	Oct 17, 2019	$53.79
697960	5687	MOTOR CITY SALES & SERVICE	Oct 17, 2019	$120.55
697961	885	MSC INDUSTRIAL SUPPLY CO INC	Oct 17, 2019	$186.77
697962	30588	MY JOB DEPENDS ON AG MAGAZINE	Oct 17, 2019	$500.00
697963	30091	NAPA TRUCK & TRAILER	Oct 17, 2019	$164.52
697964	10114	O'DONLEY, LONI	Oct 17, 2019	$39.00
697965	14515	OXLEY'S PEST CONTROL INC	Oct 17, 2019	$45.00
697966	29655	P & A ADMINISTRATION SERVICES INC	Oct 17, 2019	$240.50
697967	6448	P T O SALES CORP / TRUCKPRO LLC	Oct 17, 2019	$333.85
697968	30414	PACE SUPPLY CORP	Oct 17, 2019	$42.05
697974	6114	PACIFIC GAS & ELECTRIC COMPANY	Oct 17, 2019	$528,145.83
697975	18661	PARK, DENNIS	Oct 17, 2019	$33.00
697976	25270	PENINSULA MESSENGER INC	Oct 17, 2019	$476.62
697977	27046	PETERSON CORP	Oct 17, 2019	$2,112.81
697978	29637	PINNACLE PETROLEUM INC	Oct 17, 2019	$123,963.52
697979	6376	PIONEER PAINT	Oct 17, 2019	$2,867.42
697980	16639	PROMOTIONS NOW	Oct 17, 2019	$3,738.40
697981	30502	PROVIDENCE STRATEGIC CONSULTING INC	Oct 17, 2019	$3,167.33
697982	26242	QUALITY FIRE TRUCK PARTS	Oct 17, 2019	$23.66
697983	20713	RANDY'S TOWING LLC	Oct 17, 2019	$74.00
697984	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$238.71
697985	6682	RAYMONDS TROPHY AND AWARDS	Oct 17, 2019	$159.28
697986	28480	READY REFRESH	Oct 17, 2019	$757.50
697987	6727	REFRIGERATION SUPPLIES DIST. INC	Oct 17, 2019	$179.18
697988	10037	MISCELLANEOUS TRUST VENDOR	Oct 17, 2019	$246.50
697989	28837	RICHARDS CRANE SERVICE LLC	Oct 17, 2019	$2,170.73
697990	29257	RIVERA, FRANCISCO	Oct 17, 2019	$126.00
697991	6617	RLH FIRE PROTECTION	Oct 17, 2019	$3,008.00
697992	6836	ROADLINE PRODUCTS INC	Oct 17, 2019	$2,214.61

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Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
697993	70148	RODRIGUEZ & ASSOCIATES	Oct 17, 2019	$852.14
697994	29958	RODRIGUEZ, ROBERT	Oct 17, 2019	$125.00
697995	29099	ROTATIONAL MOLDING INC	Oct 17, 2019	$1,967.66
697996	6915	ROUND-UP FEED AND PET SUPPLY	Oct 17, 2019	$328.11
697997	18072	SAFETY TEK INDUSTRIES INC	Oct 17, 2019	$2,520.00
697998	28001	SAITECH INC	Oct 17, 2019	$31,840.66
697999	27205	SALCIDO, DANIEL	Oct 17, 2019	$294.00
698000	12665	SAN JOAQUIN FENCE & SUPPLY	Oct 17, 2019	$8,843.60
698002	27361	SC FUELS	Oct 17, 2019	$37,363.05
698003	21489	SCP DISTRIBUTORS LLC	Oct 17, 2019	$211.88
698004	22839	SECURITY PAVING CO, INC	Oct 17, 2019	$4,459,307.46
698005	26203	SIERRA CONST & EXCAVATION INC	Oct 17, 2019	$50,952.04
698006	30592	SIERRA TRAINING ASSOCIATES INC	Oct 17, 2019	$7,000.00
698007	25246	SIGLER INC	Oct 17, 2019	$359.05
698008	28920	SIMS, RONALD	Oct 17, 2019	$227.50
698009	30576	SKIDATA INC	Oct 17, 2019	$1,875.00
698010	7434	SMART & FINAL IRIS COMPANY	Oct 17, 2019	$467.26
698011	7459	SNIDER'S INC	Oct 17, 2019	$101.76
698012	23989	SNOW, CASEY	Oct 17, 2019	$320.00
698013	23456	SORENSON,VERNON MD INC	Oct 17, 2019	$37,215.00
698014	29365	STONE, ROSA	Oct 17, 2019	$81.90
698015	29225	STOPESTS PEST CONTROL INC	Oct 17, 2019	$68.00
698016	21606	SUNRISE ENVIRONMENTAL SCIENTIFIC	Oct 17, 2019	$638.86
698017	28163	SWITZER, PHILIP	Oct 17, 2019	$441.00
698018	30360	SYNAGRO WWT INC	Oct 17, 2019	$6,951.91
698019	28832	T-MOBILE USA	Oct 17, 2019	$357.00
698020	276	TAYLOR EQUIPMENT & REPAIR, INC	Oct 17, 2019	$2,161.57
698021	27973	TEMPEST INTERACTIVE MEDIA LLC	Oct 17, 2019	$200.00
698022	25338	TEN EIGHT TOW INC	Oct 17, 2019	$74.00
698023	17153	TERMINIX INTERNATIONAL INC	Oct 17, 2019	$362.00
698024	19961	THE HON COMPANY-C/O STINSONS	Oct 17, 2019	$19,111.98
698025	27924	TODAY CLEANERS #16	Oct 17, 2019	$83.93
698026	29088	TODD GROUNDWATER	Oct 17, 2019	$65,783.75
698027	22218	TOPETE, LUIS	Oct 17, 2019	$156.47
698028	21369	TRANS-WEST SECURITY INC	Oct 17, 2019	$11,899.69
698029	21305	TREK DIGITAL PRODUCTS INC	Oct 17, 2019	$695.08
698030	70200	TRINITY SAFETY CO	Oct 17, 2019	$133.37
698031	20359	TURF STAR INC	Oct 17, 2019	$756.83
698032	96	TYACK TIRES INC	Oct 17, 2019	$125.83
698033	8319	UNITED PARCEL SERVICE	Oct 17, 2019	$58.45
698034	10202	UNITED WAY OF KERN COUNTY	Oct 17, 2019	$250.00
698035	21513	USABLUEBOOK	Oct 17, 2019	$872.26
698036	29016	VALLEY PRESSURE PROS INC	Oct 17, 2019	$2,300.00
698037	26060	VANGUARD CLEANING SYSTEMS INC	Oct 17, 2019	$1,126.75
698038	28829	VASQUEZ, ROSARIO	Oct 17, 2019	$130.00
698039	1286	VBI PAINTING	Oct 17, 2019	$3,118.48
698040	1386	VIRCO	Oct 17, 2019	$3,701.77
698041	28738	VONDOHLEN, LACEY	Oct 17, 2019	$1,194.00
698042	30432	V3 COMPANIES LTD	Oct 17, 2019	$6,560.24
698043	5158	W M LYLES COMPANY	Oct 17, 2019	$44,932.72
698044	28707	WEST SIDE BULLETS	Oct 17, 2019	$3,000.00
698045	28739	WESTAIR GASES & EQUIPMENT INC	Oct 17, 2019	$356.42
698046	26447	WESTCOAST HYDRAULICS	Oct 17, 2019	$427.95
698047	21212	WHITE CAP CONSTRUCTION SUPPLY	Oct 17, 2019	$401.34

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698048	28488	WOOD, VICTORIA	Oct 17, 2019	$91.00
698049	9234	ZALCO LABORATORIES INC	Oct 17, 2019	$250.00
698050	9244	ZEP MANUFACTURING COMPANY	Oct 17, 2019	$552.08
698051	17690	ZONES	Oct 17, 2019	$477.77
698052	30594	ZUNIGA, ADRIAN	Oct 17, 2019	$656.00
698053	28854	3C PAYMENT (USA) CORP	Oct 17, 2019	$100.00
698056	78	ADVANCED DISTRIBUTION CO	Oct 17, 2019	$9,907.89
698059	8530	AMERIPRIDE UNIFORM SERVICES	Oct 17, 2019	$3,262.85
698060	10320	BAKERSFIELD HOMELESS CENTER	Oct 17, 2019	$20,282.70
698064	21172	BLACKHOLE TECHNOLOGIES INC	Oct 17, 2019	$6,553.02
698065	1682	C S U L B FOUNDATION	Oct 17, 2019	$397.00
698066	1682	C S U L B FOUNDATION	Oct 17, 2019	$794.00
698067	10623	CALIFORNIA DEPARTMENT OF TAX AND	Oct 17, 2019	$3,476.00
698068	23262	CALIFORNIA TRAINING INSTITUTE	Oct 17, 2019	$350.00
698069	1694	CALIFORNIA WATER SERVICE	Oct 17, 2019	$67,202.23
698071	1696	CALIFORNIA WATER SERVICE	Oct 17, 2019	$27,824.55
698072	30590	CAPE TREASURER	Oct 17, 2019	$150.00
698074	11572	CPRS	Oct 17, 2019	$3,570.00
698077	3427	GRAINGER INC, W W	Oct 17, 2019	$3,577.13
698079	3488	GREENFIELD COUNTY WATER DIST	Oct 17, 2019	$1,413.41
698080	3511	GRIFFITH COMPANY INC	Oct 17, 2019	$2,703,778.88
698085	7933	HOME DEPOT	Oct 17, 2019	$5,314.02
698086	13540	I A I	Oct 17, 2019	$400.00
698087	3942	I I M C	Oct 17, 2019	$600.00
698088	3998	INSTITUTE OF TRANSPORATION ENG	Oct 17, 2019	$660.00
698089	10196	KERN COUNTY D A'S OFFICE	Oct 17, 2019	$18,332.00
698092	15624	LOWE'S HOME IMPROVEMENT	Oct 17, 2019	$3,292.36
698094	24279	O'REILLY AUTO PARTS	Oct 17, 2019	$738.50
698095	14088	PACIFIC GAS & ELECTRIC	Oct 17, 2019	$53.87
698101	6114	PACIFIC GAS & ELECTRIC COMPANY	Oct 17, 2019	$423,153.65
698102	28492	SIERRA OAKS PARTNERS LLC	Oct 17, 2019	$963,480.00
698103	7096	SJVAPCD	Oct 17, 2019	$1,238.00
698104	7096	SJVAPCD	Oct 17, 2019	$42.00
698105	7509	SOCALGAS	Oct 17, 2019	$61.07
698107	22620	SOUTHWEST LIFT & EQUIPMENT INC	Oct 17, 2019	$5,626.14
698108	7640	STATE WATER RESOURCES CONTROL BOARD	Oct 17, 2019	$3,289.00
698109	13216	U S BANK TRUST NA	Oct 17, 2019	$3,509.00
698110	13216	U S BANK TRUST NA	Oct 17, 2019	$1,485.00
698111	8611	VAUGHN WATER CO., INC.	Oct 17, 2019	$10,040.22
698112	30287	WEX BANK	Oct 17, 2019	$2,995.61
698113	10204	ASSOCIATION BKFD POLICE OFFICER FCU	Oct 18, 2019	$14,148.06
698114	10211	BAKERSFIELD FIREMEN	Oct 18, 2019	$10,111.44
698115	10200	BAKERSFIELD FIREMEN RELIEF ASS	Oct 18, 2019	$7,795.23
698116	10203	BAKERSFIELD POLICE BENEFIT	Oct 18, 2019	$25,405.44
698117	10205	MUTUAL BENEFIT ASSOCIATION	Oct 18, 2019	$1,882.59
698118	26810	RELIASTAR LIFE INSURANCE CO	Oct 18, 2019	$1,826.06
698119	22324	SEIU LOCAL 521	Oct 18, 2019	$15,143.83
698120	70547	ACCURATE TRENCHING INC	Oct 24, 2019	$9,045.00
698121	25365	AECOM TECHNICAL SERVICES INC	Oct 24, 2019	$1,915.00
698122	26886	AGERTON, ELIZABETH	Oct 24, 2019	$343.00
698123	19496	ALL PRO CLEANING SERVICE	Oct 24, 2019	$1,460.00
698124	25863	ALLIED WEED CONTROL INC	Oct 24, 2019	$9,605.00
698125	30609	ALMAZAN, PATIENCE	Oct 24, 2019	$734.00
698126	21499	ALVAREZ, LESLIE	Oct 24, 2019	$111.08

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
698127	15461	ALVIDREZ, TONY M	Oct 24, 2019	$26.33
698128	30605	AMERICAN NATIONAL AS SUBROGEE OF	Oct 24, 2019	$5,960.49
698129	26835	AMERICAN RED CROSS-HEALTH &	Oct 24, 2019	$11.00
698130	17585	AMERINATIONAL COMMUNITY SERV INC	Oct 24, 2019	$1,185.66
698131	30596	ANCON	Oct 24, 2019	$3,686.16
698132	359	ANDERSON, ALLEN M	Oct 24, 2019	$6.13
698133	11517	ANSON, GARY	Oct 24, 2019	$18.18
698134	24927	ARRIBILLAGA, ROSEMARIE	Oct 24, 2019	$42.50
698135	30584	ASELA ENVIRONMENTAL INC	Oct 24, 2019	$6,980.00
698136	70548	AVILA, MICHELLE	Oct 24, 2019	$500.00
698137	652	B A C S CO	Oct 24, 2019	$6.32
698138	655	B A S E-BAKERSFIELD ATHLETIC SUP EQ	Oct 24, 2019	$130.83
698139	29957	BADHESHA, NAVEJOT	Oct 24, 2019	$343.00
698140	675	BAKERSFIELD CALIFORNIAN	Oct 24, 2019	$434.10
698141	10320	BAKERSFIELD HOMELESS CENTER	Oct 24, 2019	$12,918.40
698142	70249	BAKERSFIELD PLUMBING CO INC	Oct 24, 2019	$800.00
698143	818	BAKERSFIELD POLICE RESERVES	Oct 24, 2019	$442.00
698144	841	BAKERSFIELD RUBBER STAMP CO	Oct 24, 2019	$152.31
698145	13424	BARNES WELDING SUPPLY	Oct 24, 2019	$462.50
698146	945	BARNETT'S TOWING SERVICE INC	Oct 24, 2019	$105.00
698147	18398	BATTERY SYSTEMS INC	Oct 24, 2019	$263.71
698148	23908	BAUER COMPRESSORS INC	Oct 24, 2019	$1,044.60
698149	306	BEARCAT MFG INC	Oct 24, 2019	$164.54
698150	29350	BEST SMOG & TUNE UP	Oct 24, 2019	$106.50
698151	28231	BIG BRAND TIRE & SERVICE	Oct 24, 2019	$1,934.68
698152	1111	BLACKBURN, CLEO	Oct 24, 2019	$26.33
698153	28341	BOB'S AUTO GLASS INC	Oct 24, 2019	$412.65
698154	1175	BOBS WHOLESALE AUTO GLASS	Oct 24, 2019	$345.63
698155	22817	BORN AGAIN BODYWORKS	Oct 24, 2019	$1,520.87
698156	17192	BOWEN, CECIL	Oct 24, 2019	$35.05
698157	19303	BRIGHT HOUSE NETWORKS	Oct 24, 2019	$200.73
698158	1271	BROCKS TRAILER	Oct 24, 2019	$615.45
698159	1314	BROWNELLS INC	Oct 24, 2019	$513.97
698160	613	BSK ASSOCIATES	Oct 24, 2019	$6,600.00
698161	23000	BUDAK, MICHAEL D	Oct 24, 2019	$920.00
698162	1463	CADENA, JAKE	Oct 24, 2019	$26.33
698163	23736	CALIFORNIA EMINENT DOMAIN LAW GROUP	Oct 24, 2019	$97.50
698164	1695	CALIFORNIA WATER SERVICE CO	Oct 24, 2019	$842,653.48
698165	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$101.00
698166	18347	CAROLINA SOFTWARE	Oct 24, 2019	$500.00
698167	1766	CAROLLO ENGINEERS INC	Oct 24, 2019	$4,000.00
698168	1771	CARROLL, EUGENE J	Oct 24, 2019	$13.07
698169	26667	CATALAN, EDILMAR	Oct 24, 2019	$425.72
698170	28255	CELEDON, ERIC	Oct 24, 2019	$99.00
698171	27074	CEN-CAL CONSTRUCTION INC	Oct 24, 2019	$24,437.50
698172	17239	CENTRAL VALLEY OCCUPATIONAL INC	Oct 24, 2019	$135.13
698173	16974	CERTEX WEST USA INC	Oct 24, 2019	$155.56
698174	1888	CHAMPION HARDWARE	Oct 24, 2019	$2,069.29
698175	23786	CHART INDUSTRIES	Oct 24, 2019	$227.86
698176	24168	CHERRY, JAMES	Oct 24, 2019	$198.00
698177	13568	CHIEF SUPPLY INC	Oct 24, 2019	$843.98
698178	29127	CLARK, DERRICK	Oct 24, 2019	$209.38
698179	29161	CLARK, RYAN	Oct 24, 2019	$336.00
698180	30392	CLARK, SHERRY DVM	Oct 24, 2019	$490.00

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698181	2050	CLIFFORD & BROWN	Oct 24, 2019	$4,568.40
698182	801	CLIFFORD & BROWN TRUST	Oct 24, 2019	$4,075.00
698183	25371	COFFEE ROAD ANIMAL HOSPITAL INC	Oct 24, 2019	$631.09
698184	12236	COLBURN, NORMA	Oct 24, 2019	$42.50
698185	11167	COLES ENVIRONMENTAL	Oct 24, 2019	$776.25
698186	20502	COLUNGA, PILAR M	Oct 24, 2019	$450.00
698187	2224	CORE, FLORN R	Oct 24, 2019	$42.50
698188	2203	CORNERSTONE ENGINEERING INC	Oct 24, 2019	$4,038.00
698189	10697	CRAWFORD, KAREN	Oct 24, 2019	$4.42
698190	2253	CULLIGAN WATER CONDITIONING	Oct 24, 2019	$59.75
698191	27218	CUMMINS PACIFIC LLC	Oct 24, 2019	$3,457.93
698192	70484	CVIN LLC	Oct 24, 2019	$478.00
698193	4140	DAVID JANES COMPANY	Oct 24, 2019	$5.32
698194	29209	DAVIS, APRIL	Oct 24, 2019	$111.08
698195	2435	DE LAURIE, JERRY	Oct 24, 2019	$13.07
698196	25962	DEFINITI COMP SOLUTIONS	Oct 24, 2019	$45.78
698197	2469	DEPARTMENT OF JUSTICE	Oct 24, 2019	$1,088.00
698198	25742	DISCOUNT RADIATOR CENTER	Oct 24, 2019	$460.12
698199	2613	DOUGLASS TRUCK BODIES INC	Oct 24, 2019	$1,600.20
698200	2630	DOYLE, MIKE	Oct 24, 2019	$32.64
698201	19322	DRAKE, SCOTT	Oct 24, 2019	$183.59
698202	21979	DUCKWORTH, TONY	Oct 24, 2019	$116.00
698203	11104	DURAN, ESTHER	Oct 24, 2019	$50.00
698204	23864	DYE, KATHARINE	Oct 24, 2019	$450.00
698205	21215	EAVES, DR RONALD W	Oct 24, 2019	$25.00
698206	18911	ECMS INC	Oct 24, 2019	$612.24
698207	20062	ECOLINE INDUSTRIAL SUPPLY	Oct 24, 2019	$2,463.86
698208	20563	EDMONDS, TOM	Oct 24, 2019	$25.00
698209	2811	ENTENMANN ROVIN CO	Oct 24, 2019	$683.90
698210	20899	ENVIRONMENTAL BIOTECH INT'L LLC	Oct 24, 2019	$679.90
698211	70549	EPKINS, RHYTHMM	Oct 24, 2019	$500.00
698212	2901	FEDEX	Oct 24, 2019	$11.08
698213	19657	FIRST CHOICE SERVICES INC	Oct 24, 2019	$250.16
698214	25339	FLEET SERVICES TOWING INC	Oct 24, 2019	$74.00
698215	11696	FRALEY, DEBORAH	Oct 24, 2019	$18.18
698216	3090	FRANK J ZAMBONI & CO INC	Oct 24, 2019	$237.80
698217	21974	GARDNER, REGINALD	Oct 24, 2019	$69.60
698218	29093	GARZA, ERIK	Oct 24, 2019	$567.96
698219	25779	GCI EQUIPMENT RENTAL	Oct 24, 2019	$129.90
698220	29092	GEI CONSULTANTS INC	Oct 24, 2019	$11,497.60
698221	28064	GENERAL TREE SERVICE INC	Oct 24, 2019	$30,205.00
698222	13174	GEORGE, MIKE	Oct 24, 2019	$25.00
698223	12742	GEORGE, PRESTON	Oct 24, 2019	$26.33
698224	3360	GILLBURG, GEORGE	Oct 24, 2019	$26.33
698225	3358	GILLIAM & SONS INC	Oct 24, 2019	$40,976.40
698226	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$9.00
698227	3403	GOLDEN STATE PETERBILT	Oct 24, 2019	$3,906.71
698228	28955	GRACE TO GLORY LANDSCAPING	Oct 24, 2019	$405.00
698229	3427	GRAINGER INC, W W	Oct 24, 2019	$1,144.83
698230	3450	GRANITE CONSTRUCTION INC	Oct 24, 2019	$1,694,067.50
698231	3452	GRAYBAR ELECTRIC COMPANY	Oct 24, 2019	$1,512.80
698232	70469	GREATER BAKERSFIELD CHAMBER	Oct 24, 2019	$503.00
698233	24247	GREGS PETROLEUM SERVICES INC	Oct 24, 2019	$3,720.22
698234	29803	GUTIERREZ ASSOCIATES	Oct 24, 2019	$15,560.00

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698235	24139	GUTIERREZ TIRE & WHEEL INC	Oct 24, 2019	$3,905.48
698236	24429	H & E EQUIPMENT SERVICES LLC	Oct 24, 2019	$1,278.06
698237	3569	H & S BODY WORKS & TOWING	Oct 24, 2019	$106.00
698238	25970	HACKER, ROBERT	Oct 24, 2019	$42.50
698239	29964	HALIFAX SECURITY INC	Oct 24, 2019	$6,789.44
698240	11942	HALL, DENNIS	Oct 24, 2019	$26.33
698241	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$200.00
698242	19200	HERNANDEZ, ANTHONY	Oct 24, 2019	$42.00
698243	3770	HERRERA, FRANK R	Oct 24, 2019	$26.11
698244	30391	HOME DEPOT PRO	Oct 24, 2019	$1,660.45
698245	11344	HONEYWELL ANALYTICS INC	Oct 24, 2019	$795.64
698246	17133	HOWELL, KEITH THOMAS	Oct 24, 2019	$450.00
698247	18263	HUB CONSTRUCTION SPECIALTIES INC	Oct 24, 2019	$374.19
698248	11438	HUNTINGTON, LORRAINE	Oct 24, 2019	$25.41
698249	3929	HYDRAULIC CONTROLS INC	Oct 24, 2019	$364.54
698250	25159	ID WHOLESALER	Oct 24, 2019	$573.72
698251	19493	INTERNATIONAL CODE COUNCIL	Oct 24, 2019	$13,174.08
698252	24099	J GARCIA TRUCKING INC	Oct 24, 2019	$2,400.00
698253	70465	JEFFRIES BROTHERS INC	Oct 24, 2019	$2,198.94
698254	147	JIM ALFTER CEMENT CONTRACTOR	Oct 24, 2019	$10,225.80
698255	24194	JOHNSON, CLARISSE	Oct 24, 2019	$26.33
698256	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$200.00
698257	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$208.00
698258	28989	K & I SERVICES INC	Oct 24, 2019	$596.00
698259	19554	K & R TOWING	Oct 24, 2019	$111.00
698260	4550	K C S O S	Oct 24, 2019	$740,343.52
698261	27671	KELLER, MAXINE	Oct 24, 2019	$42.50
698262	4346	KELLY PIPE CO LLC	Oct 24, 2019	$11,431.20
698263	4435	KERN COUNTY CLERKS	Oct 24, 2019	$200.00
698264	70303	KERN COUNTY HISPANIC CHAMBER OF	Oct 24, 2019	$200.00
698265	4528	KERN COUNTY PUBLIC HEALTH SERV	Oct 24, 2019	$79,907.46
698266	4439	KERN COUNTY WASTE MANAGEMENT	Oct 24, 2019	$109,221.71
698267	4581	KERN ELECTRIC DISTRIBUTORS	Oct 24, 2019	$679.66
698268	7492	KERN MACHINERY INC	Oct 24, 2019	$95.08
698269	4680	KERN RIVER POWER EQUIPMENT INC	Oct 24, 2019	$3,130.47
698270	28770	KIDZ LOVE SOCCER	Oct 24, 2019	$3,237.00
698271	21175	KISBEY, KAREN	Oct 24, 2019	$13.07
698272	4861	KISCO SALES INC	Oct 24, 2019	$694.92
698273	4277	KME FIRE APPARATUS	Oct 24, 2019	$280.03
698274	4875	KNIGHTS PUMPING & PORTABLE SVC INC	Oct 24, 2019	$82.49
698275	10417	KOGA INSTITUTE	Oct 24, 2019	$2,874.04
698276	26294	KRONOS INCORPORATED	Oct 24, 2019	$180.00
698277	12552	KURB KUT	Oct 24, 2019	$480.00
698278	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$100.00
698279	4944	KWIK SIGNS INC	Oct 24, 2019	$404.62
698280	23743	LANDSCAPE DEVELOPMENT INC	Oct 24, 2019	$875.00
698281	22408	LEHR AUTO ELECTRIC	Oct 24, 2019	$2,873.77
698282	30408	LESAR DEVELOPMENT CONSULTANTS	Oct 24, 2019	$5,502.50
698283	5133	LOOP ELECTRIC INC	Oct 24, 2019	$14,733.86
698284	5163	LOPEZ, FRANK	Oct 24, 2019	$26.33
698285	22497	M & J HANDIMAN HENRY	Oct 24, 2019	$420.00
698286	24061	MAHAFFEY, BOBBY	Oct 24, 2019	$26.33
698287	5262	MARTIN, LYLE	Oct 24, 2019	$152.00
698288	5333	MCCORMICK, TERESA A	Oct 24, 2019	$35.23

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698289	29767	MCWILLIAMS, AARON	Oct 24, 2019	$21.00
698290	7064	MERCHANTS PRINTING & ENVELOPE	Oct 24, 2019	$810.81
698291	12748	MERRIMAN HURST & ASSOCIATES INC	Oct 24, 2019	$1,400.00
698292	30587	METZLER, DEIDRA DVM	Oct 24, 2019	$700.00
698293	19252	MEYER CIVIL ENGINEERING INC	Oct 24, 2019	$2,295.00
698294	70467	MEYER, CRYSTAL	Oct 24, 2019	$500.00
698295	13288	MICHAEL BURGER & ASSOCIATES	Oct 24, 2019	$1,800.00
698296	24077	MICHEL AUTO TECH	Oct 24, 2019	$555.50
698297	5547	MINUTEMAN PRESS	Oct 24, 2019	$189.79
698298	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$15.00
698299	19168	MMI SERVICES INC	Oct 24, 2019	$760.00
698300	19305	MOORE IACOFANO GOLTSMAN INC (MIG)	Oct 24, 2019	$32,708.75
698301	30071	MORRISON, DANIEL	Oct 24, 2019	$300.00
698302	10600	MOYER, MICKEY D.	Oct 24, 2019	$42.50
698303	885	MSC INDUSTRIAL SUPPLY CO INC	Oct 24, 2019	$21.63
698304	29828	MT POSO COGENERATION COMPANY LLC	Oct 24, 2019	$600.00
698305	17976	MULLEN, CHAD	Oct 24, 2019	$198.00
698306	26105	NAMI KERN COUNTY CHAPTER	Oct 24, 2019	$500.00
698307	22058	NET TRANSCRIPTS, INC.	Oct 24, 2019	$2,721.97
698308	5896	NEWTON, KENNETH RAY	Oct 24, 2019	$12.85
698309	25752	NISHIKAWA PROPERTY MAINTENANCE INC	Oct 24, 2019	$16,448.00
698310	5923	NORTH KERN WATER STORAGE DIST	Oct 24, 2019	$1,650.00
698311	30170	O RAND, BOB L	Oct 24, 2019	$26.33
698312	5963	OFFENBURGER, BILL	Oct 24, 2019	$42.50
698313	22301	OVERLAND PACIFIC & CUTLER INC	Oct 24, 2019	$66,840.75
698314	27975	OWEN, M ROSE	Oct 24, 2019	$6.13
698315	10495	OWENS, BILLY	Oct 24, 2019	$138.96
698316	29655	P & A ADMINISTRATION SERVICES INC	Oct 24, 2019	$240.50
698317	20446	PAPE MACHINERY INC	Oct 24, 2019	$4,314.61
698318	17052	PAQUETTE, DAVID	Oct 24, 2019	$90.48
698319	27234	PARRA, ESTHER L	Oct 24, 2019	$146.00
698320	29113	PEREZ, ALEJANDRO	Oct 24, 2019	$567.96
698321	28869	PERRY, BRETT	Oct 24, 2019	$690.00
698322	11451	PHILLIPS, SHIRLEY A	Oct 24, 2019	$4.42
698323	6376	PIONEER PAINT	Oct 24, 2019	$3,547.33
698324	178	PRAXAIR DISTRIBUTION INC	Oct 24, 2019	$100.00
698325	30604	QUALITY SCALES UNLIMITED	Oct 24, 2019	$307.50
698326	12132	QUON, MICHAEL F	Oct 24, 2019	$35.05
698327	70550	RACE TIME SERVICES LLC	Oct 24, 2019	$500.00
698328	28019	RAMIREZ, RAY	Oct 24, 2019	$300.00
698329	20713	RANDY'S TOWING LLC	Oct 24, 2019	$1,039.00
698330	6682	RAYMONDS TROPHY AND AWARDS	Oct 24, 2019	$37.62
698331	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$400.00
698332	19224	REDFLEX INC	Oct 24, 2019	$62,250.38
698333	6727	REFRIGERATION SUPPLIES DIST. INC	Oct 24, 2019	$822.38
698334	6617	RLH FIRE PROTECTION	Oct 24, 2019	$65.00
698335	26506	ROBERTS CONSULTING GROUP INC	Oct 24, 2019	$10,000.00
698336	28060	ROBERTS, EMMA	Oct 24, 2019	$42.50
698337	70025	ROBO PLUMBING	Oct 24, 2019	$313.00
698338	29099	ROTATIONAL MOLDING INC	Oct 24, 2019	$29,826.67
698339	6915	ROUND-UP FEED AND PET SUPPLY	Oct 24, 2019	$369.95
698340	13860	RUETTGERS & SCHULER CIVIL ENG	Oct 24, 2019	$5,000.00
698341	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$113.40
698342	12665	SAN JOAQUIN FENCE & SUPPLY	Oct 24, 2019	$4,610.60

FROM 10/11/2019 to 10/24/2019

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
698343	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$100.00
698344	27232	SCELZI EQUIPMENT INC	Oct 24, 2019	$5,199.44
698345	21782	SGS TESTCOM	Oct 24, 2019	$13.00
698346	7337	SHERFY, ROBERT M.	Oct 24, 2019	$35.05
698347	7357	SHERMAN, THOMAS	Oct 24, 2019	$26.33
698348	7351	SHIPES, HENRY	Oct 24, 2019	$26.33
698349	30603	SIXTOS, ABEL ANTHONY	Oct 24, 2019	$1,593.95
698350	28327	SJE	Oct 24, 2019	$5,010.00
698351	7434	SMART & FINAL IRIS COMPANY	Oct 24, 2019	$594.84
698352	23428	SMITH, MITCHELL	Oct 24, 2019	$457.20
698353	22473	SOILS ENGINEERING INC	Oct 24, 2019	$30,235.00
698354	23456	SORENSON,VERNON MD INC	Oct 24, 2019	$4,700.00
698355	11907	SPARKLETTS/SIERRA SPRINGS	Oct 24, 2019	$199.25
698356	17986	SPRINT/NEXTEL COMMUNICATIONS	Oct 24, 2019	$97.02
698357	28923	STARS AND STRIPES	Oct 24, 2019	$9,250.00
698358	11276	STATE BOARD OF EQUALIZATION	Oct 24, 2019	$2,250.00
698359	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$200.00
698360	28268	TEAGUE, STEPHANIE	Oct 24, 2019	$343.00
698361	25338	TEN EIGHT TOW INC	Oct 24, 2019	$37.00
698362	20357	TEUTIMEZ, DONALD	Oct 24, 2019	$25.41
698363	70546	THE STEPHEN SILLER TUNNEL TO	Oct 24, 2019	$1,000.00
698364	26861	TORRES, SHIRLEY	Oct 24, 2019	$26.33
698365	18773	TRANE COMPANY INC	Oct 24, 2019	$1,013.50
698366	22879	TREFZ, CRAIG	Oct 24, 2019	$80.00
698367	21305	TREK DIGITAL PRODUCTS INC	Oct 24, 2019	$101.70
698368	70200	TRINITY SAFETY CO	Oct 24, 2019	$165.62
698369	96	TYACK TIRES INC	Oct 24, 2019	$8,304.57
698370	12460	UNITED RENTALS NORTH AMERICA INC	Oct 24, 2019	$43.30
698371	13920	UNITED SITE SERVICES OF CA INC	Oct 24, 2019	$137.45
698372	24193	URSIN, MARGARET	Oct 24, 2019	$42.50
698373	8520	VALLEY POWER SYSTEMS, INC	Oct 24, 2019	$437.50
698374	10174	VALLEY PRINTERS	Oct 24, 2019	$4,759.55
698375	29174	VALLIANT, JOHN	Oct 24, 2019	$1.31
698376	20601	VERIZON WIRELESS	Oct 24, 2019	$301.84
698377	17940	VINCENT, LESLIE	Oct 24, 2019	$6.83
698378	30488	WASSEF, MENA	Oct 24, 2019	$21.00
698379	10037	MISCELLANEOUS TRUST VENDOR	Oct 24, 2019	$61.59
698380	25253	WEGIS, JONATHAN	Oct 24, 2019	$198.00
698381	19776	WEST PAYMENT CENTER	Oct 24, 2019	$1,377.20
698382	28739	WESTAIR GASES & EQUIPMENT INC	Oct 24, 2019	$5,049.22
698383	21212	WHITE CAP CONSTRUCTION SUPPLY	Oct 24, 2019	$738.38
698384	15380	WILLIAMS, ISABEL	Oct 24, 2019	$26.33
698385	9052	WISHAM, DARLENE	Oct 24, 2019	$26.33
698386	12585	WOOLARD, BOBBY	Oct 24, 2019	$988.00
698387	26909	YORK RISK SERVICES GROUP INC	Oct 24, 2019	$18,299.17
698388	9244	ZEP MANUFACTURING COMPANY	Oct 24, 2019	$675.35
698389	25879	ZOOM IMAGING SOLUTIONS, INC.	Oct 24, 2019	$819.19
698391	78	ADVANCED DISTRIBUTION CO	Oct 24, 2019	$35,274.93
698392	12516	AIMS	Oct 24, 2019	$10,506.54
698394	23588	ALUMINUM CHUCK WAGON	Oct 24, 2019	$13,063.71
698397	8530	AMERIPRIDE UNIFORM SERVICES	Oct 24, 2019	$3,357.72
698398	10918	BAKERSFIELD SISTER CITY PROJECT	Oct 24, 2019	$792.00
698404	21172	BLACKHOLE TECHNOLOGIES INC	Oct 24, 2019	$19,915.16
698406	18692	BOUND TREE MEDICAL LLC	Oct 24, 2019	$3,556.82

FROM 10/11/2019 to 10/24/2019

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
698408	10267	BUDGET BOLT INC	Oct 24, 2019	$1,102.30
698417	10623	CALIFORNIA DEPARTMENT OF TAX AND	Oct 24, 2019	$9,265.00
698420	1696	CALIFORNIA WATER SERVICE	Oct 24, 2019	$79,842.06
698421	11937	CITY OF BAKERSFIELD	Oct 24, 2019	$246.12
698422	2050	CLIFFORD & BROWN	Oct 24, 2019	$17,500.00
698423	30608	CNOA REGION II	Oct 24, 2019	$45.00
698424	17946	CSDIAI SECRETARY TREASURER	Oct 24, 2019	$50.00
698425	30600	FAITH BAPTIST CHURCH	Oct 24, 2019	$4,000.00
698427	3450	GRANITE CONSTRUCTION INC	Oct 24, 2019	$388,359.48
698430	7933	HOME DEPOT	Oct 24, 2019	$5,613.98
698431	4677	KERN REFUSE DISPOSAL, INC	Oct 24, 2019	$158,547.32
698434	4740	KERN TURF SUPPLY	Oct 24, 2019	$5,753.40
698436	15624	LOWE'S HOME IMPROVEMENT	Oct 24, 2019	$1,669.14
698437	29681	LRN TRANSPORTATION	Oct 24, 2019	$635.44
698438	12627	MARDEROSIAN & COHEN	Oct 24, 2019	$120,213.79
698439	14088	PACIFIC GAS & ELECTRIC	Oct 24, 2019	$53.87
698440	14088	PACIFIC GAS & ELECTRIC	Oct 24, 2019	$10,572.68
698441	14088	PACIFIC GAS & ELECTRIC	Oct 24, 2019	$3,429.29
698442	14088	PACIFIC GAS & ELECTRIC	Oct 24, 2019	$3,941.63
698443	14088	PACIFIC GAS & ELECTRIC	Oct 24, 2019	$2,237.39
698446	14088	PACIFIC GAS & ELECTRIC	Oct 24, 2019	$267,498.64
698447	7509	SOCALGAS	Oct 24, 2019	$24.17
698448	7637	SWRCB - STORM WATER SECTION	Oct 24, 2019	$1,513.00
698450	10428	UNITED REFRIGERATION INC	Oct 24, 2019	$974.15
698456	20601	VERIZON WIRELESS	Oct 24, 2019	$35,266.21
698458	14647	WAXIE SANITARY SUPPLY INC	Oct 24, 2019	$4,173.03
698459	30002	MEDICAL EYE SERVICE COMPANY	Oct 24, 2019	$5,099.72
698460	26810	RELIASTAR LIFE INSURANCE CO	Oct 24, 2019	$3,876.97
698461	30027	U S BANK - PARS #6746022400	Oct 24, 2019	$2,150.64
698462	30029	UNITED CONCORDIA DENTAL PLANS OF CA	Oct 24, 2019	$49,814.48
698463	30020	UNUM	Oct 24, 2019	$5,290.15
9995097	30028	BLUE SHIELD OF CALIFORNIA-P	Oct 11, 2019	$500,019.08
9995098	24821	DEPARTMENT OF THE TREASURY	Oct 11, 2019	$71.65
9995099	30021	KAISER PERMANENTE	Oct 11, 2019	$215,213.37
9995100	30025	STATE DISBURSEMENT UNIT	Oct 17, 2019	$19,210.34
9995101	11811	WELLS FARGO BANK	Oct 17, 2019	$80,687.84
9995102	10199	BAKERSFIELD CITY EMPLOYEE	Oct 18, 2019	$189,975.00
9995103	30014	EMPLOYMENT DEVELOPMENT DEPT	Oct 18, 2019	$231,076.87
9995104	10217	I C M A RETIREMENT TRUST-303749	Oct 18, 2019	$50,302.97
9995105	30010	IRS	Oct 18, 2019	$648,271.72
9995106	16863	NATIONWIDE RETIREMENT SOLUTIONS	Oct 18, 2019	$120,254.73
9995107	20699	VANTAGEPOINT TRANSFER AGENTS C/O	Oct 18, 2019	$41,059.17
9995108	24821	DEPARTMENT OF THE TREASURY	Oct 24, 2019	$384.10
9995109	29895	FIRST DATA GLOBAL LEASING CREDIT	Oct 24, 2019	$147.00
9995111	19630	UNION BANK	Oct 24, 2019	$456,437.05
9995112	29896	UNION BANK CREDIT CARD FEES	Oct 24, 2019	$29,542.16
9995113	11811	WELLS FARGO BANK	Oct 24, 2019	$117,138.10
				$20,242,022.70

FROM 10/11/2019 to 10/24/2019

E-Payable Number	Vendor Number	Vendor Name	E-Payable Date	E-Payable Amount
17967	24819	AD WEAR & SPECIALTY OF TX	Oct 17, 2019	$538.00
17968	29	AFFINITY TRUCK CENTER	Oct 17, 2019	$4,660.58
17969	436	ARGO CHEMICAL INC	Oct 17, 2019	$3,886.94
17970	576	B & B SURPLUS	Oct 17, 2019	$1,221.82
17971	575	B C LABORATORIES	Oct 17, 2019	$1,371.00
17972	611	B S & E COMPANY INC	Oct 17, 2019	$8,204.07
17973	1037	BERCHTOLD EQUIPMENT CO	Oct 17, 2019	$6,900.53
17974	1163	BLUEPRINT SERVICE CO	Oct 17, 2019	$224.90
17975	1765	CARNEYS BUSINESS TECHNOLOGY CTR INC	Oct 17, 2019	$307.43
17976	20747	CENTRAL SANITARY SUPPLY INC	Oct 17, 2019	$284.16
17977	2162	CONSOLIDATED ELECTRICAL DIST INC	Oct 17, 2019	$270.77
17978	13912	DIRECT SAFETY SOLUTIONS INC	Oct 17, 2019	$1,188.14
17979	13088	E J WARD INCORPORATED	Oct 17, 2019	$1,969.24
17980	14055	FAST UNDERCAR LLC	Oct 17, 2019	$5,823.01
17981	2874	FERGUSON ENTERPRISES INC	Oct 17, 2019	$421.46
17982	16838	GIBBS INTERNATIONAL TRUCK CTR. INC	Oct 17, 2019	$6,022.58
17983	21739	GOLDEN EMPIRE TOWING INC	Oct 17, 2019	$1,875.00
17984	4171	JERRY & KEITHS INC	Oct 17, 2019	$4,594.47
17985	1390	JIM BURKE FORD	Oct 17, 2019	$11,254.21
17986	15694	JIMS TOWING INC	Oct 17, 2019	$343.00
17987	24086	MAR-CO EQUIPMENT CORP	Oct 17, 2019	$927.68
17988	453	MUNICIPAL MAINTENANCE EQUIP INC	Oct 17, 2019	$1,666.48
17989	1279	QUALITY HEAVY DUTY DIESEL ELEC	Oct 17, 2019	$482.22
17990	6555	QUINN COMPANY INC	Oct 17, 2019	$9,029.64
17992	28661	SERVEXO PROTECTIVE SERVICES	Oct 17, 2019	$6,233.82
17993	19584	SMITH & SON TIRE INC	Oct 17, 2019	$2,580.91
17994	14700	SOUTH COAST EMERGENCY VEHICLE SERV.	Oct 17, 2019	$189.51
17995	7685	STINSON STATIONERS	Oct 17, 2019	$4,179.71
17996	7728	SULLY & SON HYDRAULICS INC	Oct 17, 2019	$7.66
17997	13646	UNITED ROTARY BRUSH CORP	Oct 17, 2019	$4,025.17
17998	57	ABATE A WEED	Oct 24, 2019	$3,787.96
17999	24819	AD WEAR & SPECIALTY OF TX	Oct 24, 2019	$4,018.52
18000	576	B & B SURPLUS	Oct 24, 2019	$1,054.91
18001	611	B S & E COMPANY INC	Oct 24, 2019	$1,701.95
18002	1163	BLUEPRINT SERVICE CO	Oct 24, 2019	$216.27
18003	20747	CENTRAL SANITARY SUPPLY INC	Oct 24, 2019	$4,292.48
18004	2162	CONSOLIDATED ELECTRICAL DIST INC	Oct 24, 2019	$7,530.44
18005	13912	DIRECT SAFETY SOLUTIONS INC	Oct 24, 2019	$5,731.84
18006	13088	E J WARD INCORPORATED	Oct 24, 2019	$4,237.04
18007	2757	ELECTRIC MOTOR WORKS INC	Oct 24, 2019	$270.63
18008	2874	FERGUSON ENTERPRISES INC	Oct 24, 2019	$8,320.80
18009	21739	GOLDEN EMPIRE TOWING INC	Oct 24, 2019	$2,212.00
18010	3570	HAAKER EQUIPMENT COMPANY	Oct 24, 2019	$150.73
18011	4171	JERRY & KEITHS INC	Oct 24, 2019	$4,562.93
18012	15694	JIMS TOWING INC	Oct 24, 2019	$1,218.00
18013	4925	KRAZAN & ASSOCIATES INC	Oct 24, 2019	$10,800.00
18014	24086	MAR-CO EQUIPMENT CORP	Oct 24, 2019	$921.58
18015	453	MUNICIPAL MAINTENANCE EQUIP INC	Oct 24, 2019	$317.75
18016	6550	QUAD KNOPF INC	Oct 24, 2019	$1,430.55
18017	6555	QUINN COMPANY INC	Oct 24, 2019	$13,543.96
18018	14700	SOUTH COAST EMERGENCY VEHICLE SERV.	Oct 24, 2019	$426.81
18019	7685	STINSON STATIONERS	Oct 24, 2019	$6,386.31
18020	7728	SULLY & SON HYDRAULICS INC	Oct 24, 2019	$1,944.57
18021	15868	TEL TEC SECURITY SYSTEM INC	Oct 24, 2019	$75.00
				175,837.14

E-Payable Number	Vendor Number	Vendor Name	E-Payable Date	E-Payable Amount
				20,417,859.84

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Ordinances c.

TO: Honorable Mayor and City Council

FROM: Anthony Galagaza, Fire Chief

DATE: 10/24/2019

WARD:

SUBJECT: Adoption of ordinance amending Chapter 15.65 of the Bakersfield Municipal Code relating to the California Fire Code. (***FR 10/23/19)***

STAFF RECOMMENDATION:

Staff recommends adoption of the proposed ordinance.

BACKGROUND:

The State has adopted the 2019 Edition of the California Fire Code which is a modified version of the 2018 International Fire Code. This is part of the normal code adoption cycle which occurs every three years. Fire departments are authorized to locally amend and adopt the California Fire Code, provided the local amendments are no less stringent than the State-wide standards.

Chapter 15.65 includes a more stringent local amendment for requiring fire sprinklers in any building over 10,000 square feet in size, including office buildings, instead of at 12,000 square feet per the California Fire Code. This local amendment is consistent with the same fire sprinkler requirement previously adopted by both Kern County and the City of Bakersfield in prior ordinances. Staff has confirmed that Kern County will remain consistent with the City in similarly re-adopting this more stringent local amendment for fire sprinklers.

Fire staff will meet with the Home Builders Association on October 30, 2019 regarding these and other fire department requirements.

The remainder of the proposed code amendments is either re-numbering of existing provisions or deletions of any prior amendments supplanted by the 2019 revision of the California Fire Code itself.

State law requires that the City of Bakersfield adopt these codes by January 1, 2020.

A copy of the code is on file at the City Clerk's office for review.

ATTACHMENTS:

	Description	Type
	Ordinance Amending 15.65	Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15.65 OF THE BAKERSFIELD MUNICIPAL CODE ADOPTING THE 2019 EDITION OF THE CALIFORNIA FIRE CODE.

WHEREAS, the 2019 edition of the California Fire Code (CFC) regulates and governs the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, provides for the issuance of permits and collection of fees therefor; and

WHEREAS, the City of Bakersfield desires to adopt the CFC, 2019 edition, with amendments necessary to meet local conditions; and

WHEREAS, the local amendments to the CFC are necessary due to local geologic, climatic and topographical conditions which exist in the City of Bakersfield which include conditions conducive to steep terrain, extremely high temperatures and dry conditions in the summer and extremely poor visibility due to Tule fog conditions in the winter; and

WHEREAS, the City of Bakersfield is situated in the southern San Joaquin Valley which is surrounded by the Sierra Nevada Mountains on the east, the Coastal Range on the west, and the Tehachapi Mountains on the south and is subject to periodic seismic activity from earthquake faults associated with those geologic features; and

WHEREAS, the City of Bakersfield typically exceeds temperatures of 90°F during the summer months of June, July, August, and September and during the winter months typically experiences a high percentage of poor visibility days from zero visibility to 300 feet; and

WHEREAS, the high temperatures, along with dangerously low humidity in the summer, account for the extremely dry conditions related to fire spread and ignitability of fuel and the low visibility in the winter accounts for slower than normal responses and a slower than normal call for additional alarms when needed; and

WHEREAS, the Bakersfield Fire Department has a basic engine company staffing level of three and this is considered the minimal response level for a structure response team based on OSHA regulations pertaining to "2-in, 2-out" rules, an additional time restraint may yield increased property damage averages with the end result being a faster fire spread and

greater fire intensity in the summer and the potential for the same results for fires in the winter with potential slower response times; and

WHEREAS, if this ordinance is not adopted the City will automatically, by operation of law, be required to abide by the CFC, without the amendments necessary to govern conditions unique to the City of Bakersfield; and

WHEREAS, the failure to adopt such amendments as set forth in the ordinance will cause great hardship in regulating fire protection aspects unique to the City of Bakersfield and thereby threaten the preservation of the public peace, health, and safety; and

WHEREAS, the City Council does expressly find and determine that the changes and modifications to the 2019 CFC are reasonably necessary because of local geologic, climatic, and topographic conditions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bakersfield as follows:

SECTION 1.

Chapter 15.65 of the Bakersfield Municipal Code is hereby amended to read as follows:

Chapter 15.65 CALIFORNIA FIRE CODE*

1. Adoption

15.65.010 Adoption of California Fire Code, 2019 Edition, and Appendices -amended

2. Deletions, Additions and Modifications

15.65.020 Section 101.1 Title - amended

15.65.030 Section 102.2.1 Operational authority - added

15.65.040 Section 103 Prevention Services Division –amended

15.65.045 Section 103.1 General – amended

15.65.050 Section 104.10 Fire investigations – amended

15.65.060 Section 104.12 Fire zones — added

15.65.070 Section 104.13 Firearms — added

15.65.080 Section 105.6 Required operational permits —deleted sections

105.6.1, 105.6.3, 105.6.5, 105.6.6, 105.6.7, 105.6.11
105.6.12 105.6.13, 105.6.15, 105.6.16, 105.6.17
105.6.18, 105.6.19, 105.6.21, 105.6.22, 105.6.23,
105.6.24, 105.6.25, 105.6.27, 105.6.28, 105.6.30,
105.6.31, 105.6.33, 105.6.34, 105.6.35, 105.6.36,
105.6.37, 105.6.38, 105.6.39, 105.6.41, 105.6.42
105.6.43, 105.6.44, 105.6.46, 105.6.48, and
105.6.50;

added sections 105.6.14.1 and 105.6.30.1;

amended sections 105.6.2, 105.6.4, 105.6.8, 105.6.9, 105.6.10, 105.6.14, 105.6.26, 105.6.29, 105.6.32, 105.6.40, 105.6.47, and 105.6.51

15.65.090 Section 105.7.1 Automatic fire-extinguishing systems - amended

15.65.100 Section 105.7.7 Fire alarm and detection systems and related equipment — amended

15.65.110 Section 109.3 Qualifications - amended

15.65.120 Section 110.3.3 Prosecution of violations - amended

15.65.125 Administrative hearings - added

15.65.130 Section 110.4 Violation penalties - amended

15.65.140 Section 112.4 Failure to comply - amended

15.65.150 Section 114, 114.1, 114.2, 114.3, 114.4 Pipeline setbacks - added

15.65.160 Section 115, 115.1 Fire Area - Local amendments — added

15.65.170 Appendix D, Section D103.2 Grade — amended

15.65.180 Appendix D, Section D103.3 Turning radius — amended

15.65.190 Appendix D, Section D103.5 Fire apparatus access road gates - amended

3. Geographic limits on flammable storage

15.65.195 Geographic limits - added

15.65.200 Section 5806.2 - amended

15.65.210 Section 5704.2.9.6.1 - amended

15.65.220 Section 5706.2.4.4 - amended

15.65.230 Section 6104.2 – amended

* Prior history: Prior code sections 14.01.010, 14.01.015, 14.08.010, 14.08.020, 14.08.040, 14.08.050, 14.12.010, 14.12.020, 14.12.030, 14.12.040, 14.16.020, 14.16.030, 14.20.010, 14.20.020. Ordinances 2610, 2758, 2769, 2786, 2909, 3048, 3232, 3319, 3696, 4107, 4195, 4474, 4636, 4656, 4739, 4877.

1. Adoption.

15.65.010 Adoption of the California Fire Code, 2019 **Edition**

Except as hereinafter modified, that certain document, three copies of which are on file in the office of the City Clerk and Ex Officio of the Council of the City of Bakersfield being marked and designated as the *California Fire Code,* 2019 edition, including Appendix Chapter 4, and Appendices B, BB, C, CC, D, E, F, G, H, I, J, K, L and O as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Bakersfield, in the State of California, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

2. Deletions, Additions and Modifications.

15.65.020 Section 101.1 Title – Amended.

101.1 Title. These regulations shall be known as the Fire Code of the City of Bakersfield, herein after referred to as the "Fire Code" or "this code."

15.65.030 Section 102.2.1 Operational authority—Added.

Section 102.2.1 Operational Authority, is added to read as follows:

102.2.1 Operational Authority. The Fire Code shall be enforced by the fire agency with jurisdictional responsibility for the area as defined in the current memorandum of understanding between the City of Bakersfield and the County of Kern. Such enforcement shall be under the supervision of the chief of the fire department within such jurisdictional responsibility who shall detail or direct

members of that agency's fire department in the enforcement of the Fire Code.

15.65.040 Section 103 Prevention Services Division—Amended.

Section 103 of the CFC, Department of Fire Prevention, is amended to read as follows:

Section 103 Prevention Services Division.

15.65.045 Section 103.1 General—Amended.

Section 103.1 of the CFC, General, is amended to read as follows:

103.1 General. The prevention services division is established within the jurisdiction under the direction of the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of the Fire Code as well as the provisions of the California Health and Safety Code and California Code of Regulations related to the Certified Unified Program Agency (CUPA).

15.65.050 Section 104.10 Fire Investigations—Amended.

Section 104.10 of the CFC, Fire Investigations, is amended to read as follows:

104.10 Fire Investigations. The arson investigation division shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

15.65.060 Section 104.12 Fire Zones—Added.

Section 104.12 of the CFC, Fire Zones, is added to read as follows:

104.12 Fire Zones. Areas of the City of Bakersfield which represent residential and commercial designations, according to the City of Bakersfield planning department zoning map, will be limited in the storage of flammable and combustible liquids as well as explosive and blasting agents. As follows:

A. Dispensing of fuel from an approved above ground storage tank shall be limited to two thousand gallons.

B. All storage of blasting agents is prohibited in these areas.

15.65.070 Section 104.13 Firearms—Added.

Section 104.13 of the CFC, Firearms, is added to read as follows:

104.13 Firearms. Members of the fire department assigned to the arson investigation division and the deputy fire chief assigned as fire marshal are authorized to carry a loaded firearm on their person when acting as peace officers as defined in Section 830.37 of the California Penal Code, upon the written approval of the fire chief.

15.65.080 Section 105.6 Required Operational Permits—Amended—Portions deleted.

Section 105.6 of the CFC, Required Operational Permits, is amended to read as follows:

105.6 Required Operational Permits. The CFC official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.51.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.1 Aerosol products**.

Section 105.6.2 of the CFC, Amusement buildings, is amended to read as follows:

105.6.2 Amusement buildings. An operational permit is required to operate a special amusement building.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.3 Aviation facilities**.

Section 105.6.4 of the CFC, Carnivals and fairs, is amended to read as follows:

105.6.4 Carnivals and fairs. An operational permit is required to conduct a carnival or fair.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.5 Cellulose nitrate film**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.6 Combustible dust-producing operations**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.7 Combustible fibers.**

Section 105.6.8 of the CFC, Compressed Gases, is amended to read as follows:

105.6.8 Compressed Gases. An operational permit is required for the storage, use

or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in Table 105.6.8.
Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

TABLE 105.6.8
PERMIT AMOUNTS FOR COMPRESSED GASES

TYPE OF GAS	**AMOUNT** (cubic feet at NTP)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any Amount
Inert and simple asphyxiant	1,000
Oxidizing (including oxygen)	200
Pyrophoric	Any Amount
Toxic	Any Amount

For SI: One cubic foot = 0.02832 m^3.

Section 105.6.9 of the CFC, Covered and open mall buildings, is amended to read as follows:

105.6.9 Covered and open mall buildings. An operational permit is required for:
1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.
2. The display of liquid- or gas-fired equipment in the mall.
3. The use of open-flame or flame-producing equipment in the mall.

Section 105.6.11 of the CFC, Cryogenic Fluids, is amended to read as follows:

105.6.10 Cryogenic Fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10 or Chapter 6.95 of the California Health and Safety Code at Normal Temperature and Pressure (NTP).
Exception: Permits are not required for vehicles equipped for and using cryogenic

fluids as a fuel for propelling the vehicle or for refrigerating the lading.

TABLE 105.6.10
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS

TYPE OF CRYOGENIC FLUID	INSIDE BUILDING (gallons)	OUTSIDE BUILDING (gallons)
Flammable	More than 1	60
Inert	60	500
Oxidizing (includes oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

For SI: One gallon = 3.785 L

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.11 Cutting and welding**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.12 Dry cleaning plants**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.13 Exhibits and trade shows**.

Sections 105.6.14 of the CFC, Explosives, is amended to read as follows:

105.6.14 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 56. **Exception:** Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

Section 105.6.14.1 of the CFC, Fireworks, is added to read as follows:

105.6.14.1 Fireworks. An operational permit is required for the sale and use of safe and sane fireworks pursuant to Chapter 8.44 of the Bakersfield Municipal Code.

The following section of the CFC is not adopted as part of this chapter and is

deleted: **105.6.15 Fire hydrants and valves**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.16 Flammable and combustible liquids**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.17 Floor finishing**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.18 Fruit and crop ripening**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.19 Fumigation and insecticidal fogging**.

Section 105.6.20 of the CFC is amended to read as follows:

105.6.20 Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20 of this code, or pursuant to Chapter 6.11 of the California Health and Safety Code, or for any amount of hazardous waste.

TABLE 105.6.20
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

TYPE OF MATERIAL	AMOUNT
Combustible liquids	See Section 105.6.16
Corrosive materials	
Gases	See Section 105.6.8
Liquids	55 gallons
Solids	500 pounds
Explosive materials	See Section 105.6.14
Flammable materials	
Gases	See Section 105.6.8
Liquids	See Section 105.6.16
Solids	100 pounds
Highly toxic materials	
Gases	See Section 105.6.8
Liquids	Any Amount

TYPE OF MATERIAL	AMOUNT
Solids	Any Amount
Oxidizing materials	
Gases	See Section 105.6.8
Liquids	
Class 4	Any Amount
Class 3	1 gallon[a]
Class 2	10 gallons
Class 1	55 gallons
Solids	
Class 4	Any Amount
Class 3	10 pounds[b]
Class 2	100 pounds
Class 1	500 pounds
Organic peroxides	
Liquids	
Class I	Any Amount
Class II	Any Amount
Class III	1 gallon
Class IV	2 gallons
Class V	No Permit Required
Solids	
Class I	Any Amount
Class II	Any Amount
Class III	10 pounds
Class IV	20 pounds
Class V	No Permit Required
Pyrophoric materials	
Gases	Any Amount
Liquids	Any Amount
Solids	Any Amount
Toxic materials	
Gases	See Section 105.6.8
Liquids	10 gallons
Solids	100 pounds
Unstable (reactive) materials	
Liquids	
Class 4	Any Amount
Class 3	Any Amount

TYPE OF MATERIAL	AMOUNT
Class 2	5 gallons
Class 1	10 gallons
Solids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	50 pounds
Class 1	100 pounds
Water-reactive materials	
Liquids	
Class 3	Any Amount
Class 2	5 gallons
Class 1	55 gallons
Solids	
Class 3	Any Amount
Class 2	50 pounds
Class 1	500 pounds

For SI: One gallon = 3.785 L, One pound = 0.454 kg.

a. Twenty gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of twenty gallons or less.
b. Two hundred pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of two hundred pounds or less.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.21 HPM facilities**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.22 High piled storage**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.23 Hot work operations**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.24 Industrial ovens**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.25 Lumberyards and woodworking plants**.

Section 105.6.26 of the CFC, Liquid- or gas-fueled vehicles or equipment in assembly buildings, is amended to read as follows:

105.6.26 Liquid- or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.27 LP gas**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.28 Magnesium**.

Section 105.6.29 of the CFC, Miscellaneous combustible storage, is amended to read as follows:

105.6.29 Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of two thousand five hundred (2,500) cubic feet (71 m^3) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.30 Mobile food preparation vehicles.**

Section 105.6.30.1 of the CFC, Oil wells, is added to read as follows:

105.6.30.1 Oil wells. An operational permit is required to own, operate, maintain or drill an oil or natural gas well. The application for a permit to drill a well shall be accompanied by a plot plan drawn to scale or with dimensions showing all buildings and improvements within a radius of three hundred feet of the exact location of the proposed wellhead. The permit for any new well shall be issued only after it has been determined by field inspectors or by other means that such location for a well complies with the provisions of this code. Such determinations shall be made within a period of five days.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.31 Motor fuel-dispensing facilities**.

Section 105.6.32 of the CFC, Open burning, is amended to read as follows:

105.6.32 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. **Exception:** Recreational fires.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.33 Open flames and torches**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.34 Open flames and candles**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.35 Organic coatings**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.36 Outdoor assembly event**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.37 Places of assembly**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.38 Plant extraction systems**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.39 Private fire hydrants**.

Section 105.6.40 of the CFC, Pyrotechnic special effects materials, is amended to read as follows:

105.6.40 Pyrotechnic special effects material. An operational permit is required for use and handling of pyrotechnic special effects material.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.41 Pyroxylin plastics**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.42 Refrigeration equipment**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.43 Repair garages and motor fuel dispensing facilities**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.44 Rooftop heliports**.

Section 105.6.45 of the CFC, Spraying or dipping, is amended to read as follows:

105.6.45 Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.46 Storage of scrap tires and tire byproducts**.

Section 105.6.47 of the CFC, Temporary membrane structures, tents and canopies, is amended to read as follows:

105.6.47 Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of two hundred square feet (19 m^2), or a canopy in excess of four hundred square feet (37 m^2).

Exceptions:

1. Tents used exclusively for recreational camping purposes.

2. Fabric canopies open on all sides which comply with all of the following:

2.1. Individual canopies having a maximum size of seven hundred square feet (65 m^2).

2.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than twelve feet (3,658 mm) shall not exceed seven hundred square feet (65 m^2) total.

2.3. A minimum clearance of twelve feet (3,658 mm) to structures and other tents shall be provided.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.48 Tire rebuilding plants**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.49 Waste handling**.

The following section of the CFC is not adopted as part of this chapter and is deleted: **105.6.50 Wood products**.

Section 105.6.51 of the CFC, Additional permits, is amended to read as follows:

105.6.51 Additional permits. In addition to the permits required by Section 105.6, the following permits shall be obtained from the prevention services division prior to engaging in the following activities, operations, practices or functions:

1. Production Facilities. To change use or occupancy, or allow the attendance of a live audience, or for wrap parties.

2. Pyrotechnics and Special Effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gases, welding, and the parking of motor vehicles in any building or location used for the purpose of motion picture, television and commercial production.

3. Live Audiences. To install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See Chapter 48.

15.65.090 Section 105.7.1 Automatic Fire-extinguishing Systems—Amended.

Section 105.7.1 of the CFC, Automatic Fire-extinguishing Systems, is amended to read as follows:

105.7.1 Automatic fire-extinguishing systems. A construction permit is required for installation of or modification to an automatic fire-extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. In buildings where a fully automatic sprinkler protection system exists, and where said buildings undergo remodeling and/or alterations or additions, the automatic sprinkler system shall be kept in good operable condition and be extended to include additions, area separation walls notwithstanding. In buildings where an automatic sprinkler system does not exist, and the floor area is increased twenty-five percent or more, throughout the life of the building, and the area exceeds ten thousand square feet, before or after the addition, an automatic sprinkler system shall be installed throughout the total building.

15.65.100 Section 105.7.7 Fire Alarm and Detection Systems and Related Equipment—Amended.

Section 105.7.7 of the CFC, Fire Alarm and Detection Systems and Related Equipment, is amended to read as follows:

105.7.7 Fire Alarm and Detection Systems and Related Equipment. A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. The fire code official shall require an approved fire alarm and detection system be installed in any occupancy with an occupant load of three hundred or more as an "other requirement" pursuant to Section 907.2 of this code.

15.65.110 Section 109.3 Qualifications—Amended.

Section 109.3 of the CFC, Qualifications, is amended to read as follows:

109.3 Qualifications. The board of building and housing appeals for the City shall be designated as the board of appeals referred to in this code.

15.65.120 Section 110.3.3 Prosecution of violations—Amended.

Section 110.3.3 of the CFC, Prosecution of violations, is amended to read as follows:

110.3.3 Prosecution of violations. When the chief finds any buildings, premises, vehicle, storage facility or outdoor area that is in violation of this code, the chief is authorized to issue administrative compliance orders requiring that the violation

be corrected and imposing an administrative penalty, in accordance with the following:

1. In establishing a penalty amount and ordering that the violation be corrected pursuant to this section the chief shall take into consideration the nature, circumstances, extent, and gravity of the violation, the violator's past and present efforts to prevent, abate, or clean up conditions posing a threat to the public health or fire safety or the environment, the violator's ability to pay the penalty, and the deterrent effect that the imposition of the penalty would have on both the violator and the regulated community.
2. All administrative penalties collected from actions brought by the chief pursuant to this section shall be deposited into a special account that shall be expended to fund the activities of the prevention services division in enforcing this code.
3. The chief shall consult with the district attorney, county counsel, or city attorney on the development of policies to be followed in exercising the authority delegated pursuant to this section as it relates to the authority of the chief to issue orders.
Exception: This section does not do any of the following:
1. Otherwise affect the authority of the chief to take any other action authorized by any other provision of law, except the chief shall not require a person to pay a penalty pursuant to this section and pursuant to a local ordinance for the same violation.
2. Restrict the power of a city attorney, district attorney, county counsel, or the Attorney General to bring, in the name of the people of California, any criminal proceeding otherwise authorized by law.
3. Prevent the chief from cooperating with or participating in a proceeding specified in paragraph (2).

15.65.125 Administrative hearings—Added.

Section 110.3.3.1 of the CFC, Administrative Hearings, is added to read as follows:

15.65.125 Administrative hearings. Any person served with an order pursuant to Section 110.3.3 who has been unable to resolve any violation with the prevention services division, may within fifteen days after service of the order, request a hearing pursuant to this section by filing with the chief a notice of defense. The notice shall be filed with the prevention services office that issued the order. A notice of defense shall be deemed filed within the fifteen-day period provided by this section if it is postmarked within that fifteen-day period. If no notice of defense is filed within the time limits provided by this subdivision, the order shall become final.

The hearing decision issued pursuant to this section shall be effective and final upon issuance by the chief. A copy of the decision shall be served by personal

service or by certified mail upon the party served with the order, or their representative, if any.

Any provision of an order issued under this section, except the imposition of an administrative penalty, shall take effect upon issuance by the chief if the chief finds that the violation or violations of law associated with that provision may pose an imminent and substantial endangerment to the public health or safety or the environment. A request for a hearing shall not stay the effect of that provision of the order pending a hearing decision. However, if the chief determines that any or all provisions of the order are so related that the public health or safety or the environment can be protected only by immediate compliance with the order as a whole, the order as a whole, except the imposition of an administrative penalty, shall take effect upon issuance by the chief. A request for a hearing shall not stay the effect of the order as a whole pending a hearing decision.

A decision issued pursuant to this section may be reviewed by a court pursuant to Section 11523 of the Government Code. In all proceedings pursuant to this section, the court shall uphold the decision of the chief if the decision is based upon substantial evidence in the record as a whole. The filing of a petition for writ of mandate shall not stay any action required pursuant to Section 110.3.2 or the accrual of any penalties assessed. This subdivision does not prohibit the court from granting any appropriate relief within its jurisdiction.

15.65.130 Section 110.4 Violation penalties—Amended.

Section 110.4 of the CFC, Violation penalties, is amended to read as follows:

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.65.140 Section 112.4 Failure to comply—Amended.

Section 112.4 of the CFC, Failure to comply, is amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred fifty dollars or more than one thousand five hundred dollars.

15.65.150 Section 114 Pipeline setbacks—Added.

Section 114 of the CFC, Pipeline Setbacks, is added to read as follows:

114 Pipeline setbacks.

114.1 Pipeline setbacks. For purposes of this section "high pressure transmission line" is a natural gas pipeline operating at two hundred and fifty pounds per square inch or greater. A gas main or transmission line is a natural gas pipeline operating at sixty pounds per square inch or less.

114.2 No habitable portion of a structure may be built within fifty feet of a high pressure transmission line with thirty-six inches of cover.

114.3 No structure may be built within forty feet of a hazardous liquid pipeline bearing refined product, with forty-eight inches or more of cover.

114.4 No habitable portion of a structure may be built within thirty feet of a crude oil pipeline operating at twenty percent or greater of its design strength.

15.65.160 Section 115 —Added.

Section 115 of the CFC, Local amendments to this Code, is added to read as follows:

115 Local amendments to this Code.

115.1 Fire Area. For the purpose of this code, where the condition of "The fire area exceeds twelve thousand square feet (1115 m^2)" appears within Section 903.2 et seq., of this code, it shall be amended to read "The fire area exceeds ten thousand square feet (892 m^2) including, but not limited to B occupancies.
Exception: Group R Occupancies.

15.65.170 Appendix D, Section D 103.2 Grade—Amended.

Section D103.2 of the CFC, Grade, is amended to read as follows:

D103.2 Grade. Fire apparatus roads shall not exceed seven percent in grade.
Exception: Grades steeper than seven percent as approved by the chief.

15.65.180 Appendix D, Section D103.3 Turning radius—Amended.

Section D103.3 of the CFC, Turning radius, is amended to read as follows:

D103.3 Turning radius. The minimum turning radius shall be thirty-seven feet.

15.65.190 Appendix D, Section D103.5 Fire Apparatus Access Road Gates—Amended.

Section D103.5 of the CFC, Fire Apparatus Access Road Gates, is amended to read as follows:

D103.5 Fire Apparatus Access Road Gates. Gates securing the fire apparatus roads shall comply with all of the following criteria:

1. The minimum gate width shall be twenty feet (6,096 mm) and a minimum vertical clearance of thirteen feet six inches is required when the gate is at full open position. Where there is more than one gate and two or more fire apparatus access roads separated by islands, a minimum horizontal clearance of fifteen feet for each gate and a minimum vertical clearance of thirteen feet six inches is required when gates are at full open position. Horizontal distance shall be measured perpendicular to the direction of travel on the driveway. Vertical distance shall be measured from the highest elevation of the driveway to the lowest overhead obstruction.

2. Gates shall be of the swinging or sliding type.

3. Construction of gates shall be of materials that allow manual operation by one person.

4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.

5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official. All new construction of access gates shall be equipped with an automatic opening device which is activated through the wireless activation system utilized on City of Bakersfield owned vehicles for traffic preemption. Installation and maintenance of the wireless activation system on access gate(s) shall be completed by the gate owner. The gate opening device shall have a disconnect feature for manual operation of the gate when the power fails.

6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.

7. Locking device specifications shall be submitted for approval by the fire code official.

8. A minimum fire apparatus access road length to the gate from the flow line of the public street shall be fifty feet for developments of twenty units or less. For each increment of twenty units thereafter, an additional twenty feet of storage length for waiting vehicles shall be added to the fire apparatus access road length.

9. Fire apparatus access road requirements and specifications shall be as set

forth in Section 503 of this code.

III. Geographic Limits on Flammable Storage

15.65.195 Geographic limits - Added

The geographic limits referred to in certain sections of the 2019 CFC are established by the following sections.

15.65.200 Section 5806.2 - Amended

Section 5806.2 of the CFC, Geographical Limits on Flammable Cryogenic Fluids Storage, is amended to read as follows:

Section 5806.2 (Geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): areas of the City of Bakersfield which represent residential and commercial designations according to the City of Bakersfield planning department zoning map.

Section 5704.2.9.6.1 of the CFC, Geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited, is amended to read as follows:

15.65.210 Section 5704.2.9.6.1 – Amended

Section 5704.2.9.6.1 (Geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): areas of the City of Bakersfield which represent residential and commercial designations according to the City of Bakersfield planning department zoning map will be limited in the storage of flammable and combustible liquids as follows:

A. Dispensing of fuel from an approved above ground storage tank shall be limited to two thousand (2,000) gallons tank capacity.

Section 5706.2.4.4 of the CFC, Geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited, is amended to read as follows:

15.65.220 Section 5706.2.4.4 – Amended

Section 5706.2.4.4 (Geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): areas of the City of Bakersfield which represent residential and commercial designations according to the City of Bakersfield planning department zoning map will be limited in the storage of flammable and combustible liquids as follows:

A. Dispensing of fuel from an approved above ground storage tank shall be limited to two thousand (2,000) gallons tank capacity.

Section 61.04.2 of the CFC, Geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas, is amended to read as follows:

15.65.230 Section 6104.2- Amended

Section 6104.2 (Geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): areas of the City of Bakersfield which represent residential and commercial designations according to the City of Bakersfield planning department zoning map will be limited in the storage of liquefied petroleum gases.

SECTION 2.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Bakersfield hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3.

This Ordinance shall be posted in accordance with the provisions of the Bakersfield Municipal Code and shall become effective thirty (30) days from and after the date of its passage.

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I HEREBY CERTIFY that the foregoing Ordinance was passed and adopted

by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

AYES:	COUNCILMEMBER RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER _____
ABSTAIN:	COUNCILMEMBER _____
ABSENT:	COUNCILMEMBER _____

_____

JULIE DRIMAKIS, CMC
CITY CLERK and EX OFFICIO Clerk of the Council of the City of Bakersfield

APPROVED:

By:_____
KAREN K. GOH, Mayor
CITY OF BAKERSFIELD

APPROVED AS TO CONTENT:
FIRE DEPARTMENT

By: _____
ANTHONY GALAGAZA
Fire Chief

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By:_____
JOSHUA RUDNICK
Deputy City Attorney

JR:pd/hw
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ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Resolutions d.

TO: Honorable Mayor and City Council

FROM: Phil Burns, Interim Development Services Director

DATE: 10/18/2019

WARD:

SUBJECT: 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 demolishment of dangerous buildings and authorizing collection of the assessments by the Kern County Tax Collector.

STAFF RECOMMENDATION:

Staff recommends adoption of resolution.

BACKGROUND:

Assessment hearing was held on October 14, 2019, by the City Manager designee and all proposed charges were confirmed. The subject properties listed in Exhibit A and Exhibit B (attached) were in violation of Chapter 8.27 of the Bakersfield Municipal Code which prohibits maintaining open and abandoned dilapidated structures which constitute public nuisances and prohibits maintaining hazardous weeds, debris and waste matter and/or were determined to be in violation of Chapter 15.24 of the Bakersfield Municipal Code which prohibits maintaining dangerous buildings. The property owners were notified and failed to comply with the notices to abate such public nuisance. After a hearing duly noticed and held before the Building Director, the Director issued orders requiring the property owner to abate the public nuisance. The subject properties are listed in Exhibit A and Exhibit B.

The owners of the listed properties failed to commence the required work as ordered by the Building Director to abate a public nuisance. As permitted under Chapter 8.80 of the Bakersfield Municipal Code, the public nuisances listed in Exhibit A and Exhibit B were abated under the direction of the Chief Code Enforcement Officer. The costs incurred by the City can be assessed against the property as provided for in Chapter 8.80 of the Bakersfield Municipal Code. Property owners had been given notice of their right to appear at the hearing on this matter before the City Manager designee and to object to the correctness of the costs incurred by the City to remove the public nuisance. The City Manager designee has approved the assessments associated with the properties.

The Council will need to confirm the approval of the City Manager designee of the costs incurred by the City for work performed to remove the public nuisance and order that such costs be made a lien against the property. This will be done by adoption of the attached resolution.

ATTACHMENTS:

Description	Type
Resolution	Resolution
Declaration	Exhibit
Exhibit A	Exhibit
Exhibit B	Exhibit

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF BAKERSFIELD CONFIRMING THE APPROVAL BY THE CITY MANAGER DESIGNEE OF THE REPORT OF THE CHIEF CODE ENFORCEMENT OFFICER REGARDING ASSESSMENTS OF CERTAIN PROPERTIES IN THE CITY OF BAKERSFIELD FOR WHICH STRUCTURES HAVE BEEN SECURED AGAINST ENTRY OR FOR THE ABATEMENT OF CERTAIN WEEDS, DEBRIS AND WASTE MATTER AND THE DEMOLISHMENT OF DANGEROUS BUILDINGS AND AUTHORIZING COLLECTION OF THE ASSESSMENTS BY THE KERN COUNTY TAX COLLECTOR.

WHEREAS, the properties in the City of Bakersfield described by assessor parcel number and street address in Exhibit "A" and Exhibit "B" were determined to be in violation of the Bakersfield Municipal Code which prohibits maintaining open and abandoned dilapidated structures which constitute public nuisances and prohibits maintaining hazardous weeds, debris and waste matter; and

WHEREAS, notices and orders of the City of Bakersfield Building Department, as provided in Chapter 8.80 of the Bakersfield Municipal Code, were provided to the record owners of the aforementioned properties; and

WHEREAS, this assessment proceeding was duly noticed and a public hearing held on October 14, 2019, in City Hall North Conference Room B of the City of Bakersfield by the City Manager designee; and

WHEREAS, the City Manager designee has reviewed materials concerning the properties, the abatements and the assessments and has approved the assessments of the parcels;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield:

1. That the Chief Code Enforcement Officer caused work to be performed by contractors for removal of public nuisances and submitted and filed with the City Clerk a Report and Assessment List which describes the costs incurred by the City to abate such public nuisances and which is attached hereto as Exhibit "A" and Exhibit "B", and made a part hereof by this reference.

2. The costs incurred and described in the Report and Assessment list, attached hereto as Exhibit "A" and Exhibit "B" are hereby confirmed.

3. The cost of the abatement on the properties as described in Exhibit "A" and Exhibit "B" are hereby made a lien and special assessment against said properties and the Chief Code Enforcement Officer is directed to notify the property owner of and record the lien created herein as required under Government Code Section 38773.1(b)-(c).

4. The assessments enumerated herein are not subject to Proposition 218.

5. That the City Attorney is hereby authorized to commence any action necessary for collecting the sum due including foreclosure on the lien established herein as provided for in Government Code Section 38773.1(c).

6. That the property owners named in said Exhibit "A" and Exhibit "B" may pay, or cause to be paid, the charges stated therein at the office of the Treasury Department, 1600 Truxtun Avenue, Bakersfield, California, at any time prior to the time the

lien imposed under Government Code Section 38773.1 and Bakersfield Municipal Code Section 8.80.190 is foreclosed or placed on the property tax rolls for collection as described in paragraph 7 below.

7. At the discretion of the City Attorney, and in the event such charges assessed and confirmed against the property as listed in Exhibit "A" and Exhibit "B" are not paid in full prior to collection or foreclosure, such special assessment or balance due remaining thereof, may be entered and extended on the property tax roll, and pursuant to law, the County tax collector shall include such amounts on the tax bill applicable to the property for collection therein.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

AYES: COUNCILMEMBER RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES: COUNCILMEMBER_____
ABSTAIN: COUNCILMEMBER_____
ABSENT: COUNCILMEMBER_____

_____
JULIE DRIMAKIS, CMC
CITY CLERK *and Ex Officio Clerk of the Council of the City of Bakersfield*

APPROVED_____

_____
KAREN GOH
MAYOR of the City of Bakersfield

APPROVED as to form:

VIRGINIA GENNARO
City Attorney

BY:_____
VIRIDIANA GALLARDO-KING
Deputy City Attorney

EXHIBIT "A"

REPORT AND ASSESSMENT LIST
AND DECLARATION OF
DAVID PAQUETTE IN SUPPORT THEREOF

In the matter of the properties listed in the attached Exhibit "A" and Exhibit "B":

I, David Paquette, declare:

1. I am the duly appointed Code Enforcement Supervisor of the City of Bakersfield, California. I am making this declaration pursuant to Chapter 8.80 of the Bakersfield Municipal Code.

2. As provided by Chapter 8.80 of the Bakersfield Municipal Code and pursuant to an order of the Building Director, the Code Enforcement Division removed the public nuisances on the properties listed in Exhibit "A" and Exhibit "B" which are attached hereto and made a part hereof by this reference in August and September 2019. The costs incurred by the City to remove the public nuisances for each respective property set forth herein are also stated in the attached Exhibit "A" and Exhibit "B".

3. Records of the Bakersfield Building Department reflect that on September 20, 2019 a copy of Notice of Filing Report and Assessment List for Abatement of Condition Constituting Public Nuisance and of Hearing Thereon was mailed to the owners of the properties and/or posted.

4. The foregoing matters are within my personal knowledge and if called as a witness herein, I could and would competently testify thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 18th day of October 2019, at Bakersfield, California.

_____
David Paquette
Code Enforcement Supervisor

EXHIBIT "A"
REPORT AND ASSESSMENT LIST
FOR WHICH DANGEROUS BUILDINGS
HAVE BEEN DEMOLISHED

APN	PROPERTY ADDRESS	PROPERTY OWNER	COST TO DO WORK	ADMIN COST	TOTAL COST	WARD
1. 018-400-06-00-3	122 Dr Martin Luther King Jr Boulevard 19-1011	Pauline Davenport 122 Dr Martin Luther King Jr Blvd Bakersfield, CA 93307	$4,100	$1,611	$5,711	1
2. 139-322-14-00-9	210 Wood Street 19-827	Olivia Behill 8604 Bridlewood Lane Bakersfield, CA 93311	$3,600	$1,611	$5,211	1

EXHIBIT "B"
REPORT AND ASSESSMENT LIST FOR STRUCTURES
THAT HAVE BEEN SECURED AGAINST ENTRY
OR DECLARED SUBSTANDARD OR FOR
ABATEMENT OF CERTAIN WEEDS, DEBRIS AND WASTE MATTER

APN	PROPERTY ADDRESS	PROPERTY OWNER	COST TO DO WORK	ADMIN COST	TOTAL COST	WARD
1. 019-192-06-00-4	229 S Brown Street 19-5112	Ramon Hendrix 13310 Michaelangelo Drive Bakersfield, CA 93314	$500	$469	$969	1
2. 022-302-31-00-1	3217 Dore Drive 19-3776	Lee Huggins 5405 Warwick Place Bakersfield, CA 93309	$485	$891	$1,376	1
3. 172-121-12-00-1	3413 Elda Avenue 19-4290	VA Smart LLC 1612 Brundage Lane Bakersfield, CA 93304	$240	$891	$1,131	1
4. 018-180-14-00-3	29 Kincaid Street 19-3637	Mae Frances Booker 29 Kincaid Street Bakersfield, CA 93307	$0	$422	$422	1
5. 018-160-13-00-4	97 S King Street 19-4503	Estella Louis 97 S King Street Bakersfield, CA 93307	$0	$149	$149	1
6. 009-232-10-00-3	817 L Street 19-3243	KAA Prop LP 4900 Santa Anita Av #2C El Monte, CA 91731	$0	$422	$422	1
7. 172-134-16-00-7	3604 Meeks Avenue 19-3584	Douglas Wadley Rev Trust 2858 Conifer Drive Fairfield, CA 94533	$200	$891	$1,091	1
8. 009-350-09-00-2	730 N Street 19-3117	Epp Family Bypass Trust 419 Houchin Road Bakersfield, CA 93304	$0	$422	$422	1
9. 011-082-09-00-5	1106 Priscilla Lane 19-4163	Ali Forouzanfar & Mary Jafari 11709 Marazion Hill Court Bakersfield, CA 93311	$0	$149	$149	1
10. 011-230-01-00-0	521 Terrace Way 19-3947	Jesus Cardenas 521 Terrace Way Bakersfield, CA 93304	$499	$891	$1,390	1
11. 018-360-37-00-2	301 Tyree Toliver Street 19-4240	Karen Andrea Ledesma PO Box 10535 Bakersfield, CA 93389	$0	$149	$149	1
12. 018-300-11-00-8	302 Tyree Toliver Street 19-3363	Shaik Saheb MD Inc Pension 22525 Laquilla Drive Chatsworth, CA 91311	$0	$422	$422	1
13. 012-200-01-00-8	243 Bernard Street 19-5127	Davis Family Partnership 405 S Chester Avenue Bakersfield, CA 93304	$200	$469	$669	2
14. 020-263-04-00-5	10 Dunlap Street 19-2505	Robert Broun 10 Dunlap Street Bakersfield, CA 93309	$0	$420	$420	2
15. 013-080-04-00-0	725 Jefferson Street 19-3664	Virginia Long 725 Jefferson Street Bakersfield, CA 93305	$1,080	$891	$1,971	2
16. 015-310-13-00-6	1426 Lake Street 19-1616	Raffy Ardhaldjian 11755 Laurelwood Drive Studio City, CA 91604	$0	$420	$420	2
17. 015-380-18-00-2	1019 Owens Street 19-2111	Ella Mae Ehler 1019 Owens Street Bakersfield, CA 93305	$466	$852	$1,318	2

APN	PROPERTY ADDRESS	PROPERTY OWNER	COST TO DO WORK	ADMIN COST	TOTAL COST	WARD
18. 003-342-02-00-0	2205 20th Street 19-5137	Harolyn Johnson PO Box 9724 Bakersfield, CA 93389	$1,330	$469	$1,799	2
19. 002-092-10-00-4	508 28th Street 18-5500	Group IV Pomona Prop Ltd 4900 Santa Anita Avenue El Monte, CA 91731	$0	$420	$420	2
20. 002-081-05-00-0	705 31st Street 19-2879	Luis Ramirez 705 31st Street Bakersfield, CA 93307	$866	$1,611	$2,477	2
21. 002-032-11-00-9	830 33rd Street 19-3758	Golden Opportunity Invs LP 4900 Santa Anita Av Ste 2C El Monte, CA 91731	$0	$149	$149	2
22. 526-452-10-00-7	9902 Turfway Park Court 19-2762	Cheryl Ruiz 9902 Turfway Park Court Bakersfield, CA 93312	$0	$145	$145	4
23. 380-231-09-00-2	7616 Eastlorne Court 19-2080	Bryan Swidecki 7616 Eastlorne Court Bakersfield, CA 93309	$0	$145	$145	5
24. 499-131-11-00-3	5624 Barbados Avenue 19-1932	James Vickers & Diana Vickers 5624 Barbados Avenue Bakersfield, CA 93313	$0	$420	$420	6
25. 355-171-27-00-3	2109 Glendon Court 19-3192	Charles Lum 2109 Glendon Court Bakersfield, CA 93309	$235	$891	$1,126	6
26. 412-243-12-00-9	1408 Canyon Court 19-2218	Victor Hernandez & Rosaura Hernandez 1408 Canyon Court Bakersfield, CA 93307	$0	$145	$145	7
27. 515-732-01-00-2	2718 Crescent Ridge Street 19-523	Milagros Q Albano 2718 Crescent Ridge Street Bakersfield, CA 93313	$0	$420	$420	7
28. 372-292-10-00-0	1809 William F Halsey Avenue 19-3859	Herlinda Bravo Perez 1809 William F Halsey Avenue Bakersfield, CA 93304	$100	$891	$991	7

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Resolutions e.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 10/18/2019

WARD:

SUBJECT: Resolution determining that a Caterpillar tractor can most efficiently be obtained through cooperative procurement bidding procedures from Quinn CAT, Bakersfield and authorizing the Finance Director to dispense with bidding thereof, not to exceed $375,000.

STAFF RECOMMENDATION:

Staff recommends adoption of the resolution and approval of the purchase.

BACKGROUND:

This purchase of a Caterpillar D6N tractor will replace a unit that is more than 22 years old that was due for replacement in previous budget cycles. The tractor will be utilized by the Water Resources Department for maintaining 300 basins throughout the City as well as removing built up sand and straightening levees. In addition, it will be used to assist with the Kern River channel maintenance program.

The City municipal code allows the City to dispense with bidding when we are able to obtain discount pricing from a local vendor whose company has developed said pricing though a competitive bidding process with another government agency.

Quinn CAT in Bakersfield has entered into a competitive procurement contract with Sourcewell to offer discount pricing for Caterpillar equipment. Staff recommends adoption of the Resolution to dispense with bidding for the purchase of Caterpillar equipment from Quinn CAT, Bakersfield, not to exceed $375,000 for a Caterpillar D6N track type tractor for the Water Resources Department.

Funds are budgeted in the Equipment Management Fund for this purchase.

ATTACHMENTS:

	Description	Type
🗋	Resolution	Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE BAKERSFIELD CITY COUNCIL DISPENSING WITH FORMAL BIDDING PROCEDURES IN THE PURCHASE OF A CATERPILLAR D6N TRACTOR FROM QUINN CAT AND AUTHORIZING THE USE OF COOPERATIVE PROCUREMENT CONTRACTS FOR THE PURCHASE OF THE EQUIPMENT, NOT TO EXCEED $375,000.

WHEREAS, the City may enter into cooperative procurement contracts for work, supplies, equipment or materials without competitive bidding pursuant to Bakersfield Municipal Code Section 3.20.060(D)(7); and

WHEREAS, prices offered through national cooperative procurement contracts are generally less expensive than the prices for work, supplies, equipment or materials the City is currently paying; and

WHEREAS, purchasing work, supplies, equipment or materials for the City through national cooperative procurement contracts is to the City's economic advantage and in the City's best interests; and

WHEREAS, Bakersfield Municipal Code Section 3.20.060(D)(7) allows the City to dispense with bidding procedures when it is determined that work, supplies, equipment or materials are available from a local vendor that has successfully obtained a contract that was competitively awarded by another governmental agency within the last 36 months as a participant in a cooperative procurement contract, and that it is in the best interests of the city, and to the city's economic advantage to purchase such work, supplies, equipment or materials from that vendor at the lowest possible cost for the quality needed; and

WHEREAS, the process used to determine the vendors for the cooperative procurement contracts herein substantially comply with the City's procurement process, including public advertisement for sealed bids and awards determined on the basis of best value.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield as follows:

1. The above recitals are true and correct and are incorporated herein by reference.

2. The Council finds that work, supplies, equipment or materials are available from a local vendor that has successfully obtained a contract that was competitively awarded by another governmental agency within the last 36 months as a participant in a cooperative procurement contract, and that it is in the best interests of the city, and to the city's economic advantage to purchase such work, supplies, equipment or materials from that vendor at the lowest possible cost for the quality needed.

3. The Finance Director or his designee is authorized to dispense with bidding in accordance with section 3.20.060(D)(7) of the Bakersfield Municipal Code.

4. The Finance Director or his designee is authorized to purchase a Caterpillar D6N Tractor at Sourcewell Contract #032119-CAT pricing through a local vendor, Quinn CAT and to negotiate the purchase of same, not to exceed $375,000.

5. That the Finance Director or designee is authorized to negotiate and execute any documents that may be necessary to register with, and purchase work, supplies, equipment or materials from, the vendors herein.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

YES: COUNCIL MEMBER RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES: COUNCIL MEMBER _____
ABSTAIN: COUNCIL MEMBER _____
ABSENT: COUNCIL MEMBER _____

_____
JULIE DRIMAKIS, CMC
CITY CLERK and Ex Officio Clerk of
the Council of the City of Bakersfield

APPROVED _____

By _____
KAREN GOH Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By _____
JOSHUA H. RUDNICK
Deputy City Attorney

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ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Resolutions f.

TO: Honorable Mayor and City Council

FROM: Virginia Gennaro, City Attorney

DATE: 10/30/2019

WARD:

SUBJECT: Resolution Granting Funds ($300,000) to the Kern County District Attorney to Reinstate the Community Prosecution Program.

STAFF RECOMMENDATION:

Staff recommends adoption of the resolution.

BACKGROUND:

On November 6, 2018, Measure N was passed by voters, increasing the sales and use tax within the City of Bakersfield from 7.25 to 8.25 percent. The funding from Measure N is designed to go directly to the City to address top community priorities, including enhancing public safety, reducing homelessness and bolstering economic development activities. As part of Measure N, it is the intent of the City to add 100 sworn police personnel over the next three years to improve response times, reduce crime, and increase neighborhood police patrols. It is expected that such an increase in sworn personnel will increase the number of misdemeanor citations/arrest.

The City Attorney's office operated a Community Prosecution Program (Program) with the assistance from the Kern County District Attorney's Office from 2005 through fiscal year 2011. The purpose behind the Program was to provide additional resources to prosecute various quality of life crimes, to preserve the safety and integrity of Bakersfield's business community and neighborhoods. The Program resulted in consistent and diligent prosecution of certain misdemeanor crimes, including but not limited to graffiti, petty theft, selling alcohol to minors, being drunk in public, litter, street racing, and other quality of life crimes that if left unhandled destroy the quality of life within our community.

By granting the funds generated by Measure N immediately to the Kern County District Attorney, she can immediately designate deputy district attorneys to focus on the quality of life crimes and misdemeanor calendar as opposed to the City Attorney's office who would need to go through the recruitment process, train, and then absorb such personnel if the Program is cancelled. Therefore, this method is believed to be the most efficient use of resources and will enable the immediate resurrection of the Program.

It should be noted that while jail beds are at a minimum, not all misdemeanor convictions carry jail time. In fact, most carry and/or community service. Therefore, it is anticipated that this

Program will have a positive impact and statistics will be monitored for future review and discussion.

ATTACHMENTS:

	Description	Type
🗋	Reso-KCDA Comm.Prosecution	Resolution

RESOLUTION NO. _____

A RESOLUTION GRANTING FUNDS TO THE KERN COUNTY DISTRICT ATTORNEY TO REINSTATE THE COMMUNITY PROSECUTION PROGRAM.

WHEREAS, on November 6, 2018, Measure N was passed by voters, increasing the sales and use tax within the City of Bakersfield (herein City) from 7.25 to 8.25 percent; and

WHEREAS, the funding from Measure N is designed to go directly to the City to address top community priorities, including enhancing public safety, reducing homelessness and bolstering economic development activities; and

WHEREAS, as part of Measure N, it is the intent of the City to add 100 sworn police personnel over the next three years to improve response times, reduce crime, and increase neighborhood police patrols; and

WHEREAS, it is expected that such an increase in sworn personnel will increase the number of misdemeanor citations/arrests; and

WHEREAS, the City Attorney's office operated a Community Prosecution Program (herein Program) with the assistance from the Kern County District Attorney's Office from 2005 through fiscal year 2011; and

WHEREAS, the purpose behind the Program was to provide additional resources to prosecute various quality of life crimes, to preserve the safety and integrity of Bakersfield's business community and neighborhoods; and

WHEREAS, the Program resulted in consistent and diligent prosecution of certain misdemeanor crimes, including but not limited to graffiti, petty theft, selling alcohol to minors, being drunk in public, litter, street racing, and other quality of life crimes; and

WHEREAS, it is the intent of the City Council for the City of Bakersfield to reinstate the Program by devoting funds generated by Measure N to the Kern County District's Attorney's office so that designated deputy district attorneys can concentrate on the prosecution of quality of life crimes which Measure N was designed to address and that if not handled, may destroy the quality of life within our community; and

WHEREAS, this method is believed to be the most efficient use of resources and will enable the immediate resurrection of the Community Prosecution Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield as follows:

1. The above recitals are true and correct and incorporated herein by reference.

2. The City of Bakersfield hereby grants to the Kern County District Attorney Three Hundred Thousand Dollars ($300,000) for its immediate use to prosecute misdemeanor citations/arrests which occur in the City of Bakersfield and are anticipated to increase in light of the additional hiring of sworn Bakersfield police personnel.

3. Said funds are a one-time payment subject to renewal in fiscal year 2020/2021upon approval of the City Council.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

YES: COUNCIL MEMBER RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES: COUNCIL MEMBER _____
ABSTAIN: COUNCIL MEMBER _____
ABSENT: COUNCIL MEMBER _____

_____
JULIE DRIMAKIS, CMC
CITY CLERK AND EX OFFICIO of the
Council of the City of Bakersfield

APPROVED:

By_____
KAREN GOH
Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By_____
VIRGINIA GENNARO
City Attorney

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ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Resolutions g.

TO: Honorable Mayor and City Council

FROM: Phil Burns, Building Director

DATE: 10/17/2019

WARD:

SUBJECT: Senate Bill 2 Planning Grant Program Application:

1. Resolution authorizing the City of Bakersfield's application for, and receipt of, Senate Bill 2 Planning Grant Program (PGP) funds.
2. Appropriate $625,000 Senate Bill 2 Planning Grant Program (PGP) funds to Development Services Operating budget in the General Fund.

STAFF RECOMMENDATION:

Staff recommends approval of resolution.

BACKGROUND:

On September 29th, 2017, Governor Jerry Brown signed a 15-bill housing package to start the State's renewed focus on addressing housing needs. The housing package offers an injection of new regulatory and financial resources based on needs identified in the Statewide Housing Assessment. Part of the housing package was Senate Bill 2, the Building Homes and Jobs Act, which implemented a $75 fee on real estate documents and created a new revenue source statewide to address housing needs.

In the first round of SB 2 funding, the State allocated 50% of the funds to local jurisdictions for planning grants to identify methods to increase their supply of housing units. Known as the Planning Grants Program, allocations are based on population rather than a competitive application process. As such, the City of Bakersfield is eligible to apply for up to $625,000 in funding for updating or creating new planning documents focused on streamline housing approvals and accelerating housing production.

As part of the SB 2 Planning Grant Program the, City proposes to apply for funds for three or more of the following tasks:

Task 1: Site Inventory for New Housing. Following new Housing Element site inventory requirements, develop an inventory of "housing opportunity sites," with specific identification of potential affordable housing sites, consisting of vacant and underutilized parcels as well as

reuse/redevelopment of existing structures, hotel conversion sites and accessory dwelling units. The inventory will evaluate optimal sites for all housing sub-types such as market, affordable, supportive and transitional housing. The inventory will support the City's General Plan Update and identify areas where the City can encourage more housing through land use and zoning.

Task 2: Affordable Housing Funding Plan. Develop a 5-year plan detailing how funds will be used for eligible activities to meet the City's unmet share of the RHNA using the City's Permanent Local Housing Allocation (PLHA) and local affordable housing funds. Secondly, this plan will provide an evaluation of housing needs for households with incomes at or below 60 percent of AMI and a description of the way in which the City is prioritizing investments to meet this need. Thirdly, this plan will engage the community to identify potential activities based on needs.

Based on needs identified above, identify PLHA activity focus areas and develop goals and financing strategy to be undertaken to address those needs. Also, develop Goals and Action Items based on City priorities and PLHA activities for the following:

1. Housing the Homeless Strategy
2. New Affordable Housing
3. Rehab Affordable Housing
4. Affordable Housing Trust Fund
5. Affordable Accessary Dwelling Unit Incentive Program
6. First Time Home Buyer Program

Task 3: Affordable Housing Financing & Incentive Strategy. Prepare implementation plans and draft guidelines for the following affordable housing financing strategies and incentives:

- Affordable Housing Trust Fund. Plan for development and implementation of an Affordable Housing Trust Fund to assist in the creation and preservation of affordable housing for the benefit of low- and moderate income households.
- Affordable ADU Incentive Program. Develop pre-approved architectural and site plans for an accessary dwelling unit (ADU) and a grant incentive program for ADUs developed or approved with public financial assistance and/or have recorded affordability deed restriction or covenants, that enable units to be affordable.
- HOME Rehab Program. Develop a program for rehabilitation or reuse of existing structures with annual HUD entitlement City HOME funding.
- First Time Home Buyer Assistance Program. Develop a program for First Time Home Buyer Assistance Program where previous occupants from affordable rental units can take that next step. Funds for implementation of assistance program will come from the City's annual HUD entitlement.

Task 4: Adaptive Re-use Housing Ordinance. Per City Council goals, this task would include a focused effort to encourage more density and housing in the City's urban core with the development of an Adaptive Re-use Housing Ordinance. The development of the ordinance would include:

- Close examination of zoning and building codes that could play a role in preventing reuse of the building without impacting public safety.
- Recommended zone changes, process tools and measures and a draft ordinance that

would allow for more streamlined conversion to new housing units within existing buildings and could allow more flexibility for developer and make feasible housing projects.

Task 5: Updated Permit Software. To address streamlining its process, this task will include upgrades to the permit process by converting to an electronic system and may include upgrades to improve customer service. This Task may be partially funded with PSVS funds as well as SB-2 Planning Grant Funds.

City staff will submit an application for SB 2 PGP funds with the attached Resolution to HCD by the November 30th deadline.

ATTACHMENTS:

	Description	Type
🗋	Resolution	Resolution

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CITY OF BAKERSFIELD'S APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of the City of Bakersfield intends to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to $123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to local governments (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, BE IT RESOLVED by the Bakersfield City Council as follows:

1. The City Council finds and declares that the foregoing recitals are true and correct and are incorporated herein by reference.

2. The City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of $625,000.

3. In connection with the PGP grant, if the application is approved by the Department, the Development Services Director is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of $625,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

4. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in

accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

5. The Development Services Director is authorized to execute the City of Bakersfield Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____ by the following vote:

AYES:	COUNCILMEMBER: RIVERA, GONZALES, WEIR, SMITH, SULLIVAN, PARLIER, FREEMAN
NOES:	COUNCILMEMBER: _____
ABSTAIN:	COUNCILMEMBER: _____
ABSENT:	COUNCILMEMBER: _____

_____

JULIE DRIMAKIS, CMC
CITY CLERK and Ex Officio Clerk of the Council of the City of Bakersfield

APPROVED _____

By: _____
KAREN GOH
MAYOR

APPROVED AS TO FORM:
VIRGINIA GENNARO
CITY ATTORNEY

By: _____
JOSHUA H. RUDNICK
Deputy City Attorney

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Resolutions h.

TO: Honorable Mayor and City Council

FROM: Nick Fidler, Public Works Director

DATE: 10/10/2019

WARD: Ward 2

SUBJECT: Sewer connection fee assessment for 745 Real Road:

1. Resolution confirming assessments for sewer connection fee and authorizing the collection of assessment by the Kern County Tax Collector.
2. Agreement with Titus Linares and Donna Linares, 745 Real Road, to pay the sewer connection fee through the Kern County Tax Collector.

STAFF RECOMMENDATION:

Staff recommends adoption of the resolution and approval of the agreement.

BACKGROUND:

The owners of the property at 745 Real Road desire to connect said property to the City sewer system. The property owners claims that to pay the sewer connection fee in one payment would produce an economic hardship. To assist in paying the connection fee of $4,600, the City has contracted with the property owners to spread the remaining connection fee over an eight year period to be collected with their property taxes in accordance with Municipal Code Section 14.12.030, 14.12.390, and 16.32.060. Ordinance No. 4433 dated May 23, 2007, authorizes the Kern County Tax Collector to collect the connection fee in eight equal payments over the next eight years.

ATTACHMENTS:

	Description	Type
	Resolution confirming assessments for sewer connection fee and authorizing the collection of assessments by the KC Tax Collector	Resolution
	745 Real Road sewer connection fee agreement	Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF BAKERSFIELD CONFIRMING ASSESSMENT FOR SEWER CONNECTION FEE AND AUTHORIZING THE COLLECTION OF ASSESSMENT BY THE KERN COUNTY TAX COLLECTOR.

WHEREAS, the owners of the property as set forth in **Exhibit "A,"** located within the City of Bakersfield, will connect their property to the City sewer system; and

WHEREAS, the City finds that to pay the cost of the sewer connection fee in one payment would produce an economic hardship on the property owners; and

WHEREAS, to assist the property owners in paying the sewer connection fee the City has agreed to spread the cost of the fee over an eight year period; and

WHEREAS, the property owners (set forth in **Exhibit "A"**) have entered into an agreement with the City to pay the cost of the connection fee through their property taxes over the next eight years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield as follows:

1. The foregoing recitals are true and correct and are incorporated herein.

2. The City Council hereby confirms and approves the individual assessments for sewer connection fee set forth in **Exhibit "A"**.

3. The Kern County Tax Collector is hereby authorized to collect the assessment for sewer connection fee to be collected in eight equal payments over the next eight years.

4. The provisions of Proposition 218 do not apply as the sewer connection fee cost was imposed at the written request of the property owners.

---------oOo---------

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

AYES:	COUNCILMEMBER:	RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER:	_____
ABSTAIN:	COUNCILMEMBER:	_____
ABSENT:	COUNCILMEMBER:	_____

_____
JULIE DRIMAKIS, CMC
CITY CLERK and Ex Officio Clerk of
the Council of the City of Bakersfield

APPROVED _____

_____
KAREN GOH
MAYOR of the City of Bakersfield

APPROVED as to form:
VIRGINIA GENNARO
CITY ATTORNEY

By: _____
RICHARD IGER
Deputy City Attorney

Attachment: **Exhibit "A"**

EXHIBIT "A"

Property Owners and Individual Assessment

ATN: 020-220-03-00-9
Titus Linares
Donna Linares
745 Real Road
Bakersfield, CA 93309

Sewer Connection Fee $4,600.00

AGREEMENT NO. _____

AGREEMENT TO PAY SEWER CONNECTION FEE IN INSTALLMENTS AND NOTICE OF SPECIAL ASSESSMENT LIEN

THIS AGREEMENT is made and entered into on _____, 2019 by and between the **CITY OF BAKERSFIELD**, a Charter city and municipal corporation ("CITY") herein, and **TITUS LINARES AND DONNA LINARES, HUSBAND AND WIFE AS JOINT TENANTS** ("PROPERTY OWNERS") herein.

RECITALS

WHEREAS, PROPERTY OWNERS wish to connect to the City sewer; and

WHEREAS, CITY agrees to allow PROPERTY OWNERS to pay the sewer connection fee by installment and PROPERTY OWNERS agree that the sewer connection fee will be placed on the property tax rolls for collection and placed as a special assessment lien thereon,

NOW, THEREFORE, incorporating the foregoing recitals herein, the parties agree as follows:

1. **LOCATION OF PROPERTY.** PROPERTY OWNERS own a single-family residence located at 745 Real Road, (ATN 020-220-03-00-9) within the city limits of the CITY.

2. **SEWER CONNECTION FEE.** The sewer connection fee payable to the CITY shall be in the amount of Four Thousand Six Hundred Dollars ($4,600.00). PROPERTY OWNERS hereby request, and CITY agrees to allow PROPERTY OWNERS to pay the sewer connection fee by installment as provided for herein. PROPERTY OWNERS also agree to indemnify, defend, and hold harmless CITY, its officers, agents and employees against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, arising out of, connected with or in any way arising from, the terms and provisions of this Agreement.

3. **ECONOMIC HARDSHIP.** PROPERTY OWNERS represent and the City hereby finds that to pay the cost of the sewer connection fee in one payment would produce an economic hardship on PROPERTY OWNERS.

4. **PAYMENT.** PROPERTY OWNERS agree to pay the sewer connection fee and sewer construction fee in eight equal annual installments of $575.00,

each of which shall be placed on the tax assessment rolls, the first payment to be due and payable on the next Kern County Assessors tax bill.

5. CONSENT FOR SPECIAL ASSESSMENT LIEN PLACEMENT ON PROPERTY. PROPERTY OWNERS further agree and consent to the CITY placing a special assessment lien on the above property for the amount of the sewer connection fee which will remain until such time as PROPERTY OWNERS pay off the total sewer connection fee.

6. BINDING EFFECT. The rights and obligations of this Agreement shall inure to the benefit of, and be binding upon, the parties to the Agreement and their heirs, administrators, executors, personal representatives, successors and assigns.

7. EXECUTION. This Agreement is effective upon execution. It is the product of negotiation and all parties are equally responsible for authorship of this Agreement. Section 1654 of the California Civil Code shall not apply to the interpretation of this Agreement.

8. NOTICES. All notices relative to this Agreement shall be given in writing and shall be personally served or sent by certified or registered mail and be effective upon actual personal service or depositing in the United States mail. The parties shall be addressed as follows, or at any other address designated by notice:

CITY:	CITY OF BAKERSFIELD City Hall 1600 Truxtun Avenue Bakersfield, California 93301
PROPERTY OWNERS:	TITUS LINARES DONNA LINARES 745 Real Road Bakersfield, California 93309

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, the day and year first-above written.

"CITY"
CITY OF BAKERSFIELD

By: _____
KAREN GOH, Mayor

"PROPERTY OWNERS"
TITUS LINARES AND DONNA LINARES, HUSBAND AND WIFE AS JOINT TENANTS

By: _____
Titus Linares

By: _____
Donna Linares

APPROVED AS TO CONTENT:
PUBLIC WORKS DEPARTMENT

By: _____
NICK FIDLER
Public Works Director

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
RICHARD IGER
Deputy City Attorney

By: _____
RANDY MCKEEGAN
Finance Director

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CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of KERN }

On 9-6-19 before me, ESTHER L PARRA, NOTARY PUBLIC,
(Here insert name and title of the officer)

personally appeared TITUS E. LINARES & DONNA J. LINARES,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Esther L Parra
Notary Public Signature (Notary Public Seal)

ESTHER L. PARRA
COMM. #2263122
NOTARY PUBLIC • CALIFORNIA
KERN COUNTY
My Comm. Exp. Oct. 18, 2022

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT TO PAY SEWER FEES
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 3 Document Date 9-6-19

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☐ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Agreements i.

TO: Honorable Mayor and City Council

FROM: Nick Fidler, Public Works Director

DATE: 10/16/2019

WARD: Ward 5

SUBJECT: Final Map and Improvement Agreement with Norris Road, LLC (Developer) for Tract 7288 Unit 3 located east of Windermere Street and south of Campus Park Drive.

STAFF RECOMMENDATION:

Staff recommends approval of map and agreement.

BACKGROUND:

Per Bakersfield Municipal Code Chapter 16, “Subdivisions," Tentative Tract Map 7288 was conditioned by the Planning Commission to require the construction of certain improvements within and adjacent to the tentative tract map, which include, but are not limited to, streets, sewer, walls, and storm drain on or adjacent to the property being subdivided. If these improvements are not completed when the developer, Norris Road, LLC, wishes to record a portion of the tentative tract map (through a final map), the developer must execute an improvement agreement through which the developer agrees to complete the construction of the improvements within one year of the date the agreement is executed. The City Engineer may extend the time to complete the improvements upon request. Certificates of Occupancy or final inspections will not be allowed for any building within the bounds of the final map until these required improvements are completed and accepted by the City of Bakersfield and a Notice of Completion for the improvements is recorded.

The Public Works Department has completed the review of the final map submitted by the Developer and is recommending that the Council approve the map. In addition, the Improvement Agreement outlining the Developer’s responsibilities for onsite infrastructure improvements, which typically accompanies approval of the final map, is also included and recommended for approval.

ATTACHMENTS:

Description	Type
Tract 7288-3 - Improvement Agreement	Agreement
Tract 7288-3 - Final Map	Backup Material
Tract 7288-3 - Vicinity Map	Backup Material

IMPROVEMENT AGREEMENT NO. _____
FOR
Tract 7288 Unit 3

This **IMPROVEMENT AGREEMENT** ("Agreement") is entered into on and effective as of _____ (the "Effective Date"), by and between the **CITY OF BAKERSFIELD**, a municipal corporation ("City"), **Norris Road, LLC**, a **California Limited Liability Company** authorized to do business in California ("Owner") and **WPG Tamarind, LLC**, a **California Limited Liability Company** authorized to do business in California ("Contractor"). Collectively, Norris Road, LLC and WPG Tamarind, LLC are referred to as "Developer" in this Agreement.

RECITALS

WHEREAS, Norris Road, LLC is developing and subdividing land in the City of Bakersfield, commonly referred to as Tract 7288 Unit 3 (the "Project"), under the provisions of the Subdivision Map Act (Govt. Code §§ 66410 et seq.) ("Map Act"), and the Subdivision Ordinance of City (Title 16 of the Bakersfield Municipal Code ("BMC")) ("Ordinance");

WHEREAS, WPG Tamarind, LLC is the general contractor on the Project;

WHEREAS, Norris Road, LLC agrees to be bound, jointly and severally, with WPG Tamarind, LLC for the taking of any actions required under this Agreement;

WHEREAS, City's Planning Commission, an advisory agency, has approved Developer's tentative map subject to certain approved exceptions and conditions; and

WHEREAS, Developer has submitted its final map to City for approval in accordance with the Map Act and the Ordinance and desires to enter into this Agreement with City to complete the required improvement work in the Project within the time and in the manner provided herein.

AGREEMENT

Incorporating herein the above recitals, City and Developer agree as follows:

1. **IMPROVEMENTS TO BE CONSTRUCTED.** Developer will construct in the Project, at its sole cost and expense, those facilities and improvements (herein collectively referred to as "Improvements") required by BMC Sections 16.32.060 or Section 16.32.080, whichever is applicable, required in the resolution adopted by the City Planning Commission on **August 04, 2016**, and/or required in a resolution extending the expiration of the tentative map, if applicable. The Planning Commission's resolution and the resolution extending the expiration of the tentative map, if applicable, are on file in the City Planning Department and incorporated in this Agreement as though fully set forth herein. Norris Road, LLC hereby agrees that it will be jointly and severally liable with WPG Tamarind, LLC for the taking of any actions required under this Agreement.

2. **MANNER OF CONSTRUCTION.** The Improvements must be installed and constructed in accordance with all of the following:

   2.1. Title 16 of the BMC;

   2.2. The Map Act;

   2.3. Plans, specifications, profiles, and standards approved by City Engineer (when used in this Agreement, "City Engineer" also refers to City Engineer's designee);

   2.4. Adopted City standards; and

   2.5. Good engineering practices and workmanlike manner.

   All Improvements will be subject to inspection by City Engineer and **must be completed to City's satisfaction before the Improvements will be accepted by City.**

3. **TIME FOR COMPLETION.** All of the Improvements must be fully completed in accordance with the terms of this Agreement to the satisfaction of City Engineer within one year from the Effective Date unless City Engineer grants an extension of the time for completion.

4. **RECORDING OF NOTICE OF COMPLETION; ISSUANCE OF CERTIFICATES OF OCCUPANCY; FINAL INSPECTIONS.**

4.1. When Developer notifies City Engineer that Developer has completed construction of the Improvements, City Engineer will conduct an inspection of the Improvements and notify Developer of any deficiencies in the Improvements.

4.2. When Developer corrects the deficiencies, if any, in the Improvements to City Engineer's satisfaction, City Engineer will accept the Improvements.

4.3. After the Improvements are accepted by City Engineer, City will record a notice of completion (the "NOC") once Developer provides City Engineer with relevant items identified on the Checklist for Notice of Completion, attached hereto as **Exhibit A** and incorporated herein by this reference.

4.4. City Building Director will not conduct a final inspection or issue any certificates of occupancy to Developer for any lot within the phase[1] covered by this Agreement (the "Covered Phase") until City records the NOC.

5. **GUARANTEE AGAINST DEFECTS.** Developer hereby guarantees all features of the Improvements against defective work or labor done, or defective materials furnished, in the performance of this Agreement for a period of one year following recordation of the NOC. Upon City's demand, Developer will correct, repair, or replace promptly all such defective work or labor done, or defective materials furnished, as may be discovered within the one-year guarantee period. The one-year guarantee period on private improvements will begin when the NOC is recorded.

6. **IMPROVEMENT SECURITY.**

6.1. **Required Security.** Developer must provide acceptable security (the "Security") as detailed in **Exhibit B**, which is incorporated herein by reference, for the following obligations:

6.1.1. **Performance** of the obligations of the Agreement by a full and timely completion of the Improvements;

[1] For tracts that have no phases, the term "Covered Phase" refers to the Project.

6.1.2. Labor & Materials/Payment to all contractors and subcontractors and to persons renting equipment or furnishing labor or materials for the Improvements, except as provided in BMC Section 16.32.040; and

6.1.3. Warranty/Maintenance against any defective work or labor performed on or defective materials furnished for the Improvements for a period of one year following recordation of the NOC of the Improvements as outlined above.

6.2. **Acceptable Security.** City Engineer has the sole discretion to determine which of the following forms of Security is acceptable:

6.2.1. A bond or bonds by one or more duly authorized corporate sureties that substantially conforms with the form set forth in Government Code Section 66499.1 or any successor statute;

6.2.2. Cash deposited with City; or

6.2.3. An irrevocable letter of credit from one or more responsible financial institutions regulated by state or federal government and pledging that the funds are on deposit and guaranteed for payment on demand by City.

6.3 **Developer's Obligation to Maintain Security.** It is Developer's sole responsibility to maintain the Security as follows:

6.3.1 Developer must provide City with the original Security documentation for all required Security as outlined in **Exhibit B**. Copies of the Security documents provided by Developer are attached to this Agreement as **Exhibit D**.

6.3.2 Developer must ensure that all Security is current and that there is no gap in Security coverage. At least sixty days before any Security required by this Agreement expires or otherwise becomes invalid, Developer must take steps to keep the Security current or provide new Security. Any failure by Developer to comply with these provisions will constitute a material breach of this Agreement, and City may, in addition to all other remedies provided by law or this Agreement, immediately pursue whatever Security is available for completion of all Developer obligations under this Agreement.

6.3.3 Developer must provide City with the appropriate mailing address, phone number, state license number, if applicable, and email address for the contact person associated with each form of Security and identify the local representative and corporate headquarters of the company providing the Security ("Contact Information"). It is Developer's responsibility to ensure that City is provided with updates to any of the Contact Information.

6.4 **Release of Security.** The Security will be released as described in **Exhibit B.**

7. DEFAULT; REMEDIES.

7.1. **Default.** Developer will be in default of this Agreement if City Engineer, in the exercise of reasonable discretion, determines that any of the following exist:

7.1.1. Developer has failed to properly and fully complete all of the Improvements in accordance with this Agreement within the time, or any extension of time, provided herein;

7.1.2. Developer has failed or neglected to begin the Improvements, or any feature of the Improvements, within a time which will reasonably allow their completion within the time, or any extension of time, provided in this Agreement;

7.1.3. Developer has abandoned any of the work on the Improvements;

7.1.4. Developer, if an individual, has been declared incompetent or placed under the care of a guardian or conservator, or has disappeared;

7.1.5. Developer is subject to a voluntary or involuntary petition in bankruptcy or has been declared bankrupt;

7.1.6. Developer changes the form of its business entity to a form different than the one identified in the introductory paragraph above; or

7.1.7. Developer or owner of the Project transfers ownership of the Project.

7.2. **Remedies**. If Developer is in default of this Agreement, City may, in its sole discretion, immediately exercise any of the following remedies without prejudice to any other remedy City may have in law or equity:

7.2.1. Demand that any available surety pay for the completion of the Improvements;

7.2.2. Demand that any available surety assume Developer's obligations under this Agreement, in lieu of payment of the secured funds;

7.2.3. Provide the necessary supervision, equipment, materials, and labor as it may determine necessary, using any available means, to undertake and complete the Improvements or any part thereof in the manner required by this Agreement at Developer's and its surety's expense, and Developer and its surety, jointly and severally, will be liable to City and must pay City, on demand, any expenses, costs, fees, or other expenditures incurred by City in the course thereof;

7.2.4. Combine the payment of secured funds and the completion of Developer's obligations under this Agreement by City forces and/or other entities;

7.2.5. Withhold the issuance of building permits or performance of inspections for any lot within the Covered Phase if the Improvements in any current or earlier phase of the map have not been completed in a timely manner at the time Developer requests building permits or inspections for any lot within the Covered Phase;

7.2.6. Withhold the issuance of building permits in subsequent phases until all Improvements in the Covered Phase are completed and approved by City Engineer; and

7.2.7. Revert the real property to acreage. By executing this Agreement, Developer warrants that it has authority from each party having record title interest in the Project to act as such party's agent for purposes of the provisions of this subsection and to waive, and, hereby, waives any right to a hearing on such reversion.

Right of Entry. If City elects to exercise its right to the secured funds under this section, Developer hereby grants the right of entry to the Project to City, the surety, and the City's and surety's designated representatives for the purposes of completion of the improvements or evaluation of any claims on secured funds under this Agreement. It is the responsibility of City, the surety, or the City's or surety's designated representatives to obtain any permission necessary for legal entrance to and/or construction on the Project from the Project's owner should Developer not own or have rights to the Project. It is also the responsibility of the surety to provide adequate insurance and comply with all regulations, permits, and ordinances while on the Project site or before beginning any work within City's right-of-way.

8. **NO WAIVER OF DEFAULT.** A failure to enforce any provision of this Agreement will not constitute a waiver of the right to enforce the provision at a later time and will not serve to vary the terms of this Agreement.

9. **NO WAIVER BY CITY.** Inspection of the work and/or materials, or approval of the work and/or materials inspected, or a statement by any officer, agent, or employee of City indicating the work or any part thereof complies with the requirements of this Agreement, or acceptance of the whole or any part of the work and/or materials, or payments therefore, or any combination of all of these acts, will not relieve Developer of the obligation to fulfill this Agreement as prescribed; nor will City be thereby estopped from bringing any action for damages arising from Developer's failure to comply with any of the terms and conditions of this Agreement.

10. **INDEMNITY.**

10.1 Developer will indemnify, defend, and hold harmless City and its Council, officers, agents, and employees against any and all liability, claims, actions, causes of action, or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, arising out of, connected with, or caused by Developer or Developer's employees, agents, independent contractors, or companies in the performance of, or in any way arising from, the terms and provisions of this Agreement whether or not caused in part by City, except as limited by California Civil Code Section 2782 or caused by City's sole active negligence or willful misconduct.

10.2 Developer, at its own cost, expense, and risk must defend all legal proceedings that may be brought against City or its Council, officers, agents, or employees, on any liability, suit, claim, or demand that Developer has agreed to indemnify them against herein, and must satisfy any resulting judgment that may be rendered against any of them.

10.3 Developer's surety providing the Performance Security will not be deemed liable under any of the foregoing provisions of this section, unless the surety undertakes the completion of any of the Improvements or the conduct of work required to be done under this Agreement, and then only to the extent of any act, omission, or neglect of the surety or its engineers, employees, agents, contractors, or subcontractors in the course of the completion of those Improvements or the conduct of that work by the surety.

11. INSURANCE.

11.1. Types and Limits of Insurance. In addition to any other insurance or security required under this Agreement, Developer must procure and maintain, for the duration of this Agreement, the types and limits of insurance below ("Basic Insurance Requirements").

11.1.1. Automobile liability insurance, providing coverage for owned, non-owned, and hired autos on an occurrence basis for bodily injury, including death, of one or more persons, property damage, and personal injury, with limits of not less than $1,000,000 per occurrence.

11.1.2. Commercial general liability insurance, unless otherwise approved by City's Risk Manager, providing coverage on an occurrence basis for bodily injury, including death, of one or more persons, property damage, and personal injury, with limits of not less than $1,000,000 per occurrence. The policy must:

11.1.2.1. Provide contractual liability coverage for the terms of this Agreement;

11.1.2.2. Provide unlimited products and completed operations coverage;

11.1.2.3. Provide premises, operations, and mobile equipment coverage; and

11.1.2.4. Contain an additional insured endorsement in favor of City and its mayor, council, officers, agents, employees, and designated volunteers.

11.1.3. **Workers' compensation insurance** with limits of not less than $1,000,000 per occurrence. In accordance with the provisions of Labor Code Section 3700, every contractor will be required to secure the payment of compensation to his employees. Pursuant to Labor Code Section 1861, Developer must submit to City the following certification before beginning any work on the Improvements:

> I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

By executing this Agreement, Developer is submitting the certification required above.

The policy must contain a waiver of subrogation in favor of City and its mayor, council, officers, agents, employees, and designated volunteers.

11.2. **General Provisions Applying to All Insurance Types.**

11.2.1. All policies required of Developer must be written on a first-dollar coverage basis, or contain a deductible provision. Subject to City's advance approval, Developer may utilize a self-insured retention in any or all of the policies provided, but the policy or policies may not contain language, whether added by endorsement or contained in the policy conditions, that prohibits satisfaction of any self-insured provision or requirement by anyone other than the named insured or by any means including other insurance or which is intended to defeat the intent or protection of an additional insured.

11.2.2. All policies required of Developer must be primary insurance as to City and its mayor, council, officers, agents, employees, or designated volunteers and any insurance or self-insurance maintained by City and its mayor, council, officers, agents, employees, and designated volunteers must be excess of Developer's insurance and must not contribute with it.

11.2.3. The insurance required above, except for workers' compensation insurance, must be placed with insurers with a Best's rating as approved by City's Risk Manager, but in no event less than A-:VII. Any deductibles, self-insured retentions, or insurance in lesser amounts, or lack of certain types of insurance otherwise required by this Agreement, or insurance rated below Best's A-:VII, must be declared prior to execution of this Agreement and approved by City in writing.

11.2.4. The insurance required in this section must be maintained until the Scope of Work is satisfactorily completed as evidenced by City's written acceptance. All policies must provide that there will be continuing liability thereon, notwithstanding any recovery on any policy.

11.2.5. Full compensation for all premiums which the Developer is required to pay to satisfy the Basic Insurance Requirements shall be considered as included in the prices paid for the performance of the scope of Work, and no additional allowance will be made therefor or for additional premiums which may be required by extensions of the policies of insurance.

11.2.6. It is further understood and agreed by Developer that its liability to City will not in any way be limited to or affected by the amount of insurance obtained and carried by Developer in connection with this Agreement.

11.2.7. Unless otherwise approved by City, if any part of the Scope of Work is subcontracted, the Basic Insurance Requirements must be provided by, or on behalf of, all subcontractors even if City has approved lesser insurance requirements for Developer, and all subcontractors must agree in writing to be bound by the provisions of this section.

12. MISCELLANEOUS.

12.1. Governing Law. The laws of the State of California will govern the validity of this Agreement, its interpretation, and its performance. Any litigation arising in any way from this Agreement must be brought in Kern County, California.

12.2. Notices. All notices related to this Agreement must be given in writing, must be personally served or sent by certified or registered mail, and will be effective upon actual personal service or depositing in the United States mail. The parties must be addressed as follows, or at any other address designated by notice:

City:	CITY OF BAKERSFIELD Public Works Department Attention: Subdivisions 1600 Truxtun Avenue Bakersfield, California 93301 Telephone: (661) 326-3724
General Contractor:	WPG Tamarind, LLC Attn: Jacob Moe 11601 Bolthouse Drive, Suite 220 Bakersfield, CA 93311 Telephone: (661) 809-5759 Email: jmoe@woodbridgepacific.com
Owner:	Norris Road, LLC Attn: Chris Hayden 11837 Bolthouse Drive Suite 500 Bakersfield, CA 93311 Telephone: (661) 654-0300 Email: crh12365@gmail.com
Surety:	_____ _____ _____ _____ Attn: _____ Telephone: _____ Email: _____ License No.: Certificate Authority _____

Local Contact: _____
Local Telephone: _____

12.3. **Assignment.** Neither this Agreement nor any rights, interests, duties, liabilities, obligations, or responsibilities arising out of, concerning, or related in any way to this Agreement (including, but not limited to, accounts, actions, causes of action, claims, damages, demands, liabilities, losses, obligations, or reckonings of any kind or nature whatsoever, for compensatory or exemplary and punitive damages, or declaratory, equitable or injunctive relief, whether based on contract, equity, tort, or other theories of recovery provided for by the common or statutory law) may be assigned or transferred by any party. Any such assignment is prohibited and will be unenforceable and otherwise null and void without the need for further action by the non-assigning party or parties.

12.4. **Binding Effect.** The rights and obligations of this Agreement will inure to the benefit of, and be binding upon, the parties to the Agreement and their heirs, administrators, executors, personal representatives, successors, and assigns.

12.5. **Merger and Modification.** All prior agreements between the parties are incorporated in this Agreement, which constitutes the entire agreement of the parties. Its terms are intended by the parties as a final expression and complete and exclusive statement of their agreement with respect to the terms that are included herein and may not be contradicted by extrinsic evidence of any prior agreement or contemporaneous oral agreement in any judicial or arbitration proceeding involving this Agreement. This Agreement may be modified only in a writing approved by the City Council and signed by all the parties.

12.6. **Corporate Authority.** Each individual signing this Agreement on behalf of entities represents and warrants that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

12.7. **Independent Contractor.** This Agreement calls for the performance of Developer's services as an independent contractor. Developer will not be considered an employee of City for any purpose and is not entitled to any of the benefits provided by City to its employees. This Agreement must not be construed as forming a partnership or

any other association with Developer other than that of an independent contractor.

12.8. Agreement Mutually Drafted. This Agreement is the product of negotiation, and all parties are equally responsible for its authorship. California Civil Code Section 1654 does not apply to the interpretation of this Agreement.

12.9. Exhibits. If there is a conflict between the terms, conditions, or specifications set forth in this Agreement and those in exhibits attached hereto, the terms, conditions, or specifications set forth in this Agreement will prevail. All exhibits to which reference is made in this Agreement are deemed incorporated in this Agreement, whether or not actually attached.

12.10. Tax Numbers.

Owner's Federal Tax Identification No. 77-0597185.
Owner is a corporation? Yes ☒ No ☐
(Please check one.)

Developer's Federal Tax Identification No. 82-2997759.
Developer is a corporation? Yes ☒ No ☐
(Please check one.)

12.11. Non-Interest. No officer or employee of City may hold any interest in this Agreement (California Government Code Section 1090).

12.12. Further Assurances. Each party will execute and deliver such papers, documents, and instruments, and perform such acts as are necessary or appropriate, to implement the terms of this Agreement and the intent of the parties to this Agreement.

[Signatures follow on next page]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first written above.

CITY

CITY OF BAKERSFIELD

By: _____

KAREN GOH
Mayor

APPROVED as to form:
VIRGINIA GENNARO
City Attorney

By: _____

VIRGINIA GENNARO
City Attorney

Insurance/Surety: _____

APPROVED as to content:
PUBLIC WORKS DEPARTMENT

By: _____

NICK FIDLER
Public Works Director

COUNTERSIGNED:

By: _____

RANDY MCKEEGAN
Finance Director

OWNER

Norris Road, LLC

By: _____

Print Name: Chris Hayden

Title: Manager

GENERAL CONTRACTOR

WPG Tamarind, LLC

By: _____

Print Name: Jacob Moe

Title: Assistant Project Manager

Attachments: **Exhibit A** – Checklist for Notice of Completion
Exhibit B – Required Security
Exhibit C – Engineer's Estimate
Exhibit D – Security
Exhibit E – Insurance

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kern)

On Oct. 11, 2019 before me, Melinda E. Amey, Notary Public
(insert name and title of the officer)

personally appeared Jacob Ryan Moe,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NRO1 MELINDA E. AMEYE
COMM. #2247740
Notary Public - California
Kern County
My Comm. Expires June 25, 2022 NRO1

Signature Melinda E. Amey (Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kern)

On October 11th, 2019 before me, Anita Sinco Kerchner, Notary Public
(insert name and title of the officer)

personally appeared Chris Hayden,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

ANITA SINCO KERCHNER
COMM. #2304757
NOTARY PUBLIC • CALIFORNIA
KERN COUNTY
My Comm. Exp. Sep. 12, 2023

Signature Anita Sinco K (Seal)

PUBLIC WORKS DEPARTMENT
CITY OF BAKERSFIELD
SUBDIVISIONS

CHECKLIST FOR NOTICE OF COMPLETION

Project No. _____ Phase No. _____

GENERAL INSTRUCTIONS

Submit a copy of this checklist with your Notice of Completion package. Include all items on this checklist with your package. If an item is already on file with the City, please so note. If any item is marked as NA (not applicable), provide a written justification or explanation. Failure to submit this checklist or to address all items on the checklist will result in a delay in filing the Notice of Completion and/or in the release of any securities. Processing of a Notice of Completion cannot proceed until Subdivisions has received direct confirmation from the Construction Division that the punch list items are complete.

OK	NA	Checklist Item
		City's punch list, completed and signed off by Construction Inspector.
		Monument elevation map provided to the City.
		Record drawings of the required improvements, signed by the Engineer of Record, along with an electronic copy
		Utility composite plan, including street light electrical service points.
		Warranty security as required shall be posted
		"As-graded" plans, signed by the Engineer of Record, along with an electronic copy
		Letter from engineer of record certifying that monuments have been set and that the engineer has been paid for setting the monuments.
		Maintenance letter from Recreation and Parks
		Sump acceptance by the Water Department (if required)
		Geotechnical letter confirming sump construction per Grading Plan and/or Drainage Study (if required)
		Other items required by tract conditions:

EXHIBIT A

FOR PRIVATE TRACTS ADD THE FOLLOWING ITEMS:

OK	NA	Checklist item
		Provide certification to the City Engineer that, except as otherwise provided, the private improvements have been constructed to City standards, ordinances, and policies, all in accordance with approved plans. This shall be stamped and signed by the Engineer of Record.
		Submit to the City Engineer copies of the sewer video, forms, and the inspection log
		Provide written verification from the Fire Department that all gates, locks, and keys have been installed or provided to their satisfaction

EXHIBIT A

Required Security

TYPE OF SECURITY	Performance	Labor & Materials/ Payment	Warranty/ Maintenance
WHEN REQUIRED	When Developer submits executed Agreement and final map to City for approval	When Developer submits executed Agreement and final map to City for approval	Before City records the NOC of the Improvements
AMOUNT OF SECURITY	**100%** of the total estimated cost of the Improvements as reflected in the Engineer's Estimate attached hereto as **Exhibit C** and incorporated herein by reference ("Engineer's Estimate")	**50%** of the total estimated cost of the Improvements as reflected in the attached Engineer's Estimate	**10%** of the total estimated cost of the Improvements as reflected in the attached Engineer's Estimate
DATE OF RELEASE/ REDUCTION	Within **30 days** after City records a NOC of the Improvements; **but,** if City discovers that Developer performed defective work or labor or furnished defective materials in completing the Improvements or Developer damages the Improvements after City records the NOC, the Security will be released only after Developer has repaired or replaced the defective or damaged Improvements to City's satisfaction. When submitted to City, the Performance Security, on its face, must be effective for no fewer than 18 months after the Effective Date of this Agreement and subject to the requirements of this section. City may, in its sole discretion, authorize a reduction of the face value of the Performance Security, if requested by Developer, once the Improvements are sufficiently completed to make them operational and usable as a public improvement. If the reduction is authorized, City will use the Engineer's Estimate to determine the amount of the reduction based on the portion of the Improvements completed; but, in no case, will City authorize a reduction of the face value of the Security below 50% of the originally required amount.	**90 days** after City records a NOC of the Improvements unless City receives written notice that an action or stop notice has been filed related to the construction of the Improvements, in which case the Security, at Developer's request, may be reduced to an amount not less than the total of all claims on which an action or stop notice has been filed	**18 months** after recordation of the NOC of the Improvements on a **public work.** **12 months** after recordation of the NOC of the Improvement on **private works** unless City notified that warranty issues exist on the Project.

EXHIBIT B

BOND ESTIMATE
for City of Bakersfield

TRACT NO. 7288-3

Date: 10/11/2019
Job No: 2750x
Prepared By: LM

Item No.	Item Description	Qty	Unit	Unit $	Item $	% Complete	Remaining
Grading							
1.	Excavation (under 10,000 c.y.)	3,561	cy	$25.00	$89,025	100%	
						Subtotal	
Storm Drain Improvements							
2.	18" Storm Drain	269	lf	$95.00	$25,555	100%	
3.	Type A Catch Basins	2	ea	$5,000.00	$10,000	90%	$1,000
4.	Manhole	2	ea	$4,000.00	$8,000	90%	$800
						Subtotal	**$1,800**
Sewer Improvements							
5.	4" Sewer	1,286	lf	$30.00	$38,580	100%	
6.	6" Sewer	125	lf	$50.00	$6,250	100%	
7.	8" Sewer	968	lf	$55.00	$53,240	100%	
8.	6" Clean Outs	1	ea	$650.00	$650	90%	$65
9.	Standard Manhole	4	ea	$2,600.00	$10,400	90%	$1,040
						Subtotal	**$1,105**
Water Improvements							
10.	1" Water Service	35	ea	$1,100.00	$38,500		$38,500
11.	8" Waterline	1,010	lf	$35.00	$35,350		$35,350
12.	8" Gate Valve	1	ea	$1,050.00	$1,050		$1,050
13.	6" Fire Hydrant	3	ea	$4,000.00	$12,000		$12,000
14.	Tie-In to Existing Main	2	ea	$1,100.00	$2,200		$2,200
						Subtotal	**$89,100**
Street Improvements							
	Local Streets						
15.	A.C. Paving (0.2)	481	tns	$100.00	$48,100		$48,100
16.	Aggregate Base (0.4)	475	cy	$70.00	$33,250		$33,250
	Other						
17.	6" Curb & Gutter	1,896	lf	$25.00	$47,400	100%	
18.	Sidewalk	4,238	sf	$6.00	$25,428		$25,428
19.	Driveway	5,390	sf	$9.00	$48,510		$48,510
20.	Street Lights - Mast Arm 5800 Lumen	3	ea	$6,000.00	$18,000		$18,000
21.	Monument Encasement & Conc. Monument	4	ea	$750.00	$3,000		$3,000
22.	Saw Cut	32	lf	$3.00	$96		$96
						Subtotal	**$176,384**
	TOTAL IMPROVEMENTS				**$554,584**		**$268,389**
	20 % CONTINGENCY				**$110,917**		**$53,678**
	TOTAL				**$665,501**		**$322,067**
	ENFORCEMENT 15% OR $15,000 MAX (IF BOND)						**$15,000**

REGISTERED PROFESSIONAL ENGINEER
FRED W. PORTER II
RCE 74059
CIVIL
STATE OF CALIFORNIA
10/11/19

Faithful Performance Bond Amount	**$340,250**
Labor & Materials Bond Amount	**$340,250**
The Minimum Amount for a Letter of Credit or Cash is	**$332,750**
10% Warranty Bond Amount	**$68,050**
10% Warranty Letter of Credit or Cash Amount	**$66,550**

NOTES: 1. This is a Bond Estimate only and not to be used for pay or any other purpose.

EXHIBIT C

Prepared by **Porter & Associates, Inc.**
1200 - 21st Street
Bakersfield, CA 93301

File: tract 7288 phase 3-Bond Estimate.xls

MISSION BANCORP

"Let our Experience work for you"

October 16, 2019

City of Bakersfield (Beneficiary)
Department of Public Works
1501 Truxtun Avenue
Bakersfield, CA 93301

Re: Irrevocable Standby Letter of Credit number 54-SB-2019-31 (50% - Performance and Labor & Materials)

For the account of: Norris Road, LLC (Applicant)
Amount: $332,750.00 Expiration: October 5, 2021

We hereby establish our Irrevocable Standby letter of Credit number 54-SB-2019-31 in your favor, for the account of Norris Road, LLC, up to the aggregate amount of Three Hundred Thirty-Two Thousand Seven Hundred Fifty and No/100ths US Dollars (US$332,750.00).

This amount is available by presentation of your draft(s) drawn on us, at sight and duly endorsed, accompanied by the following:

1) This original Letter of Credit and any amendments.
2) A dated affidavit purportedly signed by an authorized representative of the City of Bakersfield, certifying that "Norris Road, LLC" is in default relating to Tract/Parcel Map 7288 and that the amount of the drawing is due and payable.

Other Conditions:

The City may present draws to pay for labor and materials.

Partial drawings are allowed.

All Draft(s) do drawn must bear the clause, "Drawn under **Mission Bank** Irrevocable Letter of Credit number 54-SB-2019-31, dated October 16, 2019".

If approved in writing by the City of Bakersfield, the face amount of this Letter of Credit may be reduced; provided, however, that the total reductions in the face amount may not exceed fifty percent of the face amount of this Letter of Credit, except where necessary for City to cure Applicant's default as outlined above, until after the statutory lien period for making labor and material claims has expired.

All banking charges are for the account of the Applicant.

We hereby engage with you that draft so drawn shall be duly honored upon presentation if drawn and negotiated in compliance with the terms hereof. Presentation of the documents set forth above must be sent via express courier to **Mission Bank, 1330 Truxtun Avenue, Bakersfield, CA 93301**, and Attention: **Scott Black or Note Department**, prior to the expiration date.

EXHIBIT D

1330 Truxtun Avenue • Bakersfield, CA 93301 • Post Office Box 317 • Bakersfield, CA 93302
Tel 661.859.2500 • Fax 661.859.2506

MISSION BANCORP

"Let our Experience work for you"

Except so far as otherwise expressly stated herein, this Letter of Credit is subject to the "International Standby Practices, 1998 Edition ("ISP98") International Chamber of Commerce Publication No. 590".

Sincerely,

Michael Congdon
Chief Credit Officer

EXHIBIT D

1330 Truxtun Avenue • Bakersfield, CA 93301 • Post Office Box 317 • Bakersfield, CA 93302
Tel 661.859.2500 • Fax 661.859.2506

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/19/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Marsh Risk & Insurance Services
17901 Von Karman Avenue, Suite 1100
(949) 399-5800; License #0437153
Irvine, CA 92614

CN115094152-Wrap-GAWU-17-20

CONTACT NAME:
PHONE (A/C, No, Ext): FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : First Mercury Insurance Company	10657
INSURER B : Ohio Security Insurance Company	24082
INSURER C : Insurance Company Of The West	27847
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
WPG Tamarind LLC
Woodbridge Pacific Group, Inc.
27271 Las Ramblas, Suite 200
Mission Viejo, CA 92691

COVERAGES

CERTIFICATE NUMBER: LOS-002378493-11 REVISION NUMBER: 4

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	X COMMERCIAL GENERAL LIABILITY			WACGL000007537801	10/26/2017	10/26/2020	EACH OCCURRENCE	$	2,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$	N/A
							MED EXP (Any one person)	$	N/A
							PERSONAL & ADV INJURY	$	2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$	2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$	2,000,000
	OTHER:							$	
B	AUTOMOBILE LIABILITY			BAS(20)57314825	06/05/2019	06/05/2020	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$	
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$	
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$	
								$	
A	UMBRELLA LIAB X OCCUR			CAEX000007539501	10/26/2017	10/26/2020	EACH OCCURRENCE	$	6,000,000
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	$	6,000,000
	DED RETENTION $							$	
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WVE 9048497 00	05/28/2019	05/28/2020	X PER STATUTE OTH-ER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N N N/A						E.L. EACH ACCIDENT	$	1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Tract 7288 Phase 3
The City of Bakersfield, its mayor, council officers, agents, employees and volunteers are named as additional insureds as their interest appears per written contract. Insurance provided is primary and noncontributory. A Workers Compensation waiver of subrogation applies.

CERTIFICATE HOLDER

City of Bakersfield
Office of Risk Management
1501 Truxtun Avenue
Bakersfield, CA 93301

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
of Marsh Risk & Insurance Services

Pam Petersen

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EXHIBIT E

WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY

WC 99 06 34

(Ed. 8-00)

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT - BLANKET

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us).

The additional premium for this endorsement shall be 3 % of the total California Workers' Compensation premium otherwise due.

Schedule

Person or Organization	Job Description
ANY PERSON / ORG WHEN REQUIRED BY WRITTEN CONTRACT	ALL CA OPERATIONS

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated. (The information below is required only when this endorsement is issued subsequent to preparation of the policy.)

Endorsement Effective 05/28/2019 Policy No. WVE 5048497 00 Endorsement No.

Insured WOODBRIDGE PACIFIC GROUP LLC Premium $ INCL.

Insurance Company INSURANCE COMPANY OF THE WEST

EXHIBIT E

ADDITIONAL INSURED – MORTGAGEE, ASSIGNEE OR RECEIVER

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Person(s) Or Organization(s)	Designation Of Premises
Any person or organization you have agreed in a written contract to add as an Additional Insured on your policy provided the written contract is executed prior to the "Bodily Injury", "Property Damage" or "Personal and Advertising Injury"	Premises covered under this policy when required by written contract executed prior to the "bodily injury", "property damage" or "personal and advertising injury"
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. **Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to their liability as mortgagee, assignee, or receiver and arising out of the ownership, maintenance, or use of the premises by you and shown in the Schedule.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. This insurance does not apply to structural alterations, new construction and demolition operations performed by or for that person or organization.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

© Insurance Services Office, Inc. 2012

EXHIBIT E

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDING/DELETING ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
OWNERS AND CONTRACTORS PROTECTIVE LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART
LIQUOR LIABILITY COVERAGE PART

The following endorsement(s) are either added to, or deleted from, the policy, the effective date as of the date shown below:

ADDED	DELETED	FORM NUMBER & NAME
X		CG 20 12 (04/13) - AI - STATE OR GOVERNMENTAL AGENCY OR SUBDIVISION City of Bakersfield, its mayor, officers, agents, employees and volunteers Risk Management office, 1501 Truxtun Ave. Bakersfield, CA 93301 Project: Tamarind project, 59 Single Family Dwelling located at (7248-2 Lots 1-20 and 7248-3 Lots 1-34) on the SW Corner of White Lane and Buena Vista Rd., Bakersfield, CA 93311
X		FMIC GL 2685 (08/16) - NOTICE OF CANCELLATION FOR SCHED PERSONS OR ORGS City of Bakersfield, its mayor, officers, agents, employees and volunteers Risk Management office 1501 Truxtun Ave. Bakersfield CA 93301

ALL OTHER TERMS AND CONDITIONS OF THE POLICY REMAIN UNCHANGED.

This endorsement forms a part of the Policy to which attached, effective on the inception date of the Policy unless otherwise stated herein.

(The following information is required only when this endorsement is issued subsequent to preparation of the Policy.)

Endorsement effective 02/15/2018 Policy No WA-CGL-0000075378-01 Change No. 1

Named Insured WPG Tamarind, LLC

Countersigned by

(Authorized Representative)

EXHIBIT E

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – STATE OR GOVERNMENTAL AGENCY OR SUBDIVISION OR POLITICAL SUBDIVISION – PERMITS OR AUTHORIZATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Governmental Agency Or Subdivision Or Political Subdivision: City of Bakersfield, its mayor, officers, agents, employees and volunteers Risk Management office, 1501 Truxtun Ave. Bakersfield, CA 93301 Project: Tamarind project, 59 Single Family Dwelling located at (7248-2 Lots 1-20 and 7248-3 Lots 1-34) on the SW Corner of White Lane and Buena Vista Rd., Bakersfield, CA 93311,
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. **Section II – Who Is An Insured** is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

   However:

   a. The insurance afforded to such additional insured only applies to the extent permitted by law; and

   b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. This insurance does not apply to:

   a. "Bodily injury," "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or

   b. "Bodily injury" or "property damage" included within the "products-completed operations hazard."

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

© Insurance Services Office, Inc., 2012

EXHIBIT E

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

NOTICE OF CANCELLATION FOR SCHEDULED PERSONS OR ORGANIZATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE FORM

Schedule

Person or Organization and Address:
City of Bakersfield, its mayor, officers, agents, employees and volunteers
Risk Management office
1501 Truxtun Ave.
Bakersfield, CA 93301

A. If we cancel this policy for any reason other than nonpayment of premium, we will endeavor to provide 30 days notice of cancellation to the person(s) or organization(s) shown in the **Schedule** of this endorsement. The notice will be sent to the corresponding address shown in the **Schedule**.

B. Our delivery of notification of cancellation described in Paragraph **A.** above is intended as a courtesy only. We have no obligation to do so, nor do we have an obligation to provide such notification within the timeframe that you may have agreed upon with the person(s) or organization(s) shown in the **Schedule**. Our failure to provide such notification will not:

1. Extend the Policy cancellation date;

2. Negate the cancellation as to any insured or any person or organization shown in the **Schedule**; or

3. Provide any additional insurance that would not have been provided in the absence of this endorsement.

C. We are not responsible for the accuracy, completeness, integrity, timeliness or validity of information contained in the lists(s) referenced above.

ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.

This endorsement forms a part of the Policy to which attached, effective on the inception date of the Policy unless otherwise stated herein.

(The following information is required only when this endorsement is issued subsequent to preparation of the Policy.)

Endorsement effective Policy No. Endorsement No

Named Insured

Countersigned by _____

FMIC-GL-2685(08/2016)

EXHIBIT E

TRACT 7288
PHASE 3

CONSISTING OF 3 SHEETS IN THE CITY OF BAKERSFIELD

BEING A DIVISION OF LOT 40 OF TRACT 7245 AS PER MAP FILED ON MAY 24, 2016 IN BK. 61 OF MAPS, AT PAGE 131 IN THE OFFICE OF THE KERN COUNTY RECORDER, ALSO BEING A PORTION OF THE EAST HALF OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA

7.87 ACRES NET 35 LOTS – 3 LETTERED LOTS

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO, THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND THAT EXCEPT AS SHOWN ON THIS MAP AND STATEMENTS MADE A PART THEREOF, WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY AND WE HEREBY CONSENT TO THE MAKING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE BOLD BORDER LINES AND HEREBY OFFER FOR DEDICATION TO THE PUBLIC USE, ALL THE STREETS SHOWN UPON SAID MAP WITHIN SAID SUBDIVISION.

WE ALSO HEREBY DEDICATE FOR PUBLIC USE EASEMENTS FOR PUBLIC UTILITIES AND MUNICIPAL UTILITIES UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND LYING ADJACENT TO THE SIDE AND/OR FRONT LINES OF LOTS 1 THROUGH 35 AND LOTS "A", "B" AND "C" DESIGNATED AS "PUBLIC UTILITIES EASEMENT", WITHIN SAID SUBDIVISION; SUCH STRIPS OR PLATS OF LAND TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND.

WE ALSO HEREBY DEDICATE AN EASEMENT TO THE CITY OF BAKERSFIELD FOR PUBLIC SIDEWALKS PURPOSES UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AS "4' S.W.E." AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

WE ALSO HEREBY DEDICATE AN EASEMENT TO THE CITY OF BAKERSFIELD FOR LANDSCAPE PURPOSES AND BLOCK WALL OVER AND ACROSS ALL OF LOT "A" AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

FOR SUCH TIME AS WINDERMERE STREET AND PARK SQUARE DRIVE REMAIN PUBLIC ROADS, WE ALSO HEREBY WAIVE ALL RIGHTS OF DIRECT VEHICULAR ACCESS FROM LOTS 1, 17 AND 18 TO SAID ROADS AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION, SO THAT THE OWNER'S OF SAID LOTS ABUTTING SAID ROADS WILL HAVE NO RIGHTS OF DIRECT VEHICULAR ACCESS WHATSOEVER TO SAID ROADS EXCEPT THE GENERAL EASEMENT OF TRAVEL WHICH BELONGS TO THE PUBLIC.

WE ALSO HEREBY DEDICATE AN EASEMENT TO THE CITY OF BAKERSFIELD FOR SEWER LINE PURPOSES UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AS LOTS "A" AND "B" AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

WE ALSO HEREBY DEDICATE AN EASEMENT TO THE CITY OF BAKERSFIELD FOR PEDESTRIAN ACCESS PURPOSES UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AS LOTS "A" AND "B" AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

WE ALSO HEREBY DEDICATE AN EASEMENT TO THE CITY OF BAKERSFIELD FOR WATER LINE PURPOSES UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AS LOTS "A" AND "B" AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

WE ALSO HEREBY DEDICATE A 2' WIDE EASEMENT TO THE CITY OF BAKERSFIELD DESIGNATED AS "2' W.F.E." FOR BLOCK WALL FOOTING PURPOSES UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AS "2' W.F.E." ACROSS LOTS 17 AND 18 AS SHOWN UPON SAID MAP.

NORRIS ROAD LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

_____
CHRIS HAYDEN, PARTNER DATE

MISSION BANK, AS BENEFICIARY UNDER DEED OF TRUST RECORDED DECEMBER 19, 2018 AS DOCUMENT NO. 218166777 O.R.

_____
SCOTT BLACK, VICE-PRESIDENT DATE

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF KERN }

ON _____ , _____ BEFORE ME, _____,

A NOTARY PUBLIC, PERSONALLY APPEARED _____

_____,

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

_____
NOTARY PUBLIC
PRINTED NAME: _____
MY COMMISSION IS IN THE COUNTY OF _____.
MY COMMISSION EXPIRES: _____
MY COMMISSION I.D. NO. _____

CITY CLERK'S STATEMENT

THE CITY COUNCIL OF THE CITY OF BAKERSFIELD HEREBY ORDERS THAT THE MAP OF TRACT No. 7288, PHASE 3 IS APPROVED, THAT ALL EASEMENTS AND ACCESS RIGHTS SHOWN UPON THIS MAP AND HEREON DEDICATED BE AND THE SAME ARE HEREBY ACCEPTED FOR THE PURPOSE OR PURPOSES FOR WHICH THE SAME ARE OFFERED, AND THAT THE STREETS SHOWN UPON THIS MAP AND HEREON OFFERED FOR DEDICATION BE AND THE SAME ARE HEREBY ACCEPTED FOR PUBLIC USE SUBJECT TO CONSTRUCTION OF ALL IMPROVEMENTS BY THE SUBDIVIDER AND ACCEPTANCE OF ALL IMPROVEMENTS BY THE CITY, AND THOSE STREETS AND EASEMENTS NOTED TO BE ABANDONED ON THIS MAP ARE, IN ACCORDANCE WITH SECTION 66434(g) OF THE SUBDIVISION MAP ACT, HEREBY ABANDONED. IT DIRECTS THE CLERK OF THIS COUNCIL TO ENDORSE UPON THE FACE OF THIS MAP, THIS ORDER AUTHENTICATED BY THE SEAL OF THE CITY COUNCIL OF THE CITY OF BAKERSFIELD, AND IT HEREBY WAIVES, PURSUANT TO THE PROVISIONS OF SECTION 66436 OF THE SUBDIVISION MAP ACT, AND SECTION 16.20.060 OF THE CITY OF BAKERSFIELD MUNICIPAL CODE, THE REQUIREMENT OF SIGNATURES OF THE FOLLOWING INTERESTS.

NAME	INTEREST
PACIFIC GAS AND ELECTRIC COMPANY	EASEMENT HOLDER PER: BK. 3697, PG. 666 O.R., RECORDED FEBRUARY 27, 1964, DOCUMENT No. 0203148941 O.R., RECORDED JULY 24, 2003
UNION OIL COMPANY OF CALIFORNIA	EASEMENT HOLDER PER: BK. 1725, PG. 34 O.R. RECORDED JULY 26, 1950 (CANNOT BE LOCATED PER RECORD)
VINTAGE PRODUCTION CALIFORNIA, LLC & VINTAGE PETROLEUM, LLC	MINERAL RIGHTS HOLDER BELOW A DEPTH OF 500 FEET WITHOUT RIGHTS OF SURFACE ACCESS PER DOCUMENT No. 0212010378, O.R., RECORDED JANUARY 26TH, 2012. DOCUMENT No. 000214012125 O.R., RECORDED FEBRUARY 3, 2014.
TRICOR ENERGY, L.L.C.	MINERAL RIGHTS HOLDER BELOW A DEPTH OF 500 FEET WITHOUT RIGHTS OF SURFACE ACCESS PER DOCUMENT No. 000214012125 O.R., RECORDED FEBRUARY 3, 2014.

I HEREBY CERTIFY THAT THE FOREGOING ORDERS WERE ADOPTED BY THE CITY COUNCIL OF THE CITY OF BAKERSFIELD AT A MEETING HELD _____

_____
CITY CLERK AND EX-OFFICIO OF THE COUNCIL OF THE CITY OF BAKERSFIELD

CITY OF BAKERSFIELD INCORPORATED JANUARY 11, 1898 CALIFORNIA

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF KERN }

ON _____ , _____ BEFORE ME, _____,

A NOTARY PUBLIC, PERSONALLY APPEARED _____

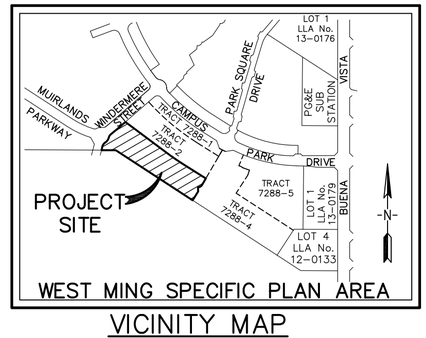
_____,

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

_____
NOTARY PUBLIC
PRINTED NAME: _____
MY COMMISSION IS IN THE COUNTY OF _____.
MY COMMISSION EXPIRES: _____
MY COMMISSION I.D. NO. _____



VICINITY MAP
NO SCALE

ENGINEER'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF NORRIS ROAD LLC, A CALIFORNIA LIMITED LIABILITY COMPANY ON MAY 1, 2018. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE OCTOBER, 2020, AND THAT THE MONUMENTS ARE, OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

REGISTERED PROFESSIONAL ENGINEER FRED W. PORTER RCE 33448 CIVIL STATE OF CALIFORNIA

_____
FRED W. PORTER R.C.E. 33448 DATE

IN ACCORDANCE WITH SECTION 16.44.030 OF THE CITY MUNICIPAL CODE, THE BUILDING DIRECTOR SHALL NOT APPROVE ANY BUILDING PERMIT ON ANY LOT WITHIN THIS TRACT UNTIL A FINAL SOILS REPORT AND FINAL GRADING REPORT HAVE BEEN SUBMITTED TO HIM AND APPROVED BY HIM.

A PRELIMINARY SOILS REPORT DATED OCTOBER 14, 2013, SEI FILE NO. 13-14568 HAS BEEN PREPARED BY SOILS ENGINEERING, INC. UNDER THE SIGNATURE OF TONY M. FRANGIE, RCE 39549, AND IS ON FILE IN THE OFFICE OF THE CITY BUILDING DIRECTOR.

CITY SURVEYOR'S STATEMENT

I JIM MATERN SCHROETER HAVE EXAMINED THIS MAP AND TO THE BEST OF MY KNOWLEDGE AND BELIEF I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

LICENSED LAND SURVEYOR JIM MATERN SCHROETER 7851 STATE OF CALIFORNIA

_____
JIM MATERN SCHROETER, L.S. 7851 DATE

CITY ENGINEER'S STATEMENT

I, NICOLAS FIDLER, HAVE EXAMINED THIS MAP AND STATE THAT THE SUBDIVISION SHOWN HEREIN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP OR ANY APPROVED ALTERATIONS THEREOF AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND TITLE 16 OF THE CITY OF BAKERSFIELD MUNICIPAL CODE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE AND BELIEF.

REGISTERED PROFESSIONAL ENGINEER NICOLAS FIDLER C 61069 CIVIL STATE OF CALIFORNIA

_____
NICOLAS FIDLER C 61069 DATE

PLANNING DIRECTOR'S STATEMENT

THE PLANNING COMMISSION OF THE CITY OF BAKERSFIELD APPROVED OR CONDITIONALLY APPROVED THE TENTATIVE MAP ON AUGUST 4, 2016, AND AND ANY APPLICABLE EXTENSIONS THEREOF. THE SUBDIVISION, AS SHOWN ON THIS MAP, IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND IN ACCORDANCE WITH ANY CONDITIONS APPROVED BY THE COMMISSION.

_____
KEVIN F. COYLE, PLANNING DIRECTOR, CITY OF BAKERSFIELD DATE

WEST MING SPECIFIC PLAN NOTE

THIS SUBDIVISION IS SUBJECT TO THE ADOPTED WEST MING SPECIFIC PLAN, AND ANY AMENDMENTS THERETO, AND DEVELOPMENT AGREEMENT NO. 07-310.

RECORDER'S STATEMENT

FILED IN MAP BOOK _____ AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF KERN, THIS _____ DAY OF _____, 201__ AT _____ __M., AT THE REQUEST OF FRED PORTER.

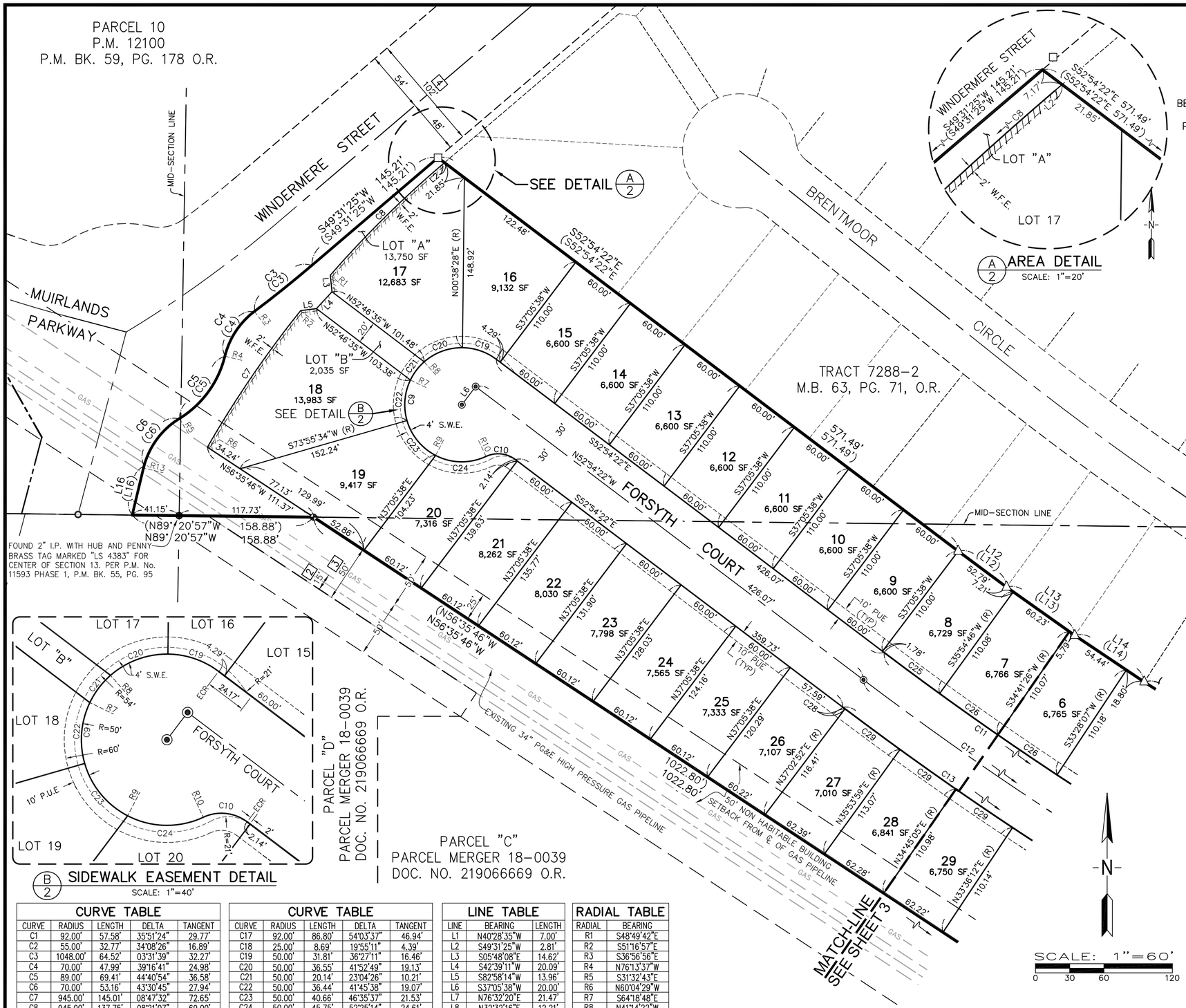
_____ BY: _____
JON LIFQUIST
KERN COUNTY ASSESSOR/RECORDER
DEPUTY RECORDER

TRACT 7288
PHASE 3

CONSISTING OF 3 SHEETS IN THE CITY OF BAKERSFIELD

BEING A DIVISION OF LOT 40 OF TRACT 7245 AS PER MAP FILED ON MAY 24, 2016 IN BK. 61 OF MAPS, AT PAGE 131 IN THE OFFICE OF THE KERN COUNTY RECORDER, ALSO BEING A PORTION OF THE EAST HALF OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA

7.87 ACRES NET 35 LOTS – 3 LETTERED LOTS



A/2 AREA DETAIL
SCALE: 1"=20'

B/2 SIDEWALK EASEMENT DETAIL
SCALE: 1"=40'

FRED W. PORTER R.C.E.33448

REGISTERED PROFESSIONAL ENGINEER
FRED W. PORTER
RCE 33448
CIVIL
STATE OF CALIFORNIA

LEGEND

- ● FD. MON. AS DESCRIBED
- ○ FD. 6" CONC. MON. w/B.C. MKD. "RCE 33448" PER P.M. NO. 12100 FILED IN P.M. BK. 59, PG. 178
- FD. 2" I.P. WITH REDWOOD PLUG, NAIL AND PENNY TAG MARKED "RCE 33448" PER P.M. NO. 12100 FILED IN P.M. BK. 59, PG. 178, REPLACED WITH CONC. NAIL WITH PENNY TAG MKD. "RCE 33448" ON FACE OR FOOTING OF BLOCK WALL.
- △ FD. CONC. NAIL WITH PENNY TAG MKD. "RCE 33448" ON FACE OF BLOCK WALL PER TRACT 7288-2 FILED IN M.B. 63, PG. 71.
- □ FD. 2" I.P. WITH REDWOOD PLUG, NAIL AND PENNY TAG MARKED "RCE 33448" PER TRACT 7288-2 FILED IN M.B. 63, PG. 71.
- ▲ FD. 6" CONC. MON. w/B.C. MKD. "RCE 33448" PER TRACT 7288-4 FILED IN M.B. 62, PG. 90.
- ◪ FD. 6" CONC. MON. w/B.C. MKD. "RCE 33448" PER TRACT 7288-2 FILED IN M.B. 63, PG. 71.
- ( ) RECORD DATA PER TRACT 7245 FILED IN M.B. 61, PG. 131..
- ◉ SET 6" CONC. MON. w/B.C. MKD. "RCE 33448" IN MON. ENCASEMENT
- [1] EASEMENT INFORMATION NUMBER (SEE EASEMENT TABLE BELOW)
- BOLD BORDER
- WAIVER OF DIRECT VEHICULAR ACCESS RIGHTS

O.R.=	OFFICIAL RECORDS	BK./PG.=	BOOK/PAGE	FD.=	FOUND	MKD.=	MARKED
C.O.B.=	CITY OF BAKERSFIELD	P.M.=	PARCEL MAP	L.H.=	LAMPHOLE	MON.=	MONUMENT
CONC.=	CONCRETE	RAD.=	RADIAL	SEC.=	SECTION	BK.=	BOOK
I.P.=	IRON PIPE	DOC.=	DOCUMENT	COR.=	CORNER	B.C.=	BRASS CAP
M.B.=	MAP BOOK						

P.U.E.= PUBLIC UTILITIES EASEMENT S.W.E.= SIDEWALK EASEMENT W.F.E.= WALL FOOTING EASEMENT

BASIS OF BEARINGS

THE BEARING OF S 56°35'46" E AS SHOWN FOR THE SOUTH LINE OF LOT 40 AS SHOWN ON TRACT 7245, FILED MAY 24, 2016, IN BOOK 61 OF MAPS AT PAGE 131 IN THE OFFICE OF THE KERN COUNTY RECORDER WAS USED AS THE BASIS OF BEARINGS SHOWN HEREON.

NOTES

THE BOLD BORDER INDICATES THE BOUNDARY OF LAND SUBDIVIDED BY THIS MAP.

ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.

SET REBAR & CAP MKD. "RCE 33448" AT ALL REAR LOT CORNERS EXCEPT AT BLOCK WALL LOCATIONS WHERE CONC. NAIL AND TAG MKD. "RCE 33448" SHALL BE SET ON FACE OF WALL AT PROJECTION OF SIDE LOT LINES. SET TAG MKD. "RCE 33448" ON TOP OF CURB AT PROJECTION OF SIDE LOT LINES IN LIEU OF FRONT CORNERS.

EASEMENT DESCRIPTION TABLE:

[1] PIPELINE EASEMENT IN FAVOR OF UNION OIL COMPANY OF CALIFORNIA, RECORDED JULY 26, 1950 IN BK. 1725, PG. 34 O.R. (CANNOT BE PLOTTED FROM RECORD INFORMATION).

[2] 15' WIDE PIPELINE AND APPURTENANCES EASEMENT IN FAVOR OF PACIFIC GAS & ELECTRIC COMPANY, RECORDED FEBRUARY 27, 1964 IN BK. 3697, PG. 666 O.R.

[3] ONE 34" UNDERGROUND PIPELINE EASEMENT (35' & 50' WIDE) IN FAVOR OF PACIFIC GAS AND ELECTRIC COMPANY, RECORDED JULY 24, 2003 AS INSTRUMENT NO. 0203148941 O.R.

[4] STREET RIGHT-OF-WAY IN FAVOR OF THE CITY OF BAKERSFIELD, AS SHOWN ON P.M. 12100. (SHOWN FOR REFERENCE ONLY, NOT WITHIN MAP BOUNDARY)

EASEMENT ABANDONMENT:

IN ACCORDANCE WITH SECTION 66434(g) OF THE SUBDIVISION MAP ACT, THE FOLLOWING EASEMENTS ARE HEREBY ABANDONED WITHIN THE BOUNDARY OF THIS MAP:

1) TEMPORARY ROAD, DRAINAGE, UTILITY AND FLOWAGE EASEMENT IN FAVOR OF THE CITY OF BAKERSFIELD, RECORDED SEPTEMBER 8, 2017 AS DOCUMENT NO. 217120803 O.R.

2) TEMPORARY FLOWAGE EASEMENT IN FAVOR OF THE CITY OF BAKERSFIELD, RECORDED JUNE 3, 2015 AS DOCUMENT NO. 0215070629 O.R.

3) TEMPORARY FLOWAGE AND DRAINAGE EASEMENT IN FAVOR OF THE CITY OF BAKERSFIELD, RECORDED SEPTEMBER 29, 2017 AS DOCUMENT NO. 217131105 O.R.

WELL DESIGNATION TABLE

⟨M⟩ STREAM ENERGY, INC. "STATEX-KCL 65-13" (ABANDONED) WITH A 10' NON-BUILDABLE SETBACK

RECORDER'S STATEMENT

FILED IN MAP BOOK _____ AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF KERN, THIS _____ DAY OF _____, 201__ AT _____ __M., AT THE REQUEST OF FRED PORTER

JON LIFQUIST
KERN COUNTY ASSESSOR/RECORDER

BY: _____
DEPUTY RECORDER

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	92.00'	57.58'	35°51'24"	29.77'
C2	55.00'	32.77'	34°08'26"	16.89'
C3	1048.00'	64.52'	03°31'39"	32.27'
C4	70.00'	47.99'	39°16'41"	24.98'
C5	89.00'	69.41'	44°40'54"	36.58'
C6	70.00'	53.16'	43°30'45"	27.94'
C7	945.00'	145.01'	08°47'32"	72.65'
C8	945.00'	137.75'	08°21'07"	69.00'
C9	50.00'	211.34'	242°10'55"	82.92'
C10	25.00'	27.13'	62°10'55"	15.08'
C11	2934.00'	233.31'	04°33'22"	116.72'
C12	2964.00'	235.70'	04°33'22"	117.91'
C13	2994.00'	238.08'	04°33'22"	119.10'
C14	55.00'	88.31'	91°59'53"	56.95'
C15	55.00'	55.54'	57°51'27"	30.40'
C16	25.00'	40.14'	91°59'53"	25.89'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	TANGENT
C17	92.00'	86.80'	54°03'37"	46.94'
C18	25.00'	8.69'	19°55'11"	4.39'
C19	50.00'	31.81'	36°27'11"	16.46'
C20	50.00'	36.55'	41°52'49"	19.13'
C21	50.00'	20.14'	23°04'26"	10.21'
C22	50.00'	36.44'	41°45'38"	19.07'
C23	50.00'	40.66'	46°35'37"	21.53'
C24	50.00'	45.75'	52°25'14"	24.61'
C25	2934.00'	60.49'	01°10'52"	30.24'
C26	2934.00'	62.58'	01°13'20"	31.29'
C27	2934.00'	47.66'	00°55'51"	23.83'
C28	2994.00'	2.41'	00°02'46"	1.20'
C29	2994.00'	60.00'	01°08'54"	30.00'
C30	2994.00'	55.67'	01°03'56"	27.84'
C31	92.00'	29.23'	18°12'13"	14.74'

LINE TABLE

LINE	BEARING	LENGTH
L1	N40°28'35"W	7.00'
L2	S49°31'25"W	2.81'
L3	S05°48'08"E	14.62'
L4	S42°39'11"W	20.09'
L5	S82°58'14"W	13.96'
L6	S37°05'38"W	20.00'
L7	N76°32'20"E	21.47'
L8	N32°32'16"E	12.21'
L9	N01°36'10"W (R)	47.00'
L10	S30°32'23"W	83.13'
L11	S59°27'37"E	40.00'
L12	S53°24'22"E	52.79'
L13	S54°41'02"E	73.24'
L14	S56°10'12"E	73.24'
L15	S57°16'54"E	41.20'
L16	N13°30'30"E	44.13'

RADIAL TABLE

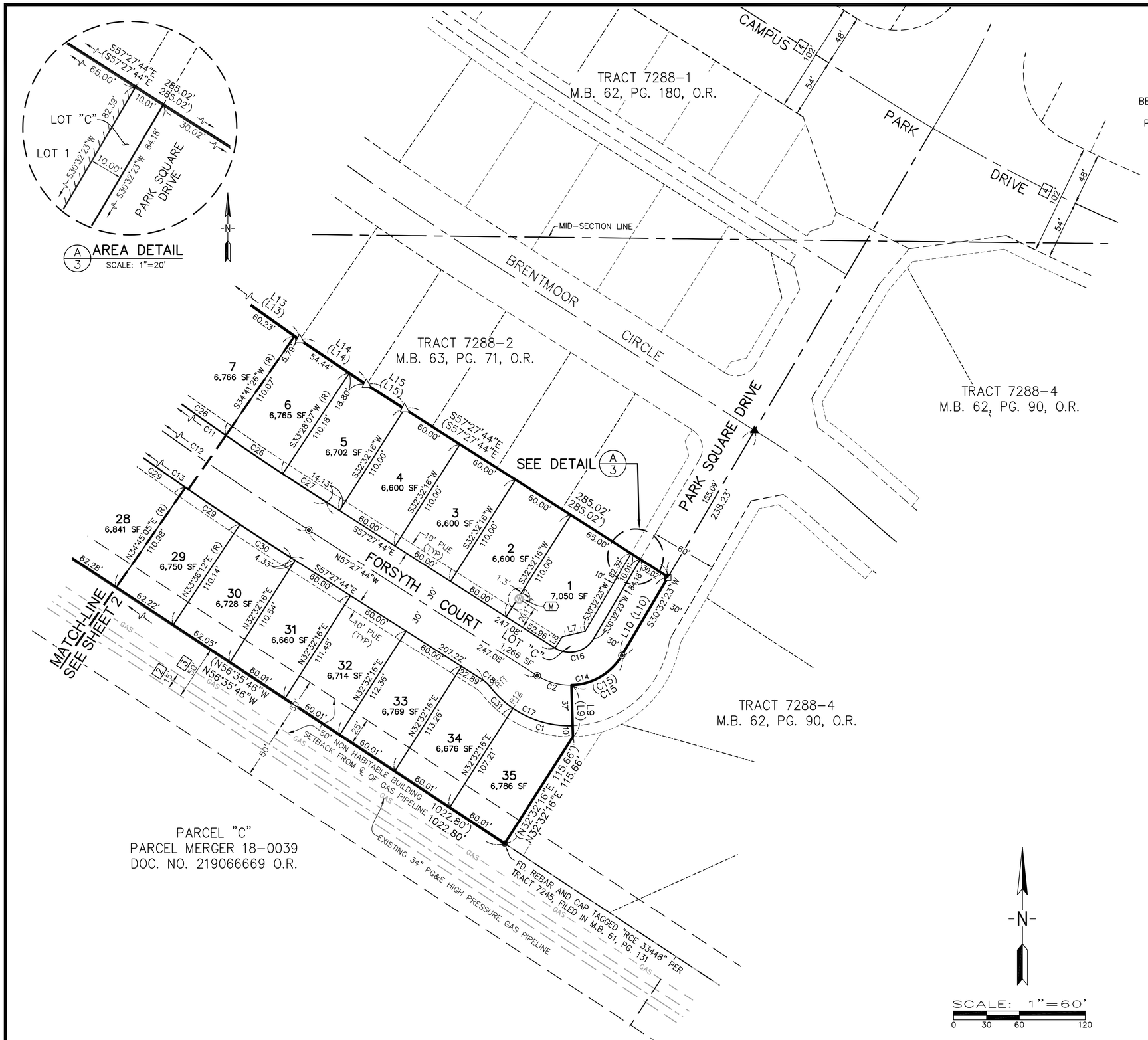
RADIAL	BEARING
R1	S48°49'42"E
R2	S51°16'57"E
R3	S36°56'56"E
R4	N76°13'37"W
R5	S31°32'43"E
R6	N60°04'29"W
R7	S64°18'48"E
R8	N41°14'22"W
R9	S27°19'57"W
R10	N25°05'16"W
R11	S52°27'27"W
R12	N34°15'14"E
R13	S76°29'30"E

TRACT 7288
PHASE 3

CONSISTING OF 3 SHEETS IN THE CITY OF BAKERSFIELD

BEING A DIVISION OF LOT 40 OF TRACT 7245 AS PER MAP FILED ON MAY 24, 2016 IN BK. 61 OF MAPS, AT PAGE 131 IN THE OFFICE OF THE KERN COUNTY RECORDER, ALSO BEING A PORTION OF THE EAST HALF OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA

7.87 ACRES NET 35 LOTS – 3 LETTERED LOTS



FRED W. PORTER R.C.E.33448

REGISTERED PROFESSIONAL ENGINEER FRED W. PORTER RCE 33448 CIVIL STATE OF CALIFORNIA

LEGEND

- ● FD. MON. AS DESCRIBED
- ○ FD. 6" CONC. MON. w/B.C. MKD. "RCE 33448" PER P.M. NO. 12100 FILED IN P.M. BK. 59, PG. 178
- FD. 2" I.P. WITH REDWOOD PLUG, NAIL AND PENNY TAG MARKED "RCE 33448" PER P.M. NO. 12100 FILED IN P.M. BK. 59, PG. 178, REPLACED WITH CONC. NAIL WITH PENNY TAG MKD. "RCE 33448" ON FACE OR FOOTING OF BLOCK WALL.
- △ FD. CONC. NAIL WITH PENNY TAG MKD. "RCE 33448" ON FACE OF BLOCK WALL PER TRACT 7288-2 FILED IN M.B. 63, PG. 71.
- □ FD. 2" I.P. WITH REDWOOD PLUG, NAIL AND PENNY TAG MARKED "RCE 33448" PER TRACT 7288-2 FILED IN M.B. 63, PG. 71.
- ▲ FD. 6" CONC. MON. w/B.C. MKD. "RCE 33448" PER TRACT 7288-4 FILED IN M.B. 62, PG. 90.
- ◪ FD. 6" CONC. MON. w/B.C. MKD. "RCE 33448" PER TRACT 7288-2 FILED IN M.B. 63, PG. 71.
- ( ) RECORD DATA PER TRACT 7245 FILED IN M.B. 61, PG. 131..
- ◉ SET 6" CONC. MON. w/B.C. MKD. "RCE 33448" IN MON. ENCASEMENT
- [1] EASEMENT INFORMATION NUMBER (SEE EASEMENT TABLE BELOW)
- BOLD BORDER
- WAIVER OF DIRECT VEHICULAR ACCESS RIGHTS

O.R.=	OFFICIAL RECORDS	BK./PG.=	BOOK/PAGE	FD.=	FOUND	MKD.=	MARKED
C.O.B.=	CITY OF BAKERSFIELD	P.M.=	PARCEL MAP	L.H.=	LAMPHOLE	MON.=	MONUMENT
CONC.=	CONCRETE	RAD.=	RADIAL	SEC.=	SECTION	BK.=	BOOK
I.P.=	IRON PIPE	DOC.=	DOCUMENT	COR.=	CORNER	B.C.=	BRASS CAP
M.B.=	MAP BOOK						

P.U.E.= PUBLIC UTILITIES EASEMENT S.W.E.= SIDEWALK EASEMENT W.F.E.= WALL FOOTING EASEMENT

BASIS OF BEARINGS

THE BEARING OF S 56°35'46" E AS SHOWN FOR THE SOUTH LINE OF LOT 40 AS SHOWN ON TRACT 7245, FILED MAY 24, 2016, IN BOOK 61 OF MAPS AT PAGE 131 IN THE OFFICE OF THE KERN COUNTY RECORDER WAS USED AS THE BASIS OF BEARINGS SHOWN HEREON.

NOTES

THE BOLD BORDER INDICATES THE BOUNDARY OF LAND SUBDIVIDED BY THIS MAP.

ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.

SET REBAR & CAP MKD. "RCE 33448" AT ALL REAR LOT CORNERS EXCEPT AT BLOCK WALL LOCATIONS WHERE CONC. NAIL AND TAG MKD. "RCE 33448" SHALL BE SET ON FACE OF WALL AT PROJECTION OF SIDE LOT LINES. SET TAG MKD. "RCE 33448" ON TOP OF CURB AT PROJECTION OF SIDE LOT LINES IN LIEU OF FRONT CORNERS.

EASEMENT DESCRIPTION TABLE:

[1] PIPELINE EASEMENT IN FAVOR OF UNION OIL COMPANY OF CALIFORNIA, RECORDED JULY 26, 1950 IN BK. 1725, PG. 34 O.R. (CANNOT BE PLOTTED FROM RECORD INFORMATION).

[2] 15' WIDE PIPELINE AND APPURTENANCES EASEMENT IN FAVOR OF PACIFIC GAS & ELECTRIC COMPANY, RECORDED FEBRUARY 27, 1964 IN BK. 3697, PG. 666 O.R.

[3] ONE 34" UNDERGROUND PIPELINE EASEMENT (35' & 50' WIDE) IN FAVOR OF PACIFIC GAS AND ELECTRIC COMPANY, RECORDED JULY 24, 2003 AS INSTRUMENT NO. 0203148941 O.R.

[4] STREET RIGHT-OF-WAY IN FAVOR OF THE CITY OF BAKERSFIELD, AS SHOWN ON P.M. 12100. (SHOWN FOR REFERENCE ONLY, NOT WITHIN MAP BOUNDARY)

EASEMENT ABANDONMENT:

IN ACCORDANCE WITH SECTION 66434(g) OF THE SUBDIVISION MAP ACT, THE FOLLOWING EASEMENTS ARE HEREBY ABANDONED WITHIN THE BOUNDARY OF THIS MAP:

1) TEMPORARY ROAD, DRAINAGE, UTILITY AND FLOWAGE EASEMENT IN FAVOR OF THE CITY OF BAKERSFIELD, RECORDED SEPTEMBER 8, 2017 AS DOCUMENT NO. 217120803 O.R.

2) TEMPORARY FLOWAGE EASEMENT IN FAVOR OF THE CITY OF BAKERSFIELD, RECORDED JUNE 3, 2015 AS DOCUMENT NO. 0215070629 O.R.

3) TEMPORARY FLOWAGE AND DRAINAGE EASEMENT IN FAVOR OF THE CITY OF BAKERSFIELD, RECORDED SEPTEMBER 29, 2017 AS DOCUMENT NO. 217131105 O.R.

WELL DESIGNATION TABLE

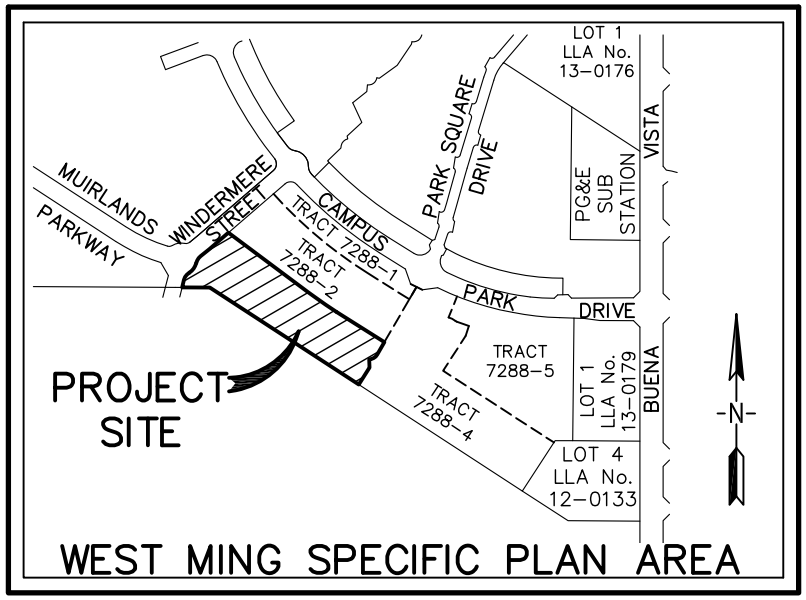
⟨M⟩ STREAM ENERGY, INC. "STATEX-KCL 65-13" (ABANDONED) WITH A 10' NON-BUILDABLE SETBACK

RECORDER'S STATEMENT

FILED IN MAP BOOK _____ AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF KERN, THIS _____ DAY OF _____, 201__ AT _____ ___M., AT THE REQUEST OF FRED PORTER

JON LIFQUIST
KERN COUNTY ASSESSOR/RECORDER

BY: _____
DEPUTY RECORDER



VICINITY MAP

NO SCALE

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Bids j.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 10/21/2019

WARD:

SUBJECT: Extend bid from Gibbs Truck Center, Bakersfield ($456,695.28) for the purchase of two asphalt-patching trucks for the Streets Division.

STAFF RECOMMENDATION:

Staff recommends extension of bid

BACKGROUND:

On June 20, 2018, Council accepted the bid from Gibbs Truck Center, Bakersfield, for the purchase of a replacement asphalt patching truck. The specifications included a provision whereby, with the written approval of both the bidder and the City, the City may purchase additional units for an additional seven years, with price adjustments due to increases in the Consumer Price Index (CPI). Additional units purchased for a period of twelve months after acceptance of the bid are to be offered at the same per unit cost.

On September 19, 2018, Council approved an extension for one asphalt patch truck at the original bid amount, no increase.

Gibbs Truck Center has offered to extend their bid price with a 2% increase for this purchase, which is below the CPI index amount of 2.3%. The adjusted unit price will be $228,347.64; total amount for two units is $456,695.28.

This purchase will replace trucks that are more than eleven years old that have been deferred for replacement in previous budget cycles. Funds are budgeted in the Equipment Management Fund for this purchase.

Staff recommends extension of the bid from Gibbs Truck Center, Bakersfield, and approval of the purchase.

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019 Consent – Bids k.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 10/23/2019

WARD:

SUBJECT: Accept bid from Saitech Inc. ($119,995.13) for Dell Optiplex 3070 computers for the Technology Services Division.

STAFF RECOMMENDATION:

Staff recommends acceptance of bid.

BACKGROUND:

Bids were solicited for replacement desktop computers. Eleven bids were received in response to the solicitation.

After bids were opened, the low bidder, Nettradez dba Ur1Stop realized they had misunderstood the bid specifications and have requested to withdraw their bid. Staff has reviewed their request and recommends allowing them to withdraw their bid. The next lowest bid received from Saitech Inc. is considered acceptable by staff.

This purchase will replace 150 desktop computers for staff in various City departments as part of the normal 4-year replacement schedule.

The eleven bids, including the rescinded bid are as follows:

BIDDER	AMOUNT
Nettradez dba Ur1Stop, Rolling Meadows, IL	$109,128.00 Bid Rescinded
Saitech Inc., Fremont, CA	**$119,995.13**
The Horus Group LLC, Rowlett, TX	$157,327.39
Can-Am Wireless LLC dba Can-Am IT Solutions, Irving, TX	$157,937.39
Hypertec USA Inc. (Hypertec Direct), Tempe, AZ	$163,758.44
Data Connect Enterprise Inc., Olney, MD	$166,782.00
Adirondack Networks, Utica, NY	$167,850.00
Mvation Worldwide Inc., Glen Cove, NY	$170,175.50

MK Management Inc. dba Compudirect 3000 Inc. Laguna Hills, CA	$171,594.65
B & H International LLC, Bakersfield, CA	$179,180.81
Howard Technology Solutions Ellisville, MS	$198,747.00

Funds are budgeted in the Equipment Management Fund to complete this purchase. Staff finds the bid submitted by Saitech Inc., Fremont, CA to be acceptable.

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Bids I.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 10/23/2019

WARD: Ward 2

SUBJECT: Accept bid and approve contract to California Waters Development, Inc., dba California Waters ($431,614) for pool filter renovations at McMurtrey Aquatic Center and Jefferson Park pool.

STAFF RECOMMENDATION:

Staff recommends acceptance of bid and approval of contract.

BACKGROUND:

Bids were solicited for pool filter renovations at McMurtrey Aquatic Center and Jefferson Park Pool. Four bids were received in response to the solicitation.

The sand filters at McMurtrey Aquatic Center and Jefferson Park pool have developed leaks and replacement parts are difficult to obtain because the manufacturer of the current equipment has gone out of business. Replacement of the entire bank of sand filters at both pool locations will restore functionality of the system and will eliminate potential damage to the facilities that could result from continued use of the old equipment. The new pool filter systems will include a 5-year warranty.

The four bids received are as follows:

BIDDER	AMOUNT
California Waters Development, Inc. dba California Waters Yorba Linda, CA	$431,614.00
SCP Distributors LLC dba Lincoln Aquatics Concord, CA	$442,484.59
Waterline Technologies, Inc. Santa Ana, CA	$448,826.00
California Commercial Pools, Inc. Glendora, CA	$465,000.00

Funds are budgeted in the Recreation and Parks Department's Capital Improvement budget for this project. Staff finds the bid submitted by California Waters Development, Inc. dba California Waters to be acceptable and recommends approval of the contract in the amount of $431,614.

ATTACHMENTS:

	Description	Type
🗋	Agreement	Agreement

AGREEMENT NO. _____

CONSTRUCTION PROJECTS AGREEMENT

This **CONSTRUCTION PROJECTS AGREEMENT** ("Agreement") is made and entered into on _____ ("Effective Date"), by and between the **CITY OF BAKERSFIELD**, a municipal corporation ("CITY"), and **CALIFORNIA WATERS DEVELOPMENT, INC. dba CALIFORNIA WATERS** *(a California Corporation)* ("CONTRACTOR").

RECITALS

WHEREAS, CONTRACTOR represents that CONTRACTOR is experienced and well qualified in the field of pool renovations; and

WHEREAS, CONTRACTOR has conducted a thorough site inspection; and

WHEREAS, CITY desires to retain CONTRACTOR for pool filter renovations at McMurtrey Aquatic Center and Jefferson Park Pool (Project"), as set forth herein.

NOW, THEREFORE, incorporating the foregoing recitals herein, CITY and CONTRACTOR mutually agree as follows:

1. **SCOPE OF WORK.**

1.1. In exchange for the Compensation (defined below), CONTRACTOR must perform the work outlined in the Special Provisions for the Project ("Scope of Work"). The Scope of Work shall include all items and procedures necessary to properly complete the task CONTRACTOR has been hired to perform, whether specifically included in the Scope of Work or not. The following documents are incorporated herein as if fully set forth:

- Invitation to Bid No. 19-20-29
- Special Provisions
- Bid Security
- Bid Proposal
- Non-collusion affidavit
- Contractor Certification Regarding Debarrment
- Workers Compensation Insurance Certification
- Statement of OSHA Compliance
- Statement of Compliance with Insurance Requirements

- Performance Bond
- Material and Labor Bond
- Letters of transmittal, if any
- All provisions required by law to be inserted in this Agreement whether actually inserted or not
- Current State of California DAS 140 Form (if required by Specifications)
- Drawings, if any
- Public Contract Code § 22300 (Escrow Accounts)
- Current State of California DIR – PWC 100 Form

1.2. If CITY is receiving federal-aid for the construction of all or a portion of the Project, CONTRACTOR must physically incorporate all federally required contract provisions, including Form FHWA-1273, in their various subcontracts and purchase orders for the federally funded portions of this Project. CONTRACTOR acknowledges that failure to incorporate Form FHWA-1273 into those subcontracts and purchase orders will jeopardize CITY's eligibility for federal-aid funding. In the event of noncompliance in regards to this requirement, CONTRACTOR will be required to correct the noncompliance. CITY will withhold payment for subcontracted work involved with the noncompliance from progress payments due, or to become due, until correction is made. Failure to comply may result in termination of this Agreement.

2. COMPENSATION/PAYMENT PROCEDURE.

2.1. Subject to the conditions of this section, CITY will pay CONTRACTOR for performing the Scope of Work as defined in the Bid Proposal and in accordance with the Special Provisions applicable to this Project, in an amount not to exceed **FOUR HUNDRED THIRTY ONE THOUSAND SIX HUNDRED FOURTEEN DOLLARS ($431,614)** ("Compensation"). The Compensation shall be the total compensation under this Agreement including, but not limited to, all out-of-pocket costs and taxes. CITY will pay no other compensation to CONTRACTOR.

2.2. For projects falling under Title 49 Code of Federal Regulations (CFR) Part 26.29, CITY shall not require the withholding of any retention from CONTRACTOR. CONTRACTOR agrees that it will not cause retention to be withheld from subcontractors working under this Agreement which are subject to the provisions of 49 CFR Part 26.29. For projects, or any severable parts of a project under Federal law, which do not fall under 49 CFR Part 26.29, CITY shall retain ten percent from

payments to CONTRACTOR, unless otherwise prohibited by law.

3. **SCHEDULING.** When required by CITY in contract bid documents, or upon reasonable notice, CONTRACTOR shall supply CITY with scheduling documents showing all information in a form requested by CITY. CONTRACTOR's scheduling personnel shall have experience in and be knowledgeable in scheduling. CITY may require CONTRACTOR to supply the schedule on programs named by CITY (Microsoft Project, for example), and may require those schedules to be updated or revised on a regular basis. CITY may require recovery schedules if CONTRACTOR falls behind the Project schedule. CITY's review or comment on the schedule shall not constitute acceptance thereof.

4. **STARTING WORK.** CONTRACTOR shall not begin work until authorized to do so in writing by CITY. No work will be authorized before the Effective Date.

5. **TERMINATION.**

5.1. This Agreement may be terminated as set forth in the Special Provisions for this Project. If no termination clauses are included in the Special Provisions, this Agreement may be terminated for CONTRACTOR default. The following circumstances shall be deemed a CONTRACTOR default:

5.1.1. A material breach of the contract where CONTRACTOR fails to cure the breach within ten days after CITY provides notice of the breach; provided, however, if the breach cannot reasonably be cured within ten days, CONTRACTOR must have taken significant steps to cure the breach including, without limitation, providing a written plan acceptable to CITY to cure the default and immediately beginning to cure the default;

5.1.2. CONTRACTOR's violation of any law, statute, regulation, rule, ordinance, permit or order of any governmental agency applicable to the Project if CONTRACTOR does not cure the violation within ten days after CITY provides notice of the violation and demands a cure;

5.1.3. CONTRACTOR makes an assignment for benefit of creditors, admits an inability to pay debts, files a petition in bankruptcy or is otherwise determined bankrupt or insolvent; and

5.1.4. CONTRACTOR fails to adequately respond in writing to CITY's written demand for adequate assurances within ten days with

all necessary information to assure CITY that CONTRACTOR has the financial and other necessary resources to perform the contract without breach. CONTRACTOR's failure to provide all information requested by CITY will be a material breach of this Agreement.

5.2. In the event of termination by CITY as set forth above, CONTRACTOR shall remain fully liable for any work not completed, liquidated damages (as set forth in the Special Provisions), delays by follow up contractors, materials and equipment provided, designs commenced through the date of termination, and consequential damages. CONTRACTOR will immediately deliver to CITY possession of the work including all designs, engineering, project records, cost data, drawing specifications and contracts, and construction supplies and aids dedicated solely to performing the work. CONTRACTOR shall assign all subcontracts to CITY; however, CITY may accept or reject those subcontracts at its sole discretion.

5.3. Should CITY's termination for cause be determined by a court of law to be wrongful or without cause, such termination will be treated as a termination for convenience entitling CONTRACTOR to an equitable settlement for claims and liabilities outstanding at the date of termination and reasonable compensation for work actually performed to the date of termination. No other Compensation shall be due CONTRACTOR for termination for convenience.

6. **COMPLIANCE WITH ALL LAWS.** CONTRACTOR shall, at CONTRACTOR's sole cost, comply with all of the requirements of Municipal, State, and Federal authorities now in force, or which may hereafter be in force, pertaining to this Agreement, and shall faithfully observe in all activities relating to or growing out of this Agreement all Municipal ordinances and State and Federal statutes, rules or regulations, and permitting requirements now in force or which may hereafter be in force including, without limitation, obtaining a City of Bakersfield business tax certificate (Bakersfield Municipal Code Chapter 5.02) where required.

7. **INDEPENDENT CONTRACTOR.** This Agreement calls for CONTRACTOR's performance of the Scope of Work as an independent contractor. CONTRACTOR is not an agent or employee of the CITY for any purpose and is not entitled to any of the benefits provided by CITY to its employees. This Agreement shall not be construed as forming a partnership or any other association with CONTRACTOR other than that of an independent contractor.

8. **DIRECTION.** CONTRACTOR retains the right to control or direct the manner in which the services described herein are performed.

9. **EQUIPMENT.** CONTRACTOR will supply all equipment, tools, materials and supplies necessary to perform the services under this Agreement.

10. **LICENSES.** CONTRACTOR shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement any licenses, permits and approvals which are legally required for CONTRACTOR to practice its profession and perform the Scope of Work. If CONTRACTOR is a corporation, at least one officer or key employee shall hold the required licenses or professional degrees. If CONTRACTOR is a partnership, at least one partner shall hold the required licensees or professional degrees.

11. **STANDARD OF PERFORMANCE.** The Scope of Work shall be performed in conformity with all legal requirements and industry standards observed by a specialist of CONTRACTOR's profession in California.

12. **SB 854 COMPLIANCE.** To the extent Labor Code Section 1771.1 applies to this Agreement, a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, be subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of Labor Code Section 1771.1 for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded. The prime contractor is required to post job site notices in compliance with Title 8 California Code of Regulations Section 16451. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

13. **NO WAIVER OF DEFAULT.** The failure of any party to enforce against another party any provision of this Agreement shall not constitute a waiver of that party's right to enforce such a provision at a later time, and shall not serve to vary the terms of this Agreement.

14. **INSURANCE AND SECURITY.**

    14.1. Types and Limits of Insurance. In addition to any other insurance or

security required under this Agreement, CONTRACTOR must procure and maintain, for the duration of this Agreement, the types and limits of insurance below ("Basic Insurance Requirements").

14.1.1. **Automobile liability insurance**, providing coverage for owned, non-owned, and hired autos on an occurrence basis for bodily injury, including death, of one or more persons, property damage, and personal injury, with limits of not less than $1,000,000 per occurrence.

14.1.2. **Commercial general liability insurance**, unless otherwise approved by CITY's Risk Manager, providing coverage on an occurrence basis for bodily injury, including death, of one or more persons, property damage, and personal injury, with limits of not less than $1,000,000 per occurrence. The policy must:

14.1.2.1. Provide contractual liability coverage for the terms of this Agreement;

14.1.2.2. Provide products and completed operations coverage;

14.1.2.3. Provide premises, operations, and mobile equipment coverage; and

14.1.2.4. Contain an additional insured endorsement in favor of CITY and its mayor, council, officers, agents, employees, and designated volunteers.

14.1.3. **Workers' compensation insurance** with limits of not less than $1,000,000 per occurrence. In accordance with the provisions of Labor Code Section 3700, every contractor will be required to secure the payment of compensation to his employees. Pursuant to Labor Code Section 1861, CONTRACTOR must submit to CITY the following certification before beginning any work on the Improvements:

> I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such

provisions before commencing the performance of the work of this contract.

By executing this Agreement, CONTRACTOR is submitting the certification required above.

The policy must contain a waiver of subrogation in favor of CITY and its mayor, council, officers, agents, employees, and designated volunteers.

14.2. <u>General Provisions Applying to All Insurance Types</u>.

14.2.1. All policies required of CONTRACTOR must be written on a first-dollar coverage basis, or contain a deductible provision. Subject to CITY's advance approval, CONTRACTOR may utilize a self-insured retention in any or all of the policies provided, but the policy or policies may not contain language, whether added by endorsement or contained in the policy conditions, that prohibits satisfaction of any self-insured provision or requirement by anyone other than the named insured or by any means including other insurance or which is intended to defeat the intent or protection of an additional insured.

14.2.2. All policies required of CONTRACTOR must be primary insurance as to CITY and its mayor, council, officers, agents, employees, or designated volunteers and any insurance or self-insurance maintained by CITY and its mayor, council, officers, agents, employees, and designated volunteers must be excess of CONTRACTOR's insurance and must not contribute with it.

14.2.3. The insurance required above, except for workers' compensation insurance, must be placed with insurers with a Best's rating as approved by CITY's Risk Manager, but in no event less than A-:VII. Any deductibles, self-insured retentions, or insurance in lesser amounts, or lack of certain types of insurance otherwise required by this Agreement, or insurance rated below Best's A-:VII, must be declared prior to execution of this Agreement and approved by CITY in writing.

14.2.4. The insurance required in this section must be maintained until the Scope of Work is satisfactorily completed as

evidenced by CITY's written acceptance. All policies must provide that there will be continuing liability thereon, notwithstanding any recovery on any policy.

14.2.5. Full compensation for all premiums which the CONTRACTOR is required to pay to satisfy the Basic Insurance Requirements shall be considered as included in the prices paid for the performance of the Scope of Work, and no additional allowance will be made therefor or for additional premiums which may be required by extensions of the policies of insurance.

14.2.6. It is further understood and agreed by CONTRACTOR that its liability to CITY will not in any way be limited to or affected by the amount of insurance obtained and carried by CONTRACTOR in connection with this Agreement.

14.2.7. Unless otherwise approved by CITY, if any part of the Scope of Work is subcontracted, the Basic Insurance Requirements must be provided by, or on behalf of, all subcontractors even if CITY has approved lesser insurance requirements for CONTRACTOR, and all subcontractors must agree in writing to be bound by the provisions of this section.

14.3. **Security.** CONTRACTOR shall provide performance and labor and material security in amounts and in a form suitable to CITY. CITY shall approve in writing all such security instruments before CONTRACTOR begins to perform the Scope of Work.

15. **THIRD PARTY CLAIMS.** In the case of public works contracts, CITY will timely notify CONTRACTOR of third party claims relating to this Agreement. CITY shall be allowed to recover from CONTRACTOR, and CONTRACTOR shall pay on demand, all costs of notification.

16. **INDEMNITY.** CONTRACTOR shall indemnify, defend, and hold harmless CITY and CITY's officers, agents and employees against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, arising out of, connected with, or caused by CONTRACTOR or CONTRACTOR's employees, agents, independent contractors, companies, or subcontractors in the performance of, or in any way arising from, the terms and provisions of this Agreement whether or not caused in part by a party indemnified hereunder, except for CITY's sole active negligence or willful misconduct.

17. **REMEDIES.** The remedies provided in this Agreement are cumulative and are in addition to any other remedies in law or equity which may be available to CITY. The election of one or more remedies shall not bar the use of other remedies unless the circumstances make the remedies incompatible.

18. **SITE INSPECTION.** CITY shall be allowed to inspect the construction site at any time and CONTRACTOR shall make all areas of the construction site available to inspection including, without limitation, any construction trailers or offices at the site and all plans, drawings, documents, schedules, photographs and other documentation relating to the Project.

19. **STOP NOTICES OR LIENS.** CONTRACTOR shall not allow any stop notices or liens to be filed on the Project and shall pay all costs and fees to CITY, including without limitation attorney's fees, incurred by CITY because of the filing of any such stop notice, lien or legal action relating thereto. CONTRACTOR agrees that CITY may withhold from any funds held by CITY concerning CONTRACTOR's performance of the Scope of Work amounts sufficient to cover costs and fees, including without limitation attorney's fees, incurred by CITY because of the filing of any stop notice, lien, or legal action relating thereto.

20. **ASSIGNMENT.** Neither this Agreement nor any rights, interests, duties, liabilities, obligations or responsibilities arising out of, concerning or related in any way to this Agreement (including, but not limited to, accounts, actions, causes of action, claims, damages, demands, liabilities, losses, obligations, or reckonings of any kind or nature whatsoever, for compensatory or exemplary and punitive damages, or declaratory, equitable or injunctive relief, whether based on contract, equity, tort or other theories of recovery provided for by the common or statutory law) may be assigned or transferred by any party. Any such assignment is prohibited, and shall be unenforceable and otherwise null and void without the need for further action by the non-assigning party or parties.

21. **ACCOUNTING RECORDS.** CONTRACTOR shall maintain accurate accounting records and other written documentation pertaining to all costs incurred in performance of this Agreement. Such records and documentation shall be kept at CONTRACTOR's office during the term of this Agreement, and for a period of three years from the date of the final payment hereunder, and made available to CITY representatives upon request at any time during regular business hours.

22. **BINDING EFFECT.** The rights and obligations of this Agreement shall inure to

the benefit of, and be binding upon, the parties to the Agreement and their heirs, administrators, executors, personal representatives, successors and assigns.

23. **CORPORATE AUTHORITY.** Each individual signing this Agreement on behalf of entities represents and warrants that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

24. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be considered as an original and be effective as such.

25. **EXECUTION.** This Agreement is effective upon execution. It is the product of negotiation and all parties are equally responsible for authorship of this Agreement. Section 1654 of the California Civil Code shall not apply to the interpretation of this Agreement.

26. **EXHIBITS.** In the event of a conflict between the terms, conditions or specifications set forth in this Agreement and those in exhibits attached hereto, the terms, conditions, or specifications set forth in this Agreement shall prevail. All exhibits to which reference is made in this Agreement are deemed incorporated in this Agreement, whether or not actually attached.

27. **FURTHER ASSURANCES.** Each party shall execute and deliver such papers, documents, and instruments, and perform such acts as are necessary or appropriate, to implement the terms of this Agreement and the intent of the parties to this Agreement.

28. **GOVERNING LAW.** The laws of the State of California will govern the validity of this Agreement and its interpretation and performance. Any litigation arising in any way from this Agreement shall be brought in Kern County, California.

29. **INTERPRETATION.** Whenever the context so requires, the masculine gender includes the feminine and neuter, and the singular number includes the plural.

30. **MERGER AND MODIFICATION.** This Agreement sets forth the entire agreement between the parties and supersedes all other oral or written representations. This Agreement may be modified only in a writing approved and signed by all the parties. If any modification of this Agreement results in total Compensation which exceeds $40,000, the

modification must be approved by the City Council.

31. **NON-INTEREST.** No CITY officer or employee shall hold any interest in this Agreement (California Government Code section 1090).

32. **NOTICES.** All notices relative to this Agreement shall be given in writing and shall be personally served or sent by certified or registered mail and be effective upon actual personal service or depositing in the United States mail. The parties shall be addressed as follows, or at any other address designated by notice:

CITY:	**CITY OF BAKERSFIELD** **CITY HALL** **1600 Truxtun Avenue** **Bakersfield, California 93301**
CONTRACTOR:	**CALIFORNIA WATERS DEVELOPMENT INC** **dba CALIFORNIA WATERS** **23311 E. La Palma Ave.** **Yorba Linda, CA 92887**

33. **RESOURCE ALLOCATION.** All CITY obligations under the terms of this Agreement are subject to the appropriation and allocation of resources by the City Council.

34. **TITLE TO DOCUMENTS.** All documents, plans, and drawings, maps, photographs, and other papers, or copies thereof prepared by CONTRACTOR pursuant to the terms of this Agreement, shall, upon preparation, become CITY property.

35. **CONTRACTOR'S LICENSE INFORMATION.**

License Number	**958960**
Expiration Date	**03/31/2021**
License Classification	**A, C53**

36. **TAX NUMBERS.**

CONTRACTOR's Federal Tax ID Number **27-4963481**
CONTRACTOR is a corporation? Yes__X__ No_____
(Please check one.)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, as of the Effective Date.

"CITY"
CITY OF BAKERSFIELD

By:_____
KAREN GOH
Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By:_____
JOSHUA H RUDNICK
Deputy City Attorney

APPROVED AS TO CONTENT:
RECREATION AND PARKS DEPARTMENT

By:_____
for **DIANNE HOOVER**
Recreation and Parks Director

COUNTERSIGNED:

By:_____
RANDY McKEEGAN
Finance Director

"CONTRACTOR"
CALIFORNIA WATERS

By:_____

PRINT NAME: MARK Pitman

Title: President

Insurance:_____

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019 Consent – Bids m.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 10/24/2019

WARD:

SUBJECT: Purchase of a service truck for the Wastewater Division

1. Accept bid from Jim Burke Ford, Bakersfield ($67,855.77) for a replacement service truck.
2. Appropriate $23,000 Sewer Enterprise Fund balance to the Public Works Department's Operating Budget within the Equipment Management Fund to fund the purchase.

STAFF RECOMMENDATION:

Staff recommends acceptance of bid and approval of the appropriation.

BACKGROUND:

Bids were solicited for a 13,000 gross vehicle weight service truck for the Wastewater Division. Two bids were received in response to the solicitation.

This equipment is outfitted with a service body and crane unit, which is utilized by a Wastewater mechanic for the removal and repair of pumps. The equipment to be replaced is 18 years old and has been deferred from replacement in previous budget cycles.

Funds in the amount of $45,000 are budgeted in the Equipment Management Fund for this purchase. An appropriation of $23,000 from the Sewer Enterprise Fund balance is necessary to complete the acquisition. The $23,000 will be recouped within the Equipment Management Fund through future fleet rental rates.

The two bids received are as follows:

BIDDER	AMOUNT
Jim Burke Ford, Bakersfield	$67,855.77
Three Way Chevrolet, Bakersfield	$70,876.24

Staff finds the bid submitted by Jim Burke Ford, to be acceptable and recommends approval of the purchase and appropriation of funds necessary to complete the purchase.

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Consent – Miscellaneous n.

TO: Honorable Mayor and City Council

FROM: Dianne Hoover, Director of Recreation and Parks

DATE: 10/21/2019

WARD:

SUBJECT: Fiscal Year 2018-2019 Annual Compliance Report for Park Impact Fees prepared in accordance with California Government Code §66006.

STAFF RECOMMENDATION:

Staff recommends to make available to the public the Fiscal Year 2018-2019 Annual Compliance Report for Park Impact Fees.

BACKGROUND:

Attached is the City of Bakersfield's Annual Compliance Report for Park Impact Fees for the fiscal year ended June 30, 2019 prepared in compliance with California Government Code Section 66006.

On November 7, 1990, City Council adopted a park development and improvement fee program for the purposes of developing and improving parks and recreational facilities serving the residential development within the City of Bakersfield. Fees are collected based on the development's share of cost to develop, improve, construct or enhance a public park.

On April 19, 1995, City Council established an orderly process for the dedication, reservation and acquisition of park land within the City of Bakersfield for the purpose of supplying public parks and recreation facilities. The sub divider shall dedicate, reserve land, pay a fee in-lieu, or a combination thereof, at the option of the Advisory Agency, for park or recreational purposes.

Government Code Section 66006 requires that the local agency shall, within 180 days after the last day of each fiscal year, make available to the public specific information as outlined in this Code Section. The attached Annual Compliance Report provides this information.

After the public review period, the Annual Compliance Report will go before the City Council at the December 11, 2019 meeting for review of the Report. Pursuant to Government Code Section 66006, a local agency shall review the information made available to the public at the next regularly scheduled public meeting but not less than 15 days after this information is made available to the public. Therefore, no City Council action is required at today's meeting other than

to make the information available to the public.

ATTACHMENTS:

	Description	Type
🗋	FY 2018-2019 PIF Annual Compliance Report	Backup Material

BAKERSFIELD

THE SOUND OF *Something Better*

CITY OF BAKERSFIELD

FISCAL YEAR 2018-2019

ANNUAL COMPLIANCE REPORT FOR PARK IMPACT FEES

Prepared in accordance with California Government Code §66006

CITY OF BAKERSFIELD

ANNUAL COMPLIANCE REPORT FOR PARK IMPACT FEES (California Government Code § 66006)

FY 2018-19

MAYOR

Karen Goh

CITY COUNCILMEMBERS

Willie Rivera	Councilmember, Ward 1
Andrae Gonzales	Councilmember, Ward 2
Ken Weir	Councilmember, Ward 3
Bob Smith	Councilmember, Ward 4
Bruce Freeman	Councilmember, Ward 5
Jacquie Sullivan	Councilmember, Ward 6
Chris Parlier	Councilmember, Ward 7

Submitted by

Alan Tandy
City Manager

CITY OF BAKERSFIELD

EXECUTIVE STAFF

Alan Tandy	City Manager
Virginia Gennaro	City Attorney
Art Chianello	Water Resources Manager
Anthony Galagaza	Fire Chief
Dianne Hoover	Recreation and Parks Director
Phil Burns	Interim Development Services Director
Lyle Martin	Police Chief
Nick Fidler	Public Works Director
Randy McKeegan	Finance Director

Annual Compliance Report for Park Impact Fees
(California Government Code § 66006)

Table of Contents

	Page
Introduction……	1
Summary of FY 2018-19 fiscal activity……..	1
Annual reporting requirements……...	2
Description of fee……...	3
Amount of fee……..	3
Beginning and ending fund balance……	4
Fees collected and interest earned……	4
Public improvements……	4
Estimated timing of projects……	4
Inter-fund transfers/loans……..	4
Refunds……...	4
Public improvements……	Attachment A
Estimated timing of projects……	Attachment B
Park Zone Map……	Attachment C

Introduction

Development Fee Types

As new residents move into the City of Bakersfield, they will require additional park and recreation services and capital facilities. In order to ensure that new development does not reduce the current level of service, the City of Bakersfield can charge new development to cover the cost of providing additional parkland and park facilities. Park development fees can be charged under two California Statutes; the Park Acquisition Fees (Quimby Act) and Park Development/Improvement Fees.

Park Development/Improvement Fee:

On November 7, 1990, Council adopted a park development and improvement fee program for the purposes of developing and improving parks and recreational facilities serving the residential development within the City of Bakersfield. Fees are collected based on the development's share of cost to develop, improve, construct or enhance a public park.

Park Acquisition Fee:

On April 19, 1995, Council established an orderly process for the dedication, reservation and acquisition of park land within the city for the purpose of supplying public parks and recreation facilities. The subdivider shall dedicate, reserve land, pay a fee in-lieu, or a combination thereof, at the option of the Advisory Agency, for park or recreational purposes.

Government Code Section 66006 requires that the local agency shall, within 180 days after the last day of each fiscal year, make available to the public specific information. The specific information to be made available to the public is summarized on Page 2 of this Report.

Pursuant to Government Code Section 66006, after the information contained in the Report is made available to the public, the Council shall review the information in the Report at the next regularly scheduled public meeting. However, the public meeting must occur not less than 15 days after the information contained in the Report is made available to the public.

Summary of FY 2018-19 Fiscal Activity

Park Improvement Fund*

	South/Southwest Zone 1	Central Zone 2	Northeast Zone 3	NOR	Total
Fund Balance - Beginning 7/1/2018	$ 5,021,083	$ 209,174	$ 52,354	$ -	$ 5,282,611
Revenues					
Park Development and Acquisition Fees	1,796,578	301,786	106,240		2,204,604
North of the River Recreation and Parks				226,554	226,554
Interest Income	129,588	24,393	32,131	61,860	247,972
Total Revenues					2,679,130
Expenditures					
Capital Projects	2,656,193	200,497	10,944	202,042	3,069,675
Total Expenditures					3,069,675
Fund Balance - Ending 6/30/2019	$ 4,291,056	$ 334,856	$ 179,782	$ 86,372	$ 4,892,065

*http://www.bakersfieldcity.us/gov/depts/finance/cafr.htm

Government code Section 66006 (b) (1) sets forth the annual compliance reporting requirements as:

> For each separate account or fund established pursuant to subdivision (a), the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:
>
> (A) A brief description of the type of fee in the account or fund.
>
> (B) The amount of the fee.
>
> (C) The beginning and ending balance of the account or fund.
>
> (D) The amount of the fees collected and the interest earned.
>
> (E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
>
> (F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.
>
> (G) A description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an inter-fund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.
>
> (H) The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.

Items A through H listed above are reproduced on each report to ensure accuracy, understanding, and compliance.

(A) Description of fee

Park Development/Improvement Fees:

- The fee for park development and improvement is to finance the development, improvement, and/or enhancement of public parks and recreation facilities. Funds shall be used exclusively for projects as identified in the capital improvement plan, the Parks Element of the Bakersfield Metropolitan General Plan, or comprehensive park plan approved by the City Council. (Ord. 3327)
- The City will collect a park development, improvement, and enhancement fee for each new dwelling unit within city boundaries. These fees will be imposed and collected at the date of final inspection or the date the certificate of occupancy is issued, whichever occurs first. Fee may be paid at time of building permit issuance if a developer chooses. (BMC 15.82.040)

Park Acquisition Fees:

- The subdivider shall dedicate land so that a park and its development shall be sufficient in size, topography and design that bear a reasonable relationship to serve the present and future needs of the residents of the subdivision and be consistent with the policies of the Bakersfield Metropolitan General Plan. When a fee is to be paid in-lieu of land dedication, the subdivider shall, in-lieu of dedicating land, pay a fee equal to the value of the land which would otherwise be required for dedication. (Ord. 3646)

(B) Amount of fee

Park Development/Improvement Fee

- From July 1, 2018 to August 5, 2018, the Park Development and Improvement Fee was as follows*:

Residential – per living unit	Fee
Single Family Dwelling	$1,900
Duplex Dwelling Unit	$1,900
Multiple Family Dwelling Unit	$1,900
Mobile Home	$1,900

*Resolution No. 172-16 (available at: http://docs.bakersfieldcity.us/WebLink/Welcome.aspx)

- From August 6, 2018 to June 30, 2019, the Park Development and Improvement Fee was as follows*:

Residential – per living unit	Fee
Single Family Dwelling	$2,095
Duplex Dwelling Unit	$2,095
Multiple Family Dwelling Unit	$2,095
Mobile Home	$2,095

*Resolution No. 075-18 (available at: http://docs.bakersfieldcity.us/WebLink/Welcome.aspx)

Park Acquisition Fee

- The amount of in-lieu fee shall be determined in accordance with the following formula**:

Number of Dwelling Units x .0025 x APPDU* x Fair Market Value Per Buildable Acre

*APPDU: Average Persons Per Dwelling Unit

**Ordinance No. 3646

*(C) Beginning and ending fund balance**

- Park Development Fund

Beginning Balance @ 7/1/18	$ 5,282,611
Ending Balance @ 6/30/19	$ 4,805,694

* Note: NOR is an entity that is separate and distinct from City fund balance. The City collects park improvement fees and interest earned on those fees on behalf of NOR and holds them in a separate trust account. Beginning and ending NOR trust balance:

Beginning Balance @ 7/1/18	$ 3,018,741
Ending Balance @ 6/30/19	$ 3,105,113

(D) Fees collected and interest earned

Park Development/Improvement:

• North of the River Recreation and Parks Fees	$ 226,554
• Park Development/Improvement Fees	$ 2,029,402
• Interest Earned	$ 221,498

Park Acquisition:

• Park Acquisition Fees	$ 175,202
• Interest Earned	$ 26,474

(E) Public Improvements

- See "Attachment A"

(F) Timing of projects

- See "Attachment B"

(G) Inter-fund transfers/loans

- No transfers were made during the fiscal year.

(H) Refunds

Park Development/Improvement

- No refunds were made during the fiscal year.

Attachment A

Summary of Expenditures for Park Improvement Fund For Fiscal Year 2018-19

Project, Zone	Fee Type:	Project Description	Total Expendiures for Park Development Fund (Fund 321)	% of Total Project Cost funded with park impact fees and interest earnings
CITY				
P4C131, 1	Development	Sports Village Phase III	1,344,427.36	100.00%
P8C234, 1	Development	Sports Village Phase IV	1,311,765.52	58.09%
P9C212, 2	Development	Jastro Park Pickle Ball	111,136.67	52.19%
P8C233, 2	Development	Jastro Park Shade Structure	89,360.00	100.00%
P4C132, 3	Development	Mesa Marin Phase II	10,943.89	23.20%
		TOTAL CITY	2,867,633.44	
NOR				
				0%
		TOTAL NOR	0.00	
		TOTAL CITY & NOR	**$ 2,867,633.44**	

Attachment B

CITY OF BAKERSFIELD

CAPITAL IMPROVEMENT PROGRAM FIVE-YEAR PLAN

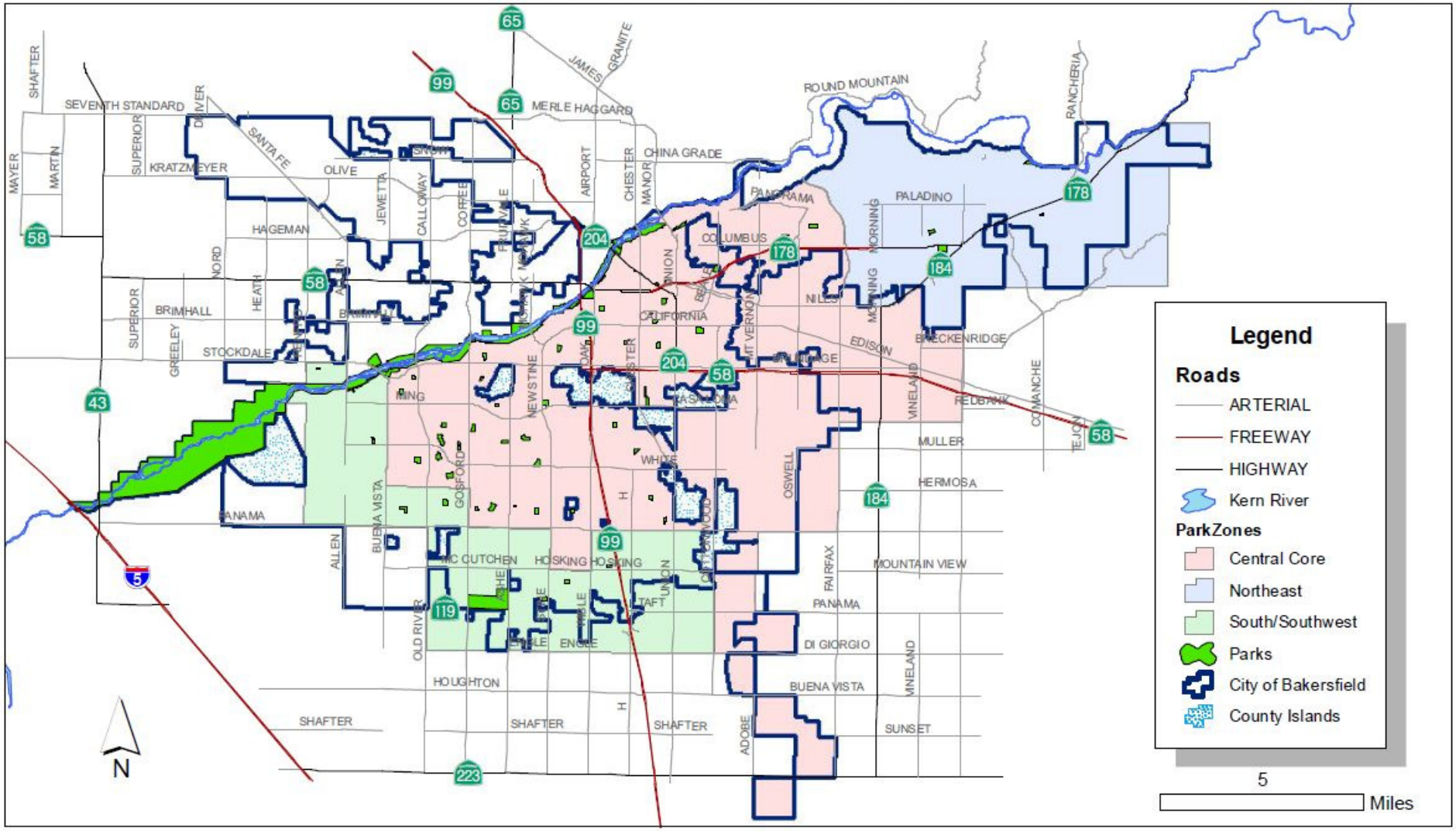
PROJECT SUMMARY BY DEPARTMENT

RECREATION AND PARKS

Project #	Project Title	:DUG	6RXUFH	Fund #	FY 2018-2019	FY 2019-2020	FY 2020-2021	FY 2021-2022	FY 2022-2023	Total
P8C234	SPORTS VILLAGE PHASE IV		COF	311	$ 500,000	$ -	$ -	$ -	$ -	$ 500,000
			WMR	633	290,000	-	-	-	-	290,000
			PIF	321	1,000,000	-	-	-	-	1,000,000
P9C212	JASTRO PRK PICKLE BALL CO		PIF	321	118,000	-	-	-	-	118,000
P9C214	MCM AQUATIC CTR IMPROVEME		CDBG	111	316,000	-	-	-	-	316,000
P9C215	PLAYGROUND SAFETY RESURFA		COF	311	200,000	-	-	-	-	200,000
P9C216	AKERS & MCKEE STREETSCAPE		COF	311	120,000	-	-	-	-	120,000
P9C220	DROUGHT RELATED TREE RPLC		COF	311	250,000	-	-	-	-	250,000
P9C221	MESA MARIN PHASE III		PIF	321	200,000	-	-	-	-	200,000
			COF	311	100,000	-	-	-	-	100,000
				7RWI	$ 3,094,000	$ -	$ -	$ -	$ -	$ 3,094,000

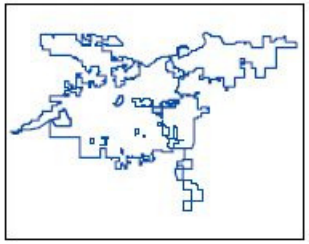
City of Bakersfield - Park Zones

Attachment C



Prepared by the City of Bakersfield, CA, Division of Information Technology, Geographic Information Services.

The City of Bakersfield makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.



ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Public Safety/Vital Services Measure o.

TO: Honorable Mayor and City Council

FROM: Alan Tandy, City Manager

DATE: 10/11/2019

WARD:

SUBJECT: Resolution dispensing with formal bidding procedure in the purchase of JVC Kenwood mobile radios for the Bakersfield Police Department from Applied Technology Group, Inc. and authorizing the use of a cooperative procurement contract for the purchase of the radios in an amount not to exceed $94,500.

STAFF RECOMMENDATION:

Staff recommends adoption of resolution and approval of the purchase.

BACKGROUND:

Public safety communications are critical to ensuring the ongoing public welfare, safety of our first responders, and the ongoing operations of our Police and Fire departments. The use of vehicle mounted mobile radios are essential to this function.

In November 2018, the voters of Bakersfield approved the Public Safety and Vital Services measure, providing additional funding for those services identified on the measure. On June 28 2019, City Council approved the FY 2019-2020 City budget that included PSVS related proposed expenditures. This purchase represents the purchase of 30 mobile radios to be installed in new vehicles related to the additional police officers hired with PSVS funding.

The mobile radios being purchased will be able to be function with the current radio system and support basic radio communication functionality in the prospective new radio system currently in the procurement stage.

In accordance with the Bakersfield Municipal Code, this items authorizes staff to dispense with bidding procedures and purchase the radios through the competitively awarded National Association of State Procurement Officials Program. The authorization for the purchase of the radios through Applied Technology Group will not exceed $94,500.

ATTACHMENTS:

Description	Type

- Resolution
- Quote

Resolution

Exhibit

RESOLUTION NO. _____

A RESOLUTION OF THE BAKERSFIELD CITY COUNCIL DISPENSING WITH FORMAL BIDDING PROCEDURES IN THE PURCHASE OF JVC KENWOOD MOBILE RADIOS FROM APPLIED TECHNOLOGY GROUP, INC. AND AUTHORIZING THE USE OF COOPERATIVE PROCUREMENT CONTRACTS FOR THE PURCHASE OF THE MOBILE RADIOS IN AN AMOUNT NOT TO EXCEED $94,500.

WHEREAS, the City may enter into cooperative procurement contracts for work, supplies, equipment or materials without competitive bidding pursuant to Bakersfield Municipal Code Section 3.20.060(D)(7); and

WHEREAS, prices offered through national cooperative procurement contracts are generally less expensive than the prices for work, supplies, equipment or materials the City is currently paying; and

WHEREAS, purchasing work, supplies, equipment or materials for the City through national cooperative procurement contracts is to the City's economic advantage and in the City's best interests; and

WHEREAS, Bakersfield Municipal Code Section 3.20.060(D)(7) allows the City to dispense with bidding procedures when it is determined that work, supplies, equipment or materials are available from a local vendor that has successfully obtained a contract that was competitively awarded by another governmental agency within the last 36 months as a participant in a cooperative procurement contract, and that it is in the best interests of the city, and to the city's economic advantage to purchase such work, supplies, equipment or materials from that vendor at the lowest possible cost for the quality needed; and

WHEREAS, the process used to determine the vendors for the cooperative procurement contracts herein substantially comply with the City's procurement process, including public advertisement for sealed bids and awards determined on the basis of best value.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield as follows:

1. The above recitals are true and correct and are incorporated herein by reference.

2. The Council finds that work, supplies, equipment or materials are available from a local vendor that has successfully obtained a contract that was competitively awarded by another governmental agency within the last 36 months as a participant in a cooperative procurement contract, and that it is in the best interests of the city, and to the city's economic advantage to purchase such work, supplies, equipment or materials from that vendor at the lowest possible cost for the quality needed.

3. The Finance Director or his designee is authorized to dispense with bidding in accordance with section 3.20.060(D)(7) of the Bakersfield Municipal Code and to negotiate the purchase of same, in an amount not to exceed $94,500.

4. The Finance Director or his designee is authorized to purchase JVC Kenwood Radios from Applied Technology Group, Inc. through the National Association of State Procurement Officials Program (NASPO), pursuant to the terms and conditions of Contract No. 06913, as may be amended from time to time and including any options to renew that may be exercised by the lead agency.

5. That in the event certain work, supplies, equipment or materials needed by the City are available through more than one of these cooperative procurement contracts and within the timeframe required by the City, the Finance Director or his designee shall purchase such work, supplies, equipment or materials from the vendor offering the lowest price.

6. That the Finance Director or designee is authorized to negotiate and execute any documents that may be necessary to register with, and purchase work, supplies, equipment or materials from, the vendors herein.

--oo0oo--

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

YES: COUNCIL MEMBER RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES: COUNCIL MEMBER _____
ABSTAIN: COUNCIL MEMBER _____
ABSENT: COUNCIL MEMBER _____

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

APPROVED _____

By _____
KAREN GOH Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By _____
JOSHUA H. RUDNICK
Deputy City Attorney

APPLIED TECHNOLOGY GROUP, INC.
SPECIALIZED COMMUNICATIONS SERVICES

4440 Easton Drive - Bakersfield, CA 93309
(661) 322-8650 or (800) 481-0007 Fax (661) 322-4060
Fed ID #77-0229621 / Contractors Lic #891598 / B.E.A.R. #89845
atginternet.com - atg-inc.com

Quote	QTSTD00000008775
Date	8/30/2019
Page	1

Quote Expires: 9/29/2019

Bill To: 1261

CITY OF BAKERSFIELD
ATTN: CITY FINANCE
1501 TRUXTUN
BAKERSFIELD CA 93301

Ship To:

CITY OF BAKERSFIELD
ATTN: CITY FINANCE
1501 TRUXTUN
BAKERSFIELD CA 93301

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date
	1261	46	LOCAL DELIVERY	NET 15 DAYS	0/0/0000

Quantity	Item Number	Description	UOM	Unit Price	Ext. Price
1	SCOPE OF WORK	Analog / Digital VHF P25 Mobile Radio Package for new squad vehicles as requested by David King. Note: Radios are scalable to meet requirements of future radio system.	N	$0	$0.00
1	NOTE	Note: All JVC Kenwood product is quoted at the NASPO Contract #06913 rate of 20% off list price providing the City a guaranteed discount level.	N	$0	$0.00
1	NOTE	The National Association of State Procurement Officials Program was developed to eliminate the expense of developing an RFP by granting a guaranteed discount rate from Vendors.	N	$0	$0.00
30	VM5730BF	VHF Mobile 136-174 MHz 50W 1024 CH	Each	$1,720.00	$51,600.00
30	KCH19VM	Dash Mount Control Head	Each	$144.00	$4,320.00
30	KMC65M	SPEAKER MICROPHONE; 8-PIN MOD. PLUG, MIL-PEC STAND/	Each	$40.00	$1,200.00
30	KCT23M	DC CABLE (10-50W DASH MOUNT)	EACH	$25.20	$756.00
30	KMB33	STANDARD MOUNTING BRACKET	Each	$11.20	$336.00
30	KCT46	IGNITION SENSE CABLE	EACH	$10.96	$328.80
30	A1511A	ANTENNA, 132-970MHz WIDEBND 1/4WAVE	Each	$54.17	$1,625.10
30	NMOKUD	3/4" HOLE NMO STYLE MOUNT w/17" UD COAX & NO CONNEC	Each	$19.69	$590.70
30	RFU505/ST	UHF (M) CRIMP PLUG RG58/LMR195	Each	$7.50	$225.00
1	NOTE	Note: Installation and Programming have not been included in this quote.	N	$0	$0.00

Subtotal	$60,981.60
Misc	$0.00
Tax	$5,030.99
Shipping & Handling	$0.00
Total	$66,012.59

Authorized Signature

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Public Safety/Vital Services Measure p.

TO: Honorable Mayor and City Council

FROM: Nick Fidler, Public Works Director

DATE: 10/8/2019

WARD: Ward 2

SUBJECT: Amendment No. 1 to Resolution No. 121-19 to dispensing with bidding procedures due to the rejection of previous bids for the Bakersfield Police Department Shooting Range, not to exceed $2,400,000.

STAFF RECOMMENDATION:

Staff recommends approval of amendment to resolution.

BACKGROUND:

The Bakersfield Police Department Shooting Range is located at 3419 Truxtun Avenue on a 3.5 acre site. When originally constructed in the 1940's, the site was on the edge of the developed urban area. Since that time, much has changed in the Community as the facility has been encroached upon by urbanization, and the Department has grown to a metropolitan police force with a projected complement exceeding 500 sworn officers within the next three years.

At the August 14, 2019, City Council meeting, staff recommended the rejection of bids for the Bakersfield Police Department Shooting Range project. The sole bid that was received came in significantly higher than the budgeted amount for this project. The action City Council approved was the rejection of the bid and approval of a resolution to dispense with normal bidding procedures, which would allow staff to work directly with the contractor and vendors involved to reduce the overall project costs.

Staff has met with Superior Construction, who previously submitted the lone bid, and has diligently worked with them to reduce the overall costs of the project. Working with Superior Construction, it was recommended that the overall project be split into two distinct scopes. One contract for the metal pre-engineered building would be awarded to Superior Construction and the other contract for the ballistic baffling systems would be awarded to Paragon Tactical. This process eliminated the need to carry additional bonds for the baffling system contractor. Some minor design changes to the metal building also helped reduced the costs of the project. City staff will self perform the demolition of the existing structures, which also reduced the costs of the projects. Overall, the project costs were reduced by approximately $400,000.

Staff has negotiated the final process with Superior Construction in the amount of $1,329,756

for the metal building and related improvements and Paragon Tactical in the amount of $969,869 for the ballistic baffling system for the project. This results in a total construction cost of $2,299,625. Specific construction contracts will be executed for these negotiated amounts with each of these contractors to include specific items such as completion date/schedule, bonds, and the required insurance documents.

Staff recommends approval of the amendment to resolution 121-19. This will allow staff to consider all of the options mentioned above.

ATTACHMENTS:

	Description	Type
🗋	Amendment No.1 to Reso 121-19(1)	Resolution

RESOLUTION NO. 121-19 (1)

AMENDMENT NO. 1 TO RESOLUTION NO. 121-19 OF THE BAKERSFIELD CITY COUNCIL DISPENSING WITH FORMAL BIDDING PROCEDURES IN THE CONSTRUCTION OF THE BAKERSFIELD POLICE DEPARTMENT SHOOTING RANGE AND AUTHORIZING THE USE OF COOPERATIVE PROCUREMENT CONTRACTS FOR THE CONSTRUCTION OF SAID PROJECT, NOT TO EXCEED $2,400,000.

WHEREAS, Resolution No. 121-19 authorized dispensing with bidding procedures for the construction of the Bakersfield Police Department Shooting Range project with a project cost not to exceed $2,050,000; and

WHEREAS, Superior Construction and Paragon Tactical have agreed to construct said project, which will not exceed the amount of $2,400,000, and

WHEREAS, purchasing work, supplies, equipment or materials for the City through national cooperative procurement contracts is to the City's economic advantage and in the City's best interests.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield as follows:

1. The above recitals are true and correct and are incorporated herein by reference.

2. Item No. 4 of Resolution 121-19 is hereby amended to read:

   "The Finance Director or his designee is authorized to execute agreement for the construction of Bakersfield Police Department Shooting Range as a sole-source contract or at Sourcewell (formerly National Joint Powers Alliance® (NJPA)) pricing through a vendor, and to negotiate the purchase of same, not to exceed $2,400,000.

3. Except as herein amended Resolution Number 121-19 shall remain in full force and effect.

--oo0oo--

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

YES: COUNCIL MEMBER RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES: COUNCIL MEMBER _____
ABSTAIN: COUNCIL MEMBER _____
ABSENT: COUNCIL MEMBER _____

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

APPROVED _____

By _____
KAREN GOH Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By _____
JOSHUA RUDNICK
Deputy City Attorney

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Hearings 10. a.

TO: Honorable Mayor and City Council

FROM: Phil Burns Interim Development Services Director

DATE:

WARD: Ward 3

SUBJECT: Cancellation of Public Hearing Regarding Bond Financing for the Housing Authority of the County of Kern:

1. Resolution approving the issuance of revenue bonds by the California Debt Limit Allocation Committee ("CDLAC") for the purpose of financing the construction of approximately 81 multi-family units of affordable housing and certain other matters relating thereto
2. Indemnification agreement between the City and the Housing Authority of the County of Kern.

STAFF RECOMMENDATION:

Staff recommends the City Council open the public hearing and take no further action on the resolution and the indemnity agreement.

BACKGROUND:

On October 11th, 2019 the City received a request from the Housing Authority of the County of Kern (HACK) to conduct a public hearing as required by the Internal Revenue Code in order to issue tax exempt multifamily housing bonds in an aggregate amount not to exceed $17 million, the proceeds of which will be used to make a loan to a limited partnership to-be formed for the development and construction of Residences at East Hills at 3345 Bernard Street. Revenue bonds require a public hearing within the jurisdiction for which the bond-financed project will occur, and a public notice be published at least seven days prior to the hearing occurring.

Subsequent to the publishing of the notice for this item, the City was notified that the hearing was no longer required as HACK was awarded an allocation of federal tax credits by the California Tax Credit Allocation Committee through its most recent 9% competition. This allocation will allow HACK to begin construction on the project without obtaining the bond financing. Therefore, staff recommends the City Council open the public hearing and take no further action on the items.

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Hearings 10. b.

TO: Honorable Mayor and City Council

FROM: Phil Burns, Interim Development Services Director

DATE: 9/23/2019

WARD: Ward 1

SUBJECT: Appeal by Dowling Aaron Incorporated of the September 10, 2019 decision of the Board of Zoning Adjustment to deny a conditional use permit to allow a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value (CRV) containers from the public in a C-2 (Regional Commercial Zone) district, located at 830 Union Avenue.

STAFF RECOMMENDATION:

Staff recommends upholding the decision of the Board of Zoning Adjustment and denying Conditional Use Permit No. 18-0397.

BACKGROUND:

Yadwinder Singh applied for a conditional use permit to allow a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value (CRV) containers from the public, located at 830 Union Avenue. The site is developed with a gas station and convenience store, currently undergoing renovation. Surrounding properties consist of undeveloped land, multiple-family dwellings, commercial buildings, and a motel.

Upon review of the initial request, and based on the information available at that time, Staff recommended approval of the project subject to specific operational conditions of approval. However, at the September 10, 2019 Board of Zoning Adjustment (BZA) hearing, public comments were received both in opposition and support of the project. The BZA concluded the required findings could not be made to approve the conditional use permit, and the request was denied. An appeal to this decision was filed on September 19, 2019.

July 2009. The Board of Zoning Adjustment approved a conditional use permit to allow a recycling center for the purchasing of California Redemption Value containers from the public and to permit outdoor automobile tire repair services. Due to on-going operating violations with the conditions of approval, the recycling center became null and void through a settlement agreement with the City.

October 2018. The applicant submitted a new CUP application to allow a recycling center

within a State-recognized convenience zone. Due to code violations and an incomplete application, the project was placed on hold. In July 2019, all documentation was submitted to allow processing of the request.

November 2018. Based on a councilmember referral, your Council adopted revisions to the ordinance requiring a conditional use permit for any recycling center in the City within a convenience zone. Through the ordinance revisions, the City is able to place conditions regarding a center's hours of operation, cleanliness, parking, and visual blight, among other things, on the approval of a conditional use permit in the areas of the City most sensitive to the impacts that accompany recycling centers.

STAFF ANALYSIS:

Conditional Use Permit. As proposed, the recycling center will conduct operations within an 800 square foot area of the 0.40-acre parcel, and located behind an 8-foot high, screened chain link fence. The operation consists of one 8 x 20-foot metal storage container and one 8 x 15-foot glass storage roll away container. The containers are used for storage of collected materials until removed from the site; no operations (e.g. sorting, payment, etc.) are conducted inside the containers.

The facility will have two employees with operations occurring seven days a week from 8:00 am to 5:00 pm. The employees will secure the site and clean all debris at the close of business each day. Recycling centers require one parking space per employee and two for customers; the applicant has provided four additional parking spaces.

The nearest residences are located approximately 60 feet to the east of the site. By operating within a fenced in area, and containing the materials within enclosed structures that will be secured when no one is present, the applicant states this will minimize noise, visual blight, and potential for vagrants.

CalRecycle. A convenience zone is established by the California Department of Resources Recycling and Recovery (CalRecycle), and typically a 1/2 mile radius circle with the center point originating at a supermarket that meets specific CalRecycle requirements (i.e. listed in the Progressive Grocer Marketing Guidebook, minimum annual sales of $2 million, and sells full-line of goods). With few exceptions, a convenience zone is required by law to have a recycling center that redeems all CRV containers within its boundary. These centers provide opportunities to redeem containers near where beverages were purchased.

Convenience zone-based recyclers are eligible for CalRecycle handling fees that are designed to subsidize the authorized recyclers to promote a wider geographic dispersal than would be possible if unassisted. Effective July 1, 2019, CalRecycle calculated the monthly handling fee at the rate of $0.00860 per beverage container redeemed. However, the current state law does not allow CalRecycle to make multiple handling fee payments to two or more operational recycling centers located in the same convenience zone.

According to CalRecycle, the Food Maxx located at 1115 Union Avenue qualifies as a supermarket that establishes a convenience zone. Additionally, there is a recycler currently operating at 349 Union Avenue which is within the convenience zone and that center is receiving handling fees (see Recycle Center Map).

Therefore, if the proposed recycling operation (830 Union Avenue) registers with CalRecycle to accept handling fees, the first recycling center (349 Union Avenue) will become ineligible to receive handling fees 60 days from the second recycler's operational date. Furthermore, any recycling center that locates in a convenience zone and causes a pre-existing recycling center to become ineligible to receive handling fees is ineligible to receive handling fees in that convenience zone from that day forward. This is called a "permanent ban" and applies to the second recycling center's parent company, its subsidiaries, and affiliates, even if the first recycling center ceases to operate within the convenience zone. However, if the second recycling center becomes nonoperational, then the first recycling center may again become eligible to apply for handling fee payments in the convenience zone.

On October 24, 2019, City Staff became aware that the first recycler (349 Union Avenue) received a letter from CalRecycle stating an application has been received to establish a second center (830 Union Avenue). CalRecycle noted that if the second recycler becomes certified and operational, and both recyclers are concurrently operating, then handling fees for the first recycler will end. A copy of the first recycler's concerns and the CalRecycle correspondence are included for your Council's consideration.

Board of Zoning Adjustment. This project was considered by the Board of Zoning Adjustment on September 10, 2019. In addition to receiving written comments in opposition (attached), during the hearing, public comments were received in opposition from Michael Hariri, representing the management company for the adjacent residential development. Opposition was based on the following:

- Numerous illegal activities, public nuisances, inappropriate actions, and the increase in homelessness in the area can be attributed to the previous recycling facility operated at this site.

- Notable decrease in City resources being called to the site (Police, Fire, Code Enforcement) following closure of the previous recycling facility. Re-opening the facility will revert back to causing an increase in City resources responding to the site.

Public comments were received in support by Micah Nilsson (Dowling Aaron Incorporated), and Mark Bettencourt and Darrell Miller, both nearby residents. Mr. Nilsson submitted a petition with 101 signatures stating the recycling operation will benefit the economy and help the community. Mark and Darrell each indicated a recycling facility at this site would benefit members of the public who do not have vehicles or unable to obtain transportation to recycling centers that are not in the area.

Rebuttal was provided to both sides. The public hearing was closed and the Board deliberated before making a motion to deny the project due to the center not being essential since an existing recycling operation is currently operating within the convenience zone, or a public convenience because the existing operation is located just 0.30 miles (5 blocks) to the south. The motion passed by a vote of three in favor and none opposed (see BZA Resolution 19-24).

APPEAL:

An appeal of the Board's decision by Justin Thomas (Dowling Aaron Incorporated) was

received in the City Clerk's office on September 19, 2019 (see Appeal Request). Mr. Thomas justified the appeal with the following:

- The BZA's application of the wrong standard of approval. Bakersfield Municipal Code Section 17.64.060.C states that a finding that the CUP is "essential or desirable" is required. However, the Board limited its decision to whether the CUP was essential. The standard expressly requires only a finding that the CUP is "essential or desirable." If the CUP was deemed to be either essential or desirable, the Board should have approved it. It was not necessary for the CUP to be "essential." The CUP was demonstrated to be desirable and should be approved pursuant to Municipal Code Section 17.64.060.C.

- On July 31, 2016, the City of Bakersfield ("City") and Mr. Singh entered into a settlement agreement regarding his previous CUP at the same location. The settlement agreement states that the "CUP will stay in effect" as long as Mr. Singh removed underground storage tanks, providing for extensions as long as Mr. Singh was reasonably working toward removing the tanks. Several verbal extensions were granted by City representatives to Mr. Singh. In compliance with the settlement agreement, Mr. Singh removed the underground tanks and, therefore, the original CUP should be retroactively activated.

A copy of the settlement agreement is attached for your Council's review.

Conclusions:

Necessary Findings. Section 17.64.060 of the Zoning Ordinance contains specific findings that must be made by the decision-making body to approve the requested conditional use permit. A conditional use permit shall only be granted only when it is found that:

1. The proposed use is deemed essential or desirable to the public convenience or welfare; and,

2. The proposed use is in harmony with the various elements and objectives of the general plan and applicable specific plans.

Section 17.64.060 also states that a conditional use permit may be subject to such conditions as deemed appropriate or necessary to assure compliance with the intent and purpose of the zoning regulations and the various elements and objectives of the general plan and applicable specific plans and policies of the city or to protect the public health, safety, convenience, or welfare. Should your Council determine that the necessary findings can be met, a list of possible conditions of approval are included with this report.

Overall Recommendation. Given the evidence in the record to date, Staff cannot conclude the necessary findings can be met. Specifically, the proposed use as a recycling center cannot be deemed essential or desirable to the public convenience or welfare, and cannot be found to be in harmony with the objectives of the Metropolitan General Plan, which includes policies to encourage compatibility of uses (MGBP Policy 6).

Therefore, Staff recommends upholding the decision of the Board of Zoning Adjustment and denying Conditional Use Permit No. 18-0397.

ATTACHMENTS:

Description	Type
Resolution	Resolution
Recycle Center Map	Backup Material
Existing Recycling Center & CalRecycle Comments	Backup Material
BZA Resolution 19-24	Backup Material
BZA Public Comments	Backup Material
Appeal Request	Backup Material
Settlement Agreement	Backup Material
Possible Conditions of Approval	Backup Material
PowerPoint presentation	Presentation
Written material submitted during public hearing	Correspondence

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE BAKERSFIELD CITY COUNCIL TO UPHOLD THE DECISION OF THE BOARD OF ZONING ADJUSTMENT AND DENY THE APPEAL FOR CONDITIONAL USE PERMIT NO. 18-0397 TO ALLOW A RECYCLING CENTER FOR THE PURCHASING OF CALIFORNIA REDEMPTION VALUE (CRV) CONTAINERS FROM THE PUBLIC IN A C-2 (REGIONAL COMMERCIAL ZONE) DISTRICT LOCATED AT 830 UNION AVENUE (WARD 1).

WHEREAS, Yadwinder Singh filed an application with the City of Bakersfield Development Services Department for a conditional use permit to allow a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value (CRV) containers from the public (17.24.040.B.13) in a C-2 (Regional Commercial Zone) district, located at 830 Union Avenue (the "Project"); and

WHEREAS, the Board of Zoning Adjustment on September 10, 2019, denied the conditional use permit to allow a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value (CRV) containers from the public, and the decision was appealed by Dowling Aaron Incorporated on September 19, 2019; and

WHEREAS, the Clerk of the City Council set Wednesday, November 6, 2019, at 5:15 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the City Council to consider the appeal as required by Government Code Section 65355, and notice of the public hearing was given in the manner provided in Title 17 of the Bakersfield Municipal Code; and

WHEREAS, the laws and regulations relating to the California Environmental Quality Act (CEQA) and the City of Bakersfield's CEQA Implementation Procedures have been duly followed by city staff and the Board of Zoning Adjustment; and

WHEREAS, pursuant to Section 15270 of the California Environmental Quality Act (CEQA) Guidelines, CEQA does not apply to projects which a public agency rejects or disapproves and no further analysis is necessary.

WHEREAS, during the hearing, the City Council considered all facts, testimony, and evidence concerning the staff report, and the Board of Zoning Adjustment's deliberation and action.

NOW, THEREFORE, BE IT RESOLVED by the Bakersfield City Council as follows:

1. The proposed use is not essential and desirable to the public convenience and welfare.

2. The proposed use is not in harmony with the various elements and objectives of the Metropolitan Bakersfield General Plan.

3. The decision of the Board of Zoning Adjustment is upheld and Conditional Use Permit No. 18-0397 is denied.

---------o0o----------

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted, by the Council of the City of Bakersfield at a regular meeting thereof held on _____ by the following vote:

AYES:	COUNCILMEMBER:	RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER:	_____
ABSTAIN:	COUNCILMEMBER:	_____
ABSENT:	COUNCILMEMBER:	_____

_____

JULIE DRIMAKIS, CMC
CITY CLERK and Ex Officio Clerk of the Council of the City of Bakersfield

APPROVED:

By:_____
KAREN GOH
Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By: _____
RICHARD IGER
Deputy City Attorney

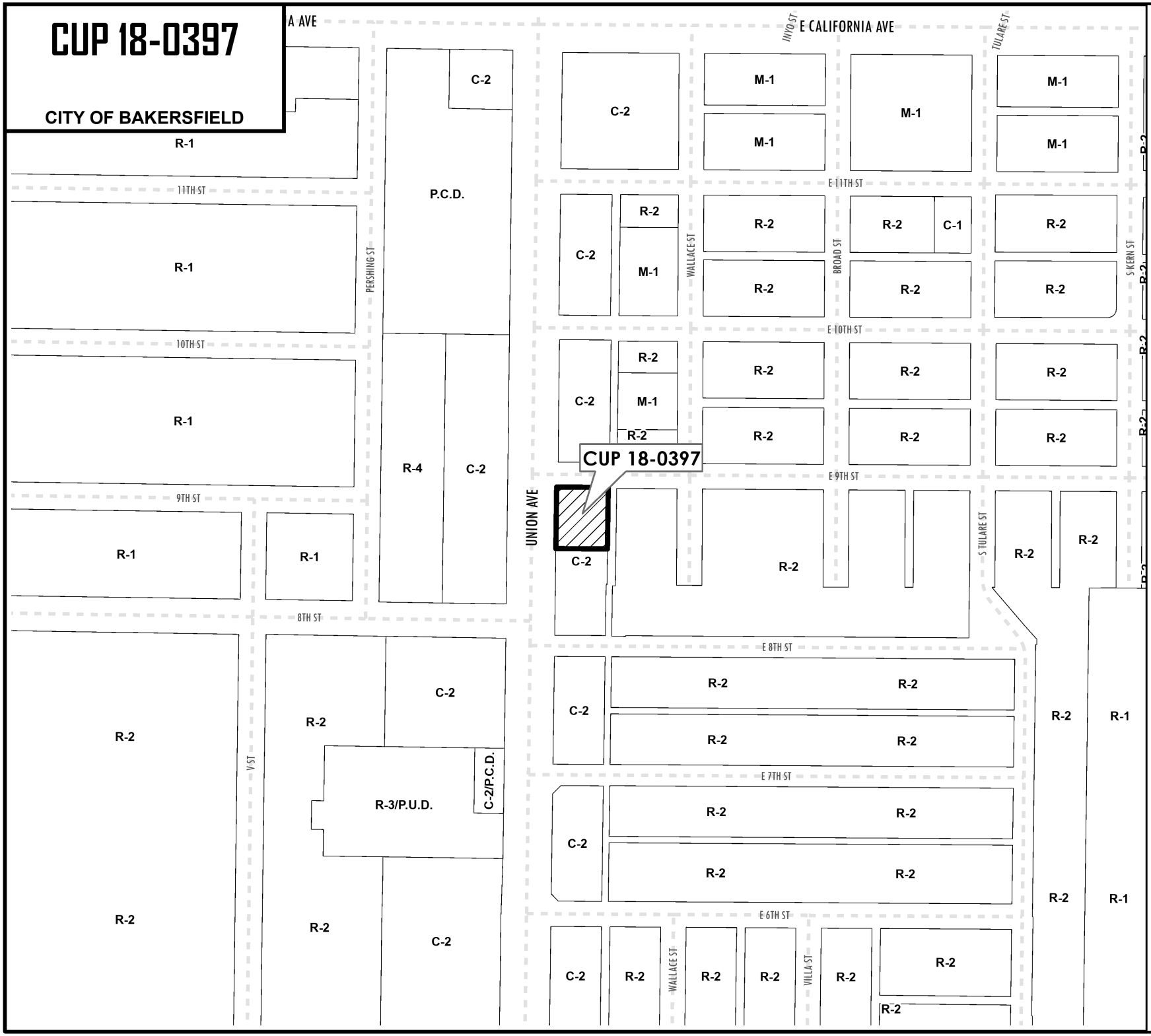
Exhibits: A. Location Map
B. Site Plan

Exhibit A

(Location Map)

CUP 18-0397

CITY OF BAKERSFIELD



LEGEND (ZONE DISTRICTS)

R-1 One Family Dwelling
6,000 sq.ft. min lot size
R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
E Estate
10,000 sq.ft. min lot size
R-S Residential Suburban
24,000 sq.ft./dwelling unit
R-S-( ) Residential Suburban
1, 2.5, 5 or 10 min lot size
R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
R-H Residential Holding
20 acre min lot size
A Agriculture
6,000 sq.ft. min lot size
A-20A Agriculture
20 acre min lot size
PUD Planned Unit Development
TT Travel Trailer Park
MH Mobilehome
C-O Professional and Administrative Office
C-1 Neighborhood Commercial
C-2 Regional Commercial
C-C Commercial Center
C-B Central Business
PCD Planned Commercial Development
M-1 Light Manufacturing
M-2 General Manufacturing
M-3 Heavy Industrial
P Automobile Parking
RE Recreation
Ch Church Overlay
OS Open Space
HOSP Hospital Overlay
AD Architectural Design Overlay
FP-P Floodplain Primary
FP-S Floodplain Secondary
AA Airport Approach
DI Drilling Island
PE Petroleum Extraction Combining
SC Senior Citizen Overlay
HD Hillside Development Combining
WM- West Ming Specific Plan

N
Feet
0 125 250

Document Name: 20190806

Exhibit B

(Site Development Plan)

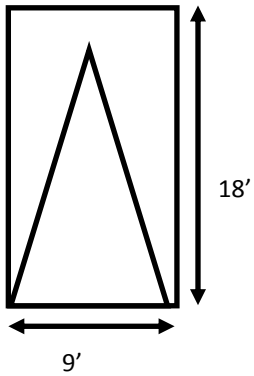
BUILDING DATA/LEGAL DESCRIPTION:
Owner: Yadwinder Singh
Address: 830 Union Ave, Bakersfield, CA 93307
APN# 139-141-02-00
Zoning C2 Area Lot: 17,242 sqft.
Building: 3080 sqft Convenience Store/Gas Station
Project: Re-Addition of Recycling Center

SCOPE OF WORK: The replacement of a former recycling center which was approved for the lot but closed to allow for the installation of new gas tanks. The same equipment will be used and placed in the same location as previously approved.

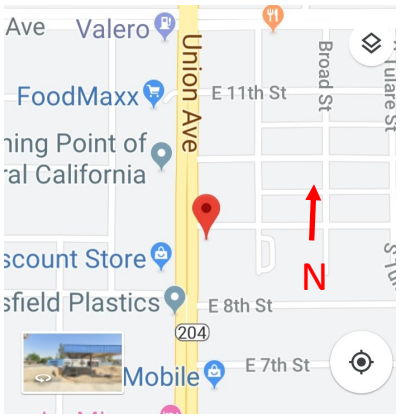
NOTES:
Hours of Operation 8:00AM to 6:00 PM
# of Employees = 1 full time
Materials to be collected: Aluminum Cans, Glass, Plastics

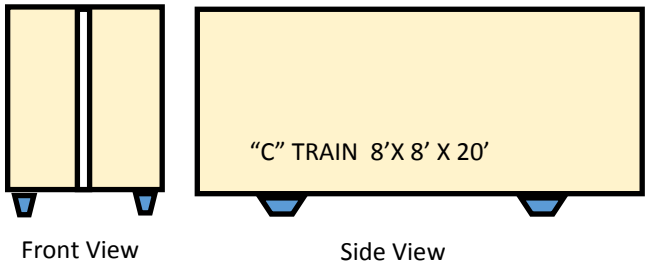
SHEET INDEX AND NOTES

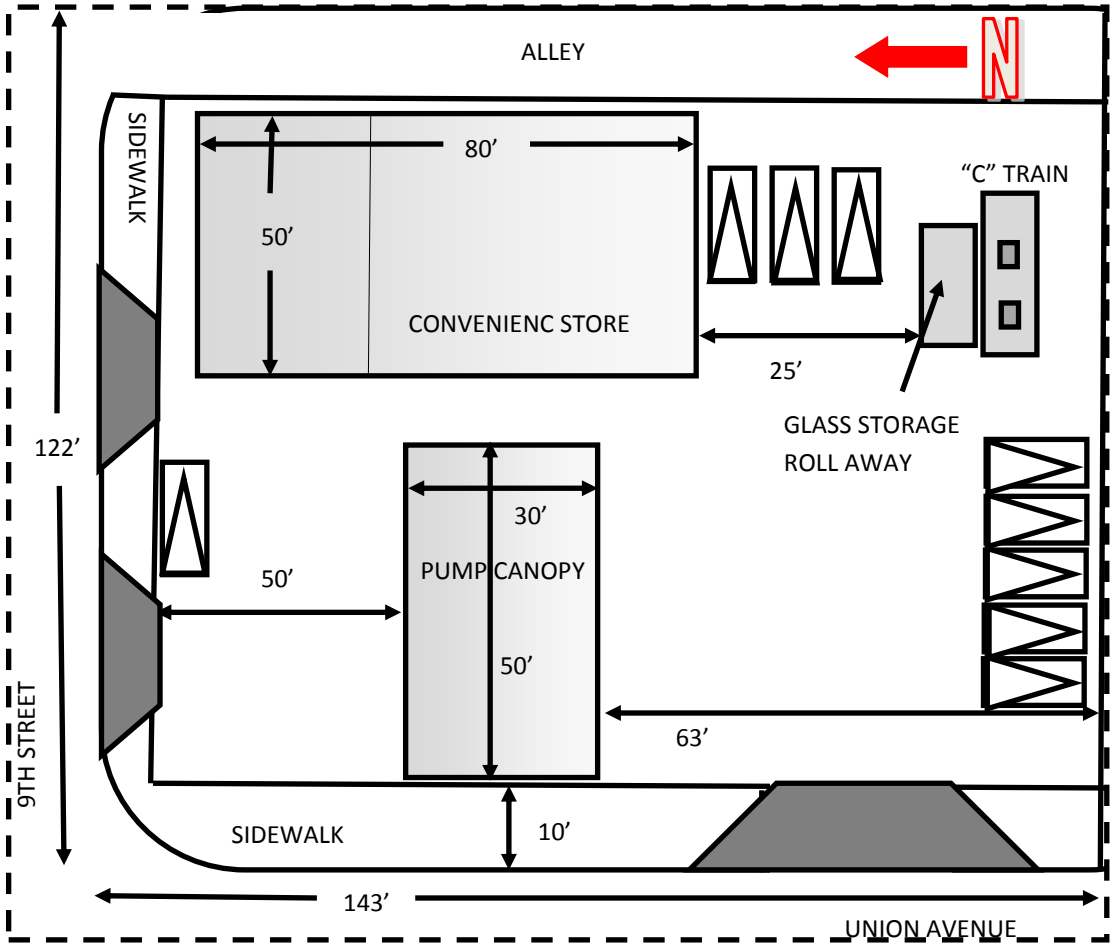
PARKING STALL



VACINITY MAP

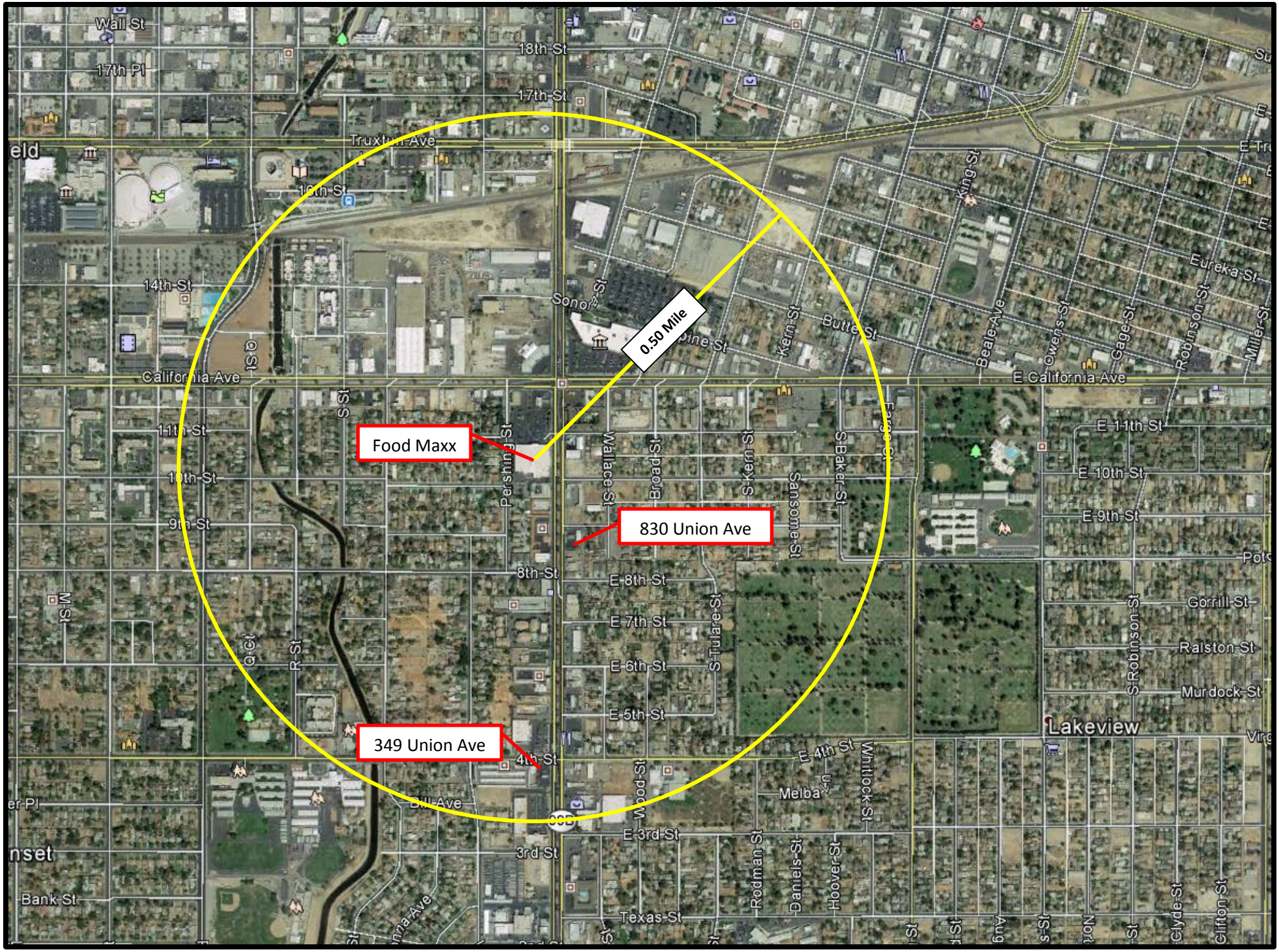






SITE PLAN– 830 UNION AVE, BAKERSFIED CA 93307
YADWINDER SINGH SCALE 1"=32'

Recycle Center Map


Food Maxx
830 Union Ave
349 Union Ave
0.50 Mile
Wall St
17th Pl
18th St
17th St
Truxtun Ave
14th St
California Ave
E California Ave
11th St
10th St
9th St
8th St
E 8th St
E 7th St
E 6th St
E 5th St
E 4th St
E 3rd St
3rd St
Bill Ave
Bank St
Texas St
Melba
Lakeview
E 11th St
E 10th St
E 9th St
Gorrill St
Ralston St
Murdock St
Eureka St
Sonora St
Pine St
Butte St
Kern St
King St
Beale Ave
Owens St
Gage St
Robinson St
Miller St
Pershing St
Wallace St
Broad St
S Kern St
Sansome St
S Baker St
Tulare St
S Robinson St
Wood St
Whitlock St
Rodman St
Daniels St
Hoover St
Clyde St
Clifton St
Q St
R St
S St
M St

Correspondence
Existing Recycling Center
and
CalReyclce

From: alondra medina [mailto:ac.recycling@hotmail.com]
Sent: Thursday, October 24, 2019 3:16 PM
To: Paul Johnson; Whitney M. Jackson
Subject: Action needed by CalRecycle Notice

Warning: This email originated from outside the City of Bakersfield. Think before you click!

STOP N RECYCLE
ALONDRA MEDINA
2943 COOTER ST
BAKERSFIELD CA 93307
661-371-5457

Hello!

How are you been? I writing you because I received a letter from CalRecycle they said that another recycle will open in the area that I am. I am inside the convenient **zone number 11214** with address **1115 Union Ave**. I am located at 349 S Union Ave, when I apply to the city for this location you ask me for proof that the state needs a recycling inside this zone and that no one else was operational on this site. I show the proof and get the state and City license. Now other person is applying for the same convenient zone where I am located. I do not have the exact address but If they become operational I will lose the handle fees that I am getting now and by the moment around $4000.00 per month. I just want to know if the person that apply for the sate already apply for the city license? Many recyclers only takes the state license but not the city. I already talk to the certification Unit director but they can't give me more information because I am an individual, but I know that they can deny this application if you talk to them and tell them if this person has or not the city permission to operate in that place for what they apply for. You can call this number (916) 445-0815 she is the Certification Director and she told me if you have any question you can contact her, also she can provide you the address where this person apply for. Attached is the letter that I received from CalRecycle. If you have any question please let me know. I will appreciate all your help on this matter.

Sincerely

Alondra Medina

California Environmental Protection Agency

Gavin Newsom
California Governor

CalRecycle

Jared Blumenfeld
Secretary for Environmental Protection

Department of Resources Recycling and Recovery

Scott Smithline
CalRecycle Director

Friday, October 18, 2019

Ms. Alondra Medina Camacho
Stop N Recycle
2943 Cooter St
Bakersfield, CA 93307

Subject: Handling Fee Eligibility

Dear Ms. Alondra Medina Camacho

This courtesy letter serves as a notice from the Department of Resources Recycling and Recovery's Division of Recycling (Division) that an application has been received to locate a new recycling center in convenience zone number 11214. This convenience zone is currently being served by your facility (**RC279779.001**) located at **349 Union Ave** in **Bakersfield**.

If the new applicant becomes certified and operational, and if you are both concurrently operational in the zone, your site's handling fee eligibility in this convenience zone will end sixty (60) days from the second recycler's operational date. The Division will notify you of the date that you will become ineligible for handling fee payments in this zone if the new recycling center becomes operational.

If you have any questions or need any assistance, please contact Andres Torres at (916) 341-6428.

Sincerely

Lisa Fernandez

Lisa Fernandez, Supervisor
Convenience Zone Unit

916-445-0815
CERTIFICATION DIRECTOR

Board of Zoning Adjustment

Resolution

RESOLUTION NO. 19-24

RESOLUTION OF THE BAKERSFIELD BOARD OF ZONING ADJUSTMENT DENYING A CONDITIONAL USE PERMIT TO ALLOW A RECYCLING CENTER WITHIN A STATE-RECOGNIZED CONVENIENCE ZONE, FOR THE PURCHASING OF CALIFORNIA REDEMPTION VALUE (CRV) CONTAINERS FROM THE PUBLIC (17.24.040.B.13) IN A C-2 (REGIONAL COMMERCIAL ZONE) DISTRICT, LOCATED AT 830 UNION AVENUE. (CUP NO. 18-0397)

WHEREAS, Yadwinder Singh filed an application with the City of Bakersfield Development Services Department for a conditional use permit to allow a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value (CRV) containers from the public (17.24.040.B.13) in a C-2 (Regional Commercial Zone) district, located at 830 Union Avenue (the "Project"); and

WHEREAS, the Secretary of the Board of Zoning Adjustment set Tuesday, September 10, 2019, at 3:00 p.m. in City Council Chambers, City Hall South, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Board of Zoning Adjustment to consider the proposed conditional use permit, and notice of the public hearing was given in the manner provided in Title 17 of the Bakersfield Municipal Code; and

WHEREAS, at the public hearing testimony was received both in support and opposition of the Project; and

WHEREAS, the laws and regulations relating to the California Environmental Quality Act (CEQA) and the City of Bakersfield's CEQA Implementation Procedures have been duly followed by city staff and the Board of Zoning Adjustment; and

WHEREAS, pursuant to Section 15270 of the California Environmental Quality Act (CEQA) Guidelines, CEQA does not apply to projects which a public agency rejects or disapproves and no further analysis is necessary.

WHEREAS, the facts presented in the staff report and evidence received both in writing and by verbal testimony at the above referenced public hearing support the following findings:

1. All required public notices have been given. Hearing notices regarding the Project were mailed to property owners within 300 feet of the Project area and published in *The Bakersfield Californian*, a local newspaper of general circulation, 10 days prior to the hearing.

2. The proposed use is not essential and desirable to the public convenience and welfare.

3. The proposed use does not sufficiently demonstrate compliance with the necessary findings for a conditional use permit

NOW, THEREFORE, BE IT RESOLVED by the Bakersfield Board of Zoning Adjustment as follows:

1. The above recitals, incorporated herein, are true and correct.

2. Conditional Use Permit No. 18-0397 as described in this resolution, is hereby denied.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Board of Zoning Adjustment of the City of Bakersfield at a regular meeting held on the 10th day of September 2019, on a motion by Member Huot by the following vote:

AYES: Fick, Huot, Patteson

NOES:

RECUSE:

ABSTAIN

ABSENT:

APPROVED

STUART PATTESON, CHAIR
City of Bakersfield Board of Zoning Adjustment

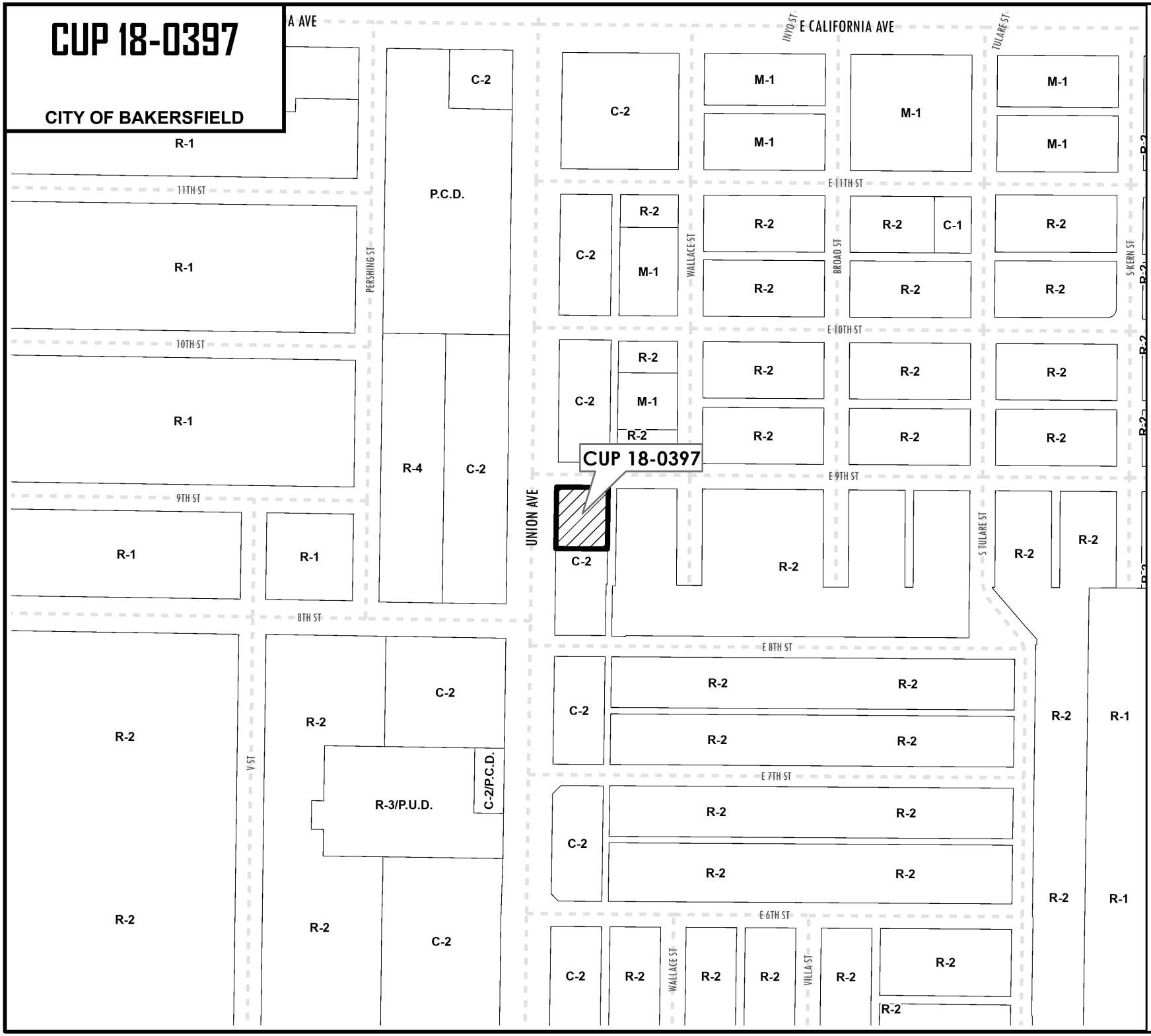
Exhibits:
A. Location Map
B. Site Plan

Exhibit A

(Location Map)

CUP 18-0397

CITY OF BAKERSFIELD



LEGEND (ZONE DISTRICTS)

R-1 One Family Dwelling
6,000 sq.ft. min lot size
R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
E Estate
10,000 sq.ft. min lot size
R-S Residential Suburban
24,000 sq.ft./dwelling unit
R-S-( ) Residential Suburban
1, 2.5, 5 or 10 min lot size
R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
R-H Residential Holding
20 acre min lot size
A Agriculture
6,000 sq.ft. min lot size
A-20A Agriculture
20 acre min lot size
PUD Planned Unit Development
TT Travel Trailer Park
MH Mobilehome
C-O Professional and Administrative Office
C-1 Neighborhood Commercial
C-2 Regional Commercial
C-C Commercial Center
C-B Central Business
PCD Planned Commercial Development
M-1 Light Manufacturing
M-2 General Manufacturing
M-3 Heavy Industrial
P Automobile Parking
RE Recreation
Ch Church Overlay
OS Open Space
HOSP Hospital Overlay
AD Architectural Design Overlay
FP-P Floodplain Primary
FP-S Floodplain Secondary
AA Airport Approach
DI Drilling Island
PE Petroleum Extraction Combining
SC Senior Citizen Overlay
HD Hillside Development Combining
WM- West Ming Specific Plan

N
Feet
0 125 250

Document Name: 20190806

Exhibit B

(Site Development Plan)

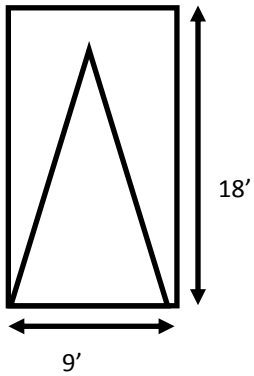
BUILDING DATA/LEGAL DESCRIPTION:
Owner: Yadwinder Singh
Address: 830 Union Ave, Bakersfield, CA 93307
APN# 139-141-02-00
Zoning C2 Area Lot: 17,242 sqft.
Building: 3080 sqft Convenience Store/Gas Station
Project: Re-Addition of Recycling Center

SCOPE OF WORK: The replacement of a former recycling center which was approved for the lot but closed to allow for the installation of new gas tanks. The same equipment will be used and placed in the same location as previously approved.

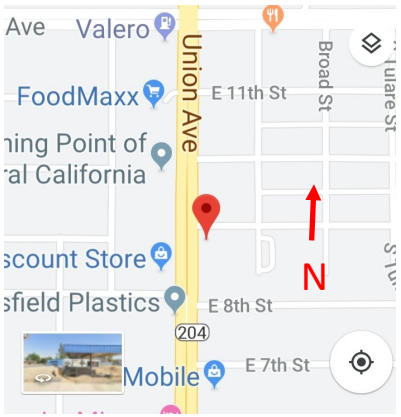
NOTES:
Hours of Operation 8:00AM to 6:00 PM
# of Employees = 1 full time
Materials to be collected: Aluminum Cans, Glass, Plastics

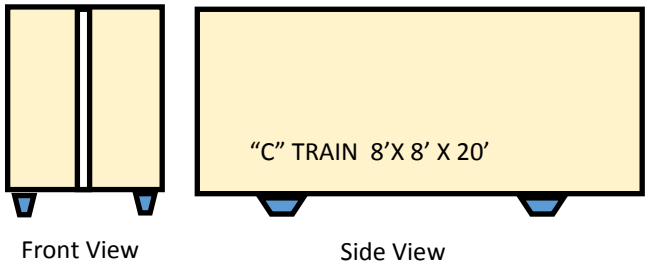
SHEET INDEX AND NOTES

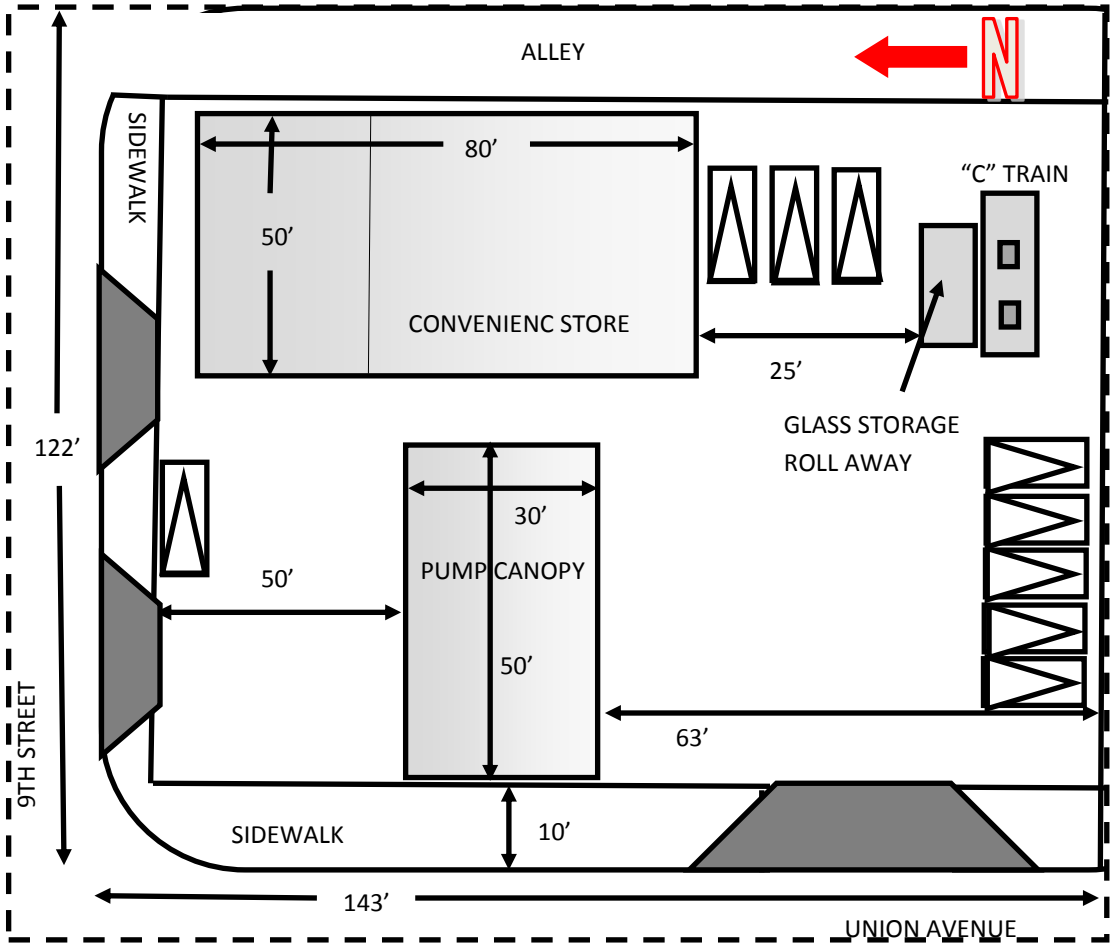
PARKING STALL



VACINITY MAP







SITE PLAN– 830 UNION AVE, BAKERSFIED CA 93307
YADWINDER SINGH SCALE 1"=32'

Board of Zoning Adjustment

Public Comments

(Opposition)

From: M R E [mailto:michaelhariri@outlook.com]
Sent: Thursday, September 05, 2019 11:20 AM
To: Paul Johnson
Cc: Whitney M. Jackson
Subject: 830 Union Ave CUP Complaints - Please confirm receipt

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning Paul,

Following up on our very productive meeting today regarding the CUP application for 830 Union Ave, please see the following concerns below. As I mentioned, there is a direct correlative decrease in many of these issues, since the closure of the recycling center, with evidence being compiled in my upcoming report. The concern is that with the reopening of the recycling center, these issues will dramatically increase again and cause a huge strain on nearby residents, city services, and the community as a whole.

-Actual advancement and development of homelessness in the immediate area surrounding the site: clients continuously use the funds obtained from recycling center proceeds to purchase and use narcotics, many times in plain sight of cars and passersby on Union Ave and Wallace St.

-Promotion of prostitution: clients regularly use funds obtained from the recycling center to purchase services from prostitutes. (Have witnesses, verifiable from police reports.)

-Safety hazard to the 40,000 cars that pass each day on Union Ave: carts, trash, clients of the site, and transients deliberately being pushed unto the street, having caused accidents and injuries.

-Historical data shows a significant number of emergency calls and complaints and various city departments responding to the previous recycling center at the property.

-While I'm still compiling my report based on the actual data recorded in each of the various city departments this includes approximately:

-50-100 calls and/or site visits per year by Bakersfield Code Enforcement, David Paquette and other officers. Numbering between 200-300 within the last 5 years. (Please verify exact number, if possible, with code enforcement.)

-50-100 emergency services called for police, fire, and EMS dispatched to the property and adjacent.

-Numerous calls and responses by city sanitation to clean up dumped shopping carts, rubbish, and personal belongings left behind and not accepted, by clients of the recycling center.

-Property owner and recycling center owners - numerous violations of the previously agreed upon terms and conditions required in order to operate the recycling center. That alone should disqualify them from being approved.

-Unsightliness- reopening a recycling center on such a central and open thoroughfare would greatly tarnish the cleanliness and safety of the neighborhood, Union Ave, and Bakersfield in general. It is generally accepted that there are around 100 transients per day, many with shopping carts that are left

behind and not dealt with appropriately, visited the recycling center each day back when it was operating illegally.

-Residents of the dwellings to the rear of the property have moved out due the above mentioned issues. Children afraid to go out, parents afraid of the needles, trash, and transients loitering and trespassing in and around the site, the alleyway, and on their property.

-My recommendation is that the CUP application be denied.
However, if the CUP is to still be considered, then with the following conditions:

1. Security cameras placed on all 4 sides of the 830 Union Ave site.
2. A 24-hour, round the clock security guard (in multiple shifts), 7 days per week to monitor and maintain security at the site.
3. Daily reporting to the appropriate city authorities of the unlawful activity in and around the site, so that they can immediately respond.
4. Daily clean-up of rubbish and debris on the site, guaranteed and paid for by the owner of the recycling center, as a condition of of CUP issuance. There should be a set maximum number of violations that they can have per year for failing this requirement. The weather and the people frequenting this facility have spread trash and debris from the the recycling center in a 100-200 feet radius around the site on a daily basis, including Union Ave. Only code enforcement and cleaning up their mess costs the city and taxpayers thousands of dollars every year. This should be the owner's responsibility.

This is only a partial list of my concerns. I will have a more complete letter at the hearing. As I mentioned, I will be speaking at the hearing. Please put me on the roster.

Thank you for your time and assistance in this matter.

Regards,

Michael Hariri
310-499-2777

From: Taraneh Hariri [mailto:taranehtabib@aol.com]
Sent: Thursday, September 05, 2019 1:57 PM
To: DEVPln
Cc: Whitney M. Jackson; Paul Johnson
Subject: CUP Recycling Center 830 Union Ave

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom It May Concern:

Regarding the proposed Conditional Use Permit for 830 Union Ave.

I am the owner of the two properties directly east of the proposed site. I strongly object to the issuance of a CUP for the stated purpose.

During the previous 10 years when the recycling center had operated at that site, clients of the center routinely damaged my properties' fencing, trespassed on my land, and caused litter to inconvenience the residents living there.
The store proprietor was complacent in turning a blind eye or encouraging the nuisances of his clients onto our adjacent properties. The proprietor has multiple code violations with the City of Bakersfield and leaking gas tanks causing environmental damage.
Additionally, the proprietor's clients (vagrants, transients, hookers, drug dealers) had regularly infringed on our residents' rights to quiet and peaceful enjoyment of the property.

I believe it would be fair to say that these problems would restart and get much worse if they would be allowed to reopen.

Thank you for your consideration.

Taraneh Hariri
Alta Sierra Oak Properties LLC
818 Wallace Street, Bakersfield, CA 93307
814 Wallace Street, Bakersfield, CA 93307

(Support)

Google Maps

E California Ave

1414 East California Ave Recycling Center

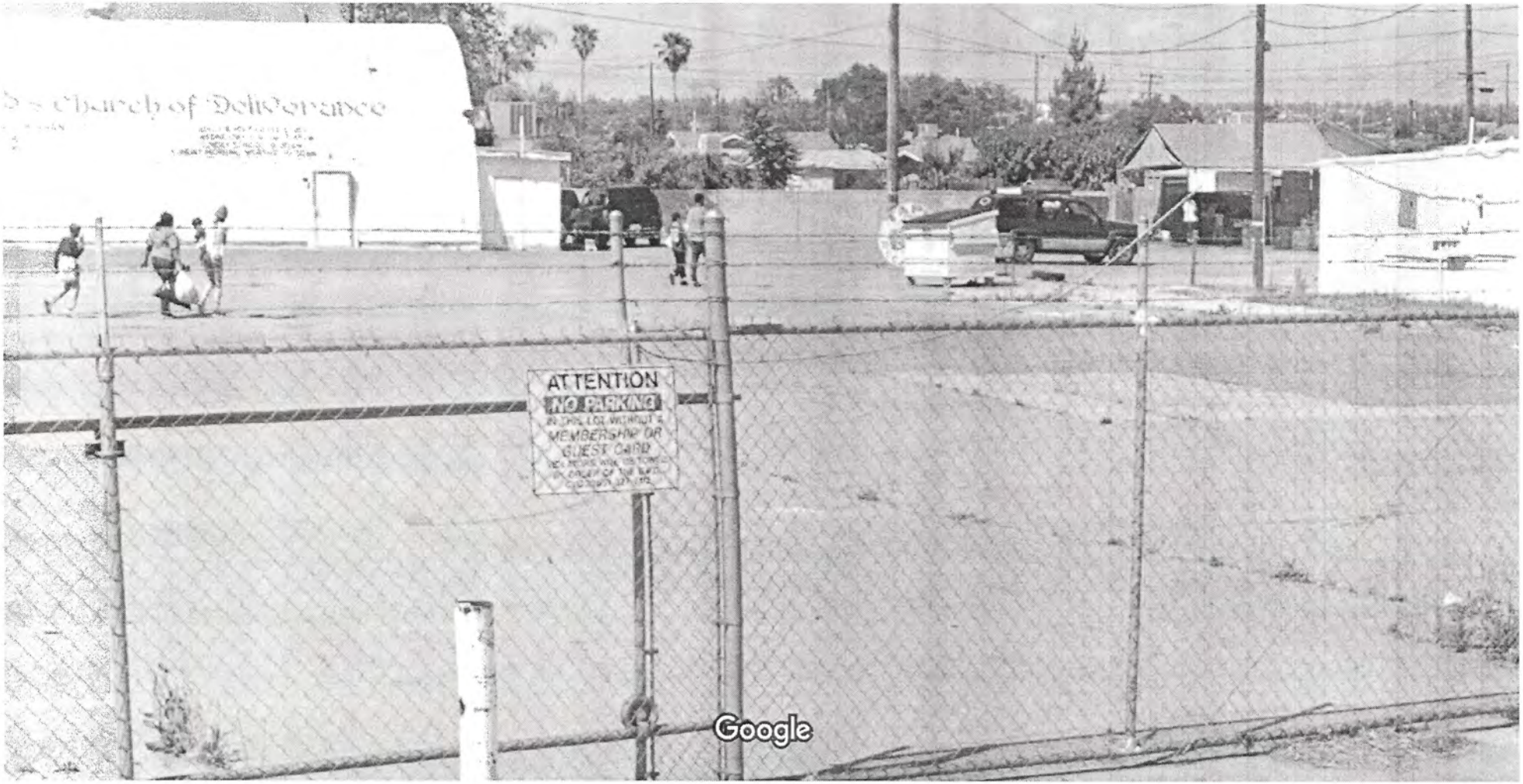


Image capture: May 2019 © 2019 Google

Bakersfield, California

Google

Street View - May 2019

Rec'd & Placed on File
BZA Meeting
Of 9/10/19

Rec'd & Placed on File
BZA Meeting
Of 9/10/19

Petition to Grant CUP for Recycling Center

Petition Summary:

Yadwinder Singh is proposing a conditional use permit to allow a recycling center within a State-Recognized convenience zone, for the purchasing of CRV containers from the public in the C-2 district, located at 830 Union Avenue Bakersfield CA 93307. This is for the benefit of the public and the economy.

Action Petitioned for: We the undersigned are concerned citizens who urge our leaders to act now to allow this recycling center that will help with our community.

Date	Signature	Printed Name	Address	Comment
9-8-19	Bonifacio	MATTINEZ	905 WELLS	YEZ
09-08-19	Deidra Hubbard	DEIDRA HUBBARD	605 UNION #24	YES
09-08-19	Tenisha W. Hamilton	TENISHA W. HAMILTON	1622 Union Ave #237	Yes
09-8-19	[illegible]	JAMES	1100 Union Ave	Yes
09/8/19	Tanya Duncan	TANYA	911 UNION	Yes

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Date	Signature	Printed Name	Address	Comment
9-8-19	Ronald Andrews	Ronald Andrews	1518 Padre St	Yes
9-8-19	Thomas Henragan	Thomas Henragan	945 Union Ave #	Yes
9-8-2019	Gloria Williams	Gloria Williams	901 Ramirez	Yes
9-8-2019	Darrell M	Darrell Mille	216 E 21st	Yes
9-8-19	[illegible]	Jason Crom	906 Union	Yes

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Date	Signature	Printed Name	Address	Comment
9-8-19	Steve Pierce	STEVE PIERCE	711 UNION #32	YES
9-8-19	Diane Appleton	DIANE Appleton	711 Union ave	yes
9-8-19	Tanya Thomas	Tanya T	3313 Cestor	yes
9-8-19	Larry Thomas	Larry T	1030 E. 19st	yes
9-8-19	Will Jackson	Will JACKSON	310 Potter	yes

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Date	Signature	Printed Name	Address	Comment
9-8-19	[illegible]	FRANK MADKINS	829 VST	YES
9 8 19	[illegible]	[illegible]	[illegible]	Yes
9-8-19	[illegible]	Debra Oneal	915 S. Union Bak CA	Yes
9-8-19	[illegible]	MyShekaWhite	901 Union ave	yes
9-8-19	[illegible]	[illegible]	[illegible]	Yes

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Date	Signature	Printed Name	Address	Comment
9-8-19	[illegible]	Shannon McGuire	614 E. 9th St #B 93307	Yes
9-8-19	[illegible]	Larry M[illegible]	818 Wallace St BAKS 93307	YES
09-08-19	Sose Suan	Sose Suan	106 E 8TH ST	YES
09-08-19	Norma Gentry	Norma Gentry	901 Union #16	Yes
09-08-19	Linda Provencio	Linda Provencio	906 Union Ave	YES

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Date	Signature	Printed Name	Address	Comment
9-08-19	Richard Graham	Richard Graham	16 Ohio #11	need this to ease community
9-8-19	Dusty Curtis	Dusty Curtis	800 Union	Yes
9/8/19	Cilar Wilbo	Cilar Wilbo	806 Union	Ego Green
9-9-19	Billy Hawley	Billy Hawley	119½ Garden	Yes
9-9-19	Shawn Daie	[redacted] Shawn Daie	503 E Inez	Yes

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Date	Signature	Printed Name	Address	Comment
9-9-2019	Ralph Lomeli	Ralph Lomeli	741 S. Tulare	Yes
9-9-2019	[illegible]	Ronnie Hart	530 Jackson St Unit 1	Yes
9-9-2019	[illegible]	[illegible]	802 St 8	Yes
9-9-2019	Cynthia Woodin	Cynthia Woodin	532 Jackson St. #2	Yes
9-9-2019	Marie Moser	Marie Moser	homeless	Yes

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Date	Signature	Printed Name	Address	Comment
9-9-19	Larry Medlin	LARRY MEDLIN	None	YES
9-9-19	Torris Lee	TORRIS LEE	420 8th St	YeS
9-9-19	[illegible]	JAY MOYA	818 Wallace St	Yes
9-9-19	Nletha Fisher	Nletha Fisher	601R 8th St	yes
9-9-2019	[illegible]	PATRICIA BAUTISTA	1013 WALLACE St	yes

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Date	Signature	Printed Name	Address	Comment
9-9-19	Elazar Garcia	Isauro Elezar	404 E 7th St	Si
9/9/19	Michael Stewart	Michael	2327 Wiltshire	yes
9/9/19	Rodney	Rodney	1024 2nd Street	yes
9/9/19	[illegible]	[illegible]	320 Kimball	yes
9/9/19	Maria Lopez	Maria Lopez	Wellanter	yes

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Date	Signature	Printed Name	Address	Comment
9.9.19	Esmeralda R	Esmeralda R	815 Wallace	Yes would like recycling back
9.9.19	[illegible]	Zaire	1365 Pacific	YES
9-9-19	[illegible]	MARKS	800 Pershing	YES
9-9-19	[illegible]	Robert Hurtsberry	1850 M St	Yes
9-9-19	Teresa Williams	Teresa Williams	1017 N Baker St	YES

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Date	Signature	Printed Name	Address	Comment
9-9-19	[illegible]	Shauna	V Street	YES
9-9-19	[illegible]	Brian	R street	yes
9-9-19	[illegible]	Alan	1724 Lake	yes
9-9-19	Jose L. Maldonado	Jose L. Maldonado	630 'R' st.	yes.
9-9-19	Jose [illegible]	Jose [illegible]	627 Tulare	Red yes

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Date	Signature	Printed Name	Address	Comment
9-9-19	Amanda Hopkins	Amanda Hopkins	2601 Fremont St. Bakersfield, CA 93304	YES
9-9-19	Alcala Oseguera Alcala	Martha O Alcala	906 Union Ave Bakersfield CA 93307	yes
9-9-19	Kevin Cobex	Kevin Cobex	330 11ST	Yes
9-9-19	I. D	I. D	Union Plaza	Yes
9-9-19	Paul Powell	Paul Powell	209 V St.	Yes

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Date	Signature	Printed Name	Address	Comment
9/9/2019	Gabrielle Pura	Gabrielle Pura	2848 Gosford Rd	yes
9-10-19	Geneva Hoskins	Geneva Hoskins	931 P st #A	yes
9-10-19	Leamaya	LEAMAYA	49 Villa	YES
9-10-19	Emanuel Gonzalez	Emanuel Gonzalez	104 E 7th St	yes.
9-10-19	David Dotson	DAVID DOTSON	211 UNION	YES

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Date	Signature	Printed Name	Address	Comment
9/8/19	Jewell L. Seward	Jewell L. Seward	901 Union Ave 10	
9/8/19	Flunicia Fouda	Flunicia Fouda	901 Union Ave 10	
9/8/19	Carolyn Ahluwalia	Carolyn Ahluwalia	901 Union Ave 14	
9/8/19	Charlie Cooper	Charlie Cooper	901 Union Ave 14	
9/8/19	[illegible]	Ruth Porter	720 terrace way	

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Date	Signature	Printed Name	Address	Comment
9/8/19	Nieshra Fisher	Nieshra Fisher	912 8th St Apt 2	
9/8/19	[illegible]	Dion Moldsen	906 Union Ave	
9/9/19	[illegible]	Shay Mack	906 Union #20	
9/9/19	[illegible]	[illegible]	901 Union	
9/9/19	Kim Mellard	Kim Mellard	901 Union	

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Date	Signature	Printed Name	Address	Comment

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Date	Signature	Printed Name	Address	Comment
9/10/19	[illegible]	Co. Herman	Topicana	YES YES
9/10/19	[illegible]	Dustin	415 R 10th	Yes
9/10/19	Buster Ogelvie	Cherine Sanders	905 Union Ave	yes
9/10/19	Moreus Sherman	Moreus Sherman	629 V St.	yes
9/10/10	[illegible]	Cindy Turner	505 Union	yes

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Date	Signature	Printed Name	Address	Comment
9/10/19	Tammy Lopez	Tammy Lopez	901 Union Ave #15	yes
9/10/19	Malinda Glazier	Malinda Glazier	126 Ohio Dr. SP# 6	yes
9/10/19	Mark Betancourt	Mark Betancourt	315 Wallace st #2	yes
9/10/19	Carlos Carty	GRANDE	4304 BASSETT	yes
9/10/19	Celia Caldwell	Celia Caldwell	K st	04

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Date	Signature	Printed Name	Address	Comment
9/10/19	Raquel Betancourt	R. Betancourt	815 Wallace St #2	Need Recycling Yes
9/10/19	Allorene Williams	Allorene Williams	815 wallace st	Need Recycling center close by
9/10/19	Allanice Gutierrez	Allanice Gutierrez	321 E 9th St	Yes
9/10/19	Korrine E Almengor	Korrine E Almengor	321 E 9th St	Yes
9/10/19	Lysette D Gutierrez	Lysette Gutierrez	321 E 9th St	Yes

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Date	Signature	Printed Name	Address	Comment
	Jayelia C	Jayelia	321 E 9th st	YES
	Yessica Rico	Yessica Rico		YES
	Melanie Rico	Melani Rico		YES
	Junior Gutierrez	Junior G		YES
	Luis M Gutierrez	Luis M Gutierrez		YES

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Date	Signature	Printed Name	Address	Comment
	Pablo Gutierrez	Pablo Gutierrez	321 E 9th St	Yes
	Abigail Gutierrez	Abby Gutierrez		yes
	Blanca Gutierrez	Blanca Gutierrez		yes
	Lexie Madrigal	Lexie Madrigal		yes
	Nathan Gutierrez	Nathan Gutierrez		yes

Appeal Request

DOWLING | AARON
INCORPORATED
ATTORNEYS AND COUNSELORS AT LAW

5080 California Avenue, Suite 340 | Bakersfield, CA 93309
P: 661.716.3000 | F: 661.716.3005
www.dowlingaaron.com

WRITER'S E-Mail:
jthomas@dowlingaaron.com

File No. 015774-001

REQUEST FOR APPEAL

September 19, 2019

CITY OF BAKERSFIELD
SEP 19 2019
CITY CLERK'S OFFICE

City of Bakersfield City Council
c/o City Clerk
1600 Truxtun Avenue
Bakersfield, CA 93301

Re: Yadwinder Singh

Dear Gentleperson:

This office represents Yadwinder Singh in the above referenced matter. This is Mr. Yadwinder Singh's written request for appeal of the Board of Zoning Adjustment's decision made at the hearing held on September 10, 2019 at 3:00 p.m. denying Conditional Use Permit no. 18-0397 ("CUP").

Mr. Singh proposed an updated conditional use permit to allow a recycling center within a State recognized convenience zone for the purchasing of California Redemption Value (CRV) containers from the public in the C-2 (Regional Commercial Zone) district, located at 830 Union Avenue. The "Staff" recommended approval of the CUP but the CUP was denied.

Mr. Singh's appeal is based on the Board's application of the wrong standard of approval. Bakersfield Municipal Code Section 17.64.060.C states that a finding that the CUP is "essential or desirable" is required. However, the Board limited its decision to whether the CUP was essential. Board Members openly discussed that they did not think the CUP was essential as it was only a short bike ride to another recycling center. The "Staff" had already determined that the CUP was desirable. In addition to the Staff's independent conclusion, two nearby residents testified at the hearing that the recycling center would be far more convenient for them and other nearby residents.

Additionally, a petition signed by dozens of nearby residents also showed that the CUP was both objectively and subjectively desirable.

Mr. Singh did not present evidence as to whether the CUP was essential, because the standard expressly requires only a finding that the CUP is "essential or desirable." (Bakersfield Municipal Code Section 17.64.060.C). If the CUP was deemed to be either essential or desirable, the Board should have approved it. (*In re E.A.* (2018) 24 Cal.App.5th 648, 66, ["The plain and ordinary meaning of the word 'or,' when used in a statute, is to designate separate, disjunctive categories. [Citation.] The word 'or' suggests alternatives. [Citation.] In its ordinary sense in a statute, 'the function of the word 'or' is to mark an alternative such as 'either this or that.']])" It was not necessary for the CUP to be "essential." The CUP was demonstrated to be desirable and should be approved pursuant to Municipal Code Section 17.64.060.C.

Further, July 31, 2016, the City of Bakersfield ("City") and Mr. Singh entered into a settlement agreement regarding his previous CUP at the same location. The settlement agreement states that the "CUP will stay in effect" as long as Mr. Singh removed underground storage tanks, providing for extensions as long as Mr. Singh was reasonably working toward removing the tanks. Several verbal extensions were granted by City representatives to Mr. Singh. In compliance with the settlement agreement, Mr. Singh removed the underground tanks and, therefore, the original CUP should be retroactively activated.

Mr. Singh requested a record or transcript of the hearing through a public records request. That request has not yet been fulfilled and we reserve the right to supplement this appeal when the records are provided. We further believe it is a violation of due process to limit the time of an appeal to such a short period of time when obtaining the record of the hearing being appealed cannot be completed within the stated appeal period.

This appeal is submitted along with the $1,171.00 appeal filing fee. We look forward to presenting additional information in support of Mr. Singh's appeal. The record clearly reflects the CUP being desirable, and we are confident that the City Council will reverse the Board's ruling and find that the CUP should have been reinstated based on Mr. Singhs' compliance with the prior settlement agreement.

Very truly yours,

DOWLING AARON INCORPORATED

Justin L. Thomas

JLT:sel
015774-000001-02729252-1

Settlement Agreement

SETTLEMENT AND RELEASE AGREEMENT

THIS SETTLEMENT AND RELEASE AGREEMENT ("Settlement") is made and entered into as of this 31 day of July, 2016, by and between **YADWINDER SINGH** ("Appellant") and the **CITY OF BAKERSFIELD** ("City").

BACKGROUND

A. Appellant is the owner of a recycling center, located at 830 Union Avenue, Bakersfield, California 93307.

B. Code Enforcement conducted an investigation of the recycling center and discovered Appellant's property was in violation of the Bakersfield Municipal Code ("BMC") sections 8.27.010(H)(I), 17.64, and 17.24.040 B(13), which led Code Enforcement to hold a hearing on the possible nuisance. Appellant timely requested an appeal hearing.

C. Legal counsel for Appellant requested a meeting to discuss settlement of the appeal of an order for abatement of condition constituting a public nuisance. As a result of that discussion, Appellant and City have reached an agreement which will eliminate the need for an appeal hearing upon the following terms:

TERMS

1. **Appellant's Obligation:** Effective immediately, Appellant agrees to voluntarily withdraw the Notice of Appeal before 5:00 p.m. on August 5, 2016. Appellant also agrees to obtain a permit and begin to remove the underground storage tank below the recycling center within 30 days. If Appellant operates the recycling center after 30 days or any extension period granted by the City and does not remove the underground storage tank within 6 months, the Conditional Use Permit (CUP) will be deemed null and void and Appellant will have to apply for a new CUP to operate again.

2. **City's Obligation:** In consideration of Appellant's agreement to withdraw the appeal, the City agrees to a 30 day extension which will allow Appellant to continue operating the recycling center. Whether the City provides Appellant another extension will depend not only on obtaining a permit for removal of the underground storage tank, but also on whether there has been significant progress in its removal. If the Appellant follows all the obligations stated above, then the CUP will stay in effect.

3. **Release:**

    a. Appellant does and for his heirs, executors, administrators, successors, and assigns release, acquit, and forever discharge the City of Bakersfield, its Mayor, Council, officers, agents, employees, and volunteers, and his, her, their, or its agents, servants, successors, heirs, executors, administrators, and all other persons, firms, corporations, associations, or partnerships of and from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of service, expenses, and

compensation whatsoever, which Appellant now has or which may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen damages and the consequences resulting from the code enforcement case.

b. All rights under section 1542 of the Civil Code of California, and any similar law (including any successor statutes and interpretive case law) of any state or territory of the United States, are hereby expressly waived. Section 1542 reads as follows:

> A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

4. **Entire Agreement:** Appellant also declares and represents that no promise, inducement, or agreement not expressed in this Agreement has been made to him, that this Agreement contains the entire agreement between the parties hereto, and that the terms of this Agreement are contractual and not a mere recital.

CAUTION: READ THIS AGREEMENT BEFORE SIGNING BELOW

Y. SINGH

YADWINDER SINGH
Appellant

PHIL BURNS
Building Director

APPROVED AS TO FORM:
DOWLING AARON
Attorneys for Appellant

By:
By:
JUSTIN L. THOMAS

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

RICHARD IGER
Deputy City Attorney

RI:VGK:dll

Possible Conditions of Approval

DRAFT

CONDITIONS OF APPROVAL

Conditional Use Permit No. 18-0397

I. The applicant's rights granted by this approval are subject to the following provisions:

- *The project shall be in accordance with all approved plans, conditions of approval, and other required permits and approvals. All construction shall comply with applicable building codes.*

- *All conditions imposed shall be diligently complied with at all times and all construction authorized or required shall be diligently prosecuted to completion before the premises shall be used for the purposes applied for under this approval.*

- *This approval will not be effective until ten (10) days after the date upon which it is granted by the BZA to allow for appeal to the City Council. Any permit or license for any approval granted shall not be issued until that effective date.*

- *This approval shall automatically be null and void two (2) years after the effective date unless the applicant or successor has actually commenced the rights granted, or if the rights granted are discontinued for a continuous period of one (1) year or more. This time can be extended for up to one (1) additional year by the approving body.*

- *The BZA may initiate revocation of the rights granted if there is good cause, including but not limited to, failure to comply with conditions of approval, complete construction or exercise the rights granted, or violation by the owner or tenant of any provision of the Bakersfield Municipal Code pertaining to the premises for which the approval was granted. The BZA may also consider adding or modifying conditions to ensure the use complies with the intent of City ordinances.*

- *Unless otherwise conditioned, this approval runs with the land and may continue under successive owners provided all the above mentioned provisions are satisfied.*

II. The following conditions shall be satisfied as part of the approval of this project:

1. In consideration by the City of Bakersfield for land use entitlements, including but not limited to related environmental approvals related to or arising from this project, the applicant, and/or property owner and/or subdivider ("Applicant" herein) agrees to indemnify, defend, and hold harmless the City of Bakersfield, its officers, agents, employees, departments, commissioners and boards ("City" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the terms and provisions of this application, including without limitation any CEQA approval or any related development approvals or conditions whether imposed by the City, or not, except for CITY's sole active negligence or willful misconduct.

   This indemnification condition does not prevent the Applicant from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

The City will promptly notify Applicant of any such claim, action or proceeding, falling under this condition within thirty (30) days of actually receiving such claim. The City, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend the City at the sole cost and expense of the Applicant and the City is not obligated to use any law firm or attorney chosen by another entity or party.

2. This conditional use permit allows for a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value (CRV) containers from the public in a C-2 (Regional Commercial Zone) district, located at 830 Union Avenue, and as depicted on attached Exhibits B and C.

3. Operating hours are limited to seven days a week from 8:00 am to 5:00 pm.

4. The recycling operation shall not have more than two metal storage containers.

5. Metal storage containers shall be screened so that they are not visible from public streets.

6. Each metal storage container shall be painted a neutral, earth-tone, site compatible color.

7. Under no circumstances shall any metal storage container be used for an office, residence, or other purpose involving human occupancy.

8. The subject property, in its entirety, shall be maintained in a clean, odor and litter free manner.

9. Shopping carts and other items brought to the site by customers shall be returned and/or removed from the site by the end of each business day.

10. Without the prior written consent of the appropriate business owner, it is unlawful for any person to remove or cause to be removed any shopping cart, which is the property of the business establishment furnishing such carts for its customers' use, from the parking lot or other premises of said business establishment.

11. Loitering is prohibited on the premises.

III. ***The following are specific items that you need to resolve before you can obtain a building permit or be allowed occupancy. These items include conditions and/or mitigation required by previous site entitlement approvals (these will be specifically noted), changes or additions that need to be shown on the final building plans, alert you to specific fees, and other conditions for your project to satisfy the City's development standards. <u>The item will usually need to be shown on the final building plans or completed before a building permit is issued.</u> Each has been grouped by department so that you know whom to contact if you have questions.***

A. <u>DEVELOPMENT SERVICES - BUILDING (1715 Chester Avenue)</u>
(Staff contact - Oscar Fuentes; 661-326-3676 or OFuentes@bakersfieldcity.us)

1. Show on the final building plan how and where water will be drained from the property.

2. Show on the final building plan pedestrian access from the public way and accessible parking. Private streets are not the public way.

3. The developer shall include fire resistive wall construction details with the final building plans for all exterior walls of any building that is within the distance as set forth in Table 602 of the California Building Code.
4. Include with or show on the final building plans information necessary to verify that the project complies with all accessibility requirements of Title 24 of the California Building Code.

5. Buildings or structures shall require installation of an automatic fire sprinkler system where required by current California Building Code and City ordinance.

6. The Building Division will calculate and collect the appropriate school district impact fee at the time they issue a building permit.

7. Final Building plans shall show pedestrian access pathways or easements for persons with disabilities from public rights-of-ways that connect to all accessible buildings, facilities, elements, and spaces in accordance with the California Building Code. These pedestrian access ways shall not be parallel to vehicular lanes unless separated by curbs or railings.

B. DEVELOPMENT SERVICES - PLANNING (1715 Chester Avenue)
(Staff contact - Whitney Jackson; 661-326-3673 or WJackson@bakersfieldcity.us)

1. The minimum parking required for this project has been computed based on use and shall be as follows:

Proposed Use	Square Footage	Parking Ratio	Required Parking
Existing Fuel Station	4,000 SF	1/300 SF	13 spaces
Recycling Center		1/Employee (2 employees)	2 spaces
		2 for Customers	2 spaces
		Subtotal	17 spaces
Fuel Pump Credit		2 per pump (4 pumps)	(8) spaces
		Required Parking:	9 spaces

(**Note 1:** 9 parking spaces are shown on the proposed site plan. By ordinance, compact and tandem spaces cannot be counted towards meeting minimum parking requirements.)

(**Note 2:** At the time the fuel station was established, parking was calculated at 1 parking space for each 300 square feet; minimum of 5 parking spaces required.)

2. Minimum parking stall dimensions shall be 9 feet wide by 18 feet long and shall be designed according to standards established by the Traffic Engineer. Vehicles may hang over landscape areas no more than 2-1/2 feet provided required setbacks along street frontages are maintained, and trees and shrubs are protected from vehicles.

3. All parking lots, driveways, drive aisles, loading areas, and other vehicular access ways, shall be paved with concrete, asphaltic concrete (A. C.), or other paved street surfacing material in accordance with the Bakersfield Municipal Code (Sections 15.76.020 and 17.58.060.A.).

4. Lighting is required for all parking lots, except residential lots with four units or less (Section 17.58.060.A.). Illumination shall be evenly distributed across the parking area with light fixtures designed and arranged so that light is directed downward and is reflected away from adjacent properties and streets. Use of glare shields or baffles may be required for glare reduction or control of back light. No light poles, standards and fixtures, including bases or pedestals, shall exceed a height of 40 feet above grade. However, light standards placed less than 50 feet from residentially zoned or designated property, or from existing residential development, shall not exceed a height of 15 feet. The final building plans shall include a picture or diagram of the light fixtures being used and show how light will be directed onto the parking area.

   (**Note:** Staff can require additional adjustments to installed lighting after occupancy to resolve glare or other lighting problems if they negatively affect adjacent properties.)

5. Business identification signs are **neither considered nor approved** under this review. A separate sign permit reviewed by the Planning and Building Divisions and issued by the Building Division, is required for all new signs, including future use and construction signs. Signs must comply with the Sign Ordinance (Chapter 17.60 of the Bakersfield Municipal Code.)

6. Open storage of materials and equipment shall be surrounded and screened with a solid wall or fence (screening also applies to gates). This fence shall be at least 6 feet in height and materials shall not be stacked above the height of the fence.

   (**Note:** Fences taller than 6 feet are allowed in commercial and industrial zones but they will require a building permit.)

7. Outside work, storage, sales and display of merchandise and materials is prohibited. All activities and all storage of merchandise and materials shall be conducted and/or contained within an enclosed building.

   (**Note:** This does not include outdoor seating areas for restaurants.)

8. Refuse collection bin enclosures and container areas are subject to all required structural setback from street frontages, and shall not reduce any parking, loading or landscaping areas as required by the Zoning Ordinance.

C. FIRE DEPARTMENT (2101 H Street)
(Staff contact - Ernie Medina; 661-326-3682 or EMedina@bakersfieldcity.us)

1. Show on the final building plans the following items:

   a. All fire hydrants, both offsite (nearest to site) and on-site. *Include flow data on all hydrants.* Hydrants shall be in good working condition and are subject to testing for verification. Fire flow requirements must be met prior to construction commencing on the project site. Please provide two (2) sets of the water plans stamped by a licensed Registered Civil Engineer to the Fire Department and two (2) sets to the Water Resources Department (1000 Buena Vista Road, Bakersfield, CA. 93311; 661-326-3715).

      (**Note:** Show: 1) distance to the nearest hydrant; and 2) distance from that hydrant to the farthest point of the project site.)

2. If you handle hazardous materials or hazardous waste on the site, the Prevention Services Division may require a hazardous material management and/or risk management plan before you can begin operations. Please contact them at 661-326-3979 for further information.

3. All projects must comply with the current California Fire Code and current City of Bakersfield Municipal Code.

D. WATER RESOURCES (1000 Buena Vista Road)
(Staff contact - Tylor Hester; 661-326-3715 or THester@bakersfieldcity.us)

As proposed, no conditions at this time.

E. PUBLIC WORKS - ENGINEERING (1501 Truxtun Avenue)
(Staff contact - George Gillburg; 661-326-3997 or GGillbur@bakersfieldcity.us)

As proposed, no conditions at this time.

F. PUBLIC WORKS - TRAFFIC (1501 Truxtun Avenue)
(Staff contact - George Gillburg; 661-326-3997 or GGillbur@bakersfieldcity.us)

As proposed, no conditions at this time.

G. PUBLIC WORKS - SOLID WASTE (4101 Truxtun Avenue)
(Staff Contact - Jesus Carrera; 661-326-3114 or jcarrera@bakersfieldcity.us)

1. You must contact the staff person noted above before building permits can be issued or work begins on the property to establish the level and type of service necessary for the collection of refuse and/or recycled materials. Collection locations must provide enough containment area for the refuse that is generated without violating required zoning or setback restrictions (see Planning Division conditions). Levels of service are based on how often collection occurs as follows:

   - Cart service -- 1 cubic yard/week or less 1 time per week
   - Front loader bin services -- 1 cubic yard/week - 12 cubic yards/day
   - Roll-off compactor service -- More than 12 cubic yards/day

2. Show on the final building plans refuse/recycle bin enclosures. Each enclosure shall be designed according to adopted city standard (Detail # ST-27 and ST-28), at the size checked below ☑. Before occupancy of the building or site is allowed, 2, 3 cubic yard front loading type refuse/recycle bin(s) shall be placed within the required enclosure(s).

   ☐ 6' deep x 8' wide (1 bin) ☐ 8' deep x 15' wide (3 bins)
   ☑ 1 - 8' deep x 10' wide (2 bins) ☐ 8' deep x 20' wide (4 bins)

   (**Note 1:** <u>All measurements above are curb-to-curb dimensions inside the enclosure.</u> If both refuse and recycling containers are to be combined in the same enclosure area, this area must be expanded in size to accommodate multiple containers/bins - contact the staff person above for the appropriate enclosure size.)

   (**Note 2:** If the facility is using existing onsite refuse, there must be a signed agreement from the owner on file.)

3. Examples of enclosure styles can be found on (Detail # ST-32).

4. Facilities with existing refuse service must improve the service location area(s) according to adopted City standards (Detail # ST-27 and ST-28). These improvements shall be clearly shown on the final building plans.

5. Revise the sites plan to make the trash enclosure accessible to the refuse truck. Move the enclosure towards the front of the site entrance.

   (**Note:** City trucks may not drive down dead end corridors, nor back-up long distances.)

REC'D & PLACED ON FILE
AT BAKERSFIELD CITY COUNCIL
MEETING
11/6/19 - Hearings 10.b.

CUP 18-0397
(Appeal)

Request

Allow a recycling center within a State-recognized convenience zone, for the purchasing of California Redemption Value containers from the public.

Location

830 Union Avenue

Zoning

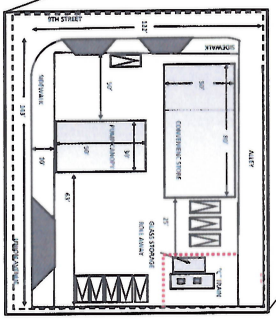
C-2 (Regional Commercial Zone)

CUP 18-0397
(Appeal)

CUP 18-0397
(Appeal)

Project Overview

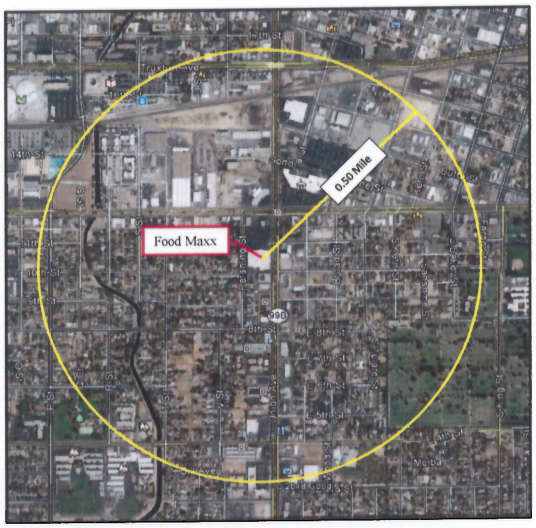
- 800 sf area
- 8' x 20' metal storage container
- 8' x 15' glass storage roll-away container
- Two employees
- 7 days (8:00 am - 5:00 pm)



CUP 18-0397
(Appeal)

Convenience Zone

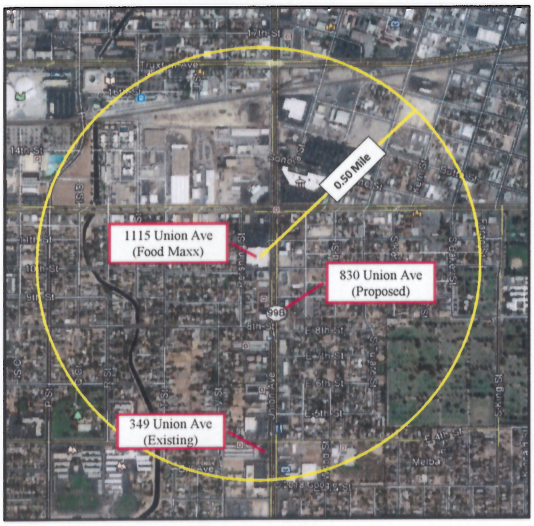
- Provides an opportunity to redeem containers near where the beverages were purchased
- 1/2 radius from State defined supermarket
  - Sells full line of groceries
  - At least $2 million in sales
  - Progressive Grocer Marketing Guidebook



CUP 18-0397
(Appeal)

Handling Fees

- CalRecycle subsidizes convenience zone-based recyclers
  - $0.00860 per beverage container redeemed
- State law does not allow multiple payments within same convenience zone
  - 1st recycler becomes ineligible after 60 days of 2nd recycler opening
  - 2nd recycler will also be ineligible from that day forward



CUP 18-0397
(Appeal)

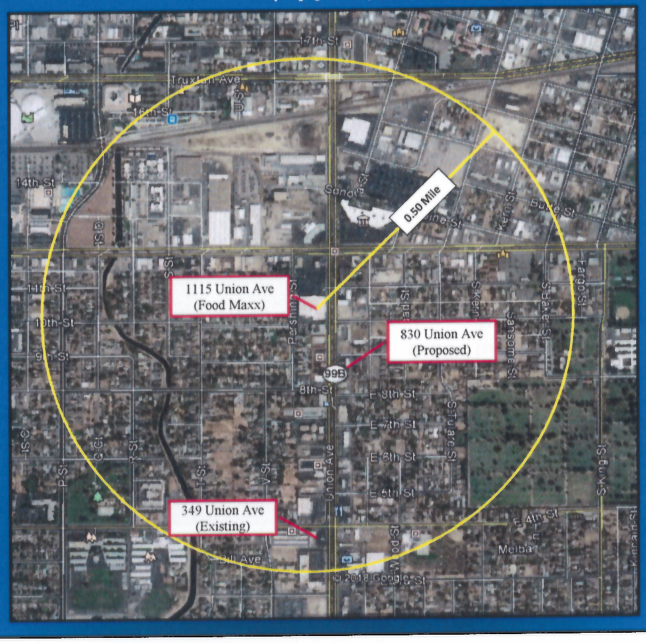
Additional Background

- 2009: CUP approved to allow CRV center
- 2018: CRV center closed due to violations (settlement agreement with City)
- 2019: BZA denied CUP to allow CRV center; subsequently appealed

Bakersfield Municipal Code

- Findings
  - Deemed essential or desirable to the public convenience or welfare
  - In harmony with the various elements & objectives of the General Plan
- Subject to Conditions
  - Comply with zoning regulations
  - Comply with elements & objectives of the General Plan
  - Comply with policies of the City
  - Protect public health, safety, convenience, or welfare

CUP 18-0397
(Appeal)



REC'D & PLACED ON FILE
AT COUNCIL MEETING OF
11/6/19 HEARINGS 10.b.

Petition Against Accepting a New Recycling Business

By signing this petition I acknoledge that I do not accept another recycling business in the same area. By signing I'm aware that I'm not been prejudice or racist in any way, shape or form. I'm aware that it will cause safety issues on the new location since there is no cross-walk close by 830 Union Ave. Bakersfield, Ca 93307. By signing this petition I'm informed of the situation and I do not accept the new location of the individual trying to open the new recycling center.

PHONE #	PRINT NAME	ADDRESS	SIGNATURE
661-427-9705	Chris Miller	419 V St Bakersfield CA 93304	Chris Miller
661-748-[illegible]	Dashonna Gaiel	417 Violin Ave.	Dashonna Gaiel
	Ebony Miller	428 4th St	Ebony
	CRAIG ATTAW	408 UNION	Craig Allen
	RITA SIMS	409 UNION	
661-346-96	Mike	42 V Street	93304
661-746-[illegible]	[illegible]	212 4 Street	93304
661-378-5591	Kulwant Singh	6505 Monterey St. Bak	93307
	Phillip Zale	505 Union Ave	93307
	CHARLES BERRY	1000 KENTUCKY #A	93305
661-437-1312	Joe Garcia	2019 Union	93305
323-506	Diann Johnson	420 8th St	93304
661-376-7429	Asari Amos	433 T St	93304
661-999-908	Kip Binns	525 UNION	93307
N/A	Bob Gill	HOMELESS	Linda King
873-4327	L.B King	617 Union AVE	93307
661-558-3606	R. Davis	124 T St	93304
661-490-8310	TRACY	210 4th	93304
661-390-0149	Tanya Miller	419 V St	93304
~~661~~	Wilsson Roberto	530 4 St	[illegible]
	Ramunda Bri	408 Union.	Ramunda
	Karla Mendez	500 ~~B~~ St	Karla M.
	Arturo Zarate	409 UNION.	Arturo Z.

Petition Against Accepting a New Recycling Business

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PHONE #	PRINT NAME	ADDRESS	SIGNATURE
661344[illegible]	Joe Cortez	808 Harris Rode	
6613341714	Dolores Arreola	2931 Cooper St	
661-558-6681	Luis Ramirez	512 McDonald Ave	
499 [illegible]	[illegible] Ordaz	710 Palmer	
6613462646	Mike H.	Homeless	
661-389-[illegible]	Danny H	224 E N St 8th	
661-347-9940	Lily Lopez	522 E 4th St	
661-399-8121	Lois Sanchez	323 Decatur st	
661-346-8128	Julio Martinez	710 Brundt	
661-322-2721	Loretta Ochoa	710 Brundt	
	[illegible]	94 9st	
662953	[illegible]	911 - M St. Bake	
661-447-4565	Juan Cestare	1128 Monterey St	
8183004051	Manuel F	312 Padmos	

Petition Against Accepting a New Recycling Business

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PHONE #	PRINT NAME	ADDRESS	SIGNATURE
(661) 496 5071	GABRIELA FUENTES	230 E 7th st	Gabriela Fuentes
661 379 4189	KARLA SEGURA	230 E 7th st	Karla Segura
661-912-5944	717 S Tulare	Janie Hinojos	[illegible]
661 558 7342	PAULINA ortega	717 S Tulare st	Paulina Ortega
661 606 5328	SAMUEL VELAZQUEZ	717 Tulare ST.	Samuel Velazquez
661 448 6588	MAria ortega	721 Tulare st	Maria ortega
—	Rogelio Rojas D.	724 Tulares st	Rogelio R.

661 319 02-06	Diego S-	1524 Lincoln St.	Diego S-
6619 4425	ALEJANDRO	1225 CHESTER PI	ALEJANDRO
661-319-4263	Jose Ramirez	915 pershing st	Jose Ramirez
	[illegible]	711 UNION	93304
(661) 900-3517	[illegible]	725 Eye St.	[illegible]
661-742-8570	Germán Maldonado	210 Calderdale Dr. 93307	[illegible]
661 753-8576	[illegible]	[illegible]	[illegible]
(661) 390-6816	BreanVick		[illegible]
661 900-9046	Bone		Bone
661-822-3449	Modesto Ellano	2231 Palm St.	93304
	Adam Smith		
[illegible]	[illegible]	1802 Brown St	[illegible]
661-503-5379	Ashley Johnson	106 E 8th	Ashley Johnson
	Jo St	106 E 8th	Jo St
661-578-9658	Maria [illegible]	710 Brandage 86	Maria [illegible]
	Alex Aguilar	710 Brandage Ln #29	Alex Aguilar
	Jose Munoz	1122 E 7th St	[illegible]
	Jose Soteno	115 EYE ST. BAKERSFIELD	[illegible]
(661) 340-8126	Vicente moreno	633 Melba Ln.	Vicente moreno
661-643-3452	Danny Jimenez	316 Lloyd St	Danny Jimenez
623-326-0906	Martin Alarcon	216 U St	Martin A
661 479 3516	Jerome Murphy	300 U ST	[illegible]
	Benito	304 V St	[illegible]
661 661 4995	Jimmy Clark	4412 Arnold St	Jimmy Clark
(661) 570 1098	Stephen M2	426 Chester	Stephen M

Petition Against Accepting a New Recycling Business

By signing this petition I acknoledge that I do not accept another recycling business in the same area. By signing I'm aware that I'm not been prejudice or racist in any way, shape or form. I'm aware that it will cause safety issues on the new location since there is no cross-walk close by 830 Union Ave. Bakersfield, Ca 93307. By signing this petition I'm informed of the situation and I do not accept the new location of the individual trying to open the new recycling center.

PHONE #	PRINT NAME	ADDRESS	SIGNATURE
	NORM Miller	Union Ave	
661-326-0593	RAFAEL PATIÑO JR.	702 1st	
661-339-6160	Lorenzo NAJERA	204 E. BRUNDAGE LN.	
661 557 9950	Esteban F		
	Maria [illegible]		
(661) 869-4137	Catarino Jacinto	300 donna Ave	Catarino Jacinto
(661) 4905361	JOANNA HUERTA	321 E BELLE TERRACE	
661-348-2834	Carlos DeLeon	1125 California AVE	
661-440-0893	Antonia Palomino	3101 Coventry dr. #229	
661.213.7549	RAJPAL SINGH	349 UNION AVE	Rajpal Singh
661.322.2557	Baldev Singh	8101 CAMINO Media	Baldev Singh
661.900.9598	HARJIT KAUR	8201 CAMINO Media	Harjit KAUR

Petition Against Accepting a New Recycling Business

By signing this petition I acknoledge that I do not accept another recycling business in the same area. By signing I'm aware that I'm not been prejudice or racist in any way, shape or form. I'm aware that it will cause safety issues on the new location since there is no cross-walk close by 830 Union Ave. Bakersfield, Ca 93307. By signing this petition I'm informed of the situation and I do not accept the new location of the individual trying to open the new recycling center.

PHONE #	PRINT NAME	ADDRESS	SIGNATURE
(661)437-7966	Xiomara Escobar	600 union AVE B	Xiomara Escobar
(661)565235	Leticia Luevano	600 union Ave #4	[illegible]

Petition Against Accepting a New Recycling Business

Company Name: one stop shell line 76 Gas station

Address: 349 UNION AVE BAKERSFIELD CA 93307

Name & Telephone Number: RAJPAL SINGH 661. 213.7562

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

RAJPAL SINGH

PRINT NAME

Rajpal Singh

SIGNATURE

11-4-2019

DATE

Petition Against Accepting a New Recycling Business

Company Name: ESMERALDA ALL NATURAL

Address: 600 UNION AVE ST B

Name & Telephone Number: FRANCIS ZELADA (661) 495-6452

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

Francis Zelada
PRINT NAME

Francis Zelada
SIGNATURE

11-4-19
DATE

Petition Against Accepting a New Recycling Business

Company Name: Los Patroncitas

Address: 515 Union Ave.

Name & Telephone Number: Carlos Perez (661)302-3870

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

Carlos Perez
PRINT NAME

SIGNATURE

10/4/19
DATE

Petition Against Accepting a New Recycling Business

Company Name: Confett. Pinata Party

Address: 600 Union Ave. #F

Name & Telephone Number: (661) 371 0675

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

Leticia Luevano

PRINT NAME

SIGNATURE

DATE

Petition Against Accepting a New Recycling Business

Company Name: El Caoneron Hot dogs

Address: 730 union ave 93307

Name & Telephone Number: Humberto 661 5797373

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

Humberto Fer

PRINT NAME

Humberto Fer

SIGNATURE

11/01/2019

DATE

Petition Against Accepting a New Recycling Business

Company Name: El Porvenir Market

Address: 800 Union Ave Bakersfield Ca 93307

Name & Telephone Number: Olga 1661 800-5080

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

Olga Gonzalez
PRINT NAME

SIGNATURE

11/1/19
DATE

Petition Against Accepting a New Recycling Business

Company Name: NAYARIT-AUTO REPER

Address: 502 UNION AVE

Name & Telephone Number: EDGAR HERNANDEZ

661-4727168

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

EDGAR H

PRINT NAME

SIGNATURE

11/1/19

DATE

Petition Against Accepting a New Recycling Business

Company Name: Reyes Tires

Address: 502 - Union ave.

Name & Telephone Number: 661-679-2632

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

PRINT NAME

Baldur Reyes Gr

SIGNATURE

11-1-19

DATE

Petition Against Accepting a New Recycling Business

Company Name: Wienerschnitzel

Address: 1130 Union Ave. Bakersfield, CA 93307

Name & Telephone Number: (661)325-3055

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

Paul Cha
PRINT NAME

Paul Y. Cha
SIGNATURE

10/30/19
DATE

Petition Against Accepting a New Recycling Business

Company Name: CA FOOD MART

Address: 1129 UNION AVE

Name & Telephone Number: (661) 395-0868

This letter is in reference to the new recycle business that wants to establish business in address of 830 Union Ave. Bakersfield, Ca 93307. I'm aware that there is one recycle center located at 349 Union Ave. Bakersfield, Ca 93307, that is situated in an area that is safer for pedestrian when crossing streets and that it's far away from other businesses including mine. By signing this letter I'm aware that in no way am I been prejudice and I'm volunteering to sign on my own. However, having the new recycling business in 830 Union Ave. Bakersfield, Ca 93307 will cause more trash among businesses that are close by and more individuals sleeping in a very transited area.

Ernesto Vazquez

PRINT NAME

SIGNATURE

10/30/19

DATE

ADMINISTRATIVE REPORT

MEETING DATE: 11/6/2019	Deferred Business 12. a.

TO: Honorable Mayor and City Council

FROM: Phil Burns, Interim Development Services Director

DATE: 9/25/2019

WARD: Ward 2

SUBJECT: Adoption of ordinance amending Section 17.58.120 of the Bakersfield Municipal Code relating to parking space requirements within the "central district" and other mixed-use areas. ***(FR 10/23/19)***

STAFF RECOMMENDATION:

Staff recommends adoption of the ordinance.

BACKGROUND:

At the September 11, 2019 City Council meeting, Councilmember Smith made a referral (No. 833) for Staff to examine a change to parking requirements for downtown businesses. CM Smith requested that if a property has a change of use that there be no additional parking required.

On October 17, 2019, the Planning Commission was presented the first draft of the amended Ordinance. The Commission directed Staff to bring the draft Ordinance to City Council.

The attached proposed ordinance is responsive to Council's direction. This ordinance had a first reading on October 23, 2019.

ATTACHMENTS:

Description	Type
Ordinance	Ordinance
PowerPoint presentation	Presentation

ORDINANCE NO._____

AN ORDINANCE ADDING SECTION 17.58.120 OF THE BAKERSFIELD MUNICIPAL CODE RELATING TO ZONING.

BE IT ORDAINED by the Council of the City of Bakersfield as follows:

SECTION 1.

Sections 17.58.120 of the Bakersfield Municipal Code are hereby enacted to read as follows:

Chapter 17.58 Parking and Loading Standards

17.58.120 Parking space requirements within the "central district" and other mixed-use areas.

Off-street parking within the "central district" as defined in Chapter 17.04, "Old Town Kern" as defined in Chapter 10.08, C-B zone district, or C-C zone district for a mixed-use residential and retail/office commercial project where the design and development functions as an integrated unit as approved by the advisory agency, may be reduced by up to fifty percent of the minimum requirement assessed under Section 17.58.110. The number of off-street parking spaces shall not exceed one hundred fifty percent of the minimum requirement (limit does not apply to residential uses). Any change of use at an existing building in the "central district" shall not be subject to additional off-street parking requirements set forth in this chapter, provided the applicant establishes, to the satisfaction of the Planning Director, that the change of use does not require an expansion of building size.

SECTION 2.

This Ordinance shall be posted in accordance with the provisions of the Bakersfield Municipal Code and shall become effective thirty (30) days from and after the date of its passage.

---------o0o----------

I HEREBY CERTIFY that the foregoing Ordinance was passed and adopted, by the Council of the City of Bakersfield at a regular meeting thereof held on _____ by the following vote:

AYES:	COUNCILMEMBER:	RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER:	_____
ABSTAIN:	COUNCILMEMBER:	_____
ABSENT:	COUNCILMEMBER:	_____

_____

JULIE DRIMAKIS, CMC
CITY CLERK and Ex Officio Clerk of the Council of the City of Bakersfield

APPROVED:

By:_____
KAREN GOH
Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By: _____
RICHARD IGER
Deputy City Attorney

REC'D & PLACED ON FILE
AT BAKERSFIELD CITY COUNCIL
MEETING
11/6/19 Deferred Business
12.a

11/6/2019

AMENDMENT OF SECTION 17.58.120

1

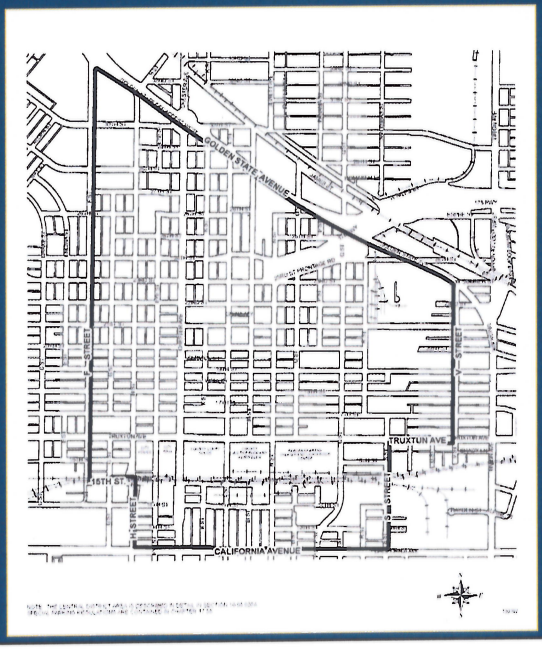
City Council Meeting
November 6, 2019

Purpose

2

- **September 11, 2019:** Referral from Councilmember Smith, who requested a change to parking requirements for businesses downtown, so that if a property has a change of use that there be no additional parking required.
- The purpose of the change is to offer an incentive for redevelopment in the downtown "central district."

Downtown - "Central District"



3

Downtown Bakersfield Parking Study

4

The Downtown Parking study was presented to and accepted by the City Council in April 2018. The City has undertaken the following recommendations:

Phase 1 – Area 1 (core downtown; F to Q St., Truxtun to 23rd St.) Improvements

- Streamline parking time limits to 60 minutes, 90 minutes, and 2 hours to allow for more efficient enforcement
- Parking enforcement technicians – have since changed to permanent employees to ensure longevity. These parking techs also cover the neighborhoods surrounding Bakersfield College
- Parking Garage improvements
  - Doubled the security hours; security walks the garage every half hour
  - Removed 1 row of parking on the first floor to allow easier maneuvering for safe entry and exit, per community feedback
  - Conversion of lighting to LED lighting

Downtown Bakersfield Parking Study

5

Phase 2 – G Street Parking Mall: The consultants who prepared the parking study complimented the City on its use of parking malls for their ability to increase capacity and calm traffic. G Street from 18th Street to 20th Street has been converted to a parking mall, adding 15 additional parking spaces to the on-street capacity in a high-use area

The study also included a discussion on areas for potential future study such as installing more parking malls throughout downtown and metered short-term parking. It has been less than a year since the City began to implement recommendations in the study. The City would like a little more time to implement and evaluate the recommendations.

The City expects to begin work on the next phase of the study in FY 19-20, which entails the streamlining of parking times in the "Area 2" section of the study area near the medical offices north of 24th Street.

PROPOSED REVISIONS

6

- **17.58.120 - Parking space requirements within the "central district" and other mixed-use areas.**

  Off-street parking within the "central district" as defined in Chapter 17.04, "Old Town Kern" as defined in Chapter 10.08, C-B zone district, or C-C zone district for a mixed-use residential and retail/office commercial project where the design and development functions as an integrated unit as approved by the advisory agency, may be reduced by up to 50% of the minimum requirement assessed under Section 17.58.110. The number of off-street parking spaces shall not exceed 150% of the minimum requirement (limit does not apply to residential uses). **Any change of use at an existing building in the central district shall not be subject to additional off-street parking requirements set forth in this chapter, provided the applicant establishes, to the satisfaction of the Planning Director, that the change of use does not require an expansion of building size.**

QUESTIONS

ADMINISTRATIVE REPORT

MEETING DATE:	11/6/2019	New Business 13. a.

TO: Honorable Mayor and City Council

FROM: Julie Drimakis, City Clerk

DATE: 9/24/2019

WARD:

SUBJECT: Resolution setting the dates of the regular City Council meetings, budget hearings, and department budget presentations for calendar year 2020.

STAFF RECOMMENDATION:

Staff recommends City Council determination.

BACKGROUND:

This resolution sets forth the regular City Council meetings, budget hearings, and department presentations for calendar year 2020. Meetings will be held in the City Council Chambers at 3:30 p.m. and 5:15 p.m.

Two Monday budget workshops are scheduled at 12:00 p.m. on May 11, 2020, and June 8, 2020. The budget hearing is scheduled at a regularly scheduled meeting on June 10, 2020, and the budget adoption is scheduled at a regularly scheduled meeting on June 24, 2020. National Holidays, spring break, conflicting board meetings, League of California Cities conferences, State of the County event, and budget deadlines were taken into consideration when preparing the calendar.

One meeting is scheduled during the months of February, April, July, August, October and December.

ATTACHMENTS:

Description	Type
Blue Memo	Cover Memo
Resolution	Resolution
Exhibit A	Exhibit

BAKERSFIELD

THE SOUND OF *Something Better*

CITY CLERK'S OFFICE
MEMORANDUM

November 6, 2019

TO: **HONORABLE MAYOR AND COUNCILMEMBERS**

FROM: **JULIE DRIMAKIS, CITY CLERK**

SUBJECT: **COUNCIL MEETING NOVEMBER 6, 2019**
AGENDA NEW BUSINESS 13.a.

Please see the revised City Council Meeting Calendar, reflecting a change to the month of April, for approval.

SCHEDULED MEETINGS

BAKERSFIELD CITY COUNCIL

JANUARY 2020 THROUGH DECEMBER 2020

Adopted November 6, 2019 Resolution No.

REGULAR MEETINGS
BEGIN @ 3:30 P.M. & 5:15 P.M.
(Annual Budget kickoff 5/6,
Budget Hearing on 6/10, and Adoption on 6/24)

DEPARTMENT BUDGET WORKSHOPS
@ 12:00 NOON

Holidays - City Hall Closed

JANUARY

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RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF BAKERSFIELD SETTING THE DATES FOR REGULAR MEETINGS OF THE CITY COUNCIL, DEPARTMENT BUDGET PRESENTATIONS AND BUDGET HEARING FOR JANUARY THROUGH DECEMBER 2020.

WHEREAS, pursuant to Section 2.04.010 of the Municipal Code of the City of Bakersfield, the Council may, from time to time, by resolution, change the meetings to be held during any specified period of time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield that the Regular City Council Meetings will be held on Wednesdays in the Council Chambers at 3:30 P.M. and 5:15 P.M., Department Budget Presentations will be held on Mondays at 12:00 P.M., or as soon thereafter, and Budget Hearings will be held at 5:15 P.M., or as soon thereafter, as shown below and on Exhibit "A" attached hereto:

REGULAR CITY COUNCIL MEETINGS
(Wednesdays at 3:30 p.m. and 5:15 p.m.)

January 8, 2020	May 6, 2020	September 9, 2020
January 22, 2020	May 20, 2020	September 23, 2020
February 19, 2020	June 10, 2020	October 14, 2020
March 11, 2020	June 24, 2020	November 4, 2020
March 25, 2020	July 15, 2020	November 18, 2020
April 22, 2020	August 12, 2020	December 16, 2020

DEPARTMENT BUDGET PRESENTATIONS
(Mondays at 12:00 noon)

May 11, 2020 June 8, 2020

BUDGET HEARING AND ADOPTION

June 10, 2020 June 24, 2020 (Adoption)

---------o0o----------

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted, by the Council of the City of Bakersfield at a regular meeting thereof held on _____ by the following vote:

AYES:	COUNCILMEMBER:	RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER:	_____
ABSTAIN:	COUNCILMEMBER:	_____
ABSENT:	COUNCILMEMBER:	_____

_____

JULIE DRIMAKIS, CMC
CITY CLERK and Ex Officio Clerk of the
Council of the City of Bakersfield

APPROVED

_____

KAREN GOH
Mayor of the City of Bakersfield

APPROVED as to form
VIRGINIA GENNARO
City Attorney

By: _____

Exhibit A

SCHEDULED MEETINGS

BAKERSFIELD CITY COUNCIL

JANUARY 2020 THROUGH DECEMBER 2020

Adopted November 6, 2019 Resolution No.

REGULAR MEETINGS
BEGIN @ 3:30 P.M. & 5:15 P.M.
(Annual Budget kickoff 5/6,
Budget Hearing on 6/10, and Adoption on 6/24)

DEPARTMENT BUDGET WORKSHOPS
@ 12:00 NOON

Holidays - City Hall Closed

JANUARY

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MARCH

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JUNE

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JULY

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SEPTEMBER

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OCTOBER

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DECEMBER

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